

Mandatory sentences without parole may protect the public from individual rioters for this year and next. We urge the General Assembly, in its wisdom, to think to the years ahead when these people will be returning to our communities. With parole, they can be returned with sound planning, guidance toward responsible citizenship and restraints on their behavior. Without parole, they will still return but with no such planning and restrictions.

James F. Nestor, President

SB 226 Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 34.

PRESENT — Evans — 1.

SB 226 having received a constitutional majority was declared passed by the House.

Veto message from the Governor dated July 20, 1967 with reference to **HB 209** with **HA 3** was read in and made a part of the Journal.

July 20, 1967

To the House of Representatives of the 124th
General Assembly of the State of Delaware:

On July 10, 1967, I received House Bill No. 209 with House Amendment No. 3, entitled:

An Act to amend Sections 1305(a), 1308, 1309, 1310(a), 1311(a), 1314(a) (b) (c) and 1322(a), Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedule for School Employees and making a Supplementary Appropriation to the State Board of Education.

I respectfully return House Bill No. 209 with House Amendment No. 3 to the House of Representatives without my approval.

In many respects this bill which increases the State Supported Salary Schedules is misleading to both school employees and the taxpayers of Delaware.

First, the total annual cost of this measure when fully effective is approximately \$6.7 million and not the \$1.4 million appropriated for the current fiscal year. I have repeatedly advised the General Assembly that I would not approve huge new spending programs unless they were accompanied by revenue raising measures to provide the necessary additional funds. Despite this large increased cost to the State, the General Assembly has not seen fit to enact any companion tax measures to pay for it.

Second, many teachers would not actually receive the salary increases provided in this measure for the school year 1967-68 in that they have already signed their contracts for the school year 1967-68. Unfortunately, I have been reliably informed that a number of the larger school districts in the State have no intention of revising these contracts and passing the increases on to the teachers. As before, I strongly urge again that future salary increases for teachers should carry some clear and firm assurance that the State funds will actually go to the teachers and not be used to off-set local effort. The experience of the past two years, when several large districts used State fund increases intended for teachers to reduce local support to their teachers, must be avoided.

Third, HB 209 has two further defects which should be corrected. It provides no increase at all for those older dedicated teachers who received their training in the two-year teacher colleges years ago. This bill makes no provision for raises for the attendants and aides working with our handicapped children.

Fourth, this measure would commit the State to financing salary increases that do not become effective until the budget year that will be the responsibility of the next General Assembly. I am opposed to trying to bind the next Assembly to such increased costs.

Fifth, a serious error has been committed in the retyping of the amended version. The salary schedules for secretaries as listed under Section 1308 (a) in the original bill were omitted in the amended bill. Also subsections (b) and (c) were omitted. This defect should be corrected.

Last year, when I was forced to veto a more modest three-year Salary Schedule Increase Bill I pointed out that I would approve legislation granting raises for two years (1966-67 and 1967-68) and that I would consider the third year (1968-69) when the financial condition of our State could be more accurately determined for that year. Legislation was enacted granting raises for the two years ending 1967-68 and I was happy to sign that measure into law.

As I promised at that time, I have now reviewed the financial condition of our State and am satisfied that it is possible to recommend a Salary Schedule increase of \$200 for the school year 1967-68 and another \$200 increase for the school year 1968-69 in an amount of approximately \$1.4 million each year without enacting revenue raising measures at this time. Legislation to accomplish this purpose is being prepared and will be available for introduction whenever either House of the Assembly should convene.

Respectfully submitted,
Charles L. Terry, Jr.
Governor

Veto message from the Governor dated August 3, 1967 with reference to **HB 204** with **SA 1** was read in and made a part of the Journal.

August 3, 1967

To the House of Representatives of the 124th General Assembly of the State of Delaware:

On July 25, 1967, I received House Bill No. 204, with Senate Amendment No. 1, entitled:

An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State-Supported Salary Schedules for School Employees.

I respectfully return House Bill No. 204, with Senate Amendment No. 1, to the House without my approval.

House Bill No. 204 provides Salary Schedule increases for the employees of the State Department of Public Instruction and State Board of Vocational Education on the administrative level ranging up to \$2,400 annually over the next three years exclusive of regular increments for service and higher degrees. This measure is misleading in several respects and is herewith returned without my approval for the following reasons:

First, the Salary Schedules for these personnel have been increased by three separate bills (Chap. 43, Vol. 54; Chap. 271, Vol. 54; and Chap. 409, Vol. 55) during the past five years. These schedule increases have amounted to an average of \$2,000 over this five year period; this includes a raise already budgeted for the school year 1967-68, the fifth year of this period. These raises are in addition to regular increments for service and higher degrees.

Second, it should be pointed out that the personnel in these classifications are paid under two different Salary Schedules. Every time Section 1305(a), Title 14, the basic teacher salary schedule, is increased these classifications receive that increase and an additional 20% for twelve month employees. If House Bill No. 209 is passed over my veto these classifications will automatically receive Salary Schedule increases in excess of \$2,000 over the next three years. If both House Bill No. 204 and House Bill No. 209 become law most of these increases will range close to \$4,000 over this three-year period. I believe this to be excessive and contrary to the intention of the General Assembly.

Third, further, in the event House Bill No. 209 is enacted into law over my veto, then the provisions of House Bill No. 204 would become ineffective for a two year period.

