

LAWS
OF THE
STATE OF DELAWARE

ONE HUNDRED AND TWENTY-FIFTH
GENERAL ASSEMBLY

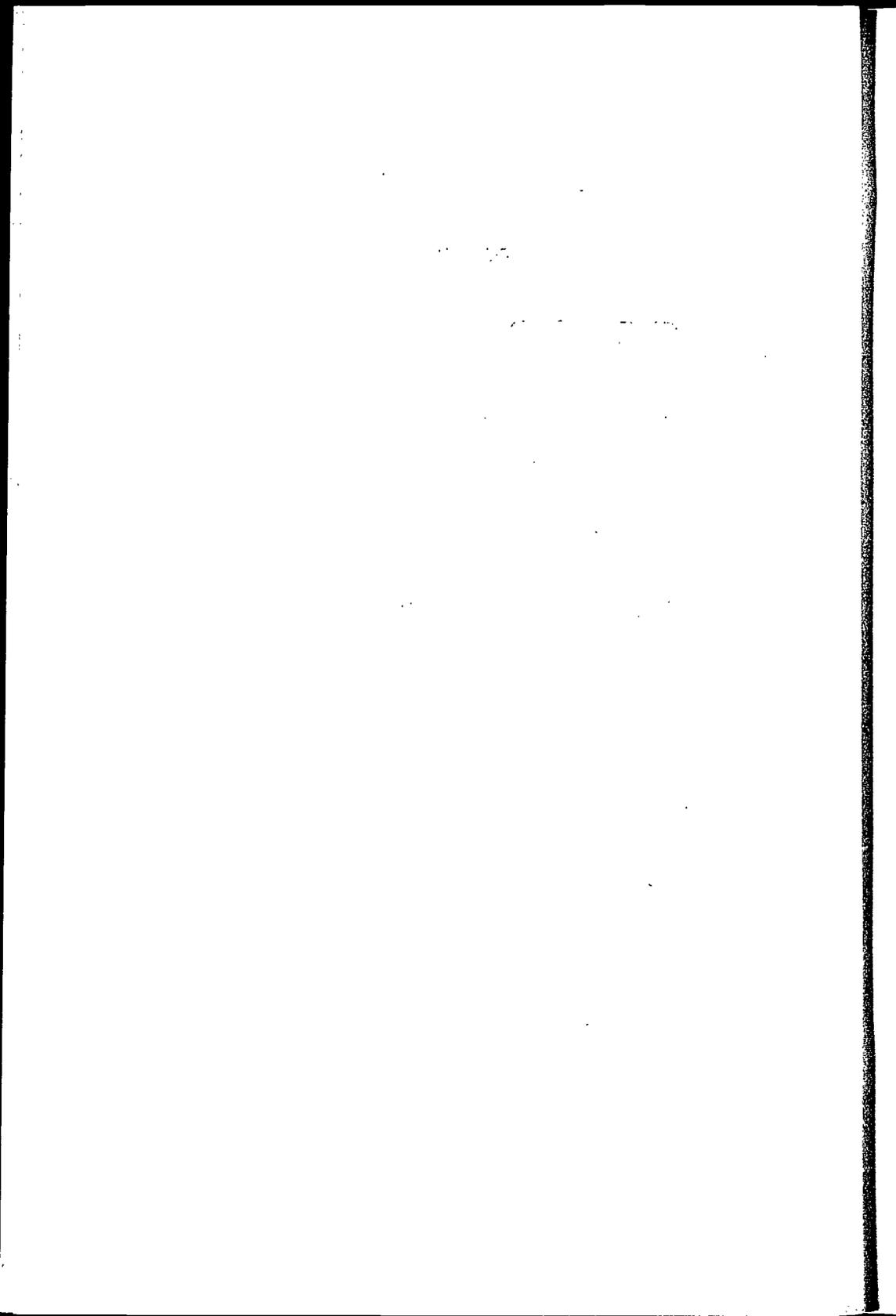
FIRST SESSION COMMENCED AND HELD AT DOVER

On Tuesday, January 7, A. D.
1969

SECOND SESSION COMMENCED AND HELD AT DOVER

On Tuesday, January 13, A. D.
1970

PART II
VOLUME LVII



CHAPTER 488

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 THEREFOR.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Title 29, Delaware Code, is amended by adding a new Chapter 22 thereto to read as follows:

CHAPTER 22. GOVERNOR-ELECT TRANSITIONAL FUND

§ 2201. Establishment of Governor-elect Transitional Fund.

