

LAWS

OF THE

STATE OF DELAWARE

ONE HUNDRED AND TWENTY-FIFTH
GENERAL ASSEMBLY

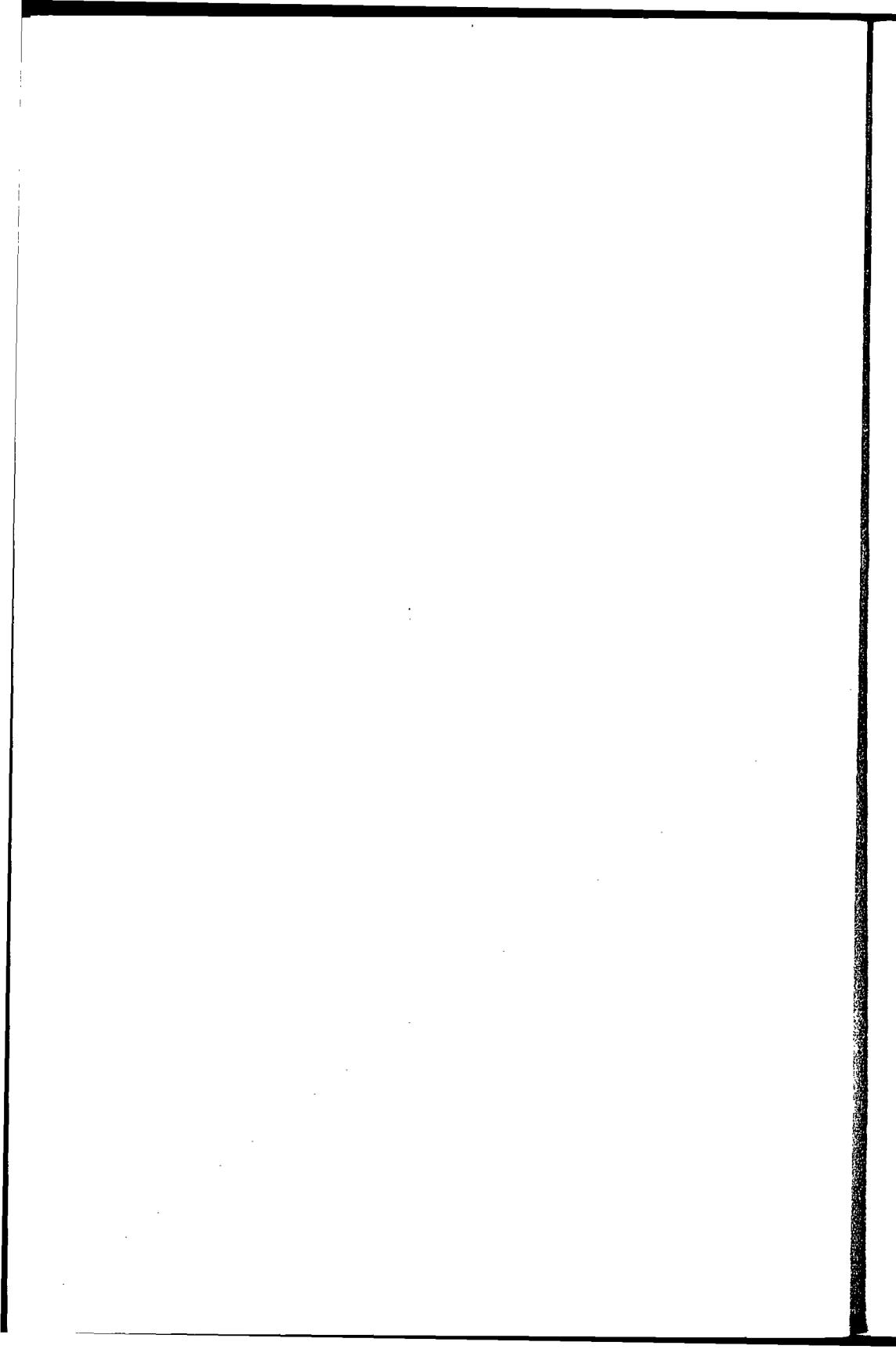
FIRST SESSION COMMENCED AND HELD AT DOVER