Fourth, House Bill No. 204 takes away from both the Administration in preparing annual budgets and the General Assembly in enacting such annual budgets, the determination of the number of administrative personnel on each of the Salary Schedules. As a consequence, the agency will be able

to up-grade personnel on the Salary Schedule after the General Assembly has enacted the Budget Appropriation Act. Thereafter, these additional salary costs to the State will become automatic appropriations without legislative approval.

It is the position of this Administration that action on any change in this Salary Schedule should be delayed until a determination has been made on the basic teachers' Salary Schedule is found in Section 1305(a), Title 14 (see House Bill No. 209).

If House Bill No. 209 is passed over my veto and Salary Schedule increases of approximately \$2,000 are provided for these classifications by that measure it would not seem desirable or reasonable to further amend Section 1321 of Title 14 while that measure is being implemented. On the other hand, if House Bill No. 209 or legislation similar to it is not to become law, then this Administration would support a more modest increase in the Salary Schedule for these administrative personnel for the school year 1968-69.

In order that the General Assembly may see the combined effect of the Administration's recommendations for the school year 1968-69 for all school personnel the additional recommendations a bill has been prepared to increase these administrative Salary Schedules by \$500 in 1967-68 and \$500 in 1968-69. This would mean that the total increase in these Salary Schedules would be \$740 in the school year 1967-68 and \$1,220 in 1968-69 exclusive of increments for service and higher degrees.

Respectfully submitted,
Charles L. Terry, Jr.
Governor

Mr. Hale moved to recess to the Call of the Chair at 4:42 P.M. Motion prevailed.

The Speaker called the House to order at 1:47 P.M. Mr. Hale moved to adjourn until 1:48 P.M. Motion carried. Thereby ending 41st Legislative Day.

42ND LEGISLATIVE DAY

The Speaker called the House to order at 1:48 P.M., on Tuesday, September 26, 1967.

There was a prayer by Representative Frederick.

The Speaker led those present in a Salute of the Flag.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

Absent: Ferguson, Hammond, Phillips, Shockley — 4.

The Speaker asked if there were any additions or corrections to the Minutes of the previous session. There being none, the Minutes were approved as posted.

Communications: Message from Governor vetoing **HB 267** was read.

August 10, 1967

To the House of Representatives of the 124th
General Assembly of the State of Delaware:

On July 31, 1967, I received House Bill No. 267 with House Amendment No. 1 and Senate Amendments Nos. 1, 2, and 3, 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."

I have this day signed House Bill No. 267 as amended by House Amendment 1 and Senate Amendments 1, 2, and 3, but in doing so I have disapproved and deleted the following portion of Section II:

"(h) Dirt Road Improvement Program 1,000,000".

The authority for this line item veto action is found in Section 18, Article III of the Constitution of the State of Delaware. My action in disapproving this item has been necessitated by reason of Senate Amendment No. 2 which having been ineptly drawn, affected the validity of the entire bill.

I would like to make it clear that I have been assisted in reaching my decision by the opinion of the State's bonding counsel who sent the following telegram, received by me on August 9, 1967:

"With reference to House Bill No. 267 Senate Amendment No. 2 raising dirt road improvement program to \$1,000,000 is \$500,000 in excess of total appropriation of \$33,857,600 Section 6 of Bill provides for annual appropriations for Debt Service or Bonds up to \$33,857,600 legality of dirt road line item in serious question could result in validity of entire Act being questioned suggest Section II Subsection (H) be vetoed as authorized by Article 3, Section 18 of the Constitution.

REED, HOYT, WASHBURN AND MCCARTHY."

In order to save the entire act from a veto, therefore, I could take no other course of action.

Respectfully submitted,
Charles L. Terry, Jr.
Governor

The following were introduced and assigned to committee:

HB 286 — An Act to amend Chapter 23, Title 19, Delaware Code, by increasing Workmen's Compensation benefits.

Introduced by Rep. Slawik. Referred to the Committee on Labor.

HB 287 — An Act to permit the Board of School Trustees of the Middletown School District No. 60 to transfer certain funds from its Local Debt Service Account to its Minor Capital Improvement Program. Introduced by Rep. Blendt. Referred to the Committee on Education.

House recessed at 1:58 P.M.

House reconvened at 2:18 P.M.

Memorandums No. 25, No. 26 and No. 27 from the Governor's Office were read in.

MEMORANDUM NO. 25

TO: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr. Lorin B. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

FROM: Theodore F. Sandstrom, Administrative Assistant
The Governor signed the following legislation on the dates indicated:

August 3, 1967 —

SB 177 — (State Police Pension).

August 4, 1967 —

SB 224 — (Riot Control).

SB 225 — (Molotov Cocktails).

SB 226 — (Governor's Powers - State of Emergency).

HJR 5 — (Civil unrest study committee).

On August 3, 1967, the Governor returned House Bill No. 204 with Senate Amendment No. 1 to the House without his approval.

On August 4, 1967, the Governor returned Senate Bill No. 117 with House Amendment No. 1 to the Senate without his approval.

MEMORANDUM NO. 26

TO: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr. Lorin B. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

FROM: Theodore F. Sandstrom, Administrative Assistant
The Governor signed the following legislation on the dates indicated:

July 25, 1967 —

SB 201 with **SA 1 & 2** — (Kent County Racing).

August 10, 1967 —

HB 267 with **HA 1, SA 1, 2, 3** (except Section 11(h) which was line item vetoed pursuant to Article III, Section 18) — (1967-1968 Capital Bond Act).