There is hereby established in the General Fund a fund to be known and designated as the "Governor-elect Transitional Fund." All monies in the Governor-elect Transitional Fund are perpetually appropriated and dedicated for the purposes set forth in this Chapter.

§ 2202. Certification of election of Governor

As soon as possible after every general election at which a governor has been elected, the Commissioner of Elections shall certify to the Budget Director and the State Auditor the fact and results of such election.

§ 2203. Facilities to be furnished to Governor-elect

The Budget Director, in cooperation with the Governor, shall, upon request of the Governor-elect, furnish the following services and facilities to the Governor-elect from moneys set aside in the Governor-elect transitional fund:

- (1) Suitable office space, furniture, fixtures and equipment;
- (2) Payment of salaries and expenses of staff personnel designated by the Governor-elect;
- (3) Payment of travel expenses for the Governor-elect and his staff personnel;

(4) Payment of incidental office expenses, including postage communications and supplies.

§ 2204. Time during which available to Governor-elect

The moneys authorized for use of the Governor-elect as herein provided shall be available from the date of certification as provided in § 2202 until the Governor-elect officially assumes the office of Governor.

§ 2205. When fund not to be used

In the case where the Governor-elect is the incumbent Governor, there shall be no expenditures of funds for the provision of facilities to such incumbent pursuant to this Chapter.

Section 2. The sum of \$15,000 shall be paid by the State Treasurer out of the General Fund and out of funds not otherwise appropriated in any year in which the provisions of this Act are operative. These funds shall be considered as an automatic appropriation.

Approved June 3, 1970.

CHAPTER 489

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.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Title 16, Delaware Code, Section 3137, is amended by striking the figure "\$1" as it appears in subsection (a) (1) thereof and inserting in lieu thereof the figure "\$2.50".

Section 2. Title 16, Delaware Code, Section 3137, is amended by striking subpart (2) of subsection (a) thereof and renumbering subparts (3) and (4) as (2) and (3).

Section 3. Title 16, Delaware Code, Section 3137, is amended by striking the figure "\$2" as it appears in subsection (a) (2) thereof, and inserting in lieu thereof the figures "\$2.50".

Section 4. Title 16, Delaware Code, Section 3137, is amended by striking the figure "\$2.50" as it appears in subsection (a) (3) thereof, and inserting in lieu thereof the figure "\$3.50".

Section 5. Title 16, Delaware Code, Section 3137, is amended by striking subsection (d) thereof in its entirety.

Approved June 3, 1970.

CHAPTER 490

AN ACT TO AMEND TITLE 14, DELAWARE CODE, RELATING TO "EDUCATION", BY PROVIDING ENCOURAGEMENT FOR VOCATIONAL YOUTH ORGANIZATIONS.

WHEREAS, vocational youth organizations have been recognized by national, State, and local educational agencies as being an integral part of the total occupational-vocational program; and

WHEREAS, vocational youth organizations afford the members the opportunity to be recognized in their communities for social and vocational competencies developed by participation in these constructive organizations; and

WHEREAS, vocational youth organizations help develop self-confidence and a spirit of honorable competition with local, State and National colleagues; and

WHEREAS, vocational youth organizations provide an outlet for the development of leadership qualities in Delaware youth; and

WHEREAS, the increased number of Delaware youth being served has proportionately increased the cost of operating these organizations and has made it necessary to curtail leadership development and has prohibited their expanded membership participation due to limited economic resources, it is now imperative that financial assistance be obtained to support leadership development activities in these organizations; and

WHEREAS, the existing vocational youth organizations have provided an outstanding record of positive, peaceful performance,

NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Title 14, Delaware Code, is hereby amended by adding a new Chapter thereto to read as follows:

CHAPTER 32. VOCATIONAL YOUTH ORGANIZATIONS**§ 3201. Purpose**

It is the intent and purpose of the General Assembly of the State of Delaware, through this Act, to encourage the youth of Delaware to pursue vocational and occupational education when such pursuit is deemed in the best interest of the student and of the State of Delaware.

