

Motion prevailed, without objection.

On motion of Senator Steele, **SB 539** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 539—"An Act to Amend Chapter 121, 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 investments and to issue bonds and notes" therefor and 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.

Motion prevailed, without objection.

Senator Grier moved that the Senate adjourn until Thursday, May 7, 1970, at 1:30 P.M. Hearing no objection, motion prevailed.

31st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:30 P.M. on Thursday, May 7, 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, Elliot, Foltz, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele—16.

Members Absent: Messrs. Grier, Holloway, Slawik—3.

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 it has passed **SB 622 with SA 1** and is returning same to the Senate.

The House wishes to inform the Senate that it has passed **HB 677, HB 714, HB 738, HB 548 with HA 1** and requests the concurrence of the Senate.

May 7, 1970

Legislative Council,

Speaker of the House, and

President Pro Tem of the Senate

Daniel T. Pennell, Jr.

Chief of Security

Security at Legislative Hall

Gentlemen:

Pursuant to Security Bulletin No. 2 dated May 2, 1969, which advocates all State agencies to maintain a log book to be utilized by employees entering and leaving State buildings after normal working hours, we have recently implemented this program at Legislative Hall. At the present time, Security maintains a guard at Legislative Hall on a 24-hour basis. It is requested that all persons entering and/or leaving Legislative Hall after the hour of 6 P.M. comply with this measure by signing the log book at the front desk. This Security measure would not

apply to members of the House and Senate while they are in an over-time session after normal hours.

Any legislator having to return to Legislative Hall at a late hour could arrange convenient access to the building by calling advance (whenever possible) to the Security Guard at 678-4130. This is an unlisted number that can be reached on a 24-hour basis.

These two measures will, I feel, enable us to maintain a more-controlled Security at Legislative Hall. Thanking you for your cooperation, I remain

Daniel T. Pennell, Jr.

Chief of Security

Read into the Records at request of Senator Cicione:

BE CAREFUL IN THE USE OF TERM, 'MAFIA'

It seems to me that law enforcement and other public officials should be more sensitive than they are when it comes to using labels that tend to condemn a whole group of innocent people.

I have in mind the loose way people fling around the word "Mafia."

"Mafia" is an Italian word, basically meaning any sign of bravado.

Since the latter days of the 19th century until today, it has been used to designate what is reported to be a vast organization set up for criminal purposes.

In his monumental book, "Organized Crime in America," published in 1962, Gus Tyler writes:

"While the existence of the Mafia is still legally conjectural, theories of its existence cannot be ignored.

"Any public discussion of this sensitive matter has to be prefaced by a separation of two terms—Mafia and Italian."

And there is another monumental book, "Brotherhood of Evil" in which it is stated:

"The mafiosi, singularly insidious though they are, make up a minute fraction of the many hundreds of thousands of Americans of Sicilian birth or extraction, the majority of whom are honest people engaged in conventional pursuits.

"The reader is asked to remember that the term Mafia and Sicilian are not synonymous."

The stigma of the Mafia—a term used sometimes too carelessly by law enforcement officials—should not and must not be stamped on Italians.

Is there really such an organization as the Mafia?

Top law enforcement officials say there is and their official reports seem to support them.

But is the Mafia entirely an Italian organization?

I doubt it. The profits from organized crime or criminal syndicates?

Of course, some Italians are involved; but there are also Irish, Jews, Greeks, native Americans, and even goons from Lithuania, I suppose.

As a matter of fact, there was a time in American history, when the best-known criminals were English; then there were the great criminal rings, dominated by Irish; then arrived Jews and Germans—Italian racketeers came in on the bottom of the list and muscled their way up when the Irish, Jews, and Anglosaxon racketeers had already cloaked themselves with respectability.

The current sensitivity of law-abiding Italians to the term Mafia is not without parallel, but most other ethnic groups have been able to diminish

the smear that threatened them.

The already famous Kefauver report on interstate criminal activities stressed that the Mafia "acts closely with many persons who are not of Sicilian descent."

"Moreover," the report added, "it must be pointed out most strongly that the Mafia group comprises only a very small fraction of a percentage even of Sicilians.

"It would be most unfortunate if any interferences were erroneously drawn in any way derogatory to the vast majority of fine law abiding citizens of Sicilian and Italian extraction."

However, too many insensitive officials, movie script writers, magazine and newspaper writers have too often thoughtlessly used the term Mafia, in such ways that it does reflect upon far too many honest good people of Italian background.

What is the solution?

First of all, I don't think anyone should say that the Mafia is here or not here, unless he honestly and truly has in mind a specific mob.

Next, if he actually means syndicated crime in general, he should say so and not throw around the word Mafia just because it seems to be an ominous term.

In our time and decate, why should Italians be made the scapegoat for what a small number of Italians are doing? Why should other groups escape?"

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **SB 476** 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 595** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Cicione on behalf of the committee on Labor and Industrial Relations to whom had been referred **SB 598** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **HB 549** reported the same back to the Senate; 1 Favorable, 2 on Merits.

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **HB 569** reported the same back to the Senate; 1Favorable, 3 on Merits.

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **HB 571** 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 **HB 640** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Cicione on behalf of the committee on Labor and Industrial Relations to whom had been referred **HB 687** 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 **HB 722** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **HB 276** reported the same back to the Senate; 5

on Merits.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **HJR 19** reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator Hart introduced **SA 2 to SB 547**.

Senator Hart moved that **SA 2 to SB 547** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 1 to HS 1 for HB 541**.

Senator Hart moved that **SA 1 to HS 1 for HB 541** be placed with bill. Motion prevailed without objection.

Senator Manning introduced **SB 631** co-sponsored by Senators Hale and Robbins, entitled, "An Act to Amend Title 17, Delaware Code, relating to highways by providing that highway construction payments received by a contractor are trust funds and further providing for violations and penalties for the use or appropriation of such funds by the contractor prior to paying persons furnishing labor or material in the construction of the highway," which was given its first reading by Title only and assigned to committee on Highways and Public Safety.

Senator Holloway introduced **SB 632** entitled, "An Act to Amend Title 21, Delaware Code, Chapter 1, relating to the appointments of councilmen to fill seats in incorporated cities or towns where vacancies are created by death or incapacity," which was given its first reading by title only.

Senator Castle moved that **SB 632** be laid on table. Motion prevailed, without objection.

Senator Castle introduced **SB 633** entitled, "An Act to Amend Section 4527 (b), Chapter 45, Title 31, Delaware Code, relating to disposal of property in redevelopment project to public, quasi-public, charitable and religious corporations," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Castle introduced **SB 634** entitled, "An Act to Amend Section 4526, Chapter 45, Title 31, Delaware Code, relating to consent in connection with modification of urban renewal plans," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Elliott introduced **SB 635** entitled, "An Act making a supplementary appropriation to the Educational Contingency Fund for the purpose of tuition payments on account of Delmar School District," which was given its first reading by title only and assigned to committee on Finance.

Senator Steele introduced **SB 636** entitled, "An Act to Amend Chapter 21, Title 14, Delaware Code, relating to local school bonds by providing for temporary use of school funds for capital improvements," and assigned to committee on Finance.

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

HB 548 with HA 1—"An Act to Amend Section 1307 (c), Chapter 13, Title 14, Delaware Code, relating to assistant principals,"—Education.

HB 677—"An Act to Amend Title 19, Section 517, Delaware Code, relating to the selling of newspapers and other articles by minors,"—Labor and Industrial Relations.

HB 714—"An Act to Amend Title 7, Delaware Code, Chapter 5, Section 512, relating to term of license,"—Fish, Oyster, and Game.

HB 738—"An Act making a supplementary appropriation to the Delaware "Miss U.S.A." Pageant for the purpose of providing funds for Delaware's Miss U.S.A. to attend the national Miss U.S.A. Pageant, and to defray related expenses,"—Finance.

On motion of Senator Foltz, **HB 551** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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."

The Chair recessed the Senate for lack of quorum at 3:10 P.M.

The Senate reconvened at 3:12 P.M.

Senator Castle moved that action on **HB 551** be deferred. Motion prevailed without objection.

On motion of Senator Steele, **HB 670** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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."

On the motion of Senator Steel, action on the bill was deferred. Motion prevailed, without objection.

Senator Steele introduced **HCR 34** entitled, "Appropriating money out of the general fund of the State Treasury to pay certain expenses of members of the Legislative Council."

Senator Steele moved that **HCR 34** be adopted.

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—14.

ABSENT—Messrs. Cicione, Grier, Hickman, Holloway, Slawik—5.

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

On motion of Senator Foltz **SB 509** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 509—"An Act authorizing the State Board of Health to establish a plan for the development of health personnel and appropriating funds for such a plan, and empowering the State Board of Health to administer a Health Manpower Development Program."

On the motion of Senator Foltz action on the bill was deferred. Motion prevailed, without objection.

On motion of Senator Foltz, **HB 495** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 495—"An Act to Amend Chapter 1, Title 10, Delaware Code, regarding consequences of failure to appeal from interlocutory orders."

Senator Foltz asked for the privilege of the floor for Rep. Warren B. Burt to explain **HB 495**. Hearing no objection the privilege was granted.

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

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

ABSENT—Messrs. Grier, Hickman, 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 Foltz, **HB 496** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 496 “An Act to Amend Chapter 1, Title 10, Delaware Code, providing for time for appeals to Supreme Court from interlocutory orders.”

On the question “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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—15.

ABSENT—Messrs. Grier, Hickman, 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 Foltz, **HB 498** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 498—“An Act to Amend Chapter 1, Title 10, Delaware Code, providing for additional time for cross- appeals in civil actions.”

On the question “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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Steele—14.

ABSENT—Messrs. Grier, Hickman, Holloway, Schlör, 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 Foltz, **HB 527** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 527—“An Act to Amend Chapter 47, Title 16, Delaware Code, pertaining to the manufacture, cultivation, and growth of narcotic drugs and dangerous drugs and prescribing penalties for violations; lesser included offenses.”

Senator Foltz asked for the privilege of the floor for Mr. Sam Lewis, Senate Attorney, to explain **HB 527**. Hearing no objection the privilege was granted.

Senator Foltz moved that action on **HB 527** be deferred. Motion prevailed without objection.

On motion of Senator Foltz, **HB 568** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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.”

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

YEAS—Messrs. Foltz, Hale, Steele—3.

NAYS—Messrs. Hickman, Isaacs, McCullough, Schlör—4.

NOT VOTING—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Hart, (Mrs.) Manning, Robbins—9.

ABSENT—Messrs. Grier, Holloway, Slawik—3.

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

On motion of Senator Isaacs, **HB 669 with HA 1,2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 669 with HA 1,2—“An Act to Amend Title 11, Delaware Code, Chapter 39, Sections 3911 and 3912 relating to habitual criminals.”

Senator Isaacs asked for the privilege of the floor for Rep. Jerome N. Unruh to explain **HB 669 with HA 1,2**. Hearing no objection the privilege was granted.

Senator Isaacs moved to have **HB 669 with HA 1,2** deferred. Motion prevailed without objection.

On motion of Senator Isaacs, **SB 627** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 627—“An Act to Amend 8323, Title 11, Delaware Code, relating to the eligibility for pensions for members of the State Police.”

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Schlör, Steele—14.

NOT VOTING—Mr. Robbins—1.

ABSENT—Messrs. Foltz, Grier, 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 for concurrence.

On motion of Senator Isaacs, **HB 575** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 575—“An Act to Amend Title 7, Section 701, Delaware Code, relating to game animals.”

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Isaacs, Robbins, Schlör, Steele—14.

NAYS—(Mrs.) Manning—1.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Grier, Holloway, 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.

Senator Isaacs requested that **SB 586** be stricken from the calendar. Motion prevailed without objection.

Senator Steele requested that **SB 545** be stricken from the calendar.

Motion prevailed without objection.

Senator Steele introduced **SS 1 for 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 received 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 Hale introduced **SR 113** 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 113** 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, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele—13.

NAYS—Mr. McCullough—1.

ABSENT—Messrs. Cicione, Grier, Hickman, Holloway, Slawik—5.

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

Senator Hale introduced **SR 114** entitled, "Authorizing payments for services rendered by the staff of the Senate for the 125th General Assembly."

Senator Hale moved that **SR 114** 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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—15.

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

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

Jon Hall, Senate Attache and Senior at the University of Delaware, granted privilege of floor to explain invitations to members of the Senate from the University.

On motion of Senator Hickman, **HB 314 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 314 with HA 1—"An Act to Amend Section 4703 (a) Chapter 47, Title 7, Delaware Code, by adding thereto a new Subparagraph extending the powers and duties of the State Park Commission to include the leasing of lands for park and recreation purposes."

On the motion of Senator Hickman the bill was deferred. Motion prevailed without objection.

On motion of Senator Cicione, **HB 626** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 626—"An Act relating to street and highway lighting in Kent County."

Senator Foltz asked for the privilege of the floor for Mr. Peter Green, Legislative Council Attorney, to explain if the bill requires 2/3 vote. Hearing no objection the privilege was granted.

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele—14.
ABSENT—Messrs. Cicione, Grier, Holloway, 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.

Senator Manning introduced **SJR 18** entitled, "Relative to the establishment of a committee to review the "Rules of the Road."

Senator Manning moved that **SJR 18** 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, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele—14.
ABSENT—Messrs. Cicione, Grier, Holloway, McCullough, Slawik—5.

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

Senator Conner on behalf of the committee on Education to whom had been referred **HCR 36** reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator Conner on behalf of the committee on Education to whom had been referred **HB 519** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Elliott on behalf of the committee on Agriculture and Natural Resources to whom had been referred **HB 698** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 633** 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 634** 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 605** reported the same back to the Senate; 3 on Merits.

Senator duPont moved that the Senate recess until Tuesday, May 12, 1970, at 1:30 P.M. Hearing no objection motion prevailed.

32d LEGISLATIVE DAY

Senator Grier moved that the Senate adjourn until Tuesday, May 12, 1970, at 1:30 P.M. Hearing no objection, motion prevailed.

The Senate met pursuant to adjournment at 2:55 P.M. on Tuesday May 12, 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, Schlör, Slawik, Steele—18.

Members Absent: Mr. Robbins—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 or Memorials were read:

The Chair announced that the House wishes to inform the Senate that it has passed **HB 638 with HA 2, HB 716 with HA 2, 3, HB 746** and requests the concurrence of the Senate; also **SB 626 with HA 1, SJR 19** and is returning the same to the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 740, HS 1 for HB 644, HCR 37** and requests the concurrence of the Senate.

The following veto message and Legislative Advisory No. 40 were received from the Office of the Governor.

May 7, 1970

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

On April 28, 1970, I received Senate Bill No. 383 entitled:

"An Act to Amend Chapter 5, Title 4, Delaware Code, relating to grounds for cancellation or suspension of license."

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

1. As a result of discussions with Senator Hart, it was agreed that the effect of this bill goes too far in keeping the Alcoholic Beverage Control Commission from examining the activities of licensees who have violated the law. It is possible under this bill that the Alcoholic Beverage Control Commission will be prevented from disciplining licensees who are in fact guilty of selling liquor to minors but who had criminal charges against them dismissed because of a technicality.

2. Senate Bill No. 622 As Amended by Senate Amendment 1, also sponsored by Senator Hart, has been delivered to me for signature and accomplishes the objectives which I believe are those which will do justice to the licensees and the people of the State of Delaware. It will protect from disciplinary action of the Commission those licensees who have had full hearings in Court on the charge of selling liquor to minors and who have been acquitted on the facts of the charge. But **SB 622** as amended will allow the Alcoholic Beverage Control Commission to hold hearings and, if appropriate, discipline those licensees who have had the charge or charges against them dismissed on a technicality. I have signed it.

Respectfully submitted,
RUSSELL W. PETERSON
Governor

OFFICE OF THE GOVERNOR

May 11, 1970

LEGISLATIVE ADVISORY NO. 40

From: Jerome O. Herlihy, Counsel to the Governor

The Governor approved the following legislation on the indicated dates:

HB 632 - 5-6-70 - relating to the employment of driver education teachers.

HB 188 as Amended by HA 1 and SA 1 - 5-6-70 - abolishing Orphan's Court.

HB 585 as Amended by SA 1 - 5-6-70 - relating to the licensing of real estate agents.

HB 635 - 5-6-70 - relating to the Alcoholic Beverage Control Commission.

HB 606 as Amended by HA 2 - 5-6-70 - creating an exemption of \$300 on income taxes for expenses in connection with adoption cases.

HB 578 - 5-6-70 - adding the Penn Acres Swim Club to the list of tax exempt properties.

HB 572 - 5-6-70 - extending the existence of the Wilmington Civic Center Office Building Commission until June 30, 1971.

HB 645 - 5-6-70 - directing a pension for Mrs. Hettie D. Gardner.

HB 639 - 5-6-70 - relating to a bill of the Division of Corrections.

HB 582 - 5-6-70 - making certain amendments to the Town Charter of Rehoboth.

SB 573 - 5-6-70 - authorizing the construction of a pedestrian crosswalk over the Concord Pike.

SB 613 as Amended by SA 1 - 5-6-70 - authorizing the Governor to execute a quitclaim deed for the Beebe Hospital.

SB 577 - 5-6-70 - exempting motor vehicles owned by disabled veterans from motor vehicle registration fees.

SB 535 - 5-6-70 - granting jurisdiction to Justices of the Peace over the crime of throwing or dumping trash within 100 feet of the public highways.

SB 484 - 5-6-70 - authorizing the Indian River School District to spend \$9, 527.84 for classroom space.

SB 622 as Amended by SA 1 - 5-7-70 - relating to certain powers of the Alcoholic Beverage Control Commission.

SJR 13 - 5-7-70 - pertaining to proposed terminal facilities in the Delaware Bay.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 445** 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 **HB 476** 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 **HB 618** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Hale introduced **SB 637** entitled, "An Act amending Titles 11, 16, 17, 20, 21, 29, providing for omnibus amendments and corrections relating to the Department of Public Safety as provided in Title 29, Delaware Code, Chapter 82," which was given its first reading by title only and assigned to Joint Committee on Reorganization.

Senator Foltz introduced **SB 638** co-sponsored by Senators Cicione, Cook, and Schlör, entitled, "An Act to Amend Title 10, Delaware Code, relating to salaries of Justices of the Peace," which was given its first reading by title only and assigned to Committee on Finance.

Senator Elliott introduced **SB 639** entitled, "An Act making a

supplementary appropriation to the Department of Mental Health to be used for surfacing and other improvements of entrance road and parking area at the Hospital for the Mentally Retarded," which was given its first reading by title only and assigned to Committee on Finance.

Senator Elliott introduced **SA 2 to HS 1 for HB 541**.

Senator Elliott moved that **SA 2 to HS 1 for HB 541** be placed with bill. Motion prevailed without objection.

On motion of Senator Foltz, **SB 509** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 509—"An Act authorizing the State Board of Health to establish a plan for the development of health personnel and appropriating funds for such a plan, and empowering the State Board of Health to administer a Health Manpower Development Program."

Senator Foltz asked for the privilege of the floor for Dr. Floyd Hudson State Board of Health and Mr. Griffith, Executive Director of Delaware Hospital Association. 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, Hart, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele—14.

NOT VOTING—Messrs. duPont, Isaacs—2.

ABSENT—Messrs. Cicione, Hickman, Robbins—3.

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

On motion of Senator Foltz, **SB 595** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 595—"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. 11, who did not receive his bonus."

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.) Cooner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele—17.

ABSENT—Messrs. Cicione, Robbins—2.

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

Senator Foltz moved to have **HB 551** lifted from table. Motion prevailed without objection.

Senator Castle moved that **SA 1 to HB 551** 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, Schlör, Slawik, Steele—17.

NOT VOTING—(Mrs.) Manning—1.

ABSENT—Mr. Robbins—1.

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

On motion of Senator Foltz **HB 551 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 551 with SA 1—"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."

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

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

ABSENT—Mr. Robbins—1.

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

Senator Cook moved that **SA 5 to HB 393 with HA 1, 2, 3, and SA 1, 2, 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, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Isaacs, McCullough, Schlör, Slawik, Steele—15.

ABSENT—Messrs. Hart, Holloway, (Mrs.) Manning, 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 Castle, **HB 393, with HA 1, 2, 3, and SA 1, 2, 4, 5** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 393 with HA 1, 2, 3, and SA 1, 2, 4, 5—"An Act to Amend Title 30, Delaware Code, relating to commodity taxes by adding a new chapter to be designated as Chapter 52, relating to a fuel purchase law upon certain motor carriers, providing for the collection and administration thereof, establishing penalties, and making an appropriation to the State Highway 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, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Isaacs, McCullough, Schlör, Slawik, Steele—14.

NAYS—Mr. Foltz—1.

ABSENT—Messrs. (Mrs.) Conner, Holloway, (Mrs.) Manning, Robbins—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 moved that **SA 1 to HB 385 with HA 2** be adopted.

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

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

Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele—16.

NAYS—Mr. Isaacs—1.

ABSENT—Messrs. Holloway, Robbins—2.

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

On motion of Senator Steele, **HB 385 with HA 2, 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 385 with HA 2, SA 1—"An Act making a supplementary appropriation to the State Highway Department for administration of the motor carrier fuel purchase law."

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

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

NAYS—Messrs. Foltz, Isaacs, McCullough—3.

NOT VOTING—Mr. Slawik—1.

ABSENT—Messrs. Robbins, Schlör—2.

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

On motion of Senator Hart, **HB 671** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 671—"An Act to Amend Title 8, of the Delaware Code, relating to Corporations by making certain changes in Sections 141, 151, 214, 221, 243, 251, 254, 371, 372, 391, 502, 504, 506, 618."

On the question "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, Slawik, Steele—16.

ABSENT—Messrs. McCullough, Robbins, Schlör—3.

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

Senator Steele moved to have roll call on **SB 354** 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. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele—13.

NAYS—Messrs. Cook, Isaacs, McCullough, Robbins—4.

NOT VOTING—Messrs. Hart, Schlör—2.

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

Senator Hickman moved that **SA 1 to SB 476** 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, Slawik, Steele—15.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. (Mrs.) Manning, Robbins, 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 Hickman, **SB 476 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 476 with SA 1—“An Act to incorporate the Town of Henlopen Acres.”

On the question “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, Slawik, Steele—15.

ABSENT—Messrs. Foltz, Holloway, Isaacs, Robbins—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 Isaacs, **HB 605** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 605—“An Act to Amend Subchapter 11, Section 522, (c), Title 28, Delaware Code, relating to licenses to conduct harness racing meets.”

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

YEAS—Messrs. Cook, duPont, Elliott, Foltz, Grier, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele—13.

NOT VOTING—Messrs. Castle, Cicione, (Mrs.) Conner, Hale, Holloway—5.

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 motion of Senator Hart, **SB 624** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 624—“An Act to Amend Title 29, Delaware Code, Section 8013, 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.”

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

YEAS—Messrs. Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Schlor—13.

NOT VOTING—Messrs. Castle, (Mrs.) Conner, Holloway, Slawik—4.

ABSENT—Messrs. Robbins, Steele—2.

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

Senator Hickman introduced **SA 3 to SB 547**.

Senator Hickman moved that **SA 3 to SB 547** be placed with bill. Motion prevailed without objection.

Senator Hickman introduced **SA 4 to SB 547**.

Senator Hickman moved that **SA 4 to SB 547** be placed with bill. Motion prevailed without objection.

Senator Hickman introduced **SA 5 to SB 547**.

Senator Hickman moved that **SA 5 to SB 547** be placed with bill. Motion prevailed without objection.

Senator Castle introduced **SA 2 to SB 616**.

Senator Castle moved that **SA 2 to SB 616** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SA 2 to SB 498**.

Senator Elliott moved that **SA 2 to SB 498** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SA 3 to HS 1 for HB 541**.

Senator Elliott moved that **SA 3 to HS 1 for HB 541** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SB 640** co-sponsored by Senator Hart, entitled, "An Act to Amend Chapter 11, Title 17, of the Delaware Code, relating to outdoor advertising and the control thereof in areas adjacent to the public highways and public lands of this State," which was given its first reading by title only and assigned to Committee on Highways and Public Safety.

Senator Cicione introduced **SB 641** co-sponsored by Senators Hart and Isaacs, entitled, "An Act making a supplementary appropriation to the Delaware State Development Department for flags," which was given its first reading by title only and assigned to Committee on Government Operations.

Senator Hart introduced **SB 642** co-sponsored by Senator Holloway, entitled, "An Act to Amend Chapter 13, Title 14, Delaware Code, relating to salary schedules for school employees," which was given its first reading by title only and assigned to Committee on Education.

Senator Isaacs introduced **SR 115** entitled, "Relating to a public hearing concerning **SB 574** to be held in the Senate Chambers on May 18 or 19, 1970 at the call of the Chairman of the Government Operations Committee of the Senate."

Senator moved that **SR 115** be adopted.

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

YEAS—Messrs. Cook, Elliott, Hickman, Isaacs, Schlör—5.

NAYS—Messrs. Castle, Cicione, duPont, Foltz, Hale, (Mrs.) Manning, McCullough—7.

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

ABSENT—Messrs. Holloway, Robbins, Slawik, Steele—4.

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

Senator Castle introduced **SB 643** entitled, "An Act to Amend Chapter 5, Title 22, Delaware Code, relating to parking authorities," which was given its first reading by title only and assigned to Committee on Banking and Insurance.

Senator Castle on behalf of the committee on Elections to whom had been referred **SB 616** reported the same back to the Senate; 1 Favorable, 5

on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **SB 190** 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 523** reported the same back to the Senate; 5 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **SS 1 for SB 545** reported the same back to the Senate; 6 on Merits.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **SB 631** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 635** 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 636** reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HS 1 for HB 541** 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 **HB 548** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 738** reported the same back to the Senate; 5 on Merits.

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

HB 638—"An Act to Amend Title 29, Delaware Code, by creating a new chapter to be designated as a chapter 83, relating to the establishment of a Department of Finance, defining its organization, powers, duties, and functions and providing a supplementary appropriation to the Governor to implement the provisions of this act,"—Joint Committee on Reorganization.

HS 1 for HB 644—"An Act to Amend Chapter 19, Title 17, Delaware Code, relating to Highway Relocation Assistance,"—Committee on Highways and Public Safety.

HB 716 with HA 2,3—"An Act relating to the operation of motor vehicles on public beaches,"—Agriculture and Natural Resources.

HB 740—"An Act to Amend Title 21, Section 4502, Delaware Code, relating to the size and loads of motor vehicles,"—Committee on Highways and Public Safety.

HB 746—"An Act to Amend Chapter 19, Title 10, Delaware Code, relating to Judicial Records and Indices in Sussex County,"—Committee on Government Operations.

On motion of Senator Hickman, **SB 626 with HA 1** was taken up for consideration in order to pass the Senate.

Senator Hickman moved roll call on **SB 626 with HA 1** be tabled. Motion prevailed without objection.

The Chair presented the following Concurrent Resolution which was given first reading and referred to committee as follows:

HCR 37—"Relating to United States support of Israel by the giving

of military and economic aid,”— Committee on Revised Statutes.

Senator Holloway moved that **SB 632** be lifted from table and assigned to committee. Motion prevailed without objection and assigned to Committee on Elections.