On August 4, 1967, Senate Bill No. 188 became law without approval of the Governor in accordance with Article III, Section 18, as amended, of the Constitution of the State of Delaware.

MEMORANDUM NO. 27

TO: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr. Lorin B. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

FROM: Ned Davis

The Governor signed the following legislation on the dates indicated:

August 18, 1967 —

SB 168 with **HA 1** — (Millsboro School).

Note: **SB 201** with **SA 1 & 2** (Kent County Racing) was actually signed on July 27, 1967 contrary to the stated date on Memo No. 26.

The following bills and resolutions were introduced and assigned to committees, as follows:

HR 70 — Relative to the Illness of State Representative W. Harrison Phillips.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with deep regret of the illness of State Representative W. Harrison Phillips of Laurel; and

WHEREAS, the members of the House desire to express in this public manner their best wishes for his speedy recovery.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof extend their sincere best wishes for a speedy recovery to State Representative W. Harrison Phillips from his illness; and

BE IT FURTHER RESOLVED that this expression be conveyed to State Representative W. Harrison Phillips and a copy of this Resolution be forwarded to him at his home in Laurel; and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware.

Introduced by Rep. Zimmerman and all Legislators present. Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert,

Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Rid-dagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

NAYS — None.

ABSENT — Ferguson, Hammond, Phillips, Shockley — 4.

HR 70 was declared adopted by the House.

HR 71 — Relative to the Illness of State Representative Reese Hammond.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with deep regret of the illness of State Representative Reese Ham-mond of Wilmington; and

WHEREAS, the members of the House desire to express in this public manner their best wishes for his speedy re-covery.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof extend their sincere best wishes for a speedy recovery to State Representative Reese Hammond from his illness; and

BE IT FURTHER RESOLVED that this expression be conveyed to State Representative Reese Hammond and a copy of this Resolution be forwarded to him at his home in Wilming-ton; and

BE IT FURTHER RESOLVED that a copy of this Reso-lution be spread upon the Journal of the House of Represen-tatives of the 124th General Assembly of the State of Dela-ware.

Introduced by Rep. Zimmerman and all Legislators pres-ent. Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Rid-dagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

NAYS — None.

ABSENT — Ferguson, Hammond, Phillips, Shockley — 4.

HR 71 was declared adopted by the House.

HR 72 — Relative to the Death of Colonel Eugene B. Ellis.

WHEREAS, members of the House of Representatives of the 124th General Assembly of the State of Delaware have learned with regret of the passing of Colonel Eugene B. Ellis; and

WHEREAS, Colonel Ellis served his State with great distinction in many varied capacities of State law enforce-ment; and

WHEREAS, Colonel Ellis was highly respected by all who had occasion to work with him for the common goal of law enforcement and traffic safety; and

WHEREAS, members of the House desire to express to the family and countless friends of the deceased and the great sense of loss which is felt throughout the State and the deep individual sympathy which they personally feel on this occasion.

NOW THEREFORE, BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members give expression of the grief they have experienced at the passing of Eugene B. Ellis; and

BE IT FURTHER RESOLVED that the family of Colonel Ellis be notified of the full sympathy of the members of the House of Representatives of the State of Delaware by having a copy of this resolution sent to the immediate members of the family; and

BE IT FURTHER RESOLVED that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 124th General Assembly of the State of Delaware.

Introduced by Rep. Murphy and all Legislators present.
Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Ridgah, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

NAYS — None.

ABSENT — Ferguson, Hammond, Phillips, Shockley — 4.

HR 72 was declared adopted by the House.

HCR 23 — Making an Appropriation to the Legislative Council in order to employ Crond, Inc., to assist in Reapportionment Legislation.

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware, the Senate concurring therein, that the sum of \$10,000.00 be appropriated to the Legislative Council of the General Assembly for the purpose of employing Crond, Inc., to assist the General Assembly in reapportionment legislation.

Introduced by Reps. Hale and Zimmerman. Mr. Hale moved for adoption by voice vote. Motion carried.

HA 1 to HR 67 — Introduced by Rep. Hering. Mr. Hale moved for adoption of **HA 1 to HR 67**. Mr. Speaker Hering, at Mr. Slawik's suggestion, said he would pass over **HA 1 to HR 67** and leave it on the desk until other prefiled bills were assigned.

HB 288 — An Act Appropriating money to Boys Home of Delaware, Inc. Introduced by Rep. Slawik. Referred to the Committee on Appropriations.

HB 289 — An Act to amend §9524, Title 10, Delaware Code, relating to the service of summons and verification of service for default judgment, and to amend §9302, Title 10, Delaware Code, relating to venue of Justices of the Peace in Civil Actions. Introduced by Rep. Harrington. Referred to the Committee on Judiciary.

The following was reported out of committee:

HB 287 — Education — 4 Favorable.

HB 209 — Regarding veto.

Granted the privilege of the floor, Rep. Hart moved to override the gubernatorial veto of **HB 209** by roll call vote. Reps. Gooding and Zimmerman spoke against overriding the veto. On motion of Mr. Hart a roll call vote was taken, revealing:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 23.

NAYS — Blendt, Eskridge, Fonville, Gooding, Harrington, McMahon, Slawik, Zimmerman — 8.

ABSENT — Fergusson, Hammond, Phillips, Shockley — 4.

Having received the required three-fifths vote, the gubernatorial veto of **HB 209** was thereby overridden.