§ 3202. Administration

This Chapter shall be administered by the State Board of Education, hereinafter referred to as the "Board".

§ 3203. Vocational Youth Organization Fund

The General Assembly shall each year in the Budget Act appropriate a sum to be known as the "Vocational Youth Organization Fund" for the purpose of carrying out the provisions of this Act.

§ 3204. Grants

The Board is hereby authorized to award grants from the Vocational Youth Organization Fund to such vocational organizations which are an integral part of the instructional program in the following, but not limited to, occupational-vocational areas, such as: Agriculture, Business and Office Occupations, Distributive Education, Home Economics, and Trade and Industrial Education.

Section 2. There is hereby appropriated to the State Board of Education the sum of Five Thousand Dollars (\$5,000) for the purpose contained in this Act.

Section 3. This Act is a supplementary appropriation act and the fund hereby appropriated shall be paid out of the General Fund of the State. Any monies appropriated by this Act and unexpended by June 30, 1971, shall revert to the General Fund.

Section 4. This Act shall become effective July 1, 1970.

Approved June 3, 1970.

CHAPTER 491

AN ACT TO AMEND TITLE 31, DELAWARE CODE, SECTION 503 RELATING TO AID TO FAMILIES WITH DEPENDENT CHILDREN.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Title 31, Delaware Code, Section 503 (d), is amended by striking the words "in the same home or" as they appear in the third paragraph thereof.

Section 2. Title 31, Delaware Code, Section 503 (d), is amended by striking the words "in the same home or" as they appear in the first sentence of the last paragraph thereof.

Approved June 3, 1970.

CHAPTER 492

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, THE COUNTY MEDICAL CENSOR COMMITTEES, THE STATE OSTEOPATHIC CENSOR COMMITTEE, AND PHYSICIANS WHO ARE MEMBERS OF HOSPITAL COMMITTEES WHOSE FUNCTION IS THE REVIEW OF MEDICAL RECORDS AND OF PHYSICIANS' WORK WITH A VIEW TO QUALIFY OF CARE AND UTILIZATION OF HOSPITAL FACILITIES FROM SUIT OR LIABILITY FOR ACTION TAKEN AS MEMBERS OF SUCH ORGANZATIONS AND COMMITTEES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Subchapter V, Chapter 17, Title 24, Delaware Code, is hereby amended by adding a new Section "1768" to read as follows:

§ 1768. Immunity of members of Medical Council of Delaware, the Board of Medical Examiners of Delaware, members of the County Medical Censor Committees, the State Osteopathic Censor Committee, and physicians who are members of hospital committees whose function is the review of medical records and of physicians' work with a view to quality of care and utilization of hospital facilities

The members of the Medical Council of Delaware, the Board of Medical Examiners of Delaware, the members of the County Medical Censor Committees, the State Osteopathic Censor Committee, and physicians who are members of hospital committees whose function is the review of medical records and of physicians' work with a view to quality of care and utilization of hospital facilities shall severally not be subject to, and shall be immune from, claim, suit, liability, damages or any other recourse, civil or criminal, arising from any act or processing, decision or determination undertaken, performed or reached in good faith

and without malice by any such member or members acting individually or jointly in carrying out the responsibilities and authority, duties, powers and privileges of the offices conferred by law upon them under the provisions of Chapter 17 (excluding only Subchapter VI) of this title, or any other provisions of the Delaware law, or duly adopted rules and regulations of the aforementioned committees and hospitals, good faith being presumed until proved otherwise, with malice required to be shown by a complainant.

Approved June 3, 1970.