Senator Grier moved that the Senate adjourn until Wednesday May 13, 1970, at 1:30 P.M. Hearing no objection, motion prevailed.

33rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:23 P.M. on Wednesday, May 13, 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, 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.

The following communication was read:

The Chair announced that the House wishes to inform the Senate that it has passed **HCR 38** and requests the concurrence of the Senate.

Senator Isaacs presented the following communication from the Newark School District which was read.

May 8, 1970

The Honorable J. Donald Isaacs

Senator of Delaware

Townsend

Delaware 19734

Dear Senator Isaacs:

We are now reaching the point where it is becoming imperative that we have action on our Bond Construction Bill. We hope to run a Referendum this Fall, probably in October, and in order to do so effectively we should have the passage of the Bond Bill.

As you know, Glasgow High School is costing us at least \$80,000 per month for each month we do not get out the bid. Part of the final design rests on the funding and, therefore, we will be held up if we cannot have assurance of at least the State portion of the funding.

Your assistance in getting this Bill acted upon will be greatly appreciated.

Very truly yours,
George V. Kirk
Superintendent

Senator duPont moved that **HB 740** be returned to the House as it was sent to the Senate by error. Motion prevailed without objection.

Secretary of Senate was instructed to return **HB 740** to the House.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 278** reported the same back to the Senate; 6 on Merits.

Senator Manning introduced **SB 644** entitled, "An Act proposing an

Amendment to the Constitution of the State of Delaware," which was given its first reading by title only and assigned to Joint Committee on Constitutional Revision.

Senator Hale introduced **SB 645** entitled, "An Act to Amend Title 24, Delaware Code, Chapter 27, relating to Professional Engineers and Land Surveyors," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Steele introduced **SB 646** entitled, "An Act to Amend Title 29, Delaware Code, Section 6913 relating to Public Construction Contracts," which was given its first reading by title only and assigned to committee on Finance.

Senator Steele introduced **SB 647** entitled, "An Act to Amend Title 29, Delaware Code, Chapter 80 by creating a New Subsection relating to the powers and duties of the Secretary of Natural Resources and Environmental Control to make grants for the construction of Water Pollution Control Facilities," which was given its first reading by title only and assigned to committee on Agriculture and Natural Resources.

Senator Cook introduced **SB 648** entitled, "An Act to Amend Section 4648, Title 9, Delaware Code of 1953, relating to the Issuance of Bonds by the Levy Court of Kent County to Finance Sewage Improvements," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Hart introduced **SA 6 to SB 547**.

Senator Hart moved that **SA 6 to SB 547** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SA 1 to SB 574**.

Senator Elliott moved that **SA 1 to SB 574** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SA 2 to SB 574**.

Senator Elliott moved that **SA 2 to SB 574** be placed with bill. Motion prevailed without objection.

Senator Hickman introduced **SA 3 to SB 574**.

Senator Hickman moved that **SA 3 to SB 574** be placed with bill. Motion prevailed without objection.

Senator Slawik introduced **SA 1 to SB 612**.

Senator Slawik moved that **SA 1 to SB 612** be placed with bill. Motion prevailed without objection.

On motion of Senator Hickman roll call on **SB 626 with HA 1** was lifted from 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, Cook, duPont, Elliott, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—15.

NAYS—Mr. Foltz—1.

NOT VOTING—Messrs. Castle, McCullough—2.

ABSENT—Mr. Hale—1.

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

On motion of Senator Hart **SB 547** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 547—"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."

Senator Hart asked for the privilege of the floor for Mr. Robert Halbrook, Jr., Director of the Governor's Task Force, to explain **SB 547**. Hearing no objection the privilege was granted.

Senator Hart moved that **SA 1 to SB 547** 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, Steele—13.

NAYS—Messrs. Robbins, Schlor—2.

ABSENT—Messrs. Foltz, (Mrs.) Manning, McCullough, Slawik—4.

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

Senator Hart requested that **SA 2 to SB 547** be stricken from the calendar. Motion prevailed without objection.

Senator Hart asked for the privilege of the floor again for Mr. Halbrook to explain **SA 6 to SB 547**.

Senator Hart moved that **SA 6 to SB 547** 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, Grier, Hale, Hart, Holloway, Isaacs, Slawik, Steele—12.

NAYS—Messrs. duPont, Hickman, Robbins, Schlor—4.

ABSENT—Messrs. Foltz, (Mrs.) Manning, McCullough—3.

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

Senator Hickman moved that **SA 4 to SB 547** be adopted.

Senator Hickman moved that action on **SA 4 to SB 547** be deferred to take action on **SA 5 to SB 547**. Motion prevailed without objection.

Senator Hickman moved that **SA 5 to SB 547** be adopted.

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

YEAS—Messrs. Cook, Elliott, Hickman, Isaacs, Robbins—5.

NAYS—Messrs. Castle, (Mrs.) Conner, duPont, Hale, Hart, Holloway, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele—11.

NOT VOTING—Mr. Grier—1.

ABSENT—Messrs. Cicione, Foltz—2.

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

Senator Hickman moved that **SA 3 to SB 547** be adopted.

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

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

NAYS—Mr. duPont—1.

NOT VOTING—Messrs. Cook, Robbins, Schlor—3.

ABSENT—Mr. Foltz—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 4 to SB 547** 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, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele—13.

NAYS—Messrs. duPont, McCullough, Slawik—3.

NOT VOTING—Messrs. Robbins, Schlor—2.

ABSENT—Mr. Foltz—1.

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

Senator Hart moved that **SB 547 with SA 1,3,4,5,6** be laid on the table. Motion prevailed without objection.

On motion of Senator Grier **SB 598** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 598—"An Act to Amend Title 24, Delaware Section 1424, relating to bonds required of master electricians."

On the question "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, Robbins, Schlor, Slawik, Steele—17.

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 for concurrence.

On motion of Senator duPont **SB 597** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 597—"An Act to Amend Section 465, Title 11, Delaware Code, relating to possession of machine guns."

On the question "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 for concurrence.

Senator Isaacs moved that **SA 1 to SB 125** be adopted.

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

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

NOT VOTING—Messrs. McCullough, Robbins, Schlor—3.

ABSENT—Mr. Slawik—1.

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

On motion of Senator Isaacs **SB 125 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 125—"An Act to Amend Sections 2105, 2107, and 2110, Title 7, Delaware Code, relating to Oysters."

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, Schlör, Steele—16.

NAYS—Messrs. McCullough, Robbins—2.

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 Steele **SS 1 for SB 545** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 545—"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 received the loan or sooner at the election of the hospital."

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, Slawik, Steele—18.

ABSENT—Mr. Schlör—1.

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

Senator Manning introduced **SA 7 to SB 547**.

Senator Manning moved that **SA 7 to SB 547** be adopted.

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

YEAS—Messrs. Hickman, (Mrs.) Manning, McCullough, Robbins, Slawik—6.

NAYS—Messrs. duPont, Foltz, Grier, Hale, Holloway, Isaacs, Steele—7.

NOT VOTING—Messrs. Castle, Cicone, (Mrs.) Conner, Elliott, Hart—5.

ABSENT—Mr. Schlör—1.

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

Senator Hart asked for the privilege of the floor for Mr. Halbrook to answer questions on **SB 547 with SA 1,3,4,5,6**. Hearing no objection the privilege was granted.

Senator Hart moved that **SB 547 with SA 1,3,4,5,6** be 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. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, Steele—12.

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

NOT VOTING—Messrs. Cook, Holloway, Slawik—3.

ABSENT—(Mrs.) Manning—1.

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

On motion of Senator Steele **SB 636** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 636—“An Act to Amend Chapter 21, Title 14, Delaware Code, relating to local school bonds by providing for temporary use of school funds for capital improvements.”

On the motion of Senator Steele the bill was tabled. Motion prevailed, without objection.

On motion of Senator Cicione **HB 569** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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.”

On the motion of Senator Cicione action on the bill was deferred. Motion prevailed without objection.

On motion of Senator Cicione **HB 571** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 571—“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.”

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

YEAS—Messrs. Castle, Foltz, (Mrs.) Manning—3.

NAYS—Messrs. Cook, Elliott, Hickman, Isaacs, McCullough, Robbins, Schlör, Steele—8.

NOT VOTING—Messrs. Cicione, (Mrs.) Conner, duPont, Grier, Hale, Holloway, Slawik—7.

ABSENT—Mr. Hart—1.

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

On motion of Senator Cicione **HB 640** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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.”

Senator Cicione asked for the privilege of the floor for Representative Clarice U. Heckert to explain **HB 640**. 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, Schlör, Slawik, Steele—18.

ABSENT—Mr. Hart—1.

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

On motion of Senator Cicione **HB 722** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 722—"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, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—17.

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. Hart—1.

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

President Pro Tem Reynolds duPont took over rostrum as Presiding Officer at 4:45 P.M.

On motion of Senator Castle **SB 633** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 633—"An Act to Amend Section 4527 (b), Chapter 45, Title 31, Delaware Code, relating to disposal of property in redevelopment project to public, quasi-public, charitable and religious corporations."

Senator Castle asked for the privilege of the floor for Mr. Michael E. Harkins to explain **SB 633**. Hearing no objection the privilege was granted.

Senator Castle moved that action on **SB 633** be deferred for amendment. Motion prevailed without objection.

Senator Steele introduced **SS 1 for SB 445** 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 moneys to various agencies of the State," which was given its first reading by title only and assigned to committee on Finance.

Senator Steele requested that **SB 445** be stricken from the calendar. Motion prevailed without objection.

Senator Cook introduced **SA 1 to SS 1 for SB 445**.

Senator Cook moved that **SA 1 to SS 1 for SB 445** be placed with bill. Motion prevailed by voice vote.

Senator Castle introduced **SA 3 to SB 616**.

Senator Castle moved that **SA 3 to SB 616** be placed with bill. Motion prevailed without objection.

Senator Conner introduced **SB 649** entitled, "An Act to Amend Title 24, Delaware Code, Chapter 19, relating to nursing and the regulation thereof," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Steele introduced **SB 650** entitled, "An Act to Amend Chapter 17, Title 14, Delaware Code, relating to State appropriations by establishing a pilot program in flexible funding," which was given its first reading by title only and assigned to committee on Finance.

Senator Castle introduced **SB 651** co-sponsored by Senators Elliott, Hart, Slawik, Cook, and Holloway, entitled, "An Act to Amend Title 6, Chapter 25, Delaware Code, relating to prohibited trade practices by adding a new subchapter thereto to protect franchised distributors from unjust termination of, or failure or refusal to renew their franchises," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Steele introduced **SB 652** entitled, "An Act making a supplemental appropriation to the Self-Insurance Fund from the Capital Investment Fund," which was given its first reading by title only and assigned to committee on Finance.

Senator Castle introduced **SB 653** co-sponsored by Senators Conner and Holloway, entitled, "An Act to Amend Chapter 92, Volume 23, Laws of Delaware, as amended, being 'An Act to provide for the organization and control of the public schools of the City of Wilmington' by providing that the Board of Public Education in the City of Wilmington consist of seven (7) members, four (4) of whom shall be appointed by the Governor and three (3) of whom shall be appointed by the Mayor of the City of Wilmington," which was given its first reading by title only and assigned to committee on Education.

Senator Conner introduced **SB 654** co-sponsored by Senators Castle and Holloway, entitled, "An Act to Amend Title 19, Delaware Code, Chapter 7, Subchapter 11, relating to discrimination in employment and making a supplementary appropriation to the Department of Labor and Industrial Relations to implement this act," which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Castle introduced **SB 655** co-sponsored by Senators Manning and Slawik, entitled, "An Act to Amend Title 13, Delaware Code, relating to allowance or division of property upon divorce, providing for support and expense money on decree of divorce on grounds of incompatibility and enforcement of orders therefor by Family Court," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Cook introduced **SB 656** entitled, "An Act to Amend Title 21, of the Delaware Code with respect to certain penalties assessed for violations of Chapter 21 of Motor Vehicle Code," which was given its first reading by title only and assigned to committee on judiciary.

Senator Elliott introduced **SA 4 to SB 574**.

Senator Elliott moved that **SA 4 to SB 574** be placed with bill. Motion prevailed without objection.

Senator Holloway introduced SR 116 entitled, "Relating to having mobile units available for registration and voting."

Senator Holloway moved that **SR 116** be withdrawn. Motion prevailed without objection.

Senator Cicione moved that Rule 9 be suspended for the purpose of considering **HCR 38**.

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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik—15.

ABSENT—Messrs. Elliott, Hart, Hickman, Steele—4.

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

Senator Cicione introduced **HCR 38.**

HCR 38.

RELATIVE TO THE DEATH OF WALTER P. REUTHER PRESIDENT OF THE UNITED AUTO WORKERS' UNION, AND HIS WIFE, MAY REUTHER

WHEREAS, the members of the 125th General Assembly of the State of Delaware have learned with regret of the passing of Walter P. Reuther and his wife, May Reuther; and

WHEREAS, Mr. Reuther faithfully served as President of the United Auto Workers' Union for 24 years; and

WHEREAS, he dedicated his life to the cause of economic and social justice; and

WHEREAS, his passing closes the career of one of the foremost labor leaders of his time; and

WHEREAS, the members of the 125th General Assembly deem it more than fitting to express in this public manner their deep sense of regret and sorrow at the irreparable loss by the death of this most respected and famed labor leader who devoted his life and energies for the benefit of the workers in the auto industry whom he served so devotedly;

NOW THEREFORE,

BE IT RESOLVED by the 125th General Assembly of the State of Delaware that the members thereof mark with deep sorrow and regret the passing of Walter P. Reuther, President of the United Workers: Union and his wife, May Reuther, and that their sympathies be expressed to the surviving family of Mr. and Mrs. Reuther by forwarding a copy of this resolution to them.

BE IT FURTHER RESOLVED that a copy of this resolution be entered upon the Journals of the House and Senate of the 125th General Assembly of the State of Delaware.

Senator Cicione moved that **HCR 38** 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik—15.

ABSENT—Messrs. Elliott, Hart, Hickman, Steele—4.

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

Senator Cicione moved the roll call be made unanimous. Motion prevailed without objection.

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **SB 641** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Foltz on behalf of the committee on Banking and Insurance

to whom had been referred **SB 643** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator duPont on behalf of Joint Committee on Reorganization to whom had been referred **SB 644** reported the same back to the Senate, 2 Favorable, 3 on Merits.

Senator Cicione on behalf of the committee on Labor and Industrial Relations to whom had been referred **HB 677** 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 746** reported the same back to the Senate; 1 Favorable, 4 on Merits.

The Chair announced that the members of the Senate were invited to attend a Joint Caucus on drug use.

Senator Grier moved that the Senate adjourn until Thursday, May 14, 1970, at 1:30 P.M. Hearing no objection, motion prevailed.

34th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:50 P.M. on Thursday May 14, 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, 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 announced that a meeting on reorganization bills would be held in the Senate Chamber at 7:30 P.M. on May 19, 1970.

Senator Elliott introduced **SR 117** entitled, "Relating to the Dam and Water Gates on Records Pond, Sussex County, Delaware."

Senator Elliott moved that **SR 117** be adopted.

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

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

ABSENT—Messrs. Hickman, McCullough—2.

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

Senator Elliott introduced **SB 657** entitled, "An Act making a supplementary appropriation to the State Department of Housing for various expenses for the fiscal year ending June 30, 1971," which was given its first reading by title only and assigned to committee on Finance.

Senator Foltz introduced **SB 658** entitled, "An Act making a supplementary appropriation to the Department of Health and Social Services - Division of Adult Correction and Division of Juvenile Correction," which was given its first reading by title only and assigned to committee on Finance.

Senator Hickman introduced **SA 5 to SB 574**.

Senator Hickman moved that **SA 5 to SB 574** be placed with bill.
Motion prevailed without objection.

Senator Hickman introduced **SA 6 to SB 574**.

Senator Hickman moved that **SA 6 to SB 574** be placed with bill.
Motion prevailed without objection.

Senator Castle introduced **SA 4 to SB 616**.

Senator Castle moved that **SA 4 to SB 616** be placed with bill.
Motion prevailed without objection.

Senator Castle introduced **SA 1 to SB 633**.

Senator Castle moved that **SA 1 to SB 633** be placed with bill.
Motion prevailed without objection.

Senator Castle introduced **SA 1 to SB 634**.

Senator Castle moved that **SA 1 to SB 634** be placed with bill.
Motion prevailed without objection.

Senator Castle introduced **SB 659** entitled, "An Act to Amend Section 704, Paragraph (c), Title 7, Delaware Code, relating to prohibited hunting methods," which was given its first reading by title only and assigned to committee on Fish, Oyster, and Game.

On motion of Senator Hickman, **HB 314, 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 314, with HA 1—"An Act to Amend Section 4703 (a) Chapter 47, Title 7, Delaware Code, by adding thereto a new Subparagraph extending the powers and duties of the State Park Commission to include the leasing of land for park and recreation purposes."

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

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

ABSENT—Messrs. (Mrs.) Manning, 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 Conner, **HS 1 for HB 628, 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:

HS 1 for HB 628, with HA 1—"An Act to Amend Section 1703 and 1706, Title 14, Delaware Code, relating to units of pupils and Division 11 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, McCullough, Robbins, Schlör, Slawik, Steele—19.

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

On motion of Senator Conner, **HCR 36** with title as follows was taken up for consideration in order to pass the Senate.

HCR 36 entitled, "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."

Senator Conner moved that **HCR 36** be adopted.

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

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

ABSENT—Mr. Hart—1.

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

On motion of Senator Elliott, **HB 698** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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."

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

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

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

On motion of Senator Steele, **HB 738** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 738—"An Act making a supplementary appropriation to the Delaware "Miss U.S.A." pageant for the purpose of providing funds for Delaware's Miss U.S.A. to attend the National Miss U.S.A. Pageant, and to defray related expenses."

Senator Cook moved that action on **HB 738** 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, Foltz, Hickman, Holloway, Isaacs, McCullough, Slawik—7.

NAYS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Steele—9.

NOT VOTING—Messrs. (Mrs.) Manning, Robbins, Schlör—3.

So the question was decided in the negative and the motion was lost. Senator Steele moved that roll call on **HB 738** be tabled. Motion prevailed, voice vote.

Senator Castle moved that **SA 1 to SB 633** 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—16.

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

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

On motion of Senator Castle, **SB 633 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 633 with SA 1—"An Act to Amend Section 5427 (b), Chapter 45, Title 31, Delaware Code, relating to disposal of property in redevelopment project to public, quasi-public, charitable and religious 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, Grier, Hale, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—16.

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

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

Senator Castle moved that **SA 1 to SB 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Messrs. Hart, 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 Castle, **SB 634 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 634 with SA 1—"An Act to Amend Section 4526, Chapter 45, Title 31, Delaware Code, relating to consent in connection with modification of urban renewal plans."

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

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

ABSENT—Messrs. Hart, 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, **SB 641** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 641—"An Act making a supplementary appropriation to the Delaware State Development Department for flags."

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

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

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

On motion of Senator Castle, **SB 643** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 643—"An Act to Amend Chapter 5, Title 22, Delaware Code, relating to parking authorities."

On the question "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, Robbins, Schlör, Slawik, Steele—15.

NAYS—Mr. McCullough—1.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Elliott, Holloway—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 Castle moved that **SA 1 to SB 616** be adopted.

Senator Castle asked for the privilege of the floor for Mr. Joseph Yucht to explain **SA 1 to SB 616**. Hearing no objection, the privilege was granted.

Senator Castle moved that action on **SA 1 to SB 616** be deferred to consider **SA 2 to SB 616**. Motion prevailed without objection.

Senator Castle moved that **SA 2 to SB 616** 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, (Mrs.) Manning, Steele—11.

NAYS—Messrs. McCullough, Schlör—2.

NOT VOTING—Messrs. Holloway, Isaacs, Robbins, Slawik—4.

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

Senator Castle moved that **SA 3 to SB 616** 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, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Steele—7.

NAYS—Messrs. Holloway, McCullough, Robbins, Schlör, Slawik—5.

NOT VOTING—Messrs. Cicione Cook, Foltz, Hart, Isaacs—5.

ABSENT—(Mrs.) Conner, Mr. Elliott—2.

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

Senator Castle moved that **SA 4 to SB 616** 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, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Slawik, Steele—12.

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Holloway, Robbins, Schlör—3.

ABSENT—Messrs. Cicione, (Mrs.) Conner, Elliott—3.

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

Pres. Pro Tem duPont presiding at 4:40 P.M.

Senator Slawik moved that **SA 5 to SB 616** be adopted.

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

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

NOT VOTING—Mr. Steele—1.

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

Senator Castle requested that **SA 1 to SB 616** be stricken from the calendar. Motion prevailed without objection.

Senator Slawik moved that **SA 6 to SB 616** 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, McCullough, Robbins, Schlör, Slawik—5.

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

NOT VOTING—Mr. Cicione—1.

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

On motion of Senator Castle, **SB 616 with SA 2, 4, 5** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 616 with SA 2, 4, 5—"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 provisions pertaining to the Departments of Election State Election Commissioner, Registration of Voters, Registrations 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."

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, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele—12.

NAYS—Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik—6.

ABSENT—Mr. Castle—1.

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

Senator Steele on behalf of the committee on Finance to whom had been referred **SS 1 for SB 445** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator duPont on behalf of the Joint Committee on Reorganization to whom had been referred **SB 610** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Castle on behalf of the committee on Elections to whom had

been referred **SB 632** reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator duPont on behalf of the Joint Committee on Reorganization to whom had been referred **SB 637** reported the same back to the Senate; 5 Favorables.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 645** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 646** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 650** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 651** reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 653** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 655** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Hart on behalf of the committee on Commerce and Corporations to whom had been referred **HB 521** reported the same back to the Senate; 1 Unfavorable, 4 on Merits.

Senator Hart on behalf of the committee on Commerce and Corporations to whom had been referred **HB 532** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator duPont on behalf of the Joint Committee on Reorganization to whom had been referred **HB 638** reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Conner on behalf of the committee on Education to whom had been referred **HB 692** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Conner on behalf of the committee on Education to whom had been referred **HB 701** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **HCR 37** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator duPont introduced **SB 660** entitled, "An Act Amending Titles 14, 19, and 29 providing for omnibus amendments and corrections relating to the Department of Labor as provided in Title 29, Delaware Code, Chapter 85," which was given its first reading by title only and assigned to Joint Committee on Reorganization.

Senator Castle introduced **SB 661** co-sponsored by Senator duPont, entitled, "An Act to Amend Chapter 237, Volume 46, Laws of Delaware, as Amended, permitting Paul Brooks, Jr., a former employee of the City of Wilmington, to have been deemed eligible for disability pension benefits as provided for employees of the City of Wilmington," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Steele introduced **SB 662** entitled, "An Act to Validate certain proceedings at referenda of school districts, and any bonds or other obligations issued or to be issued pursuant to such proceedings," which was given its first reading by title only and assigned to committee on Finance.

Senator Conner introduced **SA 1 to HB 548**.

Senator Conner moved that **SA 1 to HB 548** be placed with bill. Motion prevailed without objection.

Senator duPont introduced **SA 1 to SB 610**.

Senator duPont moved that **SA 1 to SB 610** be placed with bill. Motion prevailed without objection.

Senator Grier moved that the Senate recess until Tuesday May 19, 1970, at 1:30 P.M. Hearing no objections, motion prevailed.

Senator Grier moved that the Senate adjourn until Tuesday, May 19, 1970, at 2:20 P.M. Hearing no objection, motion prevailed.

35th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:20 P.M. on Tuesday, 19, 1970. Lt. Gov. Bookhammer Presiding.

Prayer by the Chaplain, Rev. O. H. Spence.

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.

The following communications were read:

The Chair announced that the House wishes to inform the Senate that it has passed **HB 730 with HA 1, HB 734, HB 621 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 **HB 680, HB 702 with HA 1, HCR 38, HB 630** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **SB 492 with HA 1** and is returning same to the Senate.

May 14, 1970

Senator Melvin Slawik
Senate Office Building
Dover, Delaware 19901

Dear Senator Slawik:

Enclosed is an informational copy of a letter which I am sending to Dr. White in relation to both the recent Stockley discharges and the program to send many children home at least one weekend a month.

Your comments are certainly welcome, and we certainly will be

willing to work with you and other interested people as circumstances may indicate.

Sincerely,

MRS. HARRY R. CROSS
Chairman, DARC
Residential Services
Committee

Enclosure

cc (with enclosure)

Mr. Louis G. Seebach, DARC State President
Dr. Cyrus Sroog, Chairman, DARC Governmental
Affairs Committee

May 15, 1970

Dr. John V. White, Superintendent
Hospital for the Mentally Retarded
Route 1, Box 1000
Georgetown, Delaware 19901

Dear Dr. White:

As I believe you know, I am no longer President of DARC, having been succeeded in that post by Louis G. Seebach on May 5, 1970. I do look forward to having continued close contact with you, since on May 12 the DARC Executive Committee approved my appointment as Chairman of the DARC Residential Services Committee, replacing Mrs. Cadot, who has had to resign for personal reasons.

The DARC Executive Committee continues to be concerned about the reports from families who have contacted us saying that their children who have been long-time residents at the Hospital are now being returned to them, but that they are not equipped to provide for them in their homes and the community. Along a similar vein, we are getting an increasing number of contacts from parents who say that the Stockley staff is asking them to bring their severely retarded child home at least one weekend a month. These families frequently tell us that they find their children unmanageable and do not feel that they can comply with your request. Although I was out of state and couldn't attend the Executive Committee meeting on May 12, the Executive Committee asked that I write to you immediately asking for the following:

1. The criteria used in determining admission of retarded people to the Hospital for the Mentally Retarded at Stockley.
2. The criteria used in determining when the placement of a retarded person at Stockley should be terminated either by foster home placement or return to the family.
3. The criteria used in determining when parents shall be asked to take the child home for visits.

We should also be apprised of the extensiveness of your investigation of home and community facilities prior to proposing the discharge of a Stockley resident or sending him home for visits.

We would like to have this information very soon. I should have it in writing so that it will not be easily misunderstood and misconstrued, and so that I can readily make it available to members of the Executive

Committee and other appropriate people.

I do look forward to working with you and other people in Delaware in regard to all types of residential facilities for the retarded, including, but not limited to, the Hospital for the Mentally Retarded at Stockley.

Sincerely,

MRS. HARRY R. CROSS, CHAIRMAN
DARC Residential Services Committee

CC: Mr. Louis G. Seebach, DARC President

Dr. Cyrus E. Sroog, DARC Governmental Affairs Committee
Chairman

Senator Louise T. Conner

Senator Melvin A. Slawik

Senator Hale introduced **SB 663**, co-sponsored by Senator Senators Isaacs, Foltz, Holloway, Slawik, and Hart, entitled "An Act Amending Title 29, Delaware Code, Acknowledging the Rights and Defining the Limitations of Legislative Office, Establishing a Code of Legislative Conduct, and Establishing a Joint Committee on Legislative Conduct in the General Assembly," which was given its first reading by title only and assigned to Executive Committee.