Mr. Speaker appointed Mr. Benson to take the Chair.

Mr. Speaker explained **HA 1** to **HR 67** and moved for adoption by voice vote. Motion carried. Mr. Hering moved for adoption of **HR 67** with **HA 1** by voice vote. Motion carried.

Mr. Speaker recessed the House to the Call of the Chair at 4:54 P.M.

The Speaker called the House to order at 1:53 P.M. Mr. Hale moved to adjourn until 1:54 P.M. Motion carried, thereby ending the 42nd Legislative Day.

43RD LEGISLATIVE DAY

The Speaker called the House to order at 1:54 P.M., on Tuesday, October 10, 1967.

There was a prayer by the Chaplain Father Gregory Piekos.

The Speaker led those present in a Salute of the Flag.

The Roll Call revealed 29 members present, 6 absent.

Present: Bartleson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

Absent: Benson, Eskridge, Gooding, Hammond, McMahon, Shockley — 6.

Mr. Speaker asked if there were any additions or corrections to the Minutes of the previous legislative day. There being none, the minutes were approved as posted.

Communications: None.

A Messenger from the Senate delivered the following bills (all having passed the Senate): SS 1 for SB 109, SB 230, SB 228, SB 221, SB 151 and HB 62, HB 276, HB 178, and HB 168.

The following bills were introduced:

HB 290 — An Act to amend § 1918, Title 14, Delaware Code, relating to collection and deposit of school taxes and providing for the payment of interest on sums deposited with the State. Introduced by Reps. Murphy, Heckert, Hale, Pagan and Blendt. Referred to the Committee on Education.

HB 291 — An Act to amend Chapter 13, Title 14, Delaware Code, relating to state-supported salary schedules for school employees. Referred to the Committee on Education.

HR 73 — Appropriation for postage stamps for the House of Representatives of the 124th General Assembly. Introduced by Rep. Sebrell. Dr. Sebrell moved so much be considered the reading of the resolution. Motion carried. Adopted by voice vote.

Mr. Shockley asked to be marked present.

HR 74 — In Reference to the Observance of Columbus Day.

WHEREAS, on October 12 citizens of South American countries and our neighbors of North America will poim all Americans in honoring the memory and accomplishment of the courageous men, led by Christopher Columbus, who sailed previously uncharted seas to discover a "new world"; and

WHEREAS, the discovery of America on October 12, 1492 opened a new and brighter era in the history of mankind; and

WHEREAS, even today new discoveries on land, under the seas and in outer space are being made by courageous men and women following the example set 475 years ago by Christopher Columbus; and

WHEREAS, this annual osbervance serves to remind us of the courage and contributions made by Christopher Columbus and other great explorers, and of the many blessings that are ours by virtue of living in this great Nation; and

WHEREAS, Title 1, Section 501 of the Delaware Code sets aside the 12th of October as a legal holiday in the State of Delaware.

NOW THEREFORE,

BE IT RESOLVED by the members of the House of Representatives of the 124th General Assembly of the State

of Delaware that October 12 be proclaimed and recognized throughout the State of Delaware as the anniversary of the founding of our Country.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered upon the Journal of the House of Representatives.

Introduced by Rep. Slawik. Mr. Slawik moved so much be considered the reading of the resolution. Motion carried. Adopted by voice vote.

HR 75 — An Act making an appropriation to the Officers of the House of Representatives of the 124th General Assembly of the State of Delaware to attend the National Conference of State Legislative Leaders. Introduced by Rep. Sebrell. Dr. Sebrell moved so much be considered the reading of the resolution. Mr. Bartleson questioned the wording and moved to table resolution until it was rewritten. Tabled by voice vote.

SS 1 for SB 109 — An Act to amend Chapter 49, Title 29, Delaware Code, relating to planning by providing for advance land acquisition for capital improvements and making an appropriation therefor from the Capital Investment Fund. Introduced by Senator Cook. Referred to the Committee on Appropriations.

SB 221 with SA 1 — 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, 1968" being House Bill No. 137, as amended, of the 124th General Assembly and also known as the 1968 Budget Appropriation Bill. Introduced by Senator Dineen. Referred to the Committee on House Administration.

SB 151 — An Act to amend Chapter 429, Volume 55, 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 \$42,639,992.00 to various agencies of the State. Introduced by Senator Cook. Referred to the Committee on Appropriations.

SB 228 — An Act to amend Section 1306 and Section 1321, Title 14, Delaware Code, relating to state supported salary schedules for school employees by providing a formula for additional staffing in the school districts and by making a supplementary appropriation to the State Board of Education therefor. Introduced by Senator Dineen. Referred to the Committee on Education.

SB 230 — An Act to amend Chapter 13, Title 14, Delaware Code relating to salary schedules for school employees. Introduced by Senator Robbins. Referred to the Committee on Education.

Mr. Hart was granted privilege of the floor. He suggested there was no hurry about **SB 230** since teachers' salaries would not be in effect until next year. Therefore more consideration could be given to the teacher's opinions expressed in recent meetings.

Mr. Hale moved to recess at 2:17 P.M. to the call of the chair.

The House reconvened at 3:44 P.M.

The following bills were reported out of committee: Education: **SB 228**, 5 favorable; House Administration: **SB 221**, 5 favorable; Appropriations: **SB 151**, 6 favorable; **SS 1** for **SB 109**, 6 favorable.

