



SPONSOR: Rep. Cathcart & Rep. Spence & Rep. Lee & Rep. Gilligan
& Rep. Keeley

HOUSE OF REPRESENTATIVES
144th GENERAL ASSEMBLY

HOUSE RESOLUTION NO. 13

CENSURING REPRESENTATIVE JOHN C. ATKINS FOR A VIOLATION OF A RULE OF LEGISLATIVE CONDUCT ARISING FROM HIS CONDUCT ON OCTOBER 29, 2006 AND LATER CONDUCT PERTAINING THERETO, AND SANCTIONING HIM BY REQUIRING HIM TO FOREGO USE OF HIS LEGISLATIVE IDENTIFICATION CARD AND LEGISLATIVE LICENSE PLATE, BE REMOVED AS CHAIRMAN OF ANY HOUSE COMMITTEE, PAY A FINE, COMPLY WITH COURT-ORDERED COUNSELING AND RECEIVE AN ALCOHOL EVALUATION.

1 WHEREAS, by letter dated January 10, 2007, John C. Atkins, Representative of the 41st District, requested the
2 Ethics Committee of the House of Representatives (hereinafter referred to as "Committee") to conduct an investigation into
3 aspects of his conduct; and

4 WHEREAS, the Committee, pursuant to its Rules, determined that the matter merited further inquiry and directed
5 staff to perform a preliminary inquiry; and

6 WHEREAS, upon completion of the preliminary inquiry a report was presented to the Committee on February 22,
7 2007; and

8 WHEREAS, based upon the report of the Committee staff on the preliminary inquiry, the Committee found that
9 there was reason to believe that a violation of Rule 16(a)(11)(i) of the Permanent Rules of the House of Representatives
10 occurred in which Representative Atkins brought the House into disrepute; and

11 WHEREAS, the Committee directed staff to transmit a Statement of Alleged Violation to Representative John C.
12 Atkins; and

13 WHEREAS, Representatives John C. Atkins has advised the House of Representatives, in writing, that he does not
14 wish to contest the Statement of Alleged Violation; and

15 WHEREAS, in light of the fact Representative Atkins is not contesting the Statement of Alleged Violation the
16 Committee finds that Count 1 of the Statement of Alleged Violation has been proved; and

17 WHEREAS, the Committee has recommended that John C. Atkins be censured by the House of Representatives
18 and that sanctions be imposed against him; and

19 WHEREAS, Representative John C. Atkins accepts the recommended censure and sanctions imposed by the
20 Committee and accepts the discipline imposed.

21 NOW, THEREFORE:

22 BE IT RESOLVED by the House of Representatives of the 144th General Assembly of the State of Delaware that
23 Representative John C. Atkins is censured by his colleagues in the Delaware House of Representatives for his conduct
24 occurring on October 29, 2006 and thereafter, which conduct brought the House of Representatives into disrepute and
25 thereby constitutes a violation of Rule 16(a)(11)(i) of the Permanent Rules of the House of Representatives of the 144th
26 General Assembly.

27 BE IT FURTHER RESOLVED, that the following sanctions be imposed against Representative John C. Atkins:

- 28 1. That Representative John C. Atkins forego use of his legislative identification card and license plate for
29 the remainder of the 144th General Assembly and that he forthwith surrender the card and license plate to
30 the Speaker of the House;
- 31 2. That Representative John C. Atkins be removed from any committee chairmanships in the House of
32 Representatives for the remainder of the 144th General Assembly;
- 33 3. That Representative John C. Atkins pay a fine in the amount of \$550 which shall be in the form of a
34 contribution to Delaware YELL/SADD (Youth to Eliminate Loss of Life/Students Against Destructive
35 Decisions);
- 36 4. That Representative John C. Atkins successfully complete the course of counseling pursuant to the Order
37 of the Family Court and advise the Committee when he has successfully completed the counseling; and
- 38 5. That in connection with the court-ordered counseling, Representative John C. Atkins shall receive an
39 alcohol evaluation and shall comply with any recommendations based on the evaluation. He shall also
40 advise the Committee when he has received the alcohol evaluation and has completed the
41 recommendations, if any, of said evaluation.

42 BE IT FURTHER RESOLVED, that the Committee meet in January 2008 to review this matter so as to ascertain
43 that Representative John C. Atkins has complied with the sanctions imposed herein.

SYNOPSIS

This Resolution censures and provides sanctions for Representative John C. Atkins for conduct which violated Rule 16(a)(11)(i) of the Permanent Rules of the House by bringing the House into disrepute.