Senator Elliott introduced **SB 664**, entitled "An Act to Amend Section 1105, Title 10, Delaware Code Providing for an Additional Judge for the Family Court of Kent and Sussex Counties," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Isaacs introduced **SB 665**, entitled "An Act to Amend Title 26, Chapter 9, Delaware Code, with Reference to the Location of Telegraph, Telephone and Electric Utility Lines," which was given its first reading by title only and assigned to committee on Agriculture and Natural Resources.

Senator Foltz introduced **SB 666**, co-sponsored by Senator Robbins and Cook, entitled "An Act making a Supplementary Appropriation to the Department of Transportation for the Purchase and/or Construction of an Airport in Kent County," which was given its first reading by title only and assigned to committee on Finance.

Senator Foltz introduced **SB 667**, entitled "An Act to Amend Title 18, Section 702, Paragraph (c), Delaware Code, with Reference to a Temporary Increase in the General Premium Tax," which was given its first reading by title only and assigned to committee on Banking and Insurance.

Senator Foltz introduced **SB 668**, entitled "An Act to Amend Title 24, Section 602, Delaware Code, Relating to Qualifications of Members of the State Board of Cosmetology," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Hart introduced **SB 669**, entitled "An Act Amending Title 7, Delaware Code, Providing for Amendments and Corrections to the Department of Natural Resources and Environmental Control as Provided in Title 29, Delaware Code, Chapter 80," which was given its first reading by title only and assigned to Joint Committee on Reorganization.

Senator Elliott introduced **SB 670**, entitled "An Act to Amend Title 29 of the Delaware Code by Adding a New Chapter Providing for the More Effectual Regulation of the Conduct of Officers and Employees of the State of Delaware, Establishing Standards Therefor, and Providing for Disciplinary Action and Criminal Penalties for Violation Thereof," which was given its first reading by title only and assigned to committee on Executive Committee.

Senator Hart introduced **SB 671**, entitled "An Act Amending Titles 2, 17, 21, and 29 Providing for Omnibus Amendments and Corrections Relating to the Department of Highways and Transportation as Provided in Title 29, Delaware Code, Chapter 84," which was given its first reading by title only and assigned to Joint Committee on Reorganization.

Senator Hart introduced **SB 672**, entitled "An Act Making a Supplementary Appropriation to the Highway Department—Motor Vehicle Division," which was given its first reading by title only and assigned to committee on Finance.

Senator Foltz introduced **SB 673**, entitled "An Act to Amend Section 4648, Title 9, Delaware Code, Relating to the Issuance of Bonds by the Levy Court of Kent County to Finance Sewage Improvements," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Foltz introduced **SB 674**, entitled "An Act Amending Titles 7 and 29 Providing for Omnibus Amendments and Corrections Relating to the Department of State as Provided in Title 29, Delaware Code, Chapter 87," which was given its first reading by title only and assigned to Joint Committee on Reorganization.

Senator Hickman introduced **SB 675**, entitled "An Act making a Supplementary Appropriation to the Delaware State Development Department for the Special Services Division for the Continuation of Certain Projects," which was given its first reading by title only and assigned to committee on Finance.

Senator Isaacs introduced **SB 676**, entitled "An Act to Amend Chapter 3, Section 303, Title 3, Delaware Code, Entitled Bureau of Markets," which was given its first reading by title only and assigned to committee on Agriculture and Natural Resources.

Senator Holloway introduced **SB 677**, co-sponsored by Senator Castle, entitled "An Act Making a Supplementary Appropriation to the Respective Departments of Elections for New Castle, Kent and Sussex Counties for Additional Mobile Registration," which was given its first reading by title only and assigned to committee on Finance.

Senator Conner introduced **SB 678**, co-sponsored by Senators Slawik, Holloway, and Foltz, entitled "An Act to Amend Title 30, Delaware Code, Chapter 20, Relating to Neighborhood Assistance Tax Credit by Providing that the Provisions Thereof Include Day Care Centers," which was given its first reading by title only and assigned to Committee on Revised Statutes.

Senator Elliott introduced **SR 118**, entitled:

"Relative to the Death of Robert Cornelius Lofland, Jr.

WHEREAS, the Senate of the 125th General Assembly of the State of Delaware has learned with regret of the passing of Robert Cornelius Lofland, Jr.; and

WHEREAS, Mr. Lofland has served the people of Seaford, Delaware

both publicly and in service organizations; and

WHEREAS, R. C. Lofland was President of the Seaford Ice and Cold Storage Co., having lived in Seaford most of his life; and

WHEREAS, Mr. Lofland was serving his first term on the Seaford City Council; and

WHEREAS, Mr. Lofland was a respected citizen of Seaford, admired by the people in his community; 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 THEREFORD,

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 Elliott moved that **SR 118** 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, 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 Isaacs introduced **SR 119**, entitled:

"Expressing a Fond Farewell to Associated Press Correspondent Edgar Miller.

WHEREAS, the Senate of the 125th General Assembly of the State of Delaware has learned with mixed emotions that the day is near when Associated Press Correspondent Edgar Miller will depart from the State; and

WHEREAS, the Senate holds in esteem the fine ingredients that make up the person of Mr. Miller; and

WHEREAS, the Senate is cognizant of the fact that Mr. Miller is a proficient reporter possessing the qualities of accuracy and fairness in his writings, and

WHEREAS, the Senate will miss the droll personality and wit of Mr. Miller;

NOW THEREFORE,

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

The very best wishes of its Members go,

To Ed Miller, moving to Sao Paul-o;

From Legislative Hall and Dover's State Street,

Miller heads for a Latin beat.

South of the Border to old Brazil,

Of rhumbas and cha-chas he'll get his fill.

In South America he'll do his best;

As always, writing for the Associated Press.
 So, from this Body that makes Delaware's laws,
 Let's salute amigo Ed — with loud applause.
 (Pause for Applause)

BE IT FURTHER RESOLVED that a copy of this Resolution be entered on the Journal of the Senate and a copy delivered to Senor Edgar Miller."

Senator Isaacs moved that **SR 119** 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Messrs. Hale, Hickman—2.

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

Senator Conner introduced **SB 679**, co-sponsored by Senator Holloway, Castle, and Slawik, entitled "An Act making a Supplementary Appropriation to the Human Relations Commission for Various Expenses for the Fiscal Year Ending June 30, 1971," which was given its first reading by title only and assigned to committee on Finance.

Senator Robbins introduced **SB 680**, co-sponsored by Senators Elliott, Isaacs and Cook, entitled "An Act Amending Title 7, Subchapter II, Delaware Code, as it pertains to the Sale or Lease of Subaqueous Lands," which was given its first reading by title only and assigned to committee on Agriculture and Natural Resources.

Senator Manning introduced **SB 681**, co-sponsored by Senator Slawik, entitled "An Act Amending Title 23, Delaware Code, Providing for a Fee Schedule for Motor Boat Licenses as Provided in Title 23, Delaware Code, Chapter 21," which was given its first reading by title only and assigned to committee on Agriculture and Natural Resources.

Senator Steele introduced **SB 682** entitled, "An Act to Validate the Bond Referendum held in the Alexis I. duPont School District on May 16, 1970," which was given its first reading by title only and assigned to committee on Education.

Senator Steele requested that **SB 682** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz introduced **SCR 33**, entitled "Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware," which was given its first reading by title only and assigned to committee on Executive.

Senator Conner introduced **SA 2 to HB 548**.

Senator Conner moved that **SA 2 to HB 548** 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 621 with HA 1—"An Act to Amend Title 16, Delaware Code, Requiring the Establishment of County Plans for Solid Waste Management, Appropriating Funds for Such Planning, and Empowering the State Board of Health to Administer, Regulate and Distribute Such Funds," to committee on Health and Welfare.

HB 730 with HA 1—"An Act to Amend Title 16, Chapter 47,

Pertaining to Criminal Offenses of Sale, Possession and Use of Narcotic Drugs and Dangerous Drugs and Prescribing Penalties for such Violations," to committee on Judiciary.

HB 702 with HA 1—"An Act making a Supplementary Appropriation to the Delaware State Development Dept. for Resurfacing, Patching and Repairing one Runway at the Sussex County Airport," to committee on Finance.

HB 734—"An Act to Amend Title 11, Chapter 83, Delaware Code, to Authorize the Superintendent of the State Police to Administer a Crime Reduction Fund," to committee on Finance.

HB 680—"An Act to Amend Title 28, Section 365 and Section 366(a), Delaware Code, Relating to Horse Racing," to committee on Revised Statutes.

HCR 38 was sent to Senate in error, it having previously passed the Senate. The Resolution ordered returned to House.

On motion of Senator Cicione, **SB 492 with HA 1** with title was taken up 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Messrs. Hale, Hickman—2.

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

On motion of Senator Castle **SB 521** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 521—"An Act to Amend Title 30, Delaware Code, Chapter 11, Relating to Access of Tax Records and Returns by Employees of the State Central Data Processing Division."

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

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

ABSENT—(Mrs.) Conner—1.

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

Mr. Daniel Enterline delivered the following Communications from the Governor which were read and referred to Executive Committee.

May 19, 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:

Samuel C. Pierce, Jr., West Manor Apartment, Seaford, Delaware—to be a member of the Department of Elections for Sussex County, State of Delaware, filling an unexpired term ending August 7, 1971.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

May 19, 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:

Cauffiel Reed, 622 Fairview Avenue, Dover, Delaware—to be a member of the Delaware Alcoholic Beverage Control Commission, for the State of Delaware, for a term of three years from date of confirmation, succeeding Andy B. Clements.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

May 19, 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:

Fred W. Vetter, Jr., 999 Circle Drive, Dover, Delaware—to be Secretary of the Department of Public Safety 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

May 19, 1970

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

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

Carl L. Lawrence, 221 Mendel Place, Langollen Estates, New Castle, Delaware—to be a Justice of the Peace for New Castle County, State of Delaware, for a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

On motion of Senator Manning **SB 644** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 644—"An Act proposing an Amendment to the Constitution of the State of Delaware."

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

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

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

NOT VOTING—Messrs. Cook, Isaacs, Slawik—3.

ABSENT—Mr. Holloway—1.

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

On motion of Senator Hart **SB 609** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 609—"An Act Making a Supplemental Appropriation to the Public Service 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik—16.

ABSENT—Messrs. duPont, McCullough, Steele—3.

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

Senator Slawik moved that **SA 1** to **SB 519** 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, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

ABSENT—Mr. duPont—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 519** 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 519—"An Act to Amend Subsection 7903 (b) (3), Title 29, Delaware Code, relating to the Director of the Division of Social Service."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which

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

ABSENT—Mr. duPont—1.

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

On motion of Senator Hart, **HB 520** 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 520 with **HA 1**—"An Act to Amend Chapter 19, of 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.”

Senator Hart asked for the privilege of the floor for Mr. E.P. Smith of the State Highway Department to explain **HB 520** 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

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

Senator Castle moved that roll call on **HB 139** be lifted. Motion prevailed without objection.

On the question “Shall **HB 139** Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele—13.

NAYS—Messrs. duPont, Elliott, Foltz, Grier, Robbins—5.

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 Cicione **HB 569** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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.”

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

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

ABSENT—Mr. Holloway, 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 **HB 677** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 677—“An Act to Amend Title 19, Section 517, Delaware Code, relating to the selling of newspapers and other articles by 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, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele—18.

ABSENT—Mr. Schlör—1.

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

On motion of Senator Cicione **HB 746** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 746—"An Act to Amend Chapter 19 of Title 10, Delaware Code, relating to Judicial Records and indices in Sussex County."

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

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

ABSENT—Messrs. Holloway, 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 Cicione **HB 687** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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."

Senator Cicione asked for the privilege of the floor for Representative W. Laird Stabler, Jr. to explain **HB 687**. 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, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—15.

ABSENT—Messrs. (Mrs.) Conner, Elliott, 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 Hale **SB 637** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 637—"An Act Amending Titles 11, 16, 17, 20, 21, and 29, providing for omnibus amendments and corrections relating to the Department of Public Safety as provided in Title 29, Delaware Code, Chapter 82.

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, Holloway, McCullough, Slawik, Steele—12.

NAYS—Messrs. Isaacs, Robbins—2.

NOT VOTING—Messrs. Foltz, Schlor—2.

ABSENT—Messrs. Cicione, Hickman, (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 Castle **SB 653** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 653—"An Act to Amend Chapter 92, Volume 23, Laws of Delaware, as amended being "An Act to provide for the organization and control of the public schools of the City of Wilmington" by providing that the Board of Public Education in the City of Wilmington consist of seven (7) members, four (4) of whom shall be appointed by the Governor and three (3) of whom shall be appointed by the Mayor 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, Cicone, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning,—13.

NOT VOTING—Messrs. Cook, McCullough, Robbins, Schlör, Slawik—5.

ABSENT—Mr. Steele—1.

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

On motion of Senator Hart **HB 196 with HA 1, 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.

HB 196 with HA 1, SA 2 and 3—"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."

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, Grier, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Slawik, Steele—14.

NOT VOTING—Messrs. Castle, (Mrs.) Conner, duPont, Hale, Schlör—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.

Senator Cook introduced **SR 120** co-sponsored by Senator Hart, entitled,

EXPRESSING BIRTHDAY WISHES TO SENATOR MELVIN A. SLAWIK

WHEREAS, the Members of the Senate of the 125th General Assembly of the State of Delaware have remembered that the 19th day of May is the birth date of the Senator from Stratford—Honorable Melvin A. Slawik; and

WHEREAS, Senator Slawik has been a loyal supporter of the work of the Legislative Council; and

WHEREAS, the Legislative Council has been requested, on behalf of certain members of the Senate, to produce a suitable salutation to Senator Slawik on the occasion of his birth date;

NOW THEREFORE,

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware that the following message be transmitted to Senator Slawik:

For appropriate words the Senate is delvin'; To wish birthday joys to Senator Melvin.

Born in Brooklyn, the former Dodger town, Quite early young Slawik moved on down

To Delaware where he met his mate, And into the work he terms so "great."

Two terms in the House and then over here, With the group which today sends good cheer.

No longer can they say Mel's shaped like a ball; Because, quite frankly, he's lost it all. (Almost, anyway)

Now as the Senator hits thirty-five, Sing out "Happy Birthday" in voices alive!

BE IT FURTHER RESOLVED that a copy of this Resolution be entered upon the Journal of the Senate and a copy delivered to the new office of Senator Melvin A. Slawik.

Senator Cook moved that **SR 120** 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, McCullough, Robbins, Schlör, Slawik, Steele—18.

ABSENT—Mrs. Manning—1.

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

On motion of Senator Hale **SB 645** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 645—"An Act to Amend Title 24, Delaware Code Chapter 27, relating to professional engineers and land surveyors."

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, Holloway, (Mrs.) Manning, Schlör, Steele—13.

NOT VOTING—Messrs. Cicione, Isaacs, McCullough, Robbins, Slawik—5.

ABSENT—Mrs. Conner—1.

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

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 662** 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 661** 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 638** 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 **HB 680** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Elliott on behalf of the committee on Agriculture and Natural Resources to whom had been referred **HS 2** for **HB 510** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Manning requested that **SA 1 to SB 631** be stricken from the calendar. Motion prevailed without objection.

Senator Hart introduced **SB 683** entitled, "An Act making a supplementary appropriation to the State Board of Education," which was given its first reading by title only and assigned to committee on Finance.

Senator Conner introduced **SB 684** entitled, "An Act Authorizing the Department of Health and Social Services to sell 38 acres of land to the United States Department of Housing and Urban Development or its assignee and prescribing the use of the proceeds of such sale," which was given its first reading by title only and assigned to committee on Public Buildings and Lands.

Senator Conner introduced, **SB 685** entitled, "An Act to Amend Section 5123, Title 16, Delaware Code, relating to Voluntary Hospitalization and discharge of patients under the age of 21 at Delaware State Hospital," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Holloway introduced **SB 686** co-sponsored by Senator Manning entitled, "An Act to Amend Subchapter II of Title 13, Delaware Code, concerning examinations and tests pursuant to this Subchapter, which are taken in another state," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Elliott introduced **SB 687** entitled, "An Act to Amend Title 29, Delaware Code, relating to standards of conduct for Legislators and Legislative employees and for officers and employees of State Agencies, in the area of possible conflict between their private interests and official duties," which was given its first reading by title only and assigned to Executive Committee.

Senator Hart introduced **SB 688** entitled, "An Act to Amend Title 26, Subsection 104, Delaware Code, relating to compensation of the Chairman and Commissioners of the Public Service Commission," which was given its first reading by title only and assigned to committee on Finance.

Senator Foltz introduced **SB 689** co-sponsored by Senators Schlör, Castle, Hickman, Steele, Cook, Isaacs and Hart, entitled, "An Act to Amend Title 29, Delaware Code, relating to payment of debts as a condition of employment by providing that an attachment of wages shall not constitute prima facie evidence of an effort to pay a debt," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **SB 629** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **SB 630** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Manning moved that roll call on **SB 644** be rescinded. Motion prevailed without objection.

Senator Manning moved that roll call on **SB 644** be tabled. Motion prevailed.

Senator Elliott moved that **SA 1 to HS 1 for HB 541** be adopted.

On the question "Shall the Amendment be Adopted?" the yeas and

nays were ordered which being taken were as follows:

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

NOT VOTING—Mr. Castle—1.

ABSENT—Mr. Cicone—1.

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

Senator Elliott requested that **SA 3 to HS 1 for HB 541** be stricken from the calendar. Motion prevailed without objection.

Senator Elliott moved that **SA 2 to HS 1 for HB 541** 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, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—17.

NOT VOTING—Mr. Castle—1.

ABSENT—Mr. Holloway—1.

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

On motion of Senator Foltz **HS 1 for HB 541 with HA 1, 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.

HS 1 for HB 541 with HA 1, SA 2 and 3—"An Act to Amend Title 11, Delaware Code, providing for regulation of the distribution of obscene matter to minors."

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, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele—17.

NOT VOTING—Messrs. Castle, 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.

Senator Manning moved roll call on **SB 644** be lifted. Motion prevailed without objection.

On the question "Shall **SB 644** Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

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

NAYS—Mr. McCullough—1.

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

ABSENT—Mr. Holloway—1.

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

Senator Manning requested that **SA 1 to SB 631** be stricken from the calendar. Motion prevailed without objection.

Senator Elliott moved that **SA 2 to SB 631** 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, Robbins, Schlor, Slawik, Steele—17.

NOT VOTING—Messrs. Cicione, McCullough—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 631 with SA 2** 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, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele—16.

NOT VOTING—Messrs. Cicione, McCullough, Slawik—3.

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

Senator Steele requested that **SB 682** be stricken from the calendar. Motion prevailed without objection.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 702** reported the same back to the Senate; 3 Favorable, 3 on Merits.

Senator Steele introduced **SB 690** entitled, "An Act to validate the bond referendum held in the Alexis I, duPont School District on May 16, 1970," which was given its first reading by title only and assigned to committee on Finance.

Senator Conner introduced **SB 691** entitled, "An Act providing that the superintendent of any Mental Health Institution may consent on behalf of any patient therein, where relative of patient cannot be located to surgical or medical therapeutic procedure needed by patient," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Hart introduced **SB 692** entitled, "An Act making a supplementary appropriation to the Department of Health and Social Services," which was given its first reading by title only and assigned to committee on Finance.

Senator Steele introduced **SB 693** entitled, "An Act to Amend Chapter 7, Title 13, Delaware Code, relating to consent of a minor to donate blood voluntarily without the necessity of obtaining parental permission or authorization," which was given its first reading by title only and assigned to committee on Finance.

Senator duPont introduced **SB 694** entitled, "An Act to Amend Title 9, Delaware Code, allowing counties to permit elected officeholders to employ and set the salary of a Chief Deputy in the several county offices in New Castle County," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Foltz introduced **SB 695** entitled, "An Act to Amend Section 5110, Chapter 51, Title 30, Delaware Code, relating to gasoline taxes, by providing for taxation of aviation fuel at a different rate," which was given its first reading by title only and assigned to committee on Finance.

Senator Hart introduced **SB 696** entitled, "An Act to Amend Title 8 of the Delaware Code relating to Corporations by making certain changes in Sections 142 and 160," which was given its first reading by title only and assigned to committee on Commerce and Corporations.

Senator Slawik introduced **SB 697** entitled, "An Act to Amend Section 710, Subchapter II, Title 19, Delaware Code, relating to discrimination in employment, by deleting reference to all age limitations," which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Cicione introduced **SR 121** entitled, "Relating to the preparation by the Staff of the Legislative Council of proposed Legislation creating a Delaware Veterans' Affairs Commission."

Senator Cicione moved that **SR 121** be tabled for correction. Motion prevailed without objection.

Senator Steele moved for suspension of rules to consider **HB 630**. Motion withdrawn.

The Chair presented the following House Bill which was given first reading and referred to committee follows:

HB 630—"An Act making appropriations for the expense of the state government for the fiscal year ending June 30, 1970,"—committee on Finance.

Senator Cicione moved that **SR 121** be lifted from the table. Motion prevailed, without objection.

Senator Cicione moved that **SR 121** 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, Robbins, Schlör, Slawik, Steele—18.

NOT VOTING—Mr. McCullough—1.

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

Senator Holloway introduced **SB 698** entitled, "An Act to Amend Section 1702, Subchapter 1, Chapter 17, Title 15, Delaware Code, relating to removal of names from voter registration records, by giving voters the right to know the person causing such removal or challenging a voter registration record and providing penalties for violation thereof," which was given its first reading by title only and assigned to committee on Education.

Senator Hale introduced **SB 699** co-sponsored by Senator Grier entitled, "An Act to amend Title 29, Delaware Code, Section 6913, relating to wage provisions in public construction contracts by providing for an exception with respect to prevailing wage rates for full-time students," which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Holloway introduced **SA 1 to SB 687**.

Senator Holloway moved that **SA 1 to SB 687** be placed with bill. Motion prevailed without objection.

Senator Grier moved that the Senate recess until April 20, 1970 at 1:30 P.M. Hearing no objections, motion prevailed.

The Senate reconvened at 2:25 P.M. on April 20, 1970 continuing the 35th Legislative Day. Lt. Gov. Bookhammer presiding.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 630** 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 734** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **SB 481** reported the same back to the Senate; 3 on Merits.

Senator Elliott on behalf of the committee on Agriculture and Natural Resources to whom had been referred **SB 665** 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 673** reported the same back to the Senate; 3 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 690** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 693** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Hale introduced **SB 700** entitled, "An Act Amending Titles 11, 16, 29 and 31 Delaware Code, providing for omnibus amendments and corrections relating to the Department of Health and Social Services as provided in Title 29 Delaware Code, Chapter 79," which was given its first reading by title only and assigned to Joint Committee on Reorganization.

Senator Robbins introduced **SB 701** entitled, "An Act to Amend Title 14, Chapter 13, Delaware Code, relating to duty free lunch period," which was given its first reading by title only and assigned to committee on Finance.

Senator Elliott introduced **SB 702** co-sponsored by Senators Hickman and Grier entitled, "An Act to Amend Title 9, Delaware Code, by providing for a new chapter to be designated as Chapter 70, relating to the reorganization of the government of Sussex County and amending and repealing existing laws pertaining thereto," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Foltz introduced **SB 703** entitled, "An Act to Amend Title 16, Delaware Code, by creating a new chapter to be designated as Chapter 68 to provide for the regulation of and standards for ambulance service by the State Fire Prevention Commission," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Holloway introduced **SB 704** entitled, "An Act to Amend Title 10, Chapter 28, Delaware Code, with reference to the use of state-owned automobiles by constables for Justices of the Peace," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Elliott introduced **SB 705** entitled, "An Act to Amend Title 30, Chapter 23, Delaware Code, with reference to tax status of persons engaged in the business of operation school buses," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Hickman introduced **SB 706** entitled, "An Act to Amend

Title 26, Delaware Code, by adding a new chapter thereto to be designated as Chapter 10 and providing for the regulation of persons and organizations owning, controlling, operating and managing community antenna television systems," which was given its first reading by title only and assigned to committee Commerce and Corporations.

Senator Conner introduced **SB 707** entitled, "An Act to Amend Section 1703 and 1706, Title 14, Delaware Code, relating to units of pupils," which was given its first reading by title only and assigned to committee on Education.

Senator Cook introduced **SB 708** entitled, "An Act to Amend Title 21, Section 2151, Delaware Code, relating to the registration fee of school buses," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Castle introduced **SB 709** co-sponsored by Senator Slawik, entitled, "An Act to Amend Title 21, Chapter 41, Delaware Code, Section 416 (a) of the revised code by designating a blood alcoholic level at which driving or physical control of a motor vehicle is unlawful," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Castle introduced **SB 710** co-sponsored by Senator Holloway, entitled, "An Act making a supplementary appropriation to the Wilmington School District," which was given its first reading by title only and assigned to committee on Education.

Senator McCullough introduced **SB 711** co-sponsored by Senators Cicione and Slawik entitled, "An Act to Amend Delaware Code, Title 14, Chapter 13, relating to salary schedules for school employees by establishing the authority to employ certain therapists and related personnel for assignment to the John G. Leach School for orthopedically handicapped children in the De La Warr School District."

Senator McCullough asked for the privilege of the floor for Dr. Harry Eisenberg, Supt. de la Warr School District, to explain **SB 711**. Hearing no objection the privilege was granted.

The bill was assigned to committee on Finance.

Senator Foltz on behalf of the committee on Banking and Insurance to whom had been referred **SB 667** reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator Elliott introduced **SS 1 for SB 556** 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 **SA 1 to HB 638**.

Senator Cicione moved that **SA 1 to HB 638** be placed with bill. Motion prevailed without objection.

Senator Steele moved that **SA 1 to SB 677** be placed with bill. Motion prevailed without objection.

Senator Steele introduced **SA 1 to SB 694**.

Senator Steele moved that **SA 1 to SB 694** be placed with bill. Motion prevailed without objection.

Senator Schlor introduced **SA 2 to SB 406**.

Senator Schlor moved that **SA 2 to SB 406** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SS 1 for SB 640** entitled, "An Act to Amend Chapter 11, Title 17 of the Delaware Code relating to outdoor advertising and the control thereof in areas adjacent to the public highways and public lands of this state," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Hale introduced **SR 122** co-sponsored by Senators Holloway and Cicione entitled, "Relating to a study and preparation of corrective legislation to be made by the staff of the Legislative Council on the landlord and tenant law of this state."

Senator Hale moved that **SR 122** 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, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—17.

ABSENT—Messrs. Hickman, Isaacs,—2.

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

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 695** reported the same back to the Senate; 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 666** reported the same back to the Senate; 1 Favorable, 3 on Merits.

On motion of Senator Castle **HB 680** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 680—"An Act to Amend Title 28, Section 365 and Section 366 (a), Delaware Code, relating to horse racing."

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

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

ABSENT—Mr. Hickman—1.

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

On motion of Senator Castle **SB 651** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 651—"An Act to Amend Title 6, Chapter 25, Delaware Code, relating to prohibited trade practices by adding a new subchapter thereto to protect franchised distributors from unjust termination of, or failure or refusal to renew their franchises."

Senator Castle asked for the privilege of the floor for Mr. Jacob Kreshtool, attorney-at-law, to explain **SB 651**. 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, McCullough, Robbins, Schlör, Slawik, Steele—17.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Mr. Cicione—1.