The following prefiled bills and resolutions were introduced:

HR 76 — Relative to the Illness of State Representative Norman A. Eskridge.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with deep regret of the illness of State Representative Norman A. Eskridge of Seaford; and

WHEREAS, the members of the House desire to express in this public manner their best wishes for his speedy recovery.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof extend their sincere best wishes for a speedy recovery to State Representative Norman A. Eskridge from his illness; and

BE IT FURTHER RESOLVED that this expression be conveyed to State Representative Norman A. Eskridge and a copy of this Resolution be forwarded to him at Nanticoke Memorial Hospital, Seaford, Delaware; and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware.

Introduced by Reps. Zimmerman and Hale. Adopted unanimously by voice vote.

HR 77 — Expressing Thanks to the Members of the Mill Creek Junior Chamber of Commerce for Assistance During Flooding in the Area of Elsmere.

WHEREAS, severe flooding occurred in the area of Elsmere during August of 1967 that resulted in damage to homes and property of many residents, and

WHEREAS, members of the Mill Creek Junior Chamber of Commerce contributed their time and resources to help the victims of this emergency,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof express their appreciation to the members of the Mill Creek Junior Chamber of Commerce for their help during this flooding, and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware and that a copy be forwarded to the president of the Mill Creek Junior Chamber of Commerce.

Introduced by Reps. Cicione, Pagano and Frederick.
Adopted by voice vote.

HR 78 — Expressing Thanks to the Elsmere Fire Company for Their Help During Flooding in Elsmere.

WHEREAS, during August of 1967 serious flooding occurred in the area of Elsmere, causing damage to property and personal possessions and creating hardships for many residents, and

WHEREAS, members of the Elsmere Fire Company gave of their time and service in helping evacuate the victims, giving shelter and food to the victims, and generally assisting in a multitude of ways, and

WHEREAS, by their efforts any serious injury or loss of life was prevented,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof extend their sincere appreciation to the members of the Elsmere Fire Company for their many services during this emergency, and

BE IT FURTHER RESOLVED that a copy of thos Resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware and that a copy be forwarded to the president and the chief of the Elsmere Fire Company.

Introduced by Reps. Cicione, Pagano and Frederick.
Adopted by voice vote.

HR 79 — Expressing Gratitude to the Auxiliaries of the Elsmere Company, Mill Creek Fire Company and the Five Points Fire Company for Their Aid During August Flooding in the Area of Elsmere.

WHEREAS, many residents of the Elsmere area experienced severe hardship during August of 1967 when flooding occurred in that area, and

WHEREAS, these residents received tireless and unselfish help from the ladies of the auxiliaries of the Elsmere Fire Company, Mill Creek Fire Company and the Five Points Fire Company, and

WHEREAS, these ladies contributed their time and energy to provide and distribute food, clothing and shelter for the victims of this emergency,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof extend their sincere appreciation to the auxiliaries of the Elsmere Fire Company, Mill Creek Fire Company and Five Points Fire Company for their assistance during this flooding, and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware and that copies be forwarded to the presidents of each of the three auxiliaries mentioned above.

Introduced by Reps. Cicione, Pagano and Frederick.
Adopted by voice vote.

HR 80 — Expressing Appreciation to the Members of the Elsmere Town Police for Their Devoted Efforts During Flooding in the Elsmere Area Last August.

WHEREAS, floods during August of 1967 resulted in serious damage in the area of Elsmere, and

WHEREAS, members of the Elsmere town police helped evacuate victims, patrolled the flooded areas, and Prevented looting, and

WHEREAS, members of the Elsmere town police volunteered to work overtime without pay during this emergency and some members worked as many as 80 hours of overtime without pay, and

WHEREAS, members of the Elsmere town police did an outstanding job also in escorting the Governor of the State of Delaware on a tour of the flood-stricken areas,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof express their sincere appreciation to the members of the Elsmere town police, and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware and that a copy be forwarded to Albert W. Berry, Chief of the Elsmere town police.

Introduced by Reps. Cicione, Pagano and Frederick.
Adopted by voice vote.

HR 81 — Expressing Thanks to Members of the New Castle County Fire Police Association for their Outstanding Work During Flooding in the Area of Elsmere.

WHEREAS, flooding in the area of Elsmere during August of 1967 resulted in serious damage to property and homes of residents of this area, and

WHEREAS, during this emergency members of the New Castle County Fire Police Association assisted the Elsmere town police in patrolling the flooded area and preventing looting from August 10 through August 13, 1967.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof express their appreciation to the members of the New Castle County Fire Police Association for their valuable assistance during this emergency, and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware and that a copy be forwarded to the New Castle County Fire Police Association.

Introduced by Reps. Cicione, Pagano and Frederick.
Adopted by voice vote.

HB 292 — An Act making a supplementary appropriation to Joseph M. Keil to compensate for clothing ruined by a state contractor during a State Highway Department paving operation. Introduced by Reps. Heckert, Murphy and Slawik. Referred to the Committee on Miscellaneous.

HB 293 — An Act to amend an Act being Chapter 42, Volume 53, Laws of Delaware, as amended, entitled "An Act amending, revising and consolidating the Charter of the City of Seaford" to increase the amount authorized to be raised as taxes. Introduced by Reps. Zimmerman, Hale and Eskridge. Referred to the Committee on State, Urban and Municipal Affairs.