On Tuesday, January 7, A. D.
1969

SECOND SESSION COMMENCED AND HELD AT DOVER

On Tuesday, January 13, A. D.
1970

PART I
VOLUME LVII



LAWS OF DELAWARE

CHAPTER 1

AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE SECRETARY OF STATE.

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

Section 1. The sum of \$14,220 is appropriated to the Secretary of State for the fiscal year ending June 30, 1969, to be expended for the salaries and wages of 7 additional employees in the Corporation Department.

Section 2. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of funds in the General Fund of the State of Delaware, not otherwise appropriated.

Section 3. Any money appropriated herein and unexpended shall revert to the General Fund of the State of Delaware on June 30, 1969.

Approved January 22, 1969.

CHAPTER 2

AN ACT RELATING TO A PENSION FOR NORMAN A. ESKRIDGE, A FORMER MEMBER OF THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

WHEREAS, Norman A. Eskridge was a member of the General Assembly of the State of Delaware for a period of fourteen years; and

WHEREAS, the State Employees' Pension Plan, set forth in Chapter 25 of Title 29 of the Delaware Code of 1953, as amended, does not provide for pension benefits for Norman A. Eskridge; and

WHEREAS, Norman A. Eskridge is deserving of consideration of a state employee's pension because of unusual and unfortunate circumstances; and

WHEREAS, Norman A. Eskridge should receive pension benefits under the State Employees' Pension Plan for the long and loyal service he has rendered to the State of Delaware;

NOW, THEREFORE,

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

Section 1. The State Treasurer is directed to accept the application of Norman A. Eskridge for pension benefits under the State Employees' Pension Plan, set forth in Chapter 55 of Title 29 of the Delaware Code of 1953, as amended, and is further directed to determine that the said Norman A. Eskridge shall be eligible for the minimum pension benefits as set forth in Section 5523 of Title 29 of any other provisions of Chapter 55 of Title 29 of the Delaware Code of 1953, as amended, notwithstanding.

Approved January 23, 1969.

CHAPTER 3

**AN ACT MAKING A SUPPLEMENTARY APPROPRIATION
TO THE GOVERNOR OF THE STATE OF DELAWARE
FOR THE PURPOSE OF EMPLOYING A LEGAL AD-
VISOR AND THE NECESSARY SECRETARIAL HELP.**

WHEREAS, the Executive Director of the Legislative Reference Bureau is appointed by and serves at the pleasure of the Governor; and

WHEREAS, members of the General Assembly from time to time have occasion to call upon the Executive Director; and

WHEREAS, the Executive Director cannot serve two masters simultaneously; and

WHEREAS, it is desirous that the Executive Director be responsive only to the members of the General Assembly; and

WHEREAS, the Executive Director has heretofore provided the legal services necessary to the Governor of the State of Delaware; and

WHEREAS, it is the intention of the General Assembly to place the Executive Director and the Legislative Reference Bureau under the General Assembly, thereby taking away from the Governor his legal advisor; and

WHEREAS, it is desirable that the Governor have his own legal advisor to serve upon his request and at his pleasure;

NOW, THEREFORE,

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

Section 1. The sum of \$13,500 is hereby appropriated to the Governor of the State of Delaware for the fiscal year ending June 30, 1969 to authorize and permit the Governor to appoint a legal advisor and the necessary secretarial help, to be

appointed by and serve at the pleasure of the Governor. Said supplementary appropriation shall also cover the acquisition of necessary equipment and supplies for said legal advisor and the secretarial help.