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

On motion of Senator Conner **HB 692** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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."

Senator Conner moved that action on **HB 692** be deferred. Motion prevailed without objection.

On motion of Senator Foltz **HB 278** 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 278 with **HA 1**—"An Act to Amend Section 8118, Title 10, Delaware Code, relating to the limitation of actions for personal injuries."

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

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

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

On motion of Senator Foltz **HB 445** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 445—"An Act making a supplementary appropriation to the department of justice."

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

ABSENT—Mrs. Conner, Mr. Hart—2.

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

On motion of Senator Foltz **HB 476** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 476—"An Act making a supplemental appropriation to the State Department of Justice for the preparation of replacement volume for Volume 13 of the Delaware Code."

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

YEAS—Messrs. Castle, Cicione, 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 bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Foltz **HB 618** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 618—“An Act to Amend Title 10, Delaware Code, by providing new fees of the Prothonotary for the services specified in criminal proceedings.”

Senator Foltz moved that action on **HB 618** be deferred. Motion prevailed without objection.

On motion of Senator Foltz, **HB 527** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 527—“An Act to Amend Chapter 47, Title 16, Delaware Code, pertaining to the manufacture, cultivation, and growth of narcotic drugs and dangerous drugs and prescribing penalties for violations; lesser included offenses.”

Senator Foltz asked for the privilege of the floor for Representative Robert M. Dodge to explain **HB 527**. Hearing no objection the privilege was granted.

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

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

ABSENT—Mr. Robbins—1.

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

Senator Foltz moved that **HB 618** be brought up for consideration. Motion prevailed without objection.

Senator Foltz asked for the privilege of the floor for Representative Thomas L. Little to explain **HB 618**. Hearing no objection the privilege was granted.

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

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

ABSENT—Messrs. Hickman, Robbins—2.

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

On motion of Senator Steele **SB 662** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 662—“An Act to Amend Title 3, Chapter 3, Delaware Code, relating to meats sold in retail stores.”

On the question "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, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele—14.

ABSENT—Messrs. Foltz, Hart, Hickman, Holloway, Robbins—5.

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

Senator Steele moved that Rule 9 be suspended for the purpose of considering **SB 690**.

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

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

ABSENT—Messrs. Hickman, Holloway, Robbins—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 Steele **SB 690** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 690—"An Act to validate the bond referendum held in the Alexis I. duPont School District on May 16, 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, Grier, Hale, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele—16.

ABSENT—Messrs. Hickman, Holloway, Schlör—3.

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

On motion of Senator Elliott **SB 635** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 635—"An Act making a supplementary appropriation to the educational contingency fund for the purpose of tuition payments on account of Delmar 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, Grier, Hale, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik—14.

NAYS—Messrs. Foltz, Steele—2.

NOT VOTING—Mr. Isaacs—2.

ABSENT—Messrs. Hart, 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.

Lt. Governor Bookhammer introduced Miss Linda Ford, representative of the Students of the Kent County Vocational Technical

Center, who thanked the Legislators for their efforts on behalf of the school.

Senator Grier moved for 5 minute recess. Motion prevailed without objection. The Senate reconvened at 5:05 P.M.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 678** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 689** 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 686** reported the same back to the Senate; 5 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **SB 685** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **SB 691** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Elliott on behalf of the committee on Agriculture and Natural Resources to whom had been referred **SB 676** reported the same back to the Senate; 4 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **SB 668** reported the same back to the Senate; 5 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **SB 649** 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 677** reported the same back to the Senate; 5 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **HB 621** reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator Isaacs introduced **SB 712** entitled, "An Act making an appropriation to the State Board of Education for the purpose of purchasing, installing and equipping two portable classroom units along with other equipment for the Middletown School District No. 60," which was given its first reading by title only and assigned to committee on Finance.

Senator Isaacs introduced **SB 713** entitled, "An Act to Amend Subsection 2112, Chapter 21, Title 21, Delaware Code, relating to registration of Motor Vehicles by non-residents," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Conner introduced **SB 714** entitled, "An Act to regulate the practice of psychology in Delaware, as herein defined to create a "State Board of Examiners of Psychologists"; to prescribe the powers, duties, and limitations of said Board: to fix penalties for the violations of this act," which was given its first reading by title only and assigned to committee on Reorganization.

Senator Isaacs introduced **SB 715** entitled, "An Act to Amend Subsection 396, 631 and 632, Title 11, Delaware Code relating to

penalties for the offenses of unlawful entry, grand larceny," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Isaacs introduced **SB 716** entitled, "An Act Amending Part 11, Title 9, Delaware Code, by the addition thereof Subsection 3013 providing and exclusion to the provisions thereof," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Isaacs introduced **SB 717** entitled "An Act to Amend Chapter 11, Title 30, Delaware Code, so as to define additional terms relating to capital gains and losses and to provide for a 50% deduction for capital gains from gross income," which was given its first reading by title only and assigned to committee on Finance.

Senator Slawik introduced **SB 718** co-sponsored by Senator Castle, entitled, "An Act making a supplementary appropriation to the Department of Health and Social Services to provide financial assistance to the Head Start centers in the State of Delaware," which was given its first reading by title only and assigned to committee on Education.

Senator Isaacs introduced **SB 719** entitled, "An Act to Amend Chapter 21, Title 14, Delaware Code, relating to persons qualified to vote in local school bond elections," which was given its first reading by title only and assigned to committee on Education.

Senator Isaacs introduced **SB 720** entitled, "An Act to Amend Chapter 7, Title 17, Delaware Code, by prohibiting every railroad company in this state from erecting, planting, and/or maintaining certain hedges, shrubs, trees, solid fences and other large solid objects from its property or right of way and providing procedures where railroad company fails to comply," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Castle introduced **SB 721** entitled, "An Act to Amend Chapter 49, Title 10, Delaware Code, subsection 4913 (b) and (c) relating to exemption and attachment of wages," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Castle introduced **SA 1 to SB 655**.

Senator Castle moved that **SA 1 to SB 655** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 1 to HB 521**.

Senator Hart moved that **SA 1 to HB 521** be placed with bill. Motion prevailed without objection.

Senator Slawik introduced **SA 1 to HB 776**.

Senator Slawik moved that **SA 1 to HB 776** be placed with bill. Motion prevailed without objection.

Senator Slawik introduced **SA 2 to HB 776**.

Senator Slawik moved that **SA 2 to HB 776** be placed with bill. Motion prevailed without objection.

Senator Slawik introduced **SA 3 to HB 776**.

Senator Slawik moved that **SA 3 to HB 776** be placed with bill. Motion prevailed without objection.

Senator Conner on behalf of the committee on Education to whom had been referred **SB 707** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Conner on behalf of the committee on Education to whom had been referred **SB 710** reported the same back to the Senate; 1

Favorable, 3 on Merits.

Senator Isaacs introduced **SB 722** entitled, "An Act to Amend Section 1908, Title 7, Delaware Code, by including the area of the Delaware Bay as an area that must be leased only in the name of the lessor," which was given its first reading by title only and assigned to committee on Fish, Oyster, and Game.

Senator Isaacs introduced **SB 723** entitled, "An Act to Amend Section 1908, Title 7, Delaware Code, by adding the area of Delaware Bay to the leasing jurisdiction of the Delaware Commission of Shell Fisheries," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 724** entitled, "An Act to Amend Section 1909, Title 7, Delaware Code, relating to fees and charges of the Delaware Commission of Shell Fisheries," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 725** entitled, "An Act to Amend Subsection 1908, Title 7, Delaware Code, by changing the annual rental for areas leased by the Delaware Commission of shell fisheries," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 726** entitled, "An Act to Amend Subsection 1908, Title 7, Delaware Code, by adding the areas of Delaware Bay to the Delaware Commission of shell fisheries' jurisdiction for certain purposes," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 727** entitled, "An Act to Amend Section 1908, Title 7 Delaware Code, relating to leasing acreage under jurisdiction of the Delaware Commission of Shell Fisheries," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 728** entitled, "An Act to Amend Section 1908, Title 7, Delaware Code pertaining to the making and staking of areas leased by the Delaware Commission to Shell Fisheries," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

SS 1 for SB 621 introduced by Senator Hickman, was laid on table because of error in the bill.

Senator Cicone on behalf of the committee on Government Operations to whom had been referred **SB 694** reported the same back to the Senate; 1 Favorable, 4 on Merits.

On motion of Senator Hart **SB 503 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 503—"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."

Senator Hart asked for the privilege of the floor for Representative George Jarvis to explain **HB 503 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, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, 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 Steele **HB 702 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 702 with HA 1—“An Act making a supplementary appropriation to the Delaware State Development Department for resurfacing, patching and repairing one runway at the Sussex County Airport.”

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

NOT VOTING—Mr. Cicione—1.

ABSENT—Messrs. Elliott, Holloway—2.

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

Senator Slawik moved that **SA 1 to HB 692** 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 Conner **HB 692 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 692 with SA 1—“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.”

On the question “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, McCullough, Robbins, Schlör, Slawik, Steele—17.

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.

On motion of Senator Conner **HB 701** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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.”

On the question “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.

Senator Hickman introduced **SB 729** co-sponsored by Senator Slawik entitled, “An Act to Amend Title 16, Delaware Code requiring the establishment of County plans for solid waste management, appropriating funds for such planning, and empowering the division of physical health of the Department of Health and Social Services to administer, regulate and distribute such funds,” which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Grier moved that the Senate adjourn until Wednesday, May 20, 1970, at 5:55 P.M. Hearing on objection, motion prevailed.

36th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 5:55 P.M. on Wednesday, May 20, 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, 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.

Senator Castle moved that **SA 1 to SB 655** be adopted.

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

NAYS—Messrs. Cook, McCullough, Robbins—3.

NOT VOTING—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlor, Slawik, Steele—15.

ABSENT—Mr. Elliott—1.

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

On motion of Senator Castle **SB 655** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 655—“An Act to Amend Title 13, Delaware Code, relating to allowance or division of property upon divorce, providing for support and expense money on decree of divorce on grounds of incompatibility and enforcement of orders therefor by Family Court.”

On the motion of Senator Castle the roll call was tabled. Motion prevailed without objection.

Senator Grier moved that the Senate adjourn until Thursday, May 21, 1970, at 1:30 P.M. Hearing no objection, motion prevailed.

37th LEGISLATIVE DAY

The Senate met pursuant to adjourning at 2:35 P.M. on Thursday, May 21, 1970, Pres. Pro Tem duPont presiding.

Prayer by the Chaplain Rev. O.H. Spence.

By roll call the following Senators were present:

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

Members Absent—(Mrs.) Conner—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 727, 736, 744, 745, 800, 808** and requests the concurrence of the Senate; also **SB 493** and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HS 1 for HB 541 with HA 1 and 2, SA 1, SA 2, 774 with HA 1, 775** and requests the concurrence of the Senate; also **SB 198 with SA 1, SS 1 for 324 with HA 1; 563 with HA 1; 569, 547 with SA 1, SA 3, SA 4, SA 6, 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 643 with HA 1, 721, HS 1 for 733, 740; HCR 40** and requests the concurrence of the Senate; also **SB 550, 552, 553, 555** and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 788 with HA 1, 4, HB 789 with HA 1, 2 and HCR 41** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 737 with HA 1, 776, 780, 786 with HA 1** and requests the concurrence of the Senate.

Senator duPont announced that beginning Tuesday, May 26, 1970, the Senate would hold night sessions.

Senator Foltz requested that **SS 1 for HB 188** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz requested that **SB 200** be stricken from the calendar. Motion prevailed without objection.

Senator Robbins introduced **SA 7 to SB 574**.

Senator Robbins moved that **SA 7 to SB 574** be placed with bill. Motion prevailed, without objection.

Senator duPont introduced **SA 2 to SB 610**.

Senator duPont moved that **SA 2 to SB 610** be placed with bill. Motion prevailed without objection.

Senator duPont introduced **SA 1 to SB 623**.

Senator duPont moved that **SA 1 to SB 623** be placed with bill. Motion prevailed without objection.

Senator Isaacs introduced **SA 1 to SB 664**.

Senator Isaacs moved that **SA 1 to SB 664** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 1 to SB 570**.

Senator Hart moved that **SA 1 to SB 570** be placed with bill. Motion prevailed without objection.

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

HB 737 with HA 1—"An Act to Amend Chapter 39, Title 11, Delaware Code, by providing for the destruction of all indicia of arrest from a person's record where such person was not convicted of the crime for which such person was arrested,"—Committee on Judiciary.

HB 776—"An Act to Amend Chapter 11, Title 30, Delaware Code, relating to exclusions from income,"—committee on Finance.

HB 780—"An Act to Amend Title 21, Delaware Code, Section 4176, relating to driving a motor vehicle while under the influence of an intoxicating liquor or drug,"—committee on Highways and Public Safety.

HB 786 with HA 1—"An Act to Amend Title 10, Chapter 1, Section 126, of Delaware Code relating to method for appointing Deputy Administrator for Justices of Peace,"—committee on Judiciary.

HB 788—"An Act to Amend an Act entitled, 'An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1971', being **HB 630** of the 125th General Assembly and also known as the 1971 Budget Appropriation Bill,"—committee on Finance.

HB 789 with HA 1 and 2—"An Act to Amend an Act entitled, "An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1971", being **HB 630** of the 125th General Assembly and also known as the 1971 Budget Appropriation Bill,"—committee on Finance.

HB 643 with HA 1—"An Act making a supplementary appropriation to the Delaware State Development Department for initiating program activities for the 1970 Summer Youth Employment Program—Youth Opportunities Unlimited,"—committee on Health and Welfare.

HB 721—"An Act to Amend Title 29, Delaware Code, Chapter 80, by providing that a bond in the amount of \$1,000,000 be posted prior to any exploitation, pumping or transfer of offshore minerals to secure to the State damages and claims arising therefrom,"—committee on Agriculture and Natural Resources.

HS 1 for HB 733—"An Act to Amend Section 3313 (b), Subchapter II, Chapter 33, Title 19, Delaware Code, relating to wages and unemployment benefits by increasing the amount of the weekly benefits,"—committee on Finance.

HB 740—"An Act to Amend Title 21, Section 4502, Delaware Code, relating to the size and loads of motor vehicles,"—committee on Highways and Public Safety.

HB 727—"An Act to Amend Chapter 135, Volume 57, Laws of Delaware, also known as **HB 187** of the 125th General Assembly entitled,

'An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1970, as amended, by making a supplemental appropriation to the State Tax Department in the amount of \$27,000.00,"—committee on Finance.

HB 736—"An Act to Amend Chapter 14, Title 14, Delaware Code, relating to procedures for the termination of service of professional employees,"—committee on Education.

HB 744—"An Act relating to taxpayer identification numbers,"—committee on Finance.

HB 745—"An Act to Amend Title 21, Section 319, Delaware Code, relating to uncollectible checks and penalty"—committee on Highways and Public Safety.

HB 800—"An Act to Amend Title 16, Delaware Code, Section 3137 relating to fees charged by the Board of Health and the division of physical health of the Department of Health and Social Services,"—committee on Health and Welfare.

HB 808—"An Act to Amend Title 31, Delaware Code, Section 503 relating to aid to families with dependent children,"—committee on Health and Welfare.

HCR 40—"Congratulating Claymont High School Band on being invited to the "Festival of States Pageant,"—committee on Miscellaneous

HCR 41—"Appropriating money out of the General Fund of the State Treasury to pay certain expenses of members of the Joint Legislative Committee on Constitutional Revision,"—Joint Committee on Constitution Reorganization.

Senator duPont on behalf of the Joint Committee on Reorganization to whom had been referred **SB 669** reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator duPont on behalf of the Joint Committee on Reorganization to whom had been referred **SB 674** reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator duPont on behalf of the Joint Committee on Reorganization to whom had been referred **SB 700** reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator duPont on behalf of the Joint Committee on Reorganization to whom had been referred **SB 623** reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator duPont on behalf of the Joint Committee on Reorganization to whom had been referred **SB 660** reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator Hale introduced **SB 730** entitled, "An Act to Amend Chapter 40, Title 31, Delaware Code, by enacting a New Subchapter VII, establishing a state building code council, authorizing it to adopt a state building code for the State of Delaware providing for its organization and conferring upon it certain duties and powers relating thereto, and making a supplementary appropriation therefor," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Cicione moved that **SA 1 to HB 638** be adopted.

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

ABSENT—(Mrs.) Conner, Mr. Grier, (Mrs.) Manning—3.
Isaacs, McCullough, Robbins, Schlör, Slawik—11.

NOT VOTING—Messrs. Castle, Foltz, Hale, Holloway, Steele—5.

ABSENT—Messrs. (Mrs.) Conner, 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 duPont **HB 638 with HA 2 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 638 with HA 2 and SA 1—“An Act to Amend Title 29, Delaware Code, by creating a new chapter to be designated as Chapter 83 relating to the establishment of a Department of Finance, defining its organization, powers, duties and functions and providing a supplementary appropriation to the Governor to implement the provisions of this act.”

Senator duPont asked for the privilege of the floor for Mr. Robert Halbrook to explain the bill. Hearing no objection the privilege was granted.

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

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

NAYS—Messrs. McCullough, Robbins—2.

NOT VOTING—Mr. Schlör—1.

ABSENT—Messrs. Cicione, (Mrs.) Conner, 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 for concurrence.

On motion of Senator Foltz **SB 666** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 666—“An Act making a supplementary appropriation to the Department of Transportation for the purchase and/or construction of an airport in 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. Castle, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Mr. Cicione, (Mrs.) Conner—2.

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

On motion of Senator Castle **SB 661** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 661—“An Act to Amend Chapter 237, Volume 46, Laws of Delaware; as amended permitting Paul Brooks, Jr., a former employee of the City of Wilmington, to have been deemed eligible for disability pension benefits as provided for employees 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, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Robbins, Schlör, Slawik, Steele—14.

NAYS—Mr. McCullough—1.

ABSENT—Messrs. Cicione, (Mrs.) Conner, Isaacs, (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.

Senator Castle moved that roll call on **SB 655** be 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. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Slawik, Steele—14.

NOT VOTING—Messrs. Cicione, Cook, 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 Steele **SB 693** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 693—"An Act to Amend Chapter 7, Title 13, Delaware, Code, relating to consent of a minor to donate blood voluntarily without the necessity of obtaining parental permission or authorization."

On 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, McCullough, Robbins, Schlor, Slawik, Steele—17.

ABSENT—(Mrs.) Conner, Mr. 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 Steele **SB 650** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 650—"An Act to Amend Chapter 17, Title 14, Delaware Code, relating to State appropriations by establishing a pilot program in flexible funding."

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, Grier, Hale, Hart, (Mrs.) Manning, Robbins, Schlor, Steele—10.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cicione, (Mrs.) Conner, Elliott, Foltz, Hickman, Holloway, Isaacs, Slawik—8.

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

Senator duPont moved that the Senate recess for 10 minutes for lack of quorum. Motion prevailed without objection.

The Senate reconvened at 4:10 P.M.

Senator duPont moved that **SA 1 to SB 610** 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, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele—13.

NOT VOTING—Mr. Slawik—1.

ABSENT—Messrs. (Mrs.) Conner, Cook, McCullough, Robbins, Schlor—5.

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

Senator duPont moved that **SA 2 to SB 610** 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, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Slawik, Steele.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. (Mrs.) Conner, Cook, McCullough, Robbins, Schlor—5.

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

On motion of Senator duPont **SB 610 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 610—“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.”

Senator duPont asked for the privilege of the floor for Mr. Robert Halbrook to explain **SB 610 with SA 1 and 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Issacs, (Mrs.) Manning, Steele—13.

NOT VOTING—Messrs. McCullough, Schlor, Slawik—3.

ABSENT—Messrs. (Mrs.) Conner, Cook, Robbins—3.

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

On motion of Senator Elliott **SS 1 for SB 556** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 556—“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.”

Senator Elliott asked for the privilege of the floor for Mr. Robert Short, State Insurance Commissioner, to explain **SS 1 for SB 556**. 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, Cicone, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Steele—16.

NOT VOTING—Mr. Robbins—1.

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 for concurrence.

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

SB 566—"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."

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

ABSENT—(Mrs.) Conner—1.

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

On motion of Senator Isaacs **SB 676** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 676—"An Act to Amend Chapter 3, Section 303, Title 3, Delaware Code, entitled, Bureau of Markets."

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

ABSENT—(Mrs.) Conner—1.

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

On motion of Senator Isaacs **SB 562** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 562—"An Act relating to a pension for Edward Kirby, 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, Cicone, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

ABSENT—(Mrs.) Conner.

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

ordered to the House for concurrence.

On motion of Senator Isaacs the roll call on **SB 480** was 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. Castle, Cicione, Cook, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik—10.

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

NOT VOTING—Messrs. Elliott, Foltz, Hale—3.

ABSENT—(Mrs.) Manning—1.

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

On motion of Senator Castle **HB 491** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 491—"An Act to Amend Title 25, Chapter 27, Delaware Code, relating to Mechanics' Liens against on owner who pays the contractor for alterations or repairs."

Senator Castle asked for the privilege of the floor for Representative Robert Riddagh to explain **HB 491**. Hearing no objection the privilege was granted.

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

YEAS—Messrs. Castle, Cook, duPont, Elliott, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Steele—12.

NAYS—Messrs. Cicione, Foltz—2.

NOT VOTING—Messrs. Grier, Hickman, Robbins, Slawik—4.

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 Hart **HJR 19** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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."

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

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

ABSENT—(Mrs.) Conner, Mr. Foltz—2.

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

On motion of Senator Isaacs **HB 424** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 424—"An Act to Amend Section 309 and Section 304 (2), Title

4, Delaware Code, relating to scope of regulations made by the Delaware Liquor Commission; amendment of the Delaware Liquor Commission regulations by the General Assembly; and more particularly imposing restrictions upon the Delaware Liquor Commission as to regulation of pool tables, pinball machines, and shuffleboards in business places selling 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, Cook, duPont, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Schlör, Steele—11.

NAYS—Messrs. Holloway, McCullough, Robbins—3.

NOT VOTING—Messrs. Cicone Slawik—2.

ABSENT—Messrs. (Mrs.) Conner, Elliott, Foltz—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 Cicone **SB 481** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 481—"An Act to Amend Title 29, Chapter 57 of the Delaware Code, relating to Social Security."

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

YEAS—Messrs. Castle, Cicone, duPont, Elliott, Grier, Hale, Hart, Hickman, (Mrs.) Manning, McCullough, Steele—10.

NAYS—Mr. Slawik—1.

NOT VOTING—Messrs. Cook, Holloway, Isaacs, Robbins, Schlör—6.

ABSENT—(Mrs.) Conner, Mr. 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 for concurrence.

Senator Cicone introduced **SB 731** with title as follows:

SB 731—"An Act to Amend Title 19, Delaware Code, Chapter 1, relating to duties of child labor inspectors."

Senator Cicone moved that Rule 9 be suspended for the purpose of considering **SB 731**.

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

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

ABSENT—(Mrs.) Conner, Mr. Foltz—2.

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

On motion of Senator Cicone **SB 731** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 731—"An Act to Amend Title 19, Delaware Code, Chapter 1, 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, Cicone, Cook, duPont, Elliott, Foltz, Grier,

Hale, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele—14.

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Hickman, Robbins—2.

ABSENT—Mrs. Conner, Mr. Hart—2.

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

Senator Elliott introduced **SA 1 to HB 788**.

Senator Elliott moved that **SA 1 to HB 788** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SB 732** entitled, "An Act to Amend Subsection 4522, Title 31, Delaware Code, relating to the approval of Certain Redevelopment Plans by a Referendum prior to the recommendation of the Authority to the Governing Body," which was given its first reading by title only and assigned to committee on Miscellaneous.

Senator duPont on behalf of the Joint Committee on Reorganization to whom had been referred **SB 671** reported the same back to the Senate: 3 Favorable, 2 Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 701** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 705** reported the same back to the Senate; 5 Favorable, 1 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 712** reported the same back to the Senate; 4 Favorable, 1 Unfavorable.

On motion of Senator Hale **SS 1 for SB 324 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, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—16.

NOT VOTING—Mr. Cicione—1.

ABSENT—(Mrs.) Conner, Mr. Hart—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 Hale **SB 563 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, duPont, Elliott, Foltz, Grier, Hale, Holloway, Robbins, Slawik, Steele—11.

NAYS—Mr. Isaacs (Mrs.) Manning—2.

NOT VOTING—Messrs. Cook, Hickman, McCullough, Schlör—4.

ABSENT—(Mrs.) Conner, Mr. Hart—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 duPont **SB 547 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, Cook, duPont, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele—13.

NAYS—Messrs. McCullough, Robbins—2.

NOT VOTING—Messrs. Schlör, Slawik—2.

ABSENT—(Mrs.) Conner, Mr. Hale—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 Cicione **HB 541 with HA 1 and 2 and 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 541—"An Act to Amend Title 11, Delaware Code, providing for regulation of the distribution of obscene matter to minors."

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

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

NOT VOTING—Mr. Castle—1.

ABSENT—(Mrs.) Conner, Mr. Hart—2.

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

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

HB 744 with HA 1—"An Act to Amend Titles 9 and 29, Delaware Code, relating to the Office of the Secretary of State by providing that certain duties, papers, documents and supplies required to be performed or filed with the Secretary of State shall be performed or filed with various applicable agencies and departments."—committee on Government Operations.

HB 775—"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."

Senator Slawik moved that Rule 9 be suspended for the purpose of considering **HB 775**.

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, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele—12

NOT VOTING—Messrs. Castle, duPont, Foltz, McCullough, Robbins—5.

ABSENT—(Mrs.) Conner, Mr. Hart—2.

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

On motion of Senator Slawik **HB 775** with title as follows was taken up for consideration and read by title in order to pass the Senate.

HB 775—"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.”

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

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

NOT VOTING—Messrs. Elliott, McCullough, Robbins—3.

ABSENT—(Mrs.) Conner, Mr. Hart—2.

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

Senator Manning introduced **SA 1 to SB 649**.

Senator Manning moved that **SA 1 to SB 649** be placed with bill. Motion prevailed without objection.

Senator Grier moved that the Senate recess until Tuesday, May 26, 1970, at 1:30 P.M. Hearing no objection motion prevailed.

Senator Grier moved that the Senate adjourn until Tuesday, May 26, 1970, at 2:20 P.M. Hearing no objection motion prevailed.

38th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:20 P.M. on Tuesday, May 26, 1970 Lt. Gov. Bookhammer presiding.

Prayer by the Rev. H. Norman Nicklas.

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, Robbins, Schlör, Slawik, Steele—18.

Members Absent—Mr. McCullough—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 208 with SA 1,2 HA 1; 724 with HA 1, 787** and requests the concurrence of the Senate; also **SB 476 with SA 1, HA 1, 554** and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 394 with HA 1,2,3, 5, HS 1 for HB 512 with HA 1, HB 692 with SA 1, HS 1 for HB 719, HB 731 with HA 1, HB 747, HB 764, HB 769 with HA 1, HB 722 with HA 2, HB 783, HB 784** and requests the concurrence of the Senate; also **SB 49 with HA 2, 551 with HA 2, SB 592 and SJR 18** and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 281 with HA 4, HB 282 with HA 4, HB 728, HB 767, HB 777, HB 781, HB 831, HB 839, HB 841, HB 842, HB 843, HB 844, HB 849, HB 861, HB 903 with HA 1** and requests the concurrence of the Senate.