HB 294 — An Act to amend Section 4304, Chapter 43, Title 29, Delaware Code, relating to notaries public, by adding Jewish War Veterans to the list of service organizations for which the Governor may appoint notaries. Introduced by Reps. Cicione and Slawik. Referred to the Committee on Miscellaneous.

HB 295 — An Act making a supplementary appropriation to the Elsmere Fire Company. Introduced by Rep. Cicione. Referred to the Committee on Miscellaneous.

Mr. Zimmerman was granted privilege of the floor. He said he thought he was here to pass **SB 230** and if this was not the case, the session was useless.

Mr. Cashman remarked on the Tax Programs of Governors of neighboring states.

Mr. Hale remarked on the problem of leadership.

Mr. Hale moved to adjourn at 4:02 P.M. Motion carried.

44TH LEGISLATIVE DAY

The Speaker called the House to order at 2:23 P.M., on Wednesday, October 11, 1967.

There was a prayer by the Chaplain Reverend William Smith.

The Speaker led those present in a Salute of the Flag.

Members present: Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 27.

Absent: Bartleson, Benson, Eskridge, Ferguson, Frederick, Hammond, McMahon, Phillips — 8.

Mr. Speaker asked if there were any additions or corrections to the minutes of the previous legislative day. The minutes were approved as posted.

The following Representatives asked to be marked present: Reps. Ferguson, Frederick and Phillips.

The following was reported out of committee: State, Urban and Municipal Affairs: **HB 293**, 6 favorable.

The following was introduced:

HR 82 — In Reference to the Election of Officers.

BE IT RESOLVED by the 124th General Assembly of the State of Delaware that the following Legislative Staff Members be removed from office:

Glenwood Harrington
Elise Vitale
Ralph Morris
Francis Lawson
William Truitt
B. Thomas Elliott
Charles Kauffman
Katherine Klingel
John Hudson

BE IT FURTHER RESOLVED that the following named persons be and are hereby elected to office to serve during the pleasure of the House.

James Kenton
Anna E. Redding
Ruth M. Parker
John Messick, Jr.
Charles A. Hurley
Roland M. Butler
Leona C. King

Introduced by Rep. Sebrell. Adopted by voice vote.

The following prefiled bills were introduced:

HB 296 — An Act to amend an act entitled "An Act to incorporate the Town of Ocean View in Sussex County, Delaware", being Chapter 649, Volume 18, Laws of Delaware, as amended, relating to the annual salary paid to members of the Town Council and penalty for the late payment of taxes. Introduced by Rep. Dodge. Referred to the Committee on State, Urban and Municipal Affairs.

HB 297 — An Act to amend Sections 9203 and 9204, Title 10, Delaware Code, relating to increase in the number of the Justice of the Peace Courts in Sussex County. Introduced by Rep. Dodge. Referred to the Committee on Judiciary.

HB 298 — An Act to amend Section 2906, Title 29, Delaware Code, relating to quarterly audits of the Office of the State Treasurer. Introduced by Reps. Hart and Hale. Referred to the Committee on State, Urban and Municipal Affairs.

HB 299 — An Act to amend Section 1318 (a), Title 14, Delaware Code, relating to school employee sick leave by allowing an additional credit of sick leave days for those school employees employed more than ten months per year. Introduced by Rep. Hart. Referred to the Committee on Education.

HB 300 — An Act to authorize the Commissioner of Bethany Beach to issue Bond Anticipatory Notes for construction and installation of a sewage disposal plant and system. Introduced by Rep. Dodge. Referred to the Committee on State, Urban and Municipal Affairs.

HB 301 — An Act to amend Section 1305, Title 14, Delaware Code, by providing minimum mandated local salary supplements to the state supported salary schedule for public school teachers. Introduced by Rep. Slawik. Referred to the Committee on Education.

Mr. Speaker introduced Mr. Robert Barrett to the House. Mr. Barrett is the Legislative Assistant to the Governor. Mr. Barrett thanked the Speaker and said he was eager to cooperate with all House Members for the good of the State.

The following bill was given a third and final reading and placed before the House for consideration on motion of Mr. Leshner:

SS 1 to SB 109 — An Act to amend Chapter 49, Title 29, Delaware Code, relating to planning by providing for advance land acquisition for capital improvements and making an appropriation therefor from the Capital Investment Fund. Introduced by Senator Cook. Mr. Stabler and Mr. Blendt spoke in favor of the passage of the bill. (Roll Call required two-thirds vote.) Roll Call tabled on motion of Mr. Leshner.

On motion of Mr. Blendt, the following was given a final reading and placed before the House for consideration:

HB 287 — An Act to permit the Board of School Trustees of the Middletown School District No. 60 to transfer certain funds from its Local Debt Service Account to its Minor Capital Improvement Program.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Benson, Eskridge, Hammond, McMahon — 4.

HB 287 having received the constitutional majority was declared passed the House.

Mr. Hale moved to recess to the call of the chair. House recessed at 2:57 P.M.

The House reconvened at 3:50 P.M.

On motion of Mr. Hale the following was given a final reading and placed before the House for consideration:

HB 90 — An Act to amend Title 11, Chapter 23, Delaware Code, relating to the execution of search warrants.

Roll Call revealed:

YEAS — Burton, Dodge, Ferguson, Frederick, Gray, Hale, Harrington, Hart, Leshner, Murphy, Pleasanton, Stabler, Mr. Speaker Hering — 13.