Section 2. This Act is a supplementary appropriation and the money appropriated shall be paid by the State Treasurer out of funds in the General Fund of the State of Delaware, not otherwise appropriated.

Section 3. Any money appropriated herein and unexpended shall revert to the General Fund of the State of Delaware on June 30, 1969.

Approved January 23, 1969.

CHAPTER 4

AN ACT TO AMEND CHAPTER 13, TITLE 29, DELAWARE CODE, RELATING TO REORGANIZATION OF THE LEGISLATIVE REFERENCE BUREAU.

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

Section 1. Section 1301 (b), Title 29, Delaware Code, is amended by striking the words "the Governor," as they appear in the first line of said subsection (b).

Section 2. Section 1304 (a), Title 29, Delaware Code, is amended by striking the word "Governor" as it appears in the first line of said section, and inserting in lieu thereof, the word "Bureau."

Section 3. Section 1304 (a), Title 29, Delaware Code, is amended by striking the word "Governor" as it appears in the third line of said section, and inserting in lieu thereof, the word "Bureau."

Approved January 24, 1969.

CHAPTER 5

AN ACT TO AMEND CHAPTER 189, VOLUME 56, LAWS OF DELAWARE, BY EXTENDING THE TIME WHEN THE CONSTITUTIONAL REVISION COMMISSION SHALL SUBMIT ITS REPORT AND PROVIDING FOR ADDITIONAL SERVICES OF SAID COMMISSION.

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

WHEREAS, the Constitutional Revision Commission, created on December 28, 1967, by Chapter 189, Volume 56, Laws of Delaware, has been duly chosen; and

WHEREAS, said Commission has been engaged in their assigned constitutional revision for most of the year 1968; and

WHEREAS, said Commission has found need for an additional ninety (90) days to more adequately complete its task; and

WHEREAS, the Members of said Commission are desirous of knowing the wishes of the members of the General Assembly in regard to their responsibilities in the presentation of their report and the time limit of their tenure as Commissioners;

NOW, THEREFORE:

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

Section 1. Amend Chapter 189, Volume 56, Laws of Delaware, by striking out the date "January 10, 1969" where it appears and inserting in lieu thereof the date "April 10, 1969."

Section 2. Further amend Chapter 189, Volume 56, Laws of Delaware, by adding thereto a new section No. 6 to read as follows:

Section 6. The members of the Constitutional Revision Commission are directed by the General Assembly to assist in the explanation and enactment of their report, either as a Commission or as individual members, by making themselves available to the General Assembly for a period of one year after the submission of their report.

Approved January 31, 1969.

CHAPTER 6

AN ACT TO AMEND CHAPTER 11, TITLE 14, DELAWARE CODE RELATING TO CHANGE IN BOUNDARIES OF SPECIAL SCHOOL DISTRICTS AND SCHOOL DISTRICTS.

WHEREAS, it has been determined that certain minor school district boundary changes in some rural areas of the State may become advisable before the district consolidation provisions of the Educational Advancement Act are promulgated, to insure the safety and well-being of the school children affected;

NOW, THEREFORE,

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

Section 1. Section 1106, Chapter 11, Title 14, Delaware Code, is hereby repealed and the following new Section 1106 is enacted in lieu thereof:

§ 1106. Procedure for changing special school district boundaries

(a) Before the boundaries of a Special School District shall be changed, not fewer than 25 per cent of the number of qualified voters, as defined under Section 314 of this title, and the provisions of Sections 315 and 316 of this title, within the territory to be added to or taken from such Special School District, shall request over their signatures that the State Board of Education change the boundaries. Following consultation with the School Boards of the districts affected by the proposed change, the decision of the State Board of Education with respect to any such transfer request shall be final.

(b) All obligations of the original district evidenced by bonds shall be prorated based on the ratio of the assessed value of the property within the territory transferred to the total assessed value of the property within the district and such share of the obligations at the time of transfer shall be paid by the transferee district on or before November 1 of each