OFFICE OF THE GOVERNOR

LEGISLATIVE ADVISORY NO. 41

May 25, 1970

The Governor approved the following legislation on the indicated dates:

SB 503 - 5-11-70 - relating to the prohibition of minors working in establishments where liquor is sold.

SB 504 - 5-11-70 - relating to certain age groups working in places where liquor is sold.

HB 617 As Amended by HA 1 - 5-15-70 - relating to the purchase of beer kegs.

HB 637 As Amended by HA 1 and HA 2 - 5-16-70 - relating to the licensing of osteopathic physicians.

HB 671 - 5-16-70 - making certain amendments to the corporation code.

HB 542 - 5-16-70 - concerning various people who may fish without obtaining a fishing license.

HB 625 - 5-16-70 - requiring examinations for professional engineers.

HB 331 - 5-16-70 - allowing Chief Fire Officers to make fire escape examinations.

HB 690 - 5-16-70 - providing a new law covering property tax exemptions for certain persons over 65.

HB 577 - 5-18-70 - increasing the dollar amount of damages which require a report to the police of auto accidents.

HB 699 - 5-18-70 - approving money to the Secretary of State for the conversion of records to a data processing system.

HB 33 As Amended by HA 1 - 5-18-70 - allowing night time search warrants to be executed for three days after issuance.

HB 554 - 5-18-70 - appropriating \$2,000 to the Delaware Jaycees.

SS 1 for SB 585 As Amended by HA 1 - 5-18-70 - appropriating money to the Milford School District for sidewalk construction.

SB 462 As Amended by HA 1,2 and 3 - 5-18-70 - relating to the display and purchase of State Flags.

SB 43 - 5-18-70 - requiring the reporting of incidents of venereal disease.

SB 461 - 5-18-70 - authorizing mutual police aid agreements.

SB 565 - 5-18-70 - appropriating money to Delaware State College for employee salaries.

SB 587 - 5-18-70 - appropriating \$1500 to the Delaware Junior Miss Pageant.

SB 542 - 5-18-70 - increasing the interest ceiling on Delaware Turnpike bonds from five per cent to eight per cent.

OFFICE OF THE GOVERNOR

May 25, 1970

LEGISLATIVE ADVISORY NO. 42

The Governor approved the following legislation on the indicated dates:

SB 475 - 5-20-70 - creating the Delaware Insurance Guaranty Association.

SB 584 - 5-20-70 - relating to the use of certain school bond money.

SB 567 - 5-20-70 - redirecting bond money for the Delaware Technical and Community College.

SB 529 - 5-20-70 - making certain amendments to the law relating to

school construction capital improvements.

SB 433 As Amended by HA 1 - 5-20-70 - amending the Seaford Town Charter to allow the establishment of a service charge.

HB 277 - 5-20-70 - relating to insurance payments.

HB 682 As Amended by HA 1 - 5-20-70 - relating to the Wilmington Police pension fund.

HB 683 As Amended by HA 1 - 5-20-70 - relating to the Wilmington Fireman's pension fund.

HB 267 As Amended by SA 1 - 5-20-70 - concerning the Uniform Anatomical Gift Act.

HB 553 - 5-20-70 - relating to the placement of pipes, conduits and wires.

HB 594 As Amended by HA 1 - 5-20-70 - relating to the sale of alcoholic beverages in dinner theaters.

HB 595 - 5-20-70 - providing a license fee for dinner theaters which sell alcoholic beverages.

HB 608 - 5-20-70 - amending the law regarding the eligibility of voters in sanitary sewer and water districts.

HB 611 - 5-20-70 - authorizing Fish and Wildlife and Parks wardens to arrest for littering.

HB 627 As Amended by HA 1 - 5-20-70 - exempting certain medical equipment from the tax on the lease of tangible personal property.

HB 704 As Amended by HA 1 - 5-20-70 - providing for the payment by the State of Delaware of witness fees.

Senator duPont introduced **SA 1 to SB 660**.

Senator duPont moved that **SA 1 to SB 660** 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 787—"An Act declaring a moratorium on certain activities along the Delaware River and Bay, declaring activities in violation of the moratorium to be public nuisances and providing criminal penalties for violations of the moratorium."—Agriculture and Natural Resources.

HB 724 with HA 1—"An Act making a supplementary appropriation to the State Budget Commission to provide funds for payments due under Volume 57, Laws of Delaware, Chapter 228."—Finance.

HB 281 with HA 4—"An Act to Amend Chapter 118, Volume 33, Laws of Delaware, as amended, entitled "An Act providing for a Fireman's pension fund for members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington" to provide for an increase in pension benefits."—Revised Statutes.

HB 282 with HA 4—"An Act to Amend Chapter 113, Volume 32, Laws of Delaware, entitled "An Act providing for a Police pension fund: for members of the Police Force of the City of Wilmington" to provide for an increase in pension benefits."—Revised Statutes.

HB 728—"An Act making a supplementary appropriation to the Educational Contingency fund to meet deficiencies in regular appropriations for mandated education programs."—Finance.

Senator Steele moved that Rule 9 be suspended for the purpose of considering **HB 728**.

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

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Cook, McCullough, 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 Steele, **HB 728** with title as follows was taken up for consideration in order to pass the Senate:

HB 728—"An Act making a supplementary appropriation to the Educational Contingency Fund to meet deficiencies in regular appropriations for mandated education programs."

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

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

ABSENT—Messrs. Foltz, Hickman, 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.

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

HB 767—"An Act authorizing the State Treasurer to transfer the balances in certain inactive accounts of the State Board of Education to the General Fund of the State of Delaware."—Finance.

HB 903 with HA 1—"An Act to Amend Title 29, Chapter 79, Delaware Code, relating to Drug Control and making supplementary appropriations therefor."—Judiciary.

HB 777—"An Act to Amend Chapter 31, Title 5, Delaware Code, relating to secondary mortgage loans by providing for certain qualifications with respect to applicants for a license, the conditions upon which a license shall be issued or refused, the authority of the commissioner to conduct examinations and for an increase in the license fee."—Banking and Insurance.

HB 781—"An Act to Amend Title 11, Delaware Code, by allowing the use of prior statements as affirmative evidence in criminal prosecutions."—Judiciary.

HB 831—"An Act making an appropriation to the Caesar Rodney School District for the purpose of constructing sidewalks and acquiring the necessary rights-of-way therefor within the school district at specified locations."—Finance.

HB 839—"An Act to Amend Title 30, Section 1185, Delaware Code, relating to disclosure of returns by officials."—Finance.

HB 841—"An Act relating to the Declaration of estimated income tax.

HB 842—"An Act to Amend Section 4301, Chapter 43, Title 30, Delaware Code relating to use tax on leases of tangible personal property ot include a definition of "Place of Business"."—Finance.

HB 843—"An Act to Amend Title 30, Section 1101, Delaware Code, relating to definitions."—Finance.

HB 844—"An Act to Amend Title 30, Delaware Code, relating to

interest rates on unpaid taxes and refunds.”—Finance.

HB 849—“An Act authorizing and making a supplementary appropriation to the State Personnel Commission to pay certain obligations incurred in a prior fiscal year and waiving the state bidding code and certain other financial requirements.”—Finance.

HB 861—“An Act to aid certain fire companies which are organized to extinguish fires or maintain ambulances or rescue trucks, by making appropriations for them.”—Finance.

HB 394 with HA 1,2,3,5—“An Act to Amend Chapter 81, Title 10, of the Delaware Code, by adding a new section relating to limitation of actions growing out of alleged deficiencies in the construction or manner of construction of improvements to real property or in the designing, planning, supervision, or observation of such construction or manner of construction.”—Revised Statutes.

HS 1 for HB 512 with HA 1,2—“An Act to Amend Chapter 51, Title 25, Delaware Code, relating to the terms and conditions of leases.”—Revised Statutes.

HS 1 for HB 719—“An Act to Amend Title 21, Delaware Code, relating to projections from periphery of tires.”—Highways and Public Safety.

HB 784—“An Act to Amend Title 9, Section 8311 (a) (2), relating to public inspection of completed assessments.”—Government Operations.

HB 747—“An Act to Amend Title 4, Section 522, Delaware Code, relating to the qualifications for a license to purchase alcoholic liquor for resale.”—Revised Statutes.

HB 764—“An Act to Amend Title 14, Delaware Code, relating to “Education” by providing encouragement for Vocational Youth Organizations.”—Education.

HB 731 with HA 1—“An Act to Amend Title 16, Chapter 47, Section 4717, Delaware Code, relating to warrant for arrest and search of premises.”—Judiciary.

HB 783—“An Act to Amend Title 9, Section 8312 (b), relating to appeals and corrections upon completion of annual assessment.”—Government Operations.

HB 772—“An Act to Amend Section 3509, Title 10, Delaware Code, relating to garnishment of employers, by prohibiting dismissal of an employee when the employers is summoned as garnishee.”—Labor and Industrial Relations.

HB 769—“An Act to Amend Section 2721, Title 21, Delaware Code, relating to the Medical Advisory Board for the Motor Vehicle Department.”—Highways and Public Safety.

HB 208 with HA 1—“An Act to Amend Section 4338, Subchapter II, Chapter 43, Title 21, Delaware Code, relating to additional equipment required on slow-moving vehicles.”—Highways and Public Safety.

SB 551 with HA 2—“An Act to Amend Title 11, Delaware Code, Chapter 41, Section 41-6, relating to persons who are sentenced to imprisonment and fine persons who have defaulted on payments of fine.”—Judiciary

On motion of Senator Isaacs, **SB 49 with HA 2** 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, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Messrs. Foltz, McCullough—2.

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

On motion of Senator Hickman, **SB 476 with HA 1** with title as follows 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, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Messrs. Foltz, McCullough—2.

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

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 788** reported the same back to the Senate; 5 on Merits.

Senator Grier moved to return **HB 692** to the House as it was received by error. Motion prevailed without objection.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 789** 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 744** 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 727** reported the same back to the Senate; 5 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HS 1 for HB 733** reported the same back to the Senate; 5 on Merits.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **SB 570** reported the same back to the Senate; 3 Favorable, 1 on Merit.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **SB 709** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **SB 720** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **SB 713** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Hart on behalf of the committee on Commerce and Corporations to whom had been referred **SB 696** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Hale introduced **SA 1 to SB 700**.

Senator Hale moved that **SA 1 to SB 700** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 1 to SB 671**.

Senator Hart moved that **SA 1 to SB 671** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SA 1 to SB 705**.

Senator Elliott moved that **SA 1 to SB 705** be placed with bill.

Motion prevailed without objection.

Senator Foltz introduced **SA 1 to SB 668**.

Senator Foltz moved that **SA 1 to SB 668** be placed with Bill. Motion prevailed without objection.

Senator Slawik introduced **SR 123** co-sponsored by Senators Manning and Cook.

SR 123—"Relative to the Death of Albert L. McCullough

WHEREAS, the Senate of the 125th General Assembly of the State of Delaware has learned with regret of the passing of Albert L. McCullough, the brother of Senator Calvin R. McCullough; and

WHEREAS, Albert L. McCullough was a lifetime resident of this State; and

WHEREAS, the members of the Senate desire to express to Senator Calvin R. McCullough and to the rest of 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 Albert L. McCullough, a prominent figure in his community; and

BE IT FURTHER RESOLVED that Senator McCullough and the rest of the family of Albert L. McCullough have 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 him 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 Slawik moved that **SR 123** be adopted.

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

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

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

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

By accord, the roll call was made unanimous.

Senator Isaacs on behalf of the committee on Miscellaneous to whom had been referred **SB 732** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator duPont moved that Senate go into Executive Session at 3:15 P.M.

The Senate reconvened in Regular Session at 3:25 P.M.

On motion of Senator Steele, **HB 734** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 734—"An Act to Amend Title 11, Chapter 83, Delaware Code, to authorize the Superintendent of the State Police to administer a crime reduction 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, Robbins, Schlor, Steele—17.

ABSENT—Messrs. McCullough, 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 712** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 712—"An Act to Amend Title 4, Chapter 3, Sections 301, and 307, relating to the Delaware Alcoholic Beverage Control 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Slawik—17.

ABSENT—Messrs. McCullough, 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 Hart, **SB 669** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 669—"An Act Amending Title 7, Delaware Code, providing for amendments and corrections to the Department of Natural Resources and Environmental Control as provided in Title 29, Delaware Code, Chapter 80."

Senator Hart asked for the privilege of the floor for Mr. Halbrook to explain **SB 669**. 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, 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.

Senator Hart moved that **SA 1 to SB 671** be adopted.

Senator Hart asked for the privilege of the floor for Mr. Halbrook to explain **SB 671**. Hearing no objection, the privilege was granted.

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

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

NOT VOTING—Messrs. Hickman, Isaacs, Robbins, Schlor—4.

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 Hart, **SB 671 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 671 with SA 1—"An Act Amending Titles 2, 17, 21, and 29, providing for omnibus amendments and corrections relating to the Department of Highways and Transportation as provided in Title 29, Delaware Code, Chapter 84."

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, Holloway, (Mrs.) Manning Slawik, Steele—12.

NOT VOTING—Messrs. Cicione, Cook, Hickman, Isaacs, Robbins, Schlör—6.

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.

Senator duPont moved that **SA 1 to SB 660** 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, Robbins, Slawik, Steele—16.

NOT VOTING—Mr. Schlör—1.

ABSENT—Messrs. Cicione, McCullough—2.

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

On motion of Senator duPont, **SB 660 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 660 with SA 1—"An Act Amending Titles 14, 19, and 29 providing for omnibus amendments and corrections relating to the Department of Labor as provided in Title 29, Delaware Code, Chapter 85."

Senator duPont asked for the privilege of the floor for Mr. Robert Halbrook to explain **SB 660 with 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, Slawik, Steele—16.

NOT VOTING—Messrs. Robbins, Schlör—2.

ABSENT—Mr. McCullough—1.

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

Senator duPont moved that **SA 1 to SB 623** be adopted.

Senator duPont asked for the privilege of the floor for Mr. Robert Halbrook to explain **SB 623 with SA 1**. Hearing no objection, the privilege was granted.

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

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

Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Slawik, Steele—16.

NOT VOTING—Mr. Schlor—1.

ABSENT—Mr. McCullough, (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 Foltz, **SB 623 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 623 with SA 1—"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."

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

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

NAYS—Mr. Robbins—1.

NOT VOTING—Messrs. Cook, Schlor, Slawik—3.

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 Foltz, **SB 674** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 674—"An Act Amending Titles 7 and 29 providing for omnibus amendments and corrections relating to the Department of State as provided in Title 29, Delaware Code, Chapter 87."

On the question "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, Slawik, Steele—16.

NAYS—Messrs. Robbins, Schlor—2.

ABSENT—Mr. McCullough—1.

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

Senator Grier moved that **SA 1 to SB 638** 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, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Steele—12.

NAYS—Messrs. (Mrs.) Conner, Foltz, Schlor—3.

NOT VOTING—Messrs. Cicione, Cook, Slawik—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 Foltz, **SB 638 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 638 with SA 1—"An Act to Amend Title 10, Delaware Code, relating to salaries of 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, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—17.

NOT VOTING—Mr. Hickman—1.

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.

Senator Foltz moved that **SA 1 to SB 668** 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, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Messrs. Cicione, McCullough—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 668 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 668 with SA 1—"An Act to Amend Title 24, Section 602, Delaware Code, relating to qualifications of members of the State Board of Cosmetology."

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, Robbins, Schlör, Slawik, Steele—15.

ABSENT—Messrs. Cicione, Holloway, (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.

Senator Elliott moved that **SA 1 to SB 705** 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, Schlör, Slawik, Steele—18.

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 705 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 705 with SA 1—"An Act to Amend Title 30, Chapter 23, Delaware Code, with reference to the tax status of persons engaged in the business operating school buses."

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, Robbins, Slawik, Steele—17.

ABSENT—Messrs. McCullough, Schlor—2.

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

On motion of Senator Foltz, **SB 689** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 689—"An Act to Amend Title 29, Delaware code, relating to payment of debts as a condition of employment: by providing that an attachment of wages shall not constitute prima facie evidence of an effort to pay a debt."

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, Robbins, Slawik, Steele—17.

ABSENT—Messrs. McCullough, Schlor—2.

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

On motion of Senator Holloway, **SB 677** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 677—"An Act making a supplementary appropriation to the respective Departments of Elections for New Castle, Kent and Sussex Counties for additional mobile registration."

Senator Holloway moved that action on **SB 677** be deferred. Motion prevailed without objection.

On motion of Senator Castle, **SB 190** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 190—"An Act to Amend Subsection 1920 (e), Chapter 19, Title 24, Delaware Code, relating to exceptions from the operation of Title 24, nursing and schools of nursing, by adding the phrase "under adequate nursing supervision."

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, 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.

Senator Hale moved that **SA 1 to SB 700** be adopted.

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

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

NOT VOTING—Mr. Schlör—1.

ABSENT—Messrs. Hart, McCullough—2.

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

On motion of Senator Hale, **SB 700 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 700 with SA 1—“An Act Amending Titles 11, 16, 29, and 31 Delaware Code, providing for omnibus amendments and corrections relating to the Department of Health and Social Services as provided in Title 29 Delaware Code, Chapter 79.”

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

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

NAYS—Messrs. Robbins, Schlör—2.

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 Conner, **SB 707** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Conner moved that action on **SB 707** be deferred. Motion prevailed without objection.

On motion of Senator Conner, **SB 678** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 678—“An Act to Amend Title 30, Delaware Code, Chapter 20, relating to neighborhood assistance tax credit by providing that the provisions there include day care centers.”

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

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

NOT VOTING—Messrs. Cicione, Cook, Elliott, Robbins, Schlör—5.

ABSENT—Messrs. Foltz, Hart, Isaacs, 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 Conner, **SB 685** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 685—“An Act to Amend Section 5123, Title 16, Delaware Code, relating to voluntary hospitalization and discharge of patients under the age of 21 at the Delaware State Hospital.”

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

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

Hale, Holloway, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—13.

NOT VOTING—Mr. Cicione—1.

ABSENT—Messrs. Foltz, Hart, Hickman, Isaacs, McCullough—5.

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

On motion of Senator Conner, **SB 691** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 691—“An Act providing that the Superintendent of any mental health institution may consent on behalf of any patient therein, where relative of patient cannot be located to surgical or medical therapeutic procedure needed by patient.”

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Holloway, Robbins, Slawik, Steele—12.

NOT VOTING—Mr. (Mrs.) Manning, Schlör—2.

ABSENT—Messrs. Foltz, Hart, Hickman, Isaacs, McCullough—5.

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

On motion of Senator Steele, **HB 600 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 600 with HA 1—“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.”

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

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

ABSENT—Messrs. Hart, Isaacs, 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.

On motion of Senator Steele, **HB 630** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Steele moved Roll Call on **HB 630** be tabled. Motion prevailed without objection.

Senator Conner moved that **SA 1 to HB 548** 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, Holloway, (Mrs.) Manning, Robbins, Schlör, Slawik—12.

ABSENT—Messrs. Elliott, Foltz, Hart, Hickman, Isaacs, McCullough, Steele—7.

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

Senator Conner moved that **SA 1 to HB 548** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Grier, Hale, Holloway, (Mrs.) Manning, Robbins, Slawik—10.

NOT VOTING—Messrs. Cook, Schlor—2.

ABSENT—Messrs. Elliott, Foltz, Hart, Hickman, Isaacs, McCullough, Steele—7.

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 548 with HA 1 and 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:

HB 548 with HA 1 and SA 1,2—"An Act to Amend Section 1307 (c), Chapter 13, Title 14, Delaware Code, relating to Assistant Principals."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Robbins, Slawik—11.

NOT VOTING—Messrs. Cook, Schlor—2.

ABSENT—Messrs. Elliott, Foltz, Hickman, Isaacs, McCullough, Steele—6.

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

Senator Grier moved that the Senate recess until 7:30 p.m. Motion prevailed without objection.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 639** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Elliott on behalf of the committee on Agriculture and Natural Resources to whom had been referred **SB 680** reported the same back to the Senate; 4 Favorable.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **SJR 15** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Conner introduced **SA 1 to HB 769**.

Senator Conner moved that **SA 1 to HB 769** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 1 to SB 683**.

Senator Hart moved that **SA 1 to SB 683** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 1 to SS 1 for SB 640**.

Senator Hart moved that **SA 1 to SS 1 for SB 640** be placed with bill. Motion prevailed without objection.

Senator Hale introduced **SR 124** entitled "Authorizing the Legislative Council to furnish postage stamps for the Second Session of the 125th General Assembly."

Senator Hale moved that **SR 124** be adopted.

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

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

Slawik, Steele—16.

ABSENT—Messrs. Hickman, McCullough, Schlor—3.

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

On motion of Senator Elliott, **HS 2 for HB 510** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Elliott moved that **HS 2 for HB 510** be laid on table. Motion prevailed without objection.

On motion of Senator Conner, **HS 1 for HB 276** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for HB 276—"An Act to Amend Subchapter V, Chapter 17, Title 24, Delaware Code, providing for immunity of members of Medical Council of Delaware, The Board of Medical Examiners of Delaware, including the osteopathic examiner of the Medical Council, the County Medical Censor Committees, the State Osteopathic Censor Committee, and physicians who are members of hospital and medical review and utilization committees from suit or liability for action taken as members of such organizations and committees."

Senator Conner asked for the privilege of the floor for Dr. Rhoslyn Bishoff, of Dover, President of Delaware State Medical Society, to explain **HS 1 for HB 276**. Hearing no objection, the privilege was granted.

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

YEAS—Messrs. (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Robbins, Slawik, Steele—12.

NAYS—Messrs. Hickman, Isaacs—2.

NOT VOTING—Messrs. Castle, Elliott—2.

ABSENT—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.

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **SB 716** 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 581** reported the same back to the Senate; 3 on Merits.

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **SB 702** reported the same back to the Senate; 4 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **HB 643** reported the same to the Senate; 1 Favorable, 4 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **HB 133** 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 335** reported the same back to the Senate; 4 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **HB 800** reported the same back to the Senate; 5

on Merits.

Senator Conner on behalf of the committee on Education to whom had been referred **HB 736** reported the same back to the Senate; 4 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **HB 808** reported the same back to the Senate; 5 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **HB 41** reported the same back to the Senate; 5 on Merits.

Senator Conner on behalf of the committee on Education to whom had been referred **HB 764** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **HB 394** 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 **HB 720** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Cicione on behalf of the Committee on Labor and Industrial Relations to whom had been referred **HB 772** 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 **HB 774** 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 282** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **HS 1 for HB 512** reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **HB 281** 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 **HB 724** 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 839** reported the same back to the Senate; 6 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 842** reported the same back to the Senate; 6 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 849** reported the same back to the Senate; 6 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 861** reported the same back to the Senate; 6 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 767** reported the same back to the Senate; 6 on Merits.

Senator Cook introduced **SR 125** entitled "Relating to having all Polling Places open and available for voting on Tuesday, June 16, 1970."

WHEREAS, it has come to the attention of the members of the Senate of the 125th General Assembly of the State of Delaware that Section 3109, Title 15, Delaware Code, permits the County Departments of Elections to establish primary election districts which would not

necessarily provide for a polling place in each election district; and

WHEREAS, every effort should be made to encourage all voters, both young and old, to vote and participate in the political process; and

WHEREAS, it is generally agreed upon that proximity of voters to voting place encourages greater participation; and

WHEREAS, it is the intent of the Senate to make it as convenient as possible for the entire electorate to participate in all phases of the political process,

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware that the County Departments of Elections are hereby requested to have all polling places open and available for voting on Tuesday, June 16, 1970.

BE IT FURTHER RESOLVED, that the text of this Resolution be made a part of the Journal of the Senate of the 125th General Assembly of the State of Delaware.

BE IT FURTHER RESOLVED, that the Secretary of the Senate be directed to send a copy of this Resolution to the Chairman of each of the County Departments of Elections."

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

YEAS—Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik—13.

NAYS—Messrs. Hale, Hart, Steele—3.

NOT VOTING—Mr. Castle—1.

ABSENT—Messrs. McCullough, Schlor—2.

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

Senator duPont announced a public hearing to be held on Wednesday, May 27, 1970 at 11 a.m. in the Senate on the nomination of General Fred W. Vettters, Jr. to Secretary of the Department of Public Safety.

Senator Grier moved that the Senate adjourn until Wednesday, May 27, 1970 at 1:30 p.m. Hearing no objection, motion prevailed.

39th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:25 P.M. on Wednesday, May 27, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. H. Norman Nicklas

By roll call the following Senators were present:

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

Members Absent: Mr. Cook—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.

Senator Steele introduced **SS 1 for SB 483** 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 Steele requested that **SB 483** be stricken from the calendar. Motion prevailed without objection.

Senator Elliott introduced **SA 1 to HS 2 for HB 510**.

Senator Elliott moved that **SA 1 to HS 2 for HB 510** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SA 1 to HB 840**.

Senator Elliott moved that **SA 1 to HB 840** be placed with bill. Motion prevailed without objection.

Senator Steele introduced **SA 1 to SB 692**.

Senator Steele moved that **SA 1 to SB 692** be placed with bill. Motion prevailed without objection.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 831** reported the same back to the Senate; 4 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **HS 1 for HB 536** reported the same back to the Senate; 3 on Merits.

Senator Isaacs on behalf of the committee on Miscellaneous to whom had been referred **HB 599** reported the same back to the Senate; 1 Favorable, 2 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **HB 714** reported the same back to the Senate; 1 Unfavorable, 2 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **HB 392** reported the same back to the Senate; 3 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **SB 659** reported the same back to the Senate; 1 Unfavorable, 2 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **SB 558** reported the same back to the Senate; 3 on Merits.

Senator Isaacs on behalf of the committee on Miscellaneous to whom had been referred **SB 487** reported the same back to the Senate; 3 on Merits.

On motion of Senator Castle, **HS 1 for HB 512 with HA 1, and 2** was taken up for consideration and read a second time by title in order to pass the Senate:

Senator Castle moved that action on **HS 1 for HB 512 with HA 1, and 2** be deferred. Motion prevailed without objection.

On motion of Senator Castle, **HB 394 with HA 1,2,3,5** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Castle moved that action be deferred to return to **HS 1 for HB 512 with HA 1, and 2**. Motion prevailed without objection.

On motion of Senator Castle, **HS 1 for HB 512 with HA 1, and 2** with title as follows was taken up for consideration and read a final time by title in order to pass the Senate:

HS 1 for HB 512 with HA 1, and 2—"An Act to Amend Chapter 51, Title 25, Delaware Code relating to terms and conditions of leases."

Senator Castle asked for the privilege of the floor for Representative

P.S. duPont IV to explain **HS 1 for HB 512 with HA 1, and 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, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlör, Steele—14.

NAYS—Mr. McCullough—1.

NOT VOTING—Mr. Robbins—1.

ABSENT—Messrs. Cook, Foltz, 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.

On motion of Senator Castle, **HB 944 with HA 1,2,3,5** was taken up for consideration in order to pass the Senate.