NAYS — Bartleson, Blendt, Brown, Cashman, Evans, Fonville, Phillips, Riddagh, Sebrell, Shockley, Slawik, Zimmerman — 12.

NOT VOTING — Castle, Gooding, Heckert, Pagano, Quillen — 5.

ABSENT — Benson, Cicione, Eskridge, Hammond, McMahon — 5.

HB 90 not having received the constitutional majority was defeated.

On motion of Mrs. Heckert the following was given a final reading and placed before the House for consideration:

SB 228 — An Act to amend Section 1306 and Section 1321, Title 14, Delaware Code, relating to state supported salary schedules for school employees by providing a formula for additional staffing in the school districts and by making a supplementary appropriation to the State Board of Education therefor. Introduced by Senator Dineen.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Benson, Eskridge, Hammond, McMahon — 4.

SB 228 having received the constitutional majority was declared passed by the House.

On motion of Mrs. Heckert the following was given a final reading and placed before the House for consideration:

HB 277 — An Act making a supplementary appropriation to the State Board of Education to correct the salary provided for attendance officers.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Benson, Eskridge, Hammond, McMahon — 4.

HB 277 having received the constitutional majority was declared passed by the House.

On motion of Mr. Leshner the following was given a final reading and placed before the House for consideration:

SB 151 — An Act to amend Chapter 429, Volume 55, 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 \$42,639,992.00 to various agencies of the State."

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Benson, Eskridge, Hammond, McMahon, Stabler — 5.

SB 151 having received the constitutional majority was declared passed by the House.

On motion of Dr. Sebrell the following was given a final reading and placed before the House for consideration:

SB 221 with **SA 1** — 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, 1968" being House Bill No. 137, as amended, of the 124th General Assembly and also known as the 1968 Budget Appropriation Bill. Introduced by Senator Dineen.

YEAS — Bartleson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pa-

gano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Benson, Cicione, Eskridge, Hammond, McMahon — 5.

SB 221 with **SA 1** having received the constitutional majority was declared passed by the House.

On motion of Mr. Leshner the Roll Call on **SS 1** for **SB 109** was lifted. Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Benson, Eskridge, Hammond, McMahon — 4.

SS 1 for **SB 109** having received the constitutional majority was declared passed by the House.

The following bills were introduced and assigned to committees:

HB 302 — An Act making a supplementary appropriation to the salary account of the Department of Civil Defense for the purpose of hiring a communications specialist. Introduced by Reps. Hale and Harrington. Referred to the Committee on State, Urban and Municipal Affairs.

HB 303 — An Act to authorize the Commissioners of Bethany Beach to borrow \$900,000.00 and to issue Bonds to secure the payment thereof for the purpose of providing a sewage disposal plant and system for the Town of Bethany Beach and to control and regulate the same. Introduced by Rep. Dodge. Referred to the Committee on State, Urban and Municipal Affairs.

HB 304 — An Act making a supplementary appropriation to the Correctional Council of Delaware, Inc. for the operation of its Halfway House. Introduced by Rep. Shockley. Referred to the Committee on Judiciary.

HB 305 — An Act to amend Section 122, Chapter 1, Title 16, Delaware Code, relating to the general powers and duties of the State Board of Health. Introduced by Rep. Shockley. Referred to the Committee on Health and Welfare.

HB 306 — An Act transferring \$1,000,000 from the Capital Investment Fund to be used for the development of Delcastle Farm in New Castle County by the State Park Commission. Introduced by Reps. Murphy, Stabler, Hale, Gooding, Hart, Cicione, Heckert, Pagano, Leshner, Cashman, Slawik and Dodge. Referred to the Committee on Public Buildings and Lands.

HR 83 — Authorizing Payment for Services rendered by the Legislative Staff of the House of Representatives of the 124th General Assembly.

BE IT RESOLVED by the House of Representatives of the 124th General Assembly that the State Treasury be and hereby is authorized and directed to pay the Legislative Staff of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such are to be regarded as payments in full for services rendered by said Legislative Staff for the period commencing with the 19th day of July, 1967, and ending with the and including the 11th day of October, 1967, for the current session:

Banks, Virgle E.	\$180.00
Barkley, Robert J.	220.00
Butler, Roland M.	90.00
Ellis, Emogene P.	180.00
Evans, Irwin D.	80.00
Hollett, David	80.00
Hudson, John R.	20.00
Hurley, Charles A.	90.00
Jenkins, Gwendolyn	120.00
Joines, McCoy	100.00
Jones, Jesse F.	80.00
Kelsey, Roger	300.00
Kenton, James	80.00
Kneisley, Evelyn M.	120.00
Konopik, Barbara Ann	180.00
Looney, Helen M.	150.00
McCready, Annette Jane	120.00
McDonald, John	210.00
Messick, Granville	120.00
Messick, John Jr.	40.00
Millman, Richard	110.00
Morris, Ralph	150.00
Painter, Joan S.	100.00
Parker, Ruth M.	90.00
Potter, Ruth E.	120.00
Redding, Anna E.	60.00
Ross, Ruth N.	80.00
Short, Hanna E.	120.00
Shorts, Norman	80.00
Smith, Louise deR	245.00
Stone, F. L. Peter	825.00
Taylor, Nathaniel W.	80.00
Truitt, Wm. C.	20.00
Van Sant, Douglas	100.00
Vitale, Elsie C.	30.00
Walsh, Peter	375.00
Williams, Dorothy E.	120.00
Zacheis, Margaret T.	80.00

Introduced by Rep. Sebrell. Adopted by voice vote.