Senator Castle asked for the privilege of the floor for Mr. Brook Stabler of Delaware Contractors' Association to discuss **HB 944 with HA 1,2,3,5.** Hearing no objection the privilege was granted.

Senator Castle moved that action on **HB 944 with HA 1,2,3,5** be deferred to allow further study of the bill. Motion prevailed without objection.

On motion of Senator Conner, **HB 764** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 764—"An Act to Amend Title 14, Delaware Code, relating to "Education," by providing encouragement for vocational youth organizations."

Senator Conner asked for the privilege of the floor for Representative Thomas L. Little to explain **HB 764.** Hearing no objection, the privilege was granted.

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

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

ABSENT—Messrs. Cook, 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.

Senator Grier requested that **SB 286** be stricken from the calendar. Motion prevailed without objection.

On motion of Senator Elliott, **SB 639** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 639—"An Act making a supplementary appropriation to the Department of Mental Health to be used for surfacing and other improvements of entrance road and parking area of the Hospital for the Mentally Retarded."

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

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

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cook, Hart, (Mrs.) Manning—3.

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

Senator Elliott moved that **SA 1 to HS 2 for HB 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, Holloway, Isaacs, Robbins, Schlor, Slawik, Steele—13.

NAYS—Mr. Hale—1.

NOT VOTING—Messrs. Holloway, McCullough—2.

ABSENT—Messrs. Cook, Hart, (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 Elliott, **HS 2 for HB 510 with SA 1** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Elliott moved that action on **HS 2 for HB 510 with SA 1** be deferred. Motion prevailed without objection.

Senator Steele requested that **SA 1 to SB 677** be stricken from the calendar. Motion prevailed without objection.

Senator Steele moved that **SA 2 to SB 677** 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, Grier, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—14.

NAYS—Mr. Hickman—1.

NOT VOTING—Mr. Cicione—1.

ABSENT—Messrs. Cook, Foltz, (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 Holloway, **SB 677 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:

SB 677 with SA 2—“An Act making a supplementary appropriation to the respective Departments of Elections for New Castle, Kent and Sussex Counties for additional mobile registration.”

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

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

ABSENT—Messrs. Cook, Foltz, Hart, (Mrs.) Manning, McCullough—5.

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

On motion of Senator Isaacs, **SB 581** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 581—“An Act to Amend Title 9, Sections 1120, 1441, and 1451, requiring the County Council for the removal or suspension by the County

Executive.”

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

YEAS—Messrs. Cicione, Elliott, Foltz, Hart, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—11.

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

NOT VOTING—Messrs. Grier, Isaacs—2.

ABSENT—Messrs. Cook, Holloway—2.

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

On motion of Senator Isaacs, **SB 720** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 720—“An Act to Amend Chapter 7, Title 17, Delaware Code, by prohibiting every railroad company in this State from erecting, planting, and/or maintaining certain hedges, shrubs, trees, solid fences, and other large solid objects from its property or right of way and providing procedures where railroad company fails to comply.”

On the question “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, Schlör, Slawik, Steele—17.

NOT VOTING—Mr. Robbins—1.

ABSENT—Mr. Cook—1.

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

On motion of Senator Isaacs, **HB 681** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 681—“An Act Amending Title 23, Delaware Code, providing for a fee schedule for motor boat licenses as provided in Title 23, Delaware Code, Chapter 21.”

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

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

ABSENT—Messrs. duPont, Foltz, 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 for concurrence.

On motion of Senator Isaacs, **HB 489** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 489—“An Act to Amend 108 (e) of Title 7, Delaware Code, providing for an increase in fines applicable to violations of rules or regulations of the Board of Game and Fish Commissioners.

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

YEAS—Messrs. duPont, Grier, Steele—3.

NAYS—Messrs. Castle, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik,—8.

NOT VOTING—Messrs. Cicione, (Mrs.) Conner, Elliott, Hale, Hart—5.

ABSENT—Messrs. Cook, Foltz, Hickman—3.

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

On motion of Senator Conner, **HB 133** was taken up for consideration and read a second time by title in order to pass the Senate:

Senator Conner moved that roll call on **HB 133** be tabled. Motion prevailed without objection.

Senator Hart moved that **SA 1 to SB 732** be adopted.

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

YEAS—Messrs. Cicione, duPont, Elliott, Grier, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele—12.

NAYS—Messrs. Holloway, Schlör—2.

NOT VOTING—Messrs. Castle, (Mrs.) Conner, Foltz, Hale—4.

ABSENT—Mr. Cook—1.

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

On motion of Senator Hart, **SB 732 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 732 with SA 1—“An Act to Amend 4522, Title 31, Delaware Code, relating to the approval of certain redevelopment plans by a referendum prior to the recommendation of the authority to the governing body.”

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

YEAS—Messrs. Cicione, duPont, Elliott, Grier, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele—12.

NAYS—Messrs. Castle, (Mrs.) Conner, Foltz, Hale, Holloway, Schlör—6.

ABSENT—Mr. Cook—1.

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

On motion of Senator Hart, **SB 696** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator asked for the privilege of the floor for Mr. Walter Stapleton, member of Corporate Law Committee of the Delaware Bar Association, to explain **SB 696**. Hearing no objection, the privilege was granted.

Senator Hart moved that roll call on **SB 696** be tabled. Motion prevailed without objection.

On motion of Senator Conner, **HB 643 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 643 with HA 1—“An Act making a supplementary appropriation to the Delaware State Development Department for initiating program activities for the 1970 Summer Youth Employment Program—Youth Opportunities Unlimited.”

Senator Conner asked for the privilege of the floor for Mr. Arthur Bensen, Delaware State Development Department, to explain **HB 643 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlör, Steele—15.

NOT VOTING—Messrs. McCullough, Robbins—2.

ABSENT—Messrs. Cook, 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 281 with HA 4** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 281 with H 4—"An Act to Amend Chapter 188, Volume 33, Laws of Delaware, as amended, entitled "An Act providing for a Fireman's Pension Fund for members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington" to provide for an increase in pension benefits."

Senator Castle asked for the privilege of the floor for Mr. Anthony Cilano, Representative of the Pension Committee for Policemen and Firemen to explain **HB 281 with HA 4**. 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, Hickman, Holloway, (Mrs.) Manning, Schlör, Slawik—13.

NOT VOTING—Messrs. Foltz, McCullough, Robbins, Steele—4.

ABSENT—Messrs. Cook, 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.

On motion of Senator Castle, **HB 282 with HA 4** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 282 with HA 4—"An Act to Amend Chapter 113, Volume 32, Laws of Delaware, entitled "An Act providing for a Police Pension Fund: For members of the Police Force of the City of Wilmington" to provide for an increase in pension benefits."

On the question "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, Schlör, Slawik—13.

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Foltz, Robbins, Steele—3.

ABSENT—Messrs. Cook, 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.

On motion of Senator Hart, **SB 696** with title as follows was taken

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

SB 696—"An Act to Amend Title 8, of the Delaware Code, relating to corporations by making certain changes in Sections 142 and 160."

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

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

NOT VOTING—Messrs. McCullough, Robbins, Schlor—3.

ABSENT—Messrs. Cook, Holloway—2.

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

On motion of Senator McCullough, **SB 230** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Grier moved that action on **SB 230** be deferred. Motion prevailed without objection.

Senator Grier moved that the Senate recess until 7:30 P.M. Motion prevailed without objection.

The Senate reconvened at 8:20 P.M.

Senator Elliott introduced **SA 1 to SB 702**.

Senator Elliott moved that **SA 1 to SB 702** be placed with bill. Motion prevailed without objection.

Senator Steele introduced **SA 1 to SB 665**.

Senator Hickman moved that **SA 1 to SB 665** be placed with bill.

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

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, Hart, Hickman, (Mrs.) Manning, McCullough, Steele—10.

NAYS—Messrs. Hale, Holloway—2.

NOT VOTING—Messrs. Elliott, Robbins, Schlor—3.

ABSENT—Messrs. Cicione, Cook, Isaacs, Slawik—4.

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

Senator Steele introduced **SA 2 to SB 665**.

Senator Steele moved that **SA 2 to SB 665** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SA 2 to HS 2 for HB 510**.

Senator Elliott moved that **SA 2 to HS 2 for HB 510** be placed with bill. Motion prevailed without objection.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **SCR 32** 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 551 with HA 2** reported the same back to the Senate; 6 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **SB 576** 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 599** 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 692** reported the same back to the Senate; 6 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **SB 715** reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **SB 729** reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **HS 1 for HB 644** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 650** 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 651** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **HS 1 for HB 719** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 730** 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 731** reported the same back to the Senate; 2 Favorable, 1 Unfavorable, 4 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 737** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **HB 740** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **HB 769** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Foltz on behalf of the committee on Banking and Insurance to whom had been referred **HB 777** 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 **HB 780** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 781** 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 **HB 783** 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 784** reported the same back to the Senate; 5 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 786** reported the same back to the Senate; 1 Favorable, 2 Unfavorable, 3 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 903** 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 **HB 583** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 543** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SS 1 for SB 483** reported the same back to the Senate; 2 Favorable, 3 on Merits.

On motion of Senator Hart, **HB 532** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 532—"An Act to Amend Title 6, Delaware Code, relating to damages awarded to victims of deceptive trade practices."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Schlor—11.

NOT VOTING—Messrs. Elliott, Isaacs, Robbins, Slawik, Steele—5.

ABSENT—Messrs. Cook, (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

On motion of Senator Cicione, **HB 720** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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."

On the question "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, Robbins, Schlor, Slawik, Steele—17.

ABSENT—Messrs. Cook, 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 774 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 774 with HA 1—"An Act to Amend Titles 9 and 29, Delaware Code, relating to the office of the Secretary of State by providing that certain duties, papers, documents and supplies required to be performed or filed with the Secretary of State shall be performed or filed with various applicable agencies and departments."

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

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

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

ABSENT—Messrs. Cook, 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 800** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 800—"An Act to Amend Title 16, Delaware Code, Section 3137, relating to fees charged by the Board of Health and the Division of Physical Health of the Department of Health and Social Services."

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

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

NOT VOTING—Mr. Isaacs—1.

ABSENT—Mr. Cook—1.

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

On motion of Senator Conner, **HB 808** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Conner moved that action on **HB 808** be deferred. Motion prevailed without objection.

On motion of Senator Cicione, **HB 772 with HA 2** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Cicione moved that action on **HB 772 with HA 2** be deferred. Motion prevailed without objection.

On motion of Senator Conner, **HB 808** with title as follows was taken up for consideration and read a final time by title in order to pass the Senate:

HB 808—"An Act to Amend Title 31, Delaware Code, Section 503, relating to Aid to families with Dependent 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, Holloway, (Mrs.) Manning, Schlör, Slawik—10.

NAYS—Messrs. Hickman, Isaacs, Robbins, Steele—4.

NOT VOTING—Messrs. Cicione, Elliott, Hart, McCullough—4.

ABSENT—Mr. Cook—1.

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

On motion of Senator Conner, **HB 133** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 133—"An Act proposing the repeal of Article XII of the Constitution of the State of Delaware relating to Public 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Steele—13.

NAYS—Messrs. Isaacs, McCullough, Schlör—3.

NOT VOTING—Messrs. Robbins, Slawik—2.

ABSENT—Mr. Cook—1.

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

On motion of Senator Steele, **HS 1 for HB 733** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for HB 733—“An Act to Amend Section 3313 (b), Subchapter 11, Chapter 33, Title 19, Delaware Code, relating to wages and unemployment benefits by increasing the amount of the weekly 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, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele—16.

NOT VOTING—(Mrs.) Manning—1.

ABSENT—Messrs. 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 Castle moved that **HCR 37** with title as follows: “Relating to United States support of Israel by giving of Military and Economic Aid.

Senator Isaacs moved that **HCR 37** be recommitted to committee.

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

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

NAYS—Messrs. (Mrs.) Conner, Elliott, Hart, McCullough, Schlör, Slawik, Steele—7.

NOT VOTING—Mr. Robbins—1.

ABSENT—Mr. Cook—1.

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

On motion of Senator Cicione, **SB 260** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 260 —“An Act to Amend Chapter 43, Title 21, Delaware Code, relating to equipment of motor vehicles.”

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

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

NAYS—Mr. Robbins—1.

NOT VOTING—Mr. Steele—1.

ABSENT—Messrs. Cook, 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 Cicione, **SS 1 for SB 362** was taken up for consideration and read a second time by title in order to pass the Senate:

Senator Cicione moved that action be deferred on **SS 1 for SB 362**.
Motion prevailed without objection.

On motion of Senator Cicione, **SB 629** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 629—"An Act to Amend Title 21, Chapter 41, Delaware Code, by adding a new section 4135 relating to entering or crossing a divided highway."

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

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

ABSENT—Messrs. Cook, 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 Cicione, **SB 630** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Cicione moved that action on **SB 630** be deferred. Motion prevailed without objection.

On motion of Senator Schlör, **SB 411** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Schlör asked for the privilege of the floor for Mr. Joseph Yucht, Senate Attorney, to explain **SB 411**. **Hearing no objection the privilege was granted.**

Senator Steele moved that action on **SB 411** be deferred.

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

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

NAYS—Messrs. Cicione, (Mrs.) Conner, Foltz, Hart, Holloway, Isaacs, McCullough, Schlör, Slawik,—9.

NOT VOTING—Mr. Robbins—1.

ABSENT—Mr. Cook—1.

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

Senator Schlör moved that roll call on **SB 411** be tabled. Motion prevailed without objection.

Senator Elliott moved that **SA 2 to HS 2 for HB 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, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

ABSENT—Mr. Cook—1.

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

Senator Elliott moved that **HS 2 for HB 510 with SA 1,2** with title as follows be lifted from table. Motion prevailed without objection.

HS 2 for HB 510 with SA 1,2—"An Act to Amend Title 3, Delaware Code, by adding a new Chapter 72, relating to the possession of foreign animals."

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

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

NAYS—Mr. Hale—1.

ABSENT—Mr. Cook—1.

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

Senator Grier moved that the Senate adjourn until Thursday, May 28, 1970, at 1:30 P.M. Hearing no objection, motion prevailed.

40th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 P.M. on Thursday, May 28, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. Donald O. Clendaniel.

By roll call the following Senators were present:

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

Members Absent: Mr. Cook—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:

The Chair announced that the House wishes to inform the Senate that it has passed **HCR 39** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 411 with H.A. 1,2**, **HS 1 for HB 633 with H.A. 1,2,4,6,8**, **HB 649 with H.A. 1**, **HB 668 with H.A. 2**, **HB 710 with H.A. 1,2**, **HB 799 with H.A. 1**, **HS 1 for HB 806, HB 823, HB 828 with H.A. 1**, **HB 855, HB 862 with H.A. 1**, **HB 868, HB 887 with H.A. 1**, and **HB 891** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 853** and requests the concurrence of the Senate; also **SB 693** and is returning same to the Senate.

OFFICE OF THE GOVERNOR

May 27, 1970

LEGISLATIVE ADVISORY NO. 43

The Governor approved the following legislation on the indicated dates:

HB 775 - 5-22-70 - giving authority to the Alcoholic Beverage Control Commission to fine violators of the liquor laws.

HB 430 As Amended by H.A. 1 - 5-22-70 - making numerous amendments to the law dealing with public contracts.

HB 605 - 5-22-70 - giving 200 aggregate racing days for Kent and Sussex County.

HB 340 As Amended by H.A. 1 - 5-22-70 - making it unlawful to evade payment of tolls on the Delaware Turnpike.

SJR 19 - 5-25-70 - proclaiming the month of May as Older Americans Month.

HB 575 - 5-25-70 - classifying the Bryant fox-squirrel as protected wildlife.

HB 626 - 5-25-70 - providing a mechanism for obtaining lighting in the unincorporated areas of Kent County.

HB 495 - 5-25-70 - providing for interlocutory appeals from the Superior Court.

HB 496 - 5-25-70 - providing for 30 days in which an interlocutory appeal can be taken from the Superior Court.

HB 498 - 5-25-70 - providing for 15 additional days for the filing of a cross-appeal.

HB 659 As Amended by H.A. 1 - 5-25-70 - changing the renewal procedure for licenses to carry concealed deadly weapons.

HB 728 - 5-26-70 - appropriating \$637,000 to the Educational Contingency Fund.

Senator Hale introduced **SR 126** 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 126** 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, duPont, Elliott, Grier, Hale, McCullough, Robbins, Slawik, Steele—11.

ABSENT—Messrs. (Mrs.) Conner, Cook, Foltz, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning—8.

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

Senator Hale introduced **SR 127** entitled, "Authorizing payments for services rendered by the staff of the Senate for the 125th General Assembly."

Senator Hale moved that **SR 127** 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, duPont, Elliott, Grier, Hale, Hart, McCullough, Robbins, Schlör, Slawik, Steele—12.

ABSENT—Messrs. (Mrs.) Conner, Cook, Foltz, Hickman, Holloway, Isaacs, (Mrs.) Manning—7.

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, Concurrent Resolutions, which were given first reading and referred to committee as follows:

HB 710 with H.A. 1,2—"An Act to Amend Title 7, Delaware Code, by creating a new chapter to be designated as Chapter 66 relating to liability for damages caused by petroleum products,"—Agriculture and

Natural Resources.

H.S. 1 for HB 806—"An Act making a supplementary appropriation in the amount of \$2,464.50 to the State Board of Education for certain improvements and repairs to school buildings in Approquinimink School District,"—Finance.

HB 799 with H.A. 1—"An Act to Amend Chapter 17, Title 14, Delaware Code, relating to State Appropriations for units of pupils,"—Education.

HB 668 with H.A. 1,2—"An Act to Amend Title 17, Delaware Code, Chapter 1, relating to the preservation of land for future highway rights of way requirements; Title 9, Delaware Code, Sections 1154, 4809 and 6809, relating to maps of New Castle, Kent and Sussex Counties requiring the counties to advise the State Highway Department of the location of future highway rights of way; Title 9, Delaware Code, Sections 3005, 4816, and 6302, relating to the insurance of building permits in New Castle, Kent and Sussex Counties for construction within the lines of any future highway rights of way,"—Highways and Public Safety.

HB 649 with H.A. 1—"An Act to Amend Chapter 283, Volume 21, Laws of Delaware, entitled "An Act to incorporate the town of Little Creek" relating to the powers of police officers and persons sentenced to prison by the Justice of the Peace,"—Government Operations.

H.S. 1 for HB 633 with H.A. 1,2,4,6,8—"An Act to Amend Title 16, Delaware Code, by providing for a new Chapter to be designated as Chapter 12 and relating to Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and related Institutions by providing for a State Board of Examiners, imposing powers and duties, Licenses and fees, penalties and providing an appropriation to implement the provision of this act,"—Health and Welfare.

HB 411 with H.A. 1,2—"An Act to Amend Chapter 7, Title 13, Delaware Code, relating to consent of a minor living separate and apart from his or her parents or legal guardian to diagnostic and lawful therapeutic procedures, medical or surgical care and treatment including x-ray examination and anesthesia by a physician, dentist, hospital and public clinic,"—Judiciary.

HB 862 with H.A. 1—"An Act authorizing the incumbent State Treasurer to transfer certain balances in accounts of the State of Delaware to the credit of the General Fund of the State of Delaware,"—Finance.

HB 868—"An Act to Amend Title 7, Delaware Code, Sections 3902 and 3903, relating to soil conservation districts by providing for the definition of a "Cooperator" and making services, materials and equipment available on request to a cooperator,"—Agriculture and Natural Resources.

HB 887 with H.A. 1—"An Act to Amend Title 22, Delaware Code, relating to municipal zoning regulations,"—Government Operations.

HB 891 with H.A. 1—"An Act Amending Title 7, Chapter 45, Delaware Code, relating to the sale of public land,"—Public Buildings and Lands.

HB 855—"An Act to Amend Title 30, Delaware Code, Chapter 11, relating to income tax,"—Finance.

HB 828 with H.A. 1—"An Act making a supplementary appropriation to the Stanton School District for the purpose of constructing sidewalks and acquiring the necessary rights-of-way therefor

within the school district,"—Education.

HB 823—"An Act to Amend Title 26, Delaware Code, entitled "Public Utilities" by including within the definition of "Public Utility" any person, corporation or legal entity that now operates or hereafter may operate within this state any heating oil service system, plant or equipment where the heating oil is delivered directly to residences by means of a pipeline for residential consumption and by granting authority to the Public Service Commission to issue a certificate of public convenience and necessity to any such sperson, corporation or legal entity engaged in such operation on the effective date of this act and by establishing the procedure for the issuance of such certificate and the filing of an application therefor,"—Commerce and Corporations.

HCR 42—"Legislative Pay Commission,"—Senate Administration.

HCR 39—"Relative to **HB 321** with S.A. 1"

Senator duPont moved that Rule 9 be suspended for the purpose of considering **HCR 39**.

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

YEAS—Messrs. Castle, Cicone, duPont, Elliott, Foltz, Grier, Hale, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele—14.

ABSENT—Messrs. (Mrs.) Conner, Cook, Hickman, Holloway, (Mrs.) Manning—5.

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 39** 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, duPont, Elliott, Foltz, Grier, Hale, Hart, McCullough, Robbins, Schlör, Slawik, Steele—13.

ABSENT—Messrs. (Mrs.) Conner, Cook, Hickman, Holloway, Isaacs, (Mrs.) Manning—6.

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 Bill which was given first reading.

HB 853—"An Act making a supplementary appropriation to the "Freedoms Foundation at Valley Forge" for a Memorial Acre at Valley Forge."

Senator Cicone moved that Rule 9 be suspended for the purpose of considering **HB 853**.

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

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

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. (Mrs.) Conner, Cook, Foltz, Hickman—4.

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

On motion of Senator Cicone **HB 853** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 853—"An Act making a supplementary appropriation to the

“Freedoms Foundation at Valley Forge” for a memorial acre at Valley Forge.”

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

ABSENT—Messrs. (Mrs.) Conner, Cook, 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.

On motion of Senator Holloway, **SJR 15** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SJR 15—“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 finds and recommendations.”

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

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

ABSENT—Mr. (Mrs.) Conner, Cook—2.

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

On motion of Senator Cicione, **HB 772 with H.A. 2** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Cicione asked for the privilege of the floor for Representative P.S. duPont IV, to explain **HB 772 with H.A. 2**. Hearing no objection the privilege was granted.

Senator Cicione moved that action on **HB 772 with H.A. 2** be deferred. Motion prevailed without objection.

On motion of Senator Castle, **SB 709** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Castle asked for the privilege of the floor for Dr. James Kilvington, State Chemist, to explain **SB 709**. 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele—14.

NOT VOTING—Messrs. McCullough, Schlör—2.

ABSENT—Messrs. Cicione Cook, duPont—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.

The Chair granted personal privilege of floor to Senator Foltz to read

legal opinion of revenue raising measures.

On motion of Senator Foltz, **SB 673** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 673—"An Act to Amend Section 4648, Title 9, Delaware Code, relating to the issuance of Bonds by the Levy Court of Kent County to finance sewage 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—15.

ABSENT—Messrs. Cicione, Cook, duPont, 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 Foltz **HB 730 with H.A. 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 730 with H.A. 1—"An Act to Amend Title 16, Chapter 47, pertaining to criminal offenses of sale, possession and use of narcotic drugs and dangerous drugs and prescribing penalties for such violations."

Senator Foltz asked for the privilege of the floor for Representative Robert M. Dodge to explain **HB 730 with H.A. 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, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—15.

ABSENT—Messrs. Cook, duPont, 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 Foltz, **HB 903 with H.A. 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 903 with HA 1—"An Act to Amend Title 29, Chapter 79, Delaware Code, relating to drug control and making supplementary appropriations therefor."

Senator Foltz asked for the privilege of the floor for Representative P.S. duPont, IV to explain **HB 903 with H.A.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, Elliott, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—14.

NAYS—Mr. McCullough—1.

AB ENT—Messrs. Cook, duPont, Hickman, Isaacs—4.

So the question was decided in the affirmative and the bill having

received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Foltz **HB 781** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Foltz asked for the privilege of the floor for Mr. Joseph Yucht, Senate Attorney, to explain **HB 781**. Hearing no objection the privilege was granted.

Senator Foltz moved roll call on **HB 781** be tabled. Motion prevailed without objection.

Senator Manning moved that **SA 2 to SB 649** be adopted.

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

YEAS—Messrs. Castle, Cicone, (Mrs.) Conner, Elliott, Foltz, Grier, Hale, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—15.

NAYS—Mr. Hickman—1.

ABSENT—Messrs. Cook, duPont, Holloway—3.

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

On motion of Senator Conner **SB 649 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.

SB 649 with SA 2—"An Act to Amend Title 24, Delaware Code, Chapter 19, relating to nursing and the regulation thereof."

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

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

ABSENT—Messrs. Cook, duPont—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 727** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 727—"An Act to Amend Chapter 135, Volume 57, Laws of Delaware, also known as **HB 187** of the 125th General Assembly entitled, 'An Act Making Appropriations for the Expense of the State Government for the fiscal Year ending June 30, 1970', as amended, by making a supplemental appropriation to the State Tax Dept. in the amount of \$27,000.00"

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, Elliott, Foltz, Grier, Hale, Hart, Hickman, McCullough, Robbins, Schlör, Slawik, Steele—14.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Cook, duPont, Holloway, (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 Steele **HB 744** with title as follows was taken

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

HB 744—"An Act relating to taxpayer identification numbers."

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

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

ABSENT—Messrs. Cook, duPont, (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 Steele **HB 839** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 839—"An Act to Amend Title 30, Section 1185, Delaware Code, relating to disclosure of returns by officials."

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

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

ABSENT—Messrs. Cook, duPont, (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 Steele **HB 849** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 849—"An Act authorizing and making a supplementary appropriation to the State Personnel Commission to pay certain obligations incurred in a prior fiscal year and waiving the State Bidding Code and certain other financial requirements."

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

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

NAYS—Mr. McCullough—1.

ABSENT—Messrs. Cook, duPont, (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 Steele **HB 583** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Steele moved roll call on **HB 583** be tabled. Motion prevailed without objection.

On motion of Senator Steele **HB 842** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 842—"An Act to Amend Section 4301, Chapter 43, Title 31, Delaware Code, relating to use tax on leases of tangible personal property

to include a definition of "Place of Business."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, McCullough, Robbins, Schlör, Slawik, Steele—14.

NAYS—Mr. Isaacs—1.

NOT VOTING—Mr. Schlör—1.

ABSENT—Messrs. Cook, duPont, (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.

Senator Hart moved that **SA 1 to SB 570** be adopted.

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

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

ABSENT—Messrs. Cook, duPont—2.

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

On motion of Senator Hart **SB 570 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 570 with SA 1—"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."

Senator Hart asked for the privilege of the floor for Mr. William Guthrie, chairman of Public Service Commission, to explain **SB 570 with 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Messrs. Cook, duPont—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 Hart **HS 1 for HB 644** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HS 1 for HB 644—"An Act to Amend Chapter 19, Title 17, Delaware Code, relating to highway relocation 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, Elliott, Foltz, Grier,

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

ABSENT—Messrs. Cook, duPont, 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 Hart, **HB 780** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 780—"An Act to Amend Title 21, Delaware Code, Section 4176, relating to driving a motor vehicle while under the influence of an intoxicating liquor or drug.

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

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

ABSENT—Messrs. Cook, duPont, 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 Hart, **HB 740** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 740—"An Act to Amend Title 21, Section 4502, Delaware Code, relating to the size and loads of motor vehicles.

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

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

ABSENT—Messrs. Cook, duPont—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 Conner requested that **S.A. 1** to **HB 769** with **H.A. 1** be stricken from the calendar. Motion prevailed without objection.

On motion of Senator Hart, **HB 769** with **H.A. 1** 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Slawik, Steele—14.

NOT VOTING—Messrs. (Mrs.) Manning, McCullough, Schlör—3.

ABSENT—Messrs. Cook, duPont—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 **SR 128** entitled "Relative to **SB 597**."

Senator Hart moved that **SR 128** 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Messrs. Cook, duPont—2.

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

Senator Manning moved that roll call on **HB 769** be rescinded and bill restored.

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

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

ABSENT—Messrs. Cook, duPont, Elliott, Holloway—4.

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

Senator Conner moved that **S.A. 1 to HB 769 with H.A. 1** be restored.

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

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

ABSENT—Messrs. Cook, duPont, Elliott, Holloway—4.

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

Senator Conner moved that **S.A. 1 to HB 769 with H.A. 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, Cicione, (Mrs.) Conner, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—14.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cook, duPont, Elliott, Holloway—4.

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 769 with HA 1 and SA 1** with title as follows was taken up for consideration and read a final time in order to pass the Senate.

HB 769 with HA 1 and SA 1—“An Act to Amend Section 2721, Title 21, Delaware Code, relating to the Medical Advisory Board for the Motor Vehicle 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, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—14.

NAYS—Mr. McCullough—1.

ABSENT—Messrs. Cook, duPont, Elliott, Holloway—4.

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

ordered to the House.

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

Senate reconvened 3 P.M. June 1, 1970. Lt. Gov. Bookhammer presiding.

Senator Hale introduced **SA 1 to HB 789**.

Senator Hale moved that **SA 1 to HB 789** be placed with bill. Motion prevailed without objection.

Senator Robbins introduced **SA 1 to HB 786**.

Senator Robbins moved that **SA 1 to HB 786** be placed with bill. Motion prevailed without objection.

Senator Steele on behalf of the committee on Finance to whom had been referred **HS 1 for HB 806** 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 862** reported the same back to the Senate; 4 on Merits.

Senator Conner on behalf of the committee on Health and Welfare to whom had been referred **HS 1 for HB 633** reported the same back to the Senate; 5 on Merits.

Senator Steele introduced **SA 1 to SS 1 for SB 483**.

Senator Steele moved that **SA 1 to SS 1 for SB 483** be placed with bill. Motion prevailed without objection.

Senator Slawik requested that **SA 1 to HB 722** be stricken from the calendar. Motion prevailed without objection.

Senator Slawik introduced **SA 2 to HB 772**.

Senator Slawik moved that **SA 2 to HB 772** be placed with bill. Motion prevailed without objection.

Senator Conner on behalf of the committee on Education to whom had been referred **HB 828** reported the same back to the Senate; 4 on Merits.

Senator Grier moved that the Senate adjourn until June 1, 1970, at 3:05 P.M. Hearing no objection, motion prevailed.

41st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:05 P.M. on June 1, 1970. Lt. Gov. Bookhammer.

Prayer By the Chaplain Clendaniel.

By role call the following Senators were present:

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

Members Absent:—Mr. Hart—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:

The Chair announces that the Houses wished to inform the Senate that it has passed **HB 321 with SA 1, HA 1** and requests the concurrence of the Senate.

The Chair announced that the House wished to inform the Senate

that it has passed **HB 768 with HA 1,2 Debt of Statement** and requests the concurrence of the Senate; also **SB 600 with SA 1, 601, 602, with SA 1, 603, 604 with HA 1, 605, 606, 607** and is returning the same to the Senate.

On Motion of Senator Castle **SB 659** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 659—"An Act to Amend Section 704, paragraph (c), Title 7, Delaware Code, relating to Prohibited Hunting Methods."

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

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

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

ABSENT—Messrs. Hart, Holloway—2.

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

On Motion of Senator Cicione, **HB 694** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Cicione moved that the roll call on **HB 694** be tabled. Hearing no objection the motion prevailed.

Senator Cicione asked for the privilege of the floor for Representative Sebrell to explain **HB 783 and 784** Hearing no objection the privilege was granted.

On Motion of Senator Cicione **HB 783** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 783—"An Act to Amend Title 9, Section 8312, (b) Relating to Appeals and Corrections upon Completion of Annual Assessment."

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

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

ABSENT—Mr. Hart, (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 **HB 784** with title as follows was taken up for consideration and read the second time by title in order to pass the Senate.

HB 784—"An Act to Amend Title 9, Section 8311, (a) (2) Relating to Public Inspection of Completed Assessments."

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, Issacs, McCullough, Robbins, Schlör, Slawik, Steele—16.

ABSENT—Messrs. Cicione, (Mrs.) Manning, 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 Conner **HB 736** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 736—"An Act to Amend Chapter 14, Title 14, Delaware Code, Relating to Procedures for the Termination of Service of Professional Employees."

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

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

ABSENT—Messrs. Cicione, Hart, (Mrs.) Manning—3.

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

Senator Steele moved that **SA 1 to SB 694** be adopted.

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

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

NOT VOTING—Mr. Robbins—1.

ABSENT—Messrs. Cicione, Hart, (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 duPont **SB 694 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 694 with SA 1—"An Act to Amend Title 9, Delaware Code Allowing Counties to Permit Elected Officeholders to Employ and set the Salary of a Chief Deputy in the Several County Offices in 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, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele—16.

ABSENT—Messrs. Cicione Hart, (Mrs.) Manning—3.

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

On Motion of Senator Foltz, roll call on **HB 781**, was lifted from the table with title as follows. Motion prevailed without objection.

HB 781—"An Act to Amend Title 11, Delaware by Allowing the use of Prior Statements as Affirmative Evidence in Criminal Prosecutions."

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, McCullough, Schlör, Steele—12.

NAYS—Messrs. Holloway, Isaacs—2.

NOT VOTING—messrs. Cook, Robbins—2.

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

Senator Steele moved that action on **SB 487** be deferred. Hearing no objection the Motion prevailed.

Senator Steele moved that **SA 1 to SS 1 for SB 683** be adopted.

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

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

ABSENT—Messrs. Hart, Isaacs, (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 Steele **SS 1 for SB 483 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.

SS 1 for SB 483 with SA 1—"An Act to Amend Chapter 55, Title 29, Delaware Code, Entitled "State Employees Pension Plan," By Revising the Entire Said Chapter 55."

Senator Cicione moved that action on **SS 1 for SB 483, 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, (Mrs.) Conner, Cook, duPont, Grier, Hale, Holloway, (Mrs.) Manning, Robbins, Schlör, Steele—11.

ABSENT—Messrs. Hart, Hickman—2.

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

Senator Steele asked for the privilege of the floor for Mr. Joseph Cashman, State Budget Director to explain **SS 1 for SB 483, with SA 1**. Hearing no objection the privilege was granted.

Senator Cicione moved that **SS 1 for SB 483, 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. Cicione, Elliott, Foltz, Slawik—4.

NAYS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Grier, Hale, Holloway, (Mrs.) Manning, Robbins, Schlör, Steele—11.

ABSENT—Messrs. Hart, Hickman, Isaacs, McCullough—4.

Senator Cicione moved that roll call on Motion to table **SS1 for SB483, 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. Cicione, Elliott, Foltz—3.

NAYS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Grier, Hale, Holloway, Robbins, Schlör, Steele—10.

NOT VOTING—(Mrs.) Manning, Mr. Slawik—2.

ABSENT—Messrs. Hart, Hickman, Isaacs, McCullough—4.

So the question was decided in the negative and 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, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

NAYS—Mr. Cicione—1.

ABSENT—Mr. Hart—1.

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

Senator Slawik requested that **SA 2 to HB 776** be stricken from the calendar. Motion prevailed without

Senator duPont presiding; 4:45 P.M.

On Motion of Senator Steele, **HB 724** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 724—"An Act Making a Supplementary Appropriation to the State Budget Commission to Provide funds for Payments due under Volume 57, Laws of Delaware, Chapter 3228."

Senator Steele asked for the privilege of the floor for Mr. Joseph Cashman to explain **HB 724**. Hearing no objection the privilege was granted.

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

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

NAYS—Messrs. Cicione, Isaacs—2.

ABSENT—Messrs. Hart, Schlör, Slawik—3.

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

On Motion of Senator Steele, **HB 767** was taken up for consideration in order to pass the Senate.

Senator Steele moved that action on **HB 767** be deferred. Hearing no objection the Motion prevailed.

On Motion of Senator Steele, **HB 831** was taken up for consideration in order to pass the Senate.

Senator Steele moved that action on **HB 831** be deferred. Hearing no objection the Motion prevailed.

Lt. Governor Bookhammer presiding, 5:05 P.M.

On Motion of Senator Steele **HB 861** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 861—"An Act to Aid Certain Fire Companies which are Organized to Extinguish Fires or Maintain Ambulances or Rescue Trucks, by Making Appropriations for them."

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

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

ABSENT—Messrs. Cicione, 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.

Senator Slawik requested that **SA 1 and 3 to HB 776** be stricken from the calendar. Motion prevailed without objection.

Senator Slawik requested that **SA 2 to HB 772** be stricken from the calendar. Motion prevailed without objection.

On Motion of Senator Conner, **HB 828 with HA 1** was taken up for consideration in order to pass the Senate.

Senator duPont moved that action on **HB 828 with HA 1** be deferred. Hearing no objection the Motion prevailed.

Senator Hickman introduced **SA 1 to HB 799**.

Senator Hickman moved that **SA 1 to HB 799** be placed with Bill. Motion prevailed without objection.

Senator Cicione introduced **SA 3 to HB 772**

Senator Cicione moved that **SA 3 to HB 772** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SA 2 to HB 702**

Senator Elliott moved that **SA 2 to HB 702** be placed with Bill. Motion prevailed without objection.

Senator Steele introduced **SA 4 to HB 776**.

Senator Steele moved that **SA 4 to HB 776** be placed with bill.

Motion prevailed without objection.

Senator Holloway introduced **SA 5 to HB 776**.

Senator Holloway moved that **SA 5 to HB 776** be placed with Bill. Motion prevailed without objection.

Senator Hickman introduced **SB 733** entitled, "An Act to Amend Title 28, Delaware Code, Chapter 9, Relating to Outdoor Musical Festivals." Assigned to committee on Miscellaneous.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 843**, reported the same back to the Senate; 6 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 844**, reported the same back to the Senate; 6 on Merits.

Senator Conner on behalf of the committee on Education to whom had been referred **HB 799**, reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 776**, reported the same back to the Senate; 6 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 844**, reported the same back to the Senate; 1 Unfavorable, 5 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 855**, reported the same back to the Senate; 6 on Merits.

Senator duPont on behalf of the committee on the Executive Commerce to whom had been referred **SCR 33** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Isaacs on behalf of the committee on Miscellaneous to whom had been referred **HCR 40**, reported the same back to the Senate; 4 on Merits.

Senator Grier moved the Senate recess to the call of the chair at 7:30 P.M. Hearing no objections motion prevailed.

The Senate reconvened at 8:15 P.M.

Senator Hickman on behalf of the committee on Public Buildings and

Lands to whom had been referred reported the same back to the Senate; 4 on Merits.

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

HB 822 with HA 1 and 2—"An Act Relating to the Reclamation of Solid Waste: Authorizing the State of Delaware to Borrow Money to be used for the Planning and Engineering Design for a Pilot System or Process for Reclamation of Solid Waste and to Issue Bonds and Notes Therefor; and Empowering the Department of Health and Social Services to Administer, Regulate and Distribute such Funds, and Appropriating the Money Borrowed to the Department of Health and Social Services." Assigned to committee on Finance.

HB 768—"An Act to Amend Title 4, Chapter 5, Delaware Code, Relating to Grounds for Refusal of License." Assigned to committee on Public Buildings and Lands.

On Motion of Senator Cicone **SB 604 with HA 1** as amended with title as follows was taken up for consideration and read a final time by title in order to pass the Senate.

SB 604 with HA 1—"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."

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, Hale, Hickman, Isaacs, Robbins, Steele—10.

ABSENT—Messrs. duPont, Foltz, Grier, Hart, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik—9.

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

On Motion of Senator Steele **HB 321 with SA 1 and 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 321 with SA 1 HA 1—"An Act Making a Supplementary Appropriation to the Delaware State Development Dept. 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. Castle, Cicone, (Mrs.) Conner, Cook, Elliott, Hale, Hickman, Isaacs, Robbins, Steele—10.

ABSENT—Messrs. duPont, Foltz, Grier, Hart, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik—9.

So the 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, **HS 1 for HB 633 with HA 1,2,4,6,8** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HS 1 for HB 633 with HA 1, 2, 4, 6, 8—"An Act to Amend Title 16,

Delaware Code, Chapter 11, Relating to Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions, by Providing for a State Board of Examiners, Imposing Powers and Duties, Licenses and Fees, Penalties and Providing and Appropriation to Implement the Provision of this Act."

A communication from speaker Hering in reference to the Bill was read.

Senator Conner asked for the privilege of the floor for Mr. Alex Tarumionz, Vice-President of the Delaware Nursing Home Association to explain the Bill. Hearing no objection the privilege was granted.

Senator Hickman moved that action on **HS 1 for HB 633 with HA 1, 2, 4, 6, 8**, 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, Hickman, Isaacs, Robbins—9.

NAYS—Messrs. (Mrs.) conner, Cook, Hale, (Mrs.) Manning, Steele—5.

ABSENT—Messrs. Hart, Holloway, McCullough, Schlör, Slawik—5.

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

Senator Grier moved that the Senate adjourn until June 2, 1970 at 1:30 P.M. Hearing no objection, motion prevailed.

42nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:30 p.m., on June 2, 1970. President Pro Tem duPont presiding.

Prayer by the Chaplain Clendaniel.

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, 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.

Senator Grier moved that the Senate go into Executive Session. Motion prevailed, without objection.

The Senate reconvened at 2:50 p.m., Lt. Gov. Bookhammer presiding.

Senator Cicione introduced **SA 2 to HB 180** which was given first reading. On Motion of Senator Cicione, **SA 2 to HB 180** was placed with the Bill. Motion prevailed, without objection.

Senator Steele to whom had been referred **HB 822** reported the same back to the Senate from the committee on Finance: 1 Favorable, 3 on Merits.

On Motion of Senator Foltz, **SCR 33** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SCR 33—"Relating to the Payment for two bronze Plagues Delivered

and Installed in Legislative Hall and Appropriating Money for that Purpose.”

On the question “Shall the Resolution 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 Resolution having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On Motion of Senator Hart, **SB 98 with HA 1** was taken up for consideration and read a final time by title in order to pass the Senate.

SB 98 with HA 1—“An Act Agreeing to a Proposed Amendment to Section 29, Article IV, of the Constitution of the State of Delaware, Relating to Justices fo 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, 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.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 711 with HA 1, 10, 15, 19** and requests the concurrence of the Senate; also **SB 583 with SA 1; HA 1, 2, 3; SB 633 with SA 1; SB 634 with SA 1** and is returning same to the Senate.

On Motion of Senator Castle, **HB 394 with HA 1,2,3,5** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 394 with HA 1,2,3,5—An Act to Amend Cahpter 81, Title 10, Delaware Code, by adding a new section Relating to Limitation of Actions Growing out of Alleged Deficiencies in the Construction or manner of Construction of Improvements to real Property or in the Designing, Planning, Supervision or Observation of such Construction of Manner of Construction.”

Senator Castle moved that Mr. H. James Conolly representing the Delaware Contractors’ Association be granted the privilege of the floor to speak to the Bill. 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. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hickman, (Mrs.) Manning, Robbins, Schlor, Steele—12.

NAYS—Messrs. Foltz, Hale—2.

NOT VOTING—Mr. Isaacs—1.

ABSNET—Messrs. Hart, Holloway, McCullough, Slawik—4.

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

On Motion of Senator Conner, **HS 1 for HB 633 with HA 1,2,4,5,8** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HS 1 for HB 633 with HA 1,2,4,6,8—"An Act to Amend Title 16, Delaware Code, Chapter 11, relating to Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Relating Institutions by Providing for a State Board of Examiners, Imposing Powers and Duties, Licenses and Fees, Penalties and Providing an Appropriation to Implement the Provision of this Act."

Senator Conner moved that Mr. Alex Trumianz be granted the privilege of the floor to expalin **HS 1 for HB 633** as amended. 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. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Manning, McCullough, Schlor, Steele—14.

NAYS—Messrs. Foltz, Isaacs—2.

NOT VOTING—Messrs. Cicione, Robbins—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 reutrn to the House.

Senator Elliott introduced **SA 1 to HB 799 with HA 1** which was given its first reading by title and taken up for consideration in order to pass the Senate.

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

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

NAYS—Messrs. duPont, Hale, Steele—3.

NOT VOTING—Messrs. Castle, Holloway—2.

ABSENT—Mr. Slawik—1.

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

On Motion of Senator Conner **HB 799 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 799 with HA 1 and SA 1—"An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for units of pupils."

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

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

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Cicione, Holloway—2.

ABSNET—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 Steele, **HS 1 for HB 806** with title as follows

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

HS 1 for HB 806—"An Act Making an Appropriation in the Amount of \$2,464.50 to the Appoquinimink School District for Certain Improvements and Repairs Made to School Buildings."

On 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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele—16.

ABSENT—(Mrs.) Conner, Messrs. Holloway, 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 returned to the House.

On Motion of Senator Steele, **HB 862 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 862 with HA1—"An Act Authorizing the Incumbent State Treasurer to Transfer Certain Balances in Accounts of the State of Delaware to the Credit of the General Fund of the State of Delaware."

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele—15.

ABSENT—(Mrs.) Conner, Messrs. Elliott, Holloway, 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 Steele, **SA 1 to SB 665** was taken up for consideration and given its first reading by title in order to pass the Senate.

On the question "Shall the Amendment 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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele—15.

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

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

Senator Steele moved that **SA 2 to SB 655** be stricken. Motion prevailed, without objection.

On Motion of Senator Isaacs, **SB 665 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 665 with SA 1—"An Act to Amend Title 13, Delaware Code, Relating to Allowance or Division of Property Enforcement of Orders therefor by Family Court."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Hart, Isaacs, (Mrs.) Manning, Steele—10.

NAYS—Messrs. Grier, Hale, Hickman, Robbins—4.

NOT VOTING—Messrs. Cook, McCullough, Schlör—3.

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 for concurrence.

On Motion of Senator Isaacs, **HB 392** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 392—"An Act Making a Supplemental Appropriation to the Delaware Commission of Shell Fisheries for Boat Rental."

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, Robbins, Schlör, Steele—17.

NAYS—Mr. McCullough—1.

ABSENT—Mr. Slawik—1.

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

On Motion of Senator Steele, **HB 670** with title as follows was taken up for consideration and read a second time in order to pass the Senate.

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."

On the question "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, (Mrs.) Manning, Steele—11.

NAYS—Messrs. Isaacs, McCullough, Robbins—3.

NOT VOTING—Messrs. Holloway, Schlör—2.

ABSENT—Messrs. Elliott, 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 returned to the House

On Motion of Senator Hale, **SB 599** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 599—"An Act Proposing an Amendment to Section 11, Article 4 of the Constitution Relating to Jurisdiction of the Supreme Court in Criminal 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, Cicone, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, HHickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—16.

ABSENT—Messrs. Cook, Elliott, Slawik—3.

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

On Motion of Senator Hickman, **SB 729** was taken up for consideration and read a second time in order to pass the Senate.

Senator Hickman moved that the Roll Call be tabled. Motion prevailed without objection.

On motion of Senator Cicione, **SA 3 to HB 772** was given its first reading and taken up for consideration in order to pass the Senate.

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

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

ABSENT—Messrs. Grier, Hale, (Mrs.) Manning, Slawik—4.

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

On Motion of Senator Cicione, **HB 772 with HA 2 and SA 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 772 with HA 2 and SA 3—"An Act to Amend Section 3509, 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, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—16.

ABSENT—Messrs. Elliott, Hale, 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 returned to the House for concurrence.

On Motion of Senator Steele, **HB 543** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 543—"An Act to Amend Title 30, Chapter 19, Delaware Code, Relating to Deductions on Corporate Income."

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

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

ABSENT—Messrs. Cicione, Hart, Isaacs, 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 Steele, **HB 841** was taken up for consideration and read a second time in order to pass the Senate.

Senator Steele moved that the Roll Call be tabled. Motion prevailed, without objection.

On Motion of Senator Steele, **HB 843** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 843—"An Act To Amend Title 30, Section 1101, Delaware Code, Relating to Definitions."

On 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, McCullough, Robbins, Schlör, Steele—16.

ABSNET—(Mrs.) Conner, Messrs. Isaacs, 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 returned to the House.

On Motion of Senator Steele, **HB 855** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 855—"An Act to Amend Title 30, Delaware Code, Chapter 11, Relating to Income Tax."

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

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

NAYS—Mr. Issacs—1.

NOT VOTING—Messrs. Cicione, Cook, Elliott, Hart, McCullough, Robbins, Schlör—7.

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 returned to the House.

Senator Holloway introduced **SR 129** with title as follows which was given its first reading and taken up for consideration in order to pass the Senate.

SR 129—"Relating to the Granting of a One Half Day Holiday to State Employees During Statewide Primary Elections."

Senator Holloway moved that **SR 129** be withdrawn. Motion prevailed, without objection.

Senator Holloway introduced **SR 130** with title as follows which was given its first and only reading and taken up for consideration in order to pass the Senate.

SR 130—"Expressing Thanks to the Wilmington Chapter of the Old-Timers Athletic Association and Congratulations to the Group's 1970 Award Recipients."

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

YEAS—Messrs.

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

ABSENT—Mr. Slawik—1.

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

Senator Grier moved that the Senate recess until 7:30 P.M. Motion prevailed, without objection. The Senate recessed at 5:47 P.M.

The Senate reconvened at 7:55 P.M.

On Motion of Senator Steele, **HB 767** was taken up for consideration

and read a second time in order to pass the Senate.

Senator Steele moved that the Roll Call be tabled. Motion prevailed, without objection.

Senator Cicione moved that the Roll Call on **HB 694** be rescinded. Motion prevailed without objection.

Senator Cook moved that the Senate recess for five minutes. Motion prevailed, without objection.

On Motion of Senator Cicione, **HB 694** roll call lifted, with title as follows was taken up for consideration in order to pass the Senate.

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."

On the question "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, (Mrs.) Manning, Robbins, Steele—11.

NOT VOTING—Messrs. Elliott, Holloway, McCullough, Schlör, Slawik—5.

ABSENT—Messrs. Hart, 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 returned to the House.

On Motion of Senator Steele, **HB 767**, roll call lifted, with title as follows as taken up for consideration and read a second time by title in order to pass the Senate.

HB 767—"An Act Authorizing the State Treasurer to Transfer the Balances in Certain Inactive Accounts of the State Board of Education to the General Fund of the State of Delaware."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hickman, Holloway, Isaacs, Robbins, Steele—12.

NOT VOTING—(Mrs.) Manning, Mr. McCullough—2.

ABSENT—Messrs. Foltz, Hale, Hart, Schlör, 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.

Senator Cook moved that the following statement be read into the Journal. Motion prevailed, without objection.

"I, Senator Melvin A. Slawik, do hereby grant to Senator Allen J. Cook permission to bring up for consideration any Bills or Amendments during my absence from the Senate during the period June 1, 1970 to June 5, 1970.

Melvin A. Slawik

State of Delaware
County of Kent

Sworn and subscribed before me this First day of June, 1970. Ruth Ann Walker, Notary Public."

On Motion of Senator Steele, **SA 4 to HB 776** was taken up for consideration by title in order to pass the Senate.

On the question "Shall the Amendment Pass the Senate?" the yeas

and nays were ordered which being taken as follows:

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

ABSENT—Messrs. Hale, Hart, McCullough, Slawik—4.

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

On Motion of Senator Cook **SA 2 to HB 776** (sponsored by Senator Slawik) was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Cook, Holloway, Robbins, Schlör—4.

NAYS—(Mrs.) Conner, Messrs. duPont, Hickman, Isaacs, (Mrs.) Manning, Steele—6.

NOT VOTING—Messrs. Castle, Cicione, Elliott, Foltz, Grier—5.

ABSENT—Messrs. Hale, Hart, McCullough, Slawik—4.

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

On Motion of Senator Steele **HB 776 with SA 4**, with title as follows was taken up for consideration and read a second time by title in order to pass the Senate?

HB 776 with SA 4—“An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to Exclusions from Income.”

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

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

ABSENT—Messrs. Hale, Hart, McCullough, Slawik—4.

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

On Motion of Senator Hickman, **HB 891 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 891 with HA 1—“An Act Amending Title 7, Chapter 45, Delaware Code, Relating the Sale of Public Land.”

Senator Hickman moved that Representative Warren Burt be granted the privilege of the floor to explain the Bill. 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. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, Robbins, Schlör, Steele—15.

NOT VOTING—Messrs. Holloway, 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 returned to the House

On Motion of Senator Isaacs **HB 599** with title as follows was taken up for consideration and read a second time by title in order to pass the

Senate.

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."

On the question "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.

ABSENT—Messrs. McCullough, 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 returned to the House.

On Motion of Senator Isaacs, **HB 714** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Isaacs moved that Representative John G. S. Billingsley be granted the privilege of the floor to explain the Bill. Motion prevailed, without objection.

Senator Isaacs moved that **HB 714** be tabled. Motion prevailed, without objection.

Senator Manning moved that **SB 583** be laid on the table. Motion prevailed, without objection.

The Chair presented the following House Bill which was given its first reading by title only and assigned as follows:

HB 711 with HA 1,10,15,19—"An Act proposing an Amendment to the Constitution of the State of Delaware."— Joint Committee on Constitution Revision.

Senator Hart on behalf of the committee on Commerce and Corporations to whom had been referred **SB 611** reported the same back to the Senate: 3 Favorable, 1 Unfavorable.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **HB 668** 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 404** reported the same back to the Senate: 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 658** 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 412** reported the same back to the Senate: 4 on Merits.

Senator Isaacs on behalf of the committee on Miscellaneous to whom had been referred **SB 733** reported the same back to the Senate: 1 Favorable, 3 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **SB 656** reported the same back to the Senate: 2 Favorable, 3 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 612** 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 **SS 1 for SB 640** reported the same back to the Senate: 1 Favorable, 4 on Merits.

Senator Hale on behalf of the committee on Senate Administration to whom had been referred **HCR 42** reported same back to the Senate; 1 Unfavorable, 3 on Merits.

Senator Manning on behalf of the committee on Constitutional Revision to whom had been referred **HB 711** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Foltz introduced **SA 2 to SB 611** which was given its first reading.

Senator McCullough introduced **SA 1 to SB 487** which was given its first reading.

Senator McCullough moved that **SA 1 to SB 487** be placed with bill. Motion prevailed, without objection.

Senator Isaacs introduced **SA 1 to HB 180** which was given its first reading. Senator Isaacs moved that **SA 1 to HB 180** be placed with the Bill. Motion prevailed, without objection.

Senator Conner introduced **SA 1 to HB 41** which was given its first reading.

Senator Conner moved that **SA 1 to HB 41** be placed with bill. Motion prevailed, without objection.

Senator Schlör introduced **SA 1 to HB 711** which was given its first reading. Senator Schlör moved that **SA 1 to HB 711** be placed with the Bill. Motion prevailed, without objection.

Senator Hart introduced **SA 2 to SS 1 for SB 640** which was given its first reading. Senator Hart moved that **SA 2 to SS 1 for SB 640** be placed with the Bill. Motion prevailed, without objection.

Senator Castle moved that rule 9 be suspended for the purpose of acting on **SCR 34**.

On the question "Shall the Motion 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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—17.

ABSENT—Messrs. Holloway, Slawik—2.

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

On Motion of Senator Castle, **SCR 34** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SCR 34—"Expressing congratulations and Continued Success to the University of Delaware Baseball Team on its Championship Season."

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

ABSENT—Messrs. Holloway, Slawik—2.

So the question was decided in the affirmative and the Resolution

having received the required constitutional majority passed the Senate and was ordered returned to the House for concurrence.

On Motion of Senator Isaacs **HCR 40** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HCR 40—"Congratulating Claymont High School Band on Being Invited to the "Festival of States" Pageant.

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

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

ABSENT—Messrs. Holloway, Slawik—2.

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

On Motion of Senator Isaacs **SA 1 to HS 1 for HB 536** was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Elliott, Foltz, Hale, Hart, Hickman, Isaacs. (Mrs.) Manning, Robbins, Schlör, Steele—14.

NAYS—Messrs. duPont, Grier, McCullough—3.

ABSENT—Messrs. Holloway, Slawik—2.

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

On Motion of Senator Isaacs, **HS 1 for HB 536 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.

HS 1 for HB 536 with SA 1—"An Act to Amend Section 2303, Chapter 23, Title 7, Delaware Code, Relating to the Sale or Possession of Hard Shell Crabs Taken from Certain Waters 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, Elliott, Foltz, Hart, Hickman, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele—13.

NAYS—Messrs. duPont, Grier, Hale, McCullough—4.

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 for concurrence.

On Motion of Senator Isaacs, **SB 716** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 716—"An Act Amending Part 11, Title 9, Delaware Code, by the Addition thereof Section 3013 Providing an Exclusion to the Provisions thereof."

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

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

NAYS—Mr. McCullough—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 for concurrence.

Senator Cicone moved that **SA 2 to HB 180** be stricken. Motion prevailed, without objection.

Senator Isaacs moved that **SA 3 to HB 180** be taken up for consideration in order to pass the Senate.

On the question "Shall the Amendment 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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—17.

ABSENT—Messrs. Holloway, Slawik—2.

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

On Motion of Senator Foltz, **HB 180 with HA 1, SA 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 180 with HA 1, SA 3—"An Act to Amend Section 2804, Title 10, Delaware Code, Relating to Salaries of the Justice of the Peace Constables.

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, Foltz, Grier, Hale, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—15.

NAYS—Messrs. Elliott, Hickman—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 returned to the House for concurrence.

Senator Steele moved that **SA 1 to SB 692** be taken up for consideration in order to pass the Senate.

Senator Steele moved that **SA 1 to SB 692** be deferred. Motion prevailed, without objection.

On Motion of Senator Elliott, **SB 551 with HA 2** was taken up for consideration and read a final time by title in order to pass the Senate.

Senator Elliott moved that **SB 551 with HA 2** be deferred. Motion prevailed, without objection.

On Motion of Senator Schlör, roll call lifted, **SB 411** with title as follows was taken up for consideration and read a second time in order to pass the Senate.

SB 411—"An Act to Amend Chapter 7, Title 4, Delaware Code, Relating to Sales 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. Cook, Foltz, Hickman, Holloway, McCullough, Schlör, Slawik—7.

NAYS—Messrs. (Mrs.) Conner, Hart, Isaacs—3.

NOT VOTING—Messrs. Castle, Cicone, duPont, Elliott, Grier, Hale,

(Mrs.) Manning, Robbins, Steele—9.

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

Senator Grier moved that the Senate adjourn until June 3, 1970 at 1:30 P.M. Motion prevailed, without objection. Senate adjourned at 9:35 P.M.

43rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 p.m. on June 3, 1970, Lt. Gov. Bookhammer presiding.

Prayer by Rev. Clendaniel.

Flag Salute.

By roll call the following Senators were 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 Chair presented Legislative Advisory No. 44 which was read as follows:

The Chair announced that the House wishes to inform the Senate that it has passed **HB 432, HS 1 for HB 743, HB 778 with HA 1, HS 1 for HB 821, HB 840 with HA 1, HB 870, HB 876, HB 899, HB 919** and requests the concurrence of the Senate; also **SB 502, SB 655** and is returning same to the Senate.

The Chair presented the following bills which were given first reading and assigned to committee as follows:

HB 432—"An Act to Amend Chapter 53, Title 11, Delaware Code, relating to criminal procedures in the Court of Common Pleas for New Castle County."—Judiciary.

HS 1 for HB 743—"An Act to amend "An Act to amend Titles 10 and 30, Delaware Code, to provide for income tax refunds to be applied to delinquent support payment" as the same appears as Chapter 253, Volume 57, Laws of Delaware."—Finance.

HB 778 with HA 1—"An Act to amend Title 11, Chapter 3, Subchapter V of the Delaware Code, relating to crimes, by making any intentional burning a crime if committed on an educational site during, or as a result of, a demonstration."—Education.

HS 1 for HB 821—"An Act to amend Title 4, Delaware Code, relating to alcoholic liquors by providing for the elimination of reports by persons licensed to sell alcoholic liquor."—Revised Statutes.

HB 840 with HA 1—"An Act to amend Title 30, Sections 5316 and 5318 relating to stamps and commission for stamp affixing agents."—Committee on Finance.

HB 870—"An Act to Amend Chapter 43, Title 30, Delaware Code, relating to the use tax on licenses of tangible personal property."—Committee on Finance.

HB 876—"An Act to Amend Volume 56, Laws of Delaware, Chapter

397, providing that the sum appropriated thereby shall not revert until June 30, 1972."—Committee on Finance.

HB 899—"An Act to Amend Chapter 81, Title 9, Delaware Code, entitled "Limitations Upon Taxing Power" by adding a new subchapter thereto relating to exemptions from county taxation on real property of swim clubs."—Committee on Finance.

HB 919—"An Act to Amend Chapter 183, Volume 22, Laws of Delaware, as amended, entitled "An Act to Incorporate the Town of Greenwood" to provide qualifications to register and a registration system for voters and to prescribe the qualifications for candidates."—Committee on Government Operations.

The Governor approved the following legislation on the indicated dates:

SB 693 - 5-28-70 - allowing certain minors to give consent for blood donations.

SB 358 As Amended by HA 1 - 5-28-70 - relating to mobile homes on farms.

SB 626 As Amended by HA 1 - 5-28-70 - regulating outdoor musical festivals.

HB 853 - 5-28-70 - making a grant-in-aid of \$10,000 to the Freedoms Foundation at Valley Forge.

HB 522 As Amended by HA 1 - 5-28-70 - changing the law so as to permit certain misdemeanor trials in Kent and Sussex Superior Courts.

HB 527 - 5-28-70 - outlawing the growing and manufacturing of dangerous or narcotic drugs.

HB 680 - 5-28-70 - relating to the tax paid by racetracks.

HB 746 - 5-28-70 - relating to Court record keeping in Sussex County.

HB 698 - 5-31-70 - exempting seeing eye and certain other dogs from the license fee.

HCR 36 - 6-1-70 - relating to the Delaware Technical and Community College.

HB 722 - 6-1-70 - appropriating certain funds to the Secretary of State to pay an outstanding bill.

HB 687 - 6-1-70 - increasing the renewal fee for architects.

HB 569 - 6-1-70 - authorizing the issuance of only one building permit in certain areas in Kent County.

HB 701 - 6-1-70 - transferring \$46,800 to the construction fund account of the Capital School District.

HB 445 - 6-1-70 - appropriating \$7,500 for certain expenses to Delaware Code Supplements.

HB 476 - 6-1-70 - appropriating \$2,000 for a new printing of Volume 13 of the Delaware Code.

HB 551 As Amended by SA 1 - 6-1-70 - authorizing Registers in Chancery to invest certain funds.

HS 1 for HB 628 - 6-1-70 - defining vocational or occupational units.

HB 677 - 6-1-70 - relating to the selling of magazines and other items by certain minors.

HB 640 - 6-1-70 - authorizing certain other persons to sign vouchers within departments that are headed by one person.

HB 618 - 6-1-70 - increasing certain fees for criminal cases.

Senator Hart to whom had been referred **HB 823** reported the same

back to the Senate from the committee on Commerce and Corporations; 1 Favorable, 3 on Merits.

On motion of Senator Elliott, **SA 1 for SB 640** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

On the motion of Senator Hart, **SA 1 to SB 640** was stricken. Motion prevailed, without objection.

On the motion of Senator Hart, **SA 2 to SB 640** was taken up for consideration in order to pass the Senate.

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

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

ABSENT—Messrs. Foltz, Slawik—2.

So the question was decided in the affirmative and the amendment having received the required constitutional majority passed 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, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele—17.

ABSENT—Messrs. Isaacs, Slawik—2.

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

On motion of Senator Manning, **SB 583 with HA 1,2,3** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Manning moved that the roll call be tabled. Motion prevailed, without objection.

On motion of Senator Conner, **HB 41** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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."

On motion of Senator Conner, **SA 1 to HB 41** was taken up for consideration in order to pass the Senate.

On the question "Shall the Amendment 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, Robbins, Schlor, Steele—16.

NAYS—Mr. McCullough—1.

ABSENT—Messrs. Cook, Slawik—2.

So the question was decided in the affirmative and the amendment having received the required constitutional majority passed 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, Issacs, (Mrs.) Manning, Robbins, Schlor, Steele—16.

NAYS—Mr. McCullough—1.

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 returned to the House.

On motion of Senator Foltz, **HB 786 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 786 with HA 1—"An Act to amend Title 10, Chapter 1, Section 126, of Delaware Code, realting to method for appointing Deputy Administrator for Justices of Peace."

Senator Foltz requested the privilege of the floor for Representative Unruh for the purpose of explaining **HB 786 with HA 1**. Motion prevailed, without objection.

On motion of Senator Robbins, **SA 1 to HB 786** was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Cicione, Cook, Holloway, McCullough, Robbins, Schlor—6.

NAYS—Messrs. (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Isaacs, Steele—9.

NOT VOTING—Messrs. Castle, Elliott, (Mrs.) Manning—3.

ABSENT—Mr. Slawik—1.

So the question was decided in the negative and the amendment 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, duPont, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, Steele—10.

NAYS—(Mrs.) Conner—1.

NOT VOTING—Messrs. Castle, Cook, Hale, McCullough, Robbins, Schlor—6.

ABSENT—Mr. (Mrs.) Manning, 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 **SR 131** co-sponsored by Senators Hart, Hickman, Isaacs, Holloway, with title as follows was given its first reading and placed before the Senate for consideration.

SR 131—"Relative to the two members of the Senate of the United States and the Member of the House of Representatives of the United States from the State of Delaware urging them to request the citizens's stamp advisory committee and James M. Henderson, Special Assistant to Postmaster General Winton M. Blount to adopt a commemorative stamp commemorating the fiftieth anniversary of the disabled American Veteran."

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier,

Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Steele—14.

NOT VOTING—Mr. Hale, (Mrs.) Manning—2.

ABSENT—Messrs. (Mrs.) Conner, Hart, Slawik—3.

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

Senator Hart introduced **SA 2 to HB 789** which was given its first reading. On motion of Senator Hart, **SA 2 to HB 789** was placed with the bill. Motion prevailed, without objection.

Senator Hart introduced **SA 3 to HB 789** which was given its first reading. On motion of Senator Hart, **SA 3 to HB 789** was placed with the bill. Motion prevailed, without objection.

On motion of Senator Foltz, **HB 737 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 737 with HA 1—"An Act to amend Chapter 39, Title 11, Delaware Code, by providing for the destruction of all indicia of arrest from a person's record where such person was not convicted of the crime for which such person was arrested."

On the question "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, Schlör, Steele—17.

ABSENT—Mr. (Mrs.) Manning, Slawik—2.

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

On motion of Senator Hickman, **SB 733** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 733—"An Act to amend Title 28, Delaware Code, Chapter 9, relating to outdoor music festivals."

On the question "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, Robbins, Schlör, Steele—15.

NAYS—Mr. Holloway—1.

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. (Mrs.) Manning, Slawik—2.

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

On motion of Senator Hart, **SB 692** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 692—"An Act making a supplementary appropriation to the Department of Health and Social Services."

On motion of Senator Steele, **SA 1 to SB 692** was placed before the Senate for consideration.

On the question "Shall the Amendment 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, Schlör, Steele—17.

ABSENT—Messrs. Isaacs, Slawik—2.

So the question was decided in the affirmative and the amendment having received the required constitutional majority passed 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, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Steele—16.

ABSENT—Mr. (Mrs.) Conner, (Mrs.) Manning, Slawik—3.

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

On motion of Senator Hart, **HB 668 with HA 1,2** was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Hart moved that Representative Billingsley be granted the privilege of the floor to explain **HB 668 with HA 1,2**. Motion prevailed, without objection.

On motion of Senator Hart, **HB 668 with HA 1,2** was deferred. Motion prevailed, without objection.

On motion of Senator Holloway, **SB 686** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 686—"An Act to amend Subchapter 11 of Title 13, Delaware Code, concerning examinations and tests pursuant to this subchapter, which are taken in another 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, McCullough, Robbins, Schlör, Steele—18.

ABSENT—Mr. Slawik—1.

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

On motion of Senator Steele, **HB 583** roll call lifted, with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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."

On 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, Grier, Hart, Hickman, Robbins, Schlör, Slawik, Steele—11.

NOT VOTING—Messrs. (Mrs.) Conner, Foltz, Hale, Holloway, Isaacs, McCullough—6.

ABSENT—Mr. duPont, (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 to strike **SB 695** and bar further Senate action because it violates the Constitution prohibition that the Senate of the State of Delaware cannot increase, decrease, or amend a revenue raising statute.

Senator Foltz moved that Joseph Yucht, Senate attorney, be granted privilege of the floor to speak to the motion. Motion prevailed, without objection.

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, Foltz, Hale, Isaacs, (Mrs.) Manning, Steele—8.

NAYS—Messrs. Cook, Elliott, Grier, Hickman, McCullough, Robbins, Schlor—7.

NOT VOTING—Mr. Holloway—1.

ABSENT—Messrs. (Mrs.) Conner, Hart, Slawik—3.

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

Senator Elliott introduced **SA 2 to SS 1 for SB 445** co-sponsored by Senator Cook, which was given its first reading. On motion of Senator Elliott, **SA 2 to SS 1 for SB 445** was placed with the bill. Motion prevailed, without objection.

On motion of Senator Foltz, **SB 655** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Senator Foltz, **SB 655** was deferred. Motion prevailed, without objection.

On motion of Senator Elliott, **SB 551 with HA 2** with title as follows was taken up for consideration and read a final time by title in order to pass the Senate:

SB 551 with HA 2—"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."

On 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, Hickman, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele—14.

NOT VOTING—Messrs. Holloway, McCullough—2.

ABSENT—Messrs. (Mrs.) Conner, Hart, Slawik—3.

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

Senator Elliott to whom had been referred **HB 787** reported the same back to the Senate from the committee on Agriculture; 1 Favorable, 3 on Merits.

Senator Elliott to whom had been referred **HB 721** reported the same back to the Senate from the committee on Agriculture; 2 Favorable, 2 on Merits.

Senator Elliott to whom had been referred **HB 716** reported the same back to the Senate from the committee on Agriculture; 4 on Merits.

Senator Steele to whom had been referred **SB 672** reported the same back to the Senate from the committee on Finance; 4 on Merits.

Senator Isaacs to whom had been referred **SB 728** reported the same

back to the Senate from the committee on Fish, Oyster and Game; 1 Favorable, 3 on Merits.

Senator Isaacs to whom had been referred **SB 727** reported the same back to the Senate from the committee on Fish, Oyster and Game; 4 on Merits.

Senator Isaacs to whom had been referred **SB 118** reported the same back to the Senate from the committee on Fish, Oyster and Game; 4 on Merits.

Senator Isaacs to whom had been referred **SB 722** reported the same back to the Senate from the committee on Fish, Oyster and Game; 1 Favorable, 3 on Merits.

Senator Isaacs to whom had been referred **SB 723** reported the same back to the Senate from the committee on Fish, Oyster and Game; 1 Favorable, 3 on Merits.

Senator Isaacs to whom had been referred **SB 724** reported the same back to the Senate from the committee on Fish, Oyster and Game; 4 on Merits.

Senator Isaacs to whom had been referred **SB 725** reported the same back to the Senate from the committee on Fish, Oyster and Game; 4 on Merits.

Senator Isaacs to whom had been referred **SB 726** reported the same back to the Senate from the committee on Fish, Oyster and Game; 1 Favorable, 3 on Merits.

Senator Grier moved that the Senate adjourn until Thursday, June 4, 1970 at 1:30 p.m. Motion prevailed, without objection and the Senate adjourned at 5:45 p.m.

44th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:25 P.M., on Thursday, June 4, 1970. Lt. Governor Bookhammer presiding.

Prayer by Rev. Clendaniel.

Flag Salute.

By roll call the following Senators were 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 Cook moved that so much be considered the reading of the Journal and the Journal be approved as read.

Senator Conner introduced **SB 735** with title as follows, which was given its first reading by title only and referred to the committee on Health and Welfare:

SB 735—"An Act to amend Section 503, Title 31, Delaware Code, relating to eligibility for welfare assistance."

Senator Holloway introduced **SB 736** with title as follows, which was given its first reading by title only and referred to the committee on Revised Statutes:

SB 736—"An Act to amend Chapter 51, Title 25, Delaware Code, requiring a pledge by a landlord to his tenant that the premises are in a habitable condition."

Senator Steele to whom had been referred **HS 1 for HB 743** reported the same back to the Senate from the committee on Finance; 4 on Merits.

Senator Steele to whom had been referred **HB 870** reported the same back to the Senate from the committee on Finance; 4 on Merits.

Senator Steele to whom had been referred **HB 840** reported the same back to the Senate from the committee on Finance; 4 on Merits.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 176 with HA 1,2,3; HB 660 with HA 2** and requests the concurrence of the Senate; also **SB 507 with SA 1, HA 1; SB 508 with SA 1,2, HA 2,3; SB 510 with HA 1; SB 512 with HA 1,3; SB 516 with SA 1,2, HA 1; SCR 34** and is returning the same back to the Senate.

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

HB 176 with HA 1,2,3—"An Act providing for warranties in the sale of dwellings."—committee on Labor.

HB 660 with HA 2—"An Act to amend Title 9, Delaware Code, Chapter 81, relating to limitations upon taxing power in the State of Delaware by providing that any county, municipality or any other political subdivision of this State, may exempt from taxation any structure used by the public for the parking of automobiles off the streets under certain conditions."—committee on Revised Statutes.

Senator Foltz moved that **SB 516 with SA 1,2, HA 1** be brought before the Senate for final approval.

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

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

NAYS—Mr. Robbins—1.

NOT VOTING—Mr. Holloway—1.

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

On motion of Senator Foltz, **HB 650 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 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 parole 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

NAYS—Mr. Holloway—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 returned to the House.

On motion of Senator Isaacs, **HB 669 with HA 1,2** roll call lifted, with title as follows was taken up for consideration and read a final time by title in order to pass the Senate:

HB 669 with HA 1,2—"An Act to amend Title 11, Delaware Code,

Chapter 39, Sections 3911 and 3912 relating to habitual criminals.”

On 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, Hart, Hickman, Issacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—15.

NAYS—Mr. (Mrs.) Conner, Holloway—2.

NOT VOTING—Messrs. Hale, 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 returned to the House.

On motion of Senator Isaacs, **SB 723** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 723—“An Act to amend Section 1908, Title 7, Delaware Code, by adding the area of Delaware Bay to the leasing jurisdiction of the Delaware Commission of Shell Fisheries.”

On the question “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, Steele—13.

NOT VOTING—Messrs. Cook, McCullough, Robbins, Schlör, Slawik—5.

ABSENT—(Mrs.) Manning—1.

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

On motion of Senator Cicione, **SB 630** was lifted from the table, with title as follows and read a second time by title in order to pass the Senate.

SB 630—“An Act to amend Title 21, Chapter 43, Delaware Code, by enacting a new Section 4359, relating to vehicle rear wheel flaps and shields.”

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

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

NAYS—Mr. Holloway—1.

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

On motion of Senator Hart, **SB 672** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 672—“An Act making a supplementary appropriation to the Highway Department — Motor Vehicle Division.”

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

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

McCullough, Robbins, Schlör, Slawik, Steele—19.

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

On motion of Senator Castle, **SB 710** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 710—"An Act making a supplementary appropriation to the Wilmington 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Schlör, Slawik—14.

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Cook, Isaacs, Robbins, Steele—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, **HB 787** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 787—"An Act declaring a moratorium on certain activities along the Delaware River and Bay, declaring activities in violation of the moratorium to be public nuisances and providing criminal penalties for violations of the moratorium."

Senator Elliott moved that the Roll Call be tabled. Motion prevailed, without objection.

On motion of Senator Elliott, **HB 721** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 721—"An Act to amend Title 29, Delaware Code, Chapter 80, by providing that a bond in the amount of \$1,000,000 be posted prior to any exploration, exploitation, pumping or transfer of off-shore minerals to secure to the State damages and claims arising therefrom."

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

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

NOT VOTING—Mr. Foltz—1.

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.

Senator Slawik introduced **SA 1 to HB 731** which was given its first reading by title only. On motion of Senator Slawik the amendment was placed with the bill. Motion prevailed, without objection.

Senator Slawik introduced **SA 2 to HB 711** co-sponsored by Senator Cicione, which was given its first reading by title only. On motion of Senator Slawik the Amendment was placed with bill.

On motion of Senator duPont, **HCR 44** was brought before the Senate for consideration.

Senator duPont moved that Rule 9 be suspended for consideration of

HCR 44.

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

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

ABSENT—Mr. Slawik—1.

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

On motion of Senator duPont, **HCR 44** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HCR 44—"Relative to HB 843."

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

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

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

On motion of Senator duPont, pursuant to **HCR 44**, the Roll Call on **HB 843** was requested to 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, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

So the question was decided in the affirmative and the motion, having received the required constitutional majority, passed the Senate and **HB 843** was ordered returned to the House.

Senator Steele to whom had been referred **HB 664** reported same back to the Senate from the committee on Finance; 4 on Merits.

Senator Cicione to whom had been referred **HB 887** reported same back to the Senate from the committee on Government Operations; 1 Favorable, 4 on Merits.

Senator Cicione to whom had been referred **HB 919** reported same back to the Senate from the committee on Government Operations; 1 Favorable, 4 on Merits.

Senator Castle to whom had been referred **HB 660** reported same back to the Senate from the committee on Revised Statutes; 1 Favorable, 5 on Merits.

Senator Castle to whom had been referred **HS 1 for HB 821** reported same back to the Senate from the committee on Revised Statutes; 5 on Merits.

Senator Steele to whom had been referred **HB 876** reported same back to the Senate from the committee on Finance; 4 on Merits.

Senator duPont moved that the Senate go into Executive Session at 3:35 p.m. Motion prevailed, without objection.

Senator Grier moved that the Senate recess for 30 minutes at 4:10 p.m. Motion prevailed, without objection.

The Senate reconvened at 4:55 P.M.

Senator Slawik introduced **SA 3 to HB 711** co-sponsored by Senator Cicione, which was given its first reading by title only. On motion of Senator Slawik, the amendment was placed with the bill. Motion prevailed, without objection.

On motion of Senator Foltz, **HB 731** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 731—"An Act to amend Title 16, Chapter 47, Section 4717, Delaware Code, relating to warrant for arrest and search of premises."

Senator Foltz moved that the privilege of the floor be granted to Lt. Citro, Delaware State Police for the purpose of explaining **HB 731**. Motion prevailed, without objection.

Senator Foltz moved that the privilege of the floor be granted to Ernest Wilson for the purpose of speaking on **HB 731**. Motion prevailed, without objection.

Senator Foltz moved that Steve Littlejohn be granted the privilege of the floor for the purpose of speaking to **HB 731**. Motion prevailed, without objection.

Senator Foltz moved that **HB 731** be deferred. Motion prevailed, without objection.

Senator Isaacs introduced **SB 737** with title as follows was given its first reading by title only and assigned to committee on Education.

SB 737—"An Act to amend Title 14, Chapter 13, Delaware Code, relating to certain professional personnel employed by the State Board of Education."

Senator Grier moved that the Senate recess until 8 P.M. Motion prevailed, without objection.

Senate reconvened at 9 P.M.

Senator Holloway introduced **SJR 20**, co-sponsored by Senator Castle, which was given its first reading by title only and assigned to committee on Miscellaneous.

SJR 20—"Relating to the Ezion United Methodist Church."

On motion of Senator Foltz, **SB 623 with SA 1, HA 1,2** was brought before the Senate for final consideration.

On the question "Shall the Bill Pass the Senate?" was 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, Steele—14.

NAYS—Messrs. McCullough, Robbins—2.

NOT VOTING—Mr. Schlör—1.

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.

On motion of Senator Foltz, **SB 508 with SA 1,2, HA 2,3** was brought before the Senate for final consideration.

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, Steele—12.

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

NOT VOTING—Messrs. Cook, Holloway—2.

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.

On motion of Senator Foltz, **SB 507 with SA 1, HA 1** was brought before the Senate for final consideration.

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. McCullough, Robbins, Schlor—3.

NOT VOTING—Mr. Cook—1.

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.

On motion of Senator Foltz, **SB 510 with SA 1,2, HA 1** was brought before the Senate for final consideration.

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. McCullough, Robbins, Schlor—3.

NOT VOTING—Mr. Cook—1.

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.

On motion of Senator Foltz, **SB 512 with SA 1,2, HA 1,3** was brought before the Senate for final consideration.

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, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele—10.

NAYS—Messrs. McCullough, Robbins, Schlor—3.

NOT VOTING—Messrs. Cook, Hale—2.

ABSENT—Messrs. Cicione, Hart, Slawik—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 duPont, **SB 610 with SA 1,2, HA 1,2** was brought before the Senate for final consideration.

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, Steele—12.

NAYS—Messrs. McCullough, Robbins—2.

NOT VOTING—Mr. Schlor—1.

ABSENT—Messrs. Cicione, Hart, (Mrs.) Manning, Slawik—4.

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

On motion of Senator Hickman, **SB 729**, roll call lifted, with title as follows was taken up for consideration and read a final time by title in order to pass the Senate:

SB 729—"An Act to amend Title 16, Delaware Code requiring the establishment of County plans for solid waste management appropriating funds for such planning, and empowering the division of physical health of