HR 84 — Making an Appropriation to the Officers of the House of Representatives of the 124th General Assembly of the State of Delaware to Attend the National Conference of State Legislative Leaders.

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the following officers of the House of the 124th General Assembly of the State of Delaware be advanced the sum of \$800 each to enable them to attend and participate in the National Conference of State Legislative Leaders to be held November 30, 1967 through December 3, 1967 in San Francisco, California:

Speaker — George C. Hering, III
 Majority Leader — Everette Hale
 Majority Whip — Robert M. Dodge
 Minority Leader — Jacob W. Zimmerman
 Minority Whip — Melvin A. Slawik

The State Treasurer is authorized to advance said funds for the above five officers. Accounting for that part of said funds actually expended shall be rendered on standard State expense account forms. All such expense account forms shall be reviewed and approved by the chairman of the House Appropriations Committee.

Introduced by Rep. Sebrell. Read in its entirety. Dr. Sebrell moved for adoption by voice vote. Motion carried.

The following amendment was introduced:

HA 1 to HB 285 — Introduced by Rep. Cicione. Placed with bill.

The following was reported out of committee: Miscellaneous: **HB 294**, 5 favorable.

Mr. Hale announced an open meeting of the Miscellaneous Committee to discuss Delaware Meat Handling and Inspection to be held in the House Chamber on October 19th at 11:00 A.M.

Mr. Hale moved to recess to the call of the chair. House recessed at 4:49 P.M.

The House reconvened pursuant to Recess at 1:39 P.M. on Monday, October 30, 1967. Mr. Hale moved to adjourn. Motion prevailed, thereby ending the 44th Legislative Day. House met at 1:40 P.M. beginning the 45th Legislative Day.

45TH LEGISLATIVE DAY

Prayer by the Chaplain Rev. Robert G. Heckman.

The Speaker led those present in a Salute of the Flag.

Members present: Representatives Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips,

Pleasanton, Quillen, Sebrell, Shockley, Stabler, Zimmerman, Speaker Hering — 31.

Members absent: Ferguson, Fonville, Hammond, Slawik — 4.

The minutes of the previous Session were approved as posted.

Committee Report: **SB 230**, Education, 4 favorable, 2 on merits.

Mr. Hale announced committee meetings to be held after the address by the Governor.

On motion of Mr. Hale the House recessed at 1:45 P.M.

House reconvened in Joint Session at 2:11 P.M.

Mr. Ferguson asked to be marked present.

The Sergeant-at-Arms announced the Lieutenant Governor and members of the Senate. They were admitted and seated. The Speaker invited the President and President Pro Tem of the Senate to join him on the rostrum.

Mr. Hale moved that the House and Senate convene in Joint Session. Motion prevailed.

Mr. Hale moved that the Speaker of the House preside over the Joint Session. Motion prevailed.

Mr. Hale moved that the Chief Clerk of the House and the Secretary of the Senate act as secretaries for the Joint Session. Motion prevailed.

Mr. Hale moved that the Speaker appoint a Committee to escort the Governor to the House. Motion prevailed.

The Speaker appointed the following committee to escort the Governor: Representative Cashman, Chairman, Harrington, Senators Carney, Foltz.

The Sergeant-at-Arms admitted the Governor and the duly appointed committee to the House Chamber.

The Speaker welcomed the Governor and invited him to address the Joint Session at his pleasure.

The Governor addressed the members of the General Assembly as follows (remarking at the start that he did not have a prepared address):

Mr. Speaker, President Pro Tempore, Members of the Joint Session:

We come from a state that is steeped in tradition and history. We are truly a state that is number one in so many respects. It seems that wherever I go I hear that Delaware is truly a jewel among the states.

Now, I have not come before you with a prepared text today. I have come rather to chat with you about two or three things that to me are highly important.

I want to first speak with reference to state finances and I have brought along a blackboard here that might be of help. Now, we will start here with our State balance, as of June 30, 1969. These are the very best figures that I can

possibly obtain. I haven't heard anything or received any other figures from anybody that in truth can contradict them.

Cash Balance	\$7,800,000
Now we anticipate during this session and all next year:	
Welfare	\$ 500,000
Staffing	600,000 (which we've already passed)
Merit System	700,000
Technical College	1,000,000 (to be located in Wilmington)

Total	<hr/> \$2,800,000
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Now we'll have \$5,000,000 left.

Let us go back to HB 209. Isn't it evident to everybody that 209 is out of the picture? It would cost \$5,700,000 the next two years. I should think this would settle it—unless you are going to pass tax measures and send them to me—to take care of the money.

SB 230 would cost \$4,200,000. When \$4,200,000 is subtracted from our balance we have \$3,600,000. Take \$2,800,000 from that—it leaves \$800,000. Now you know what we can do with \$800,000 and I want to say, in all fairness,—as fair as I can say it—we are not going into the red as long as I'm the Governor and I want your cooperation and I want your help, or send me the tax bills.

Now, let us look at our teacher's situation. On January 19, 1965, when I came into office, the beginning B.A. teacher's salary: Under SB 230—that is \$600 next year—will provide a \$1200 increase to teachers or 27% increase. Under SB 230, provided increases are passed on to the teachers and supplements remain the same, 82% of our teachers would receive from \$6200 to \$6400 for beginning B.A. degree teachers—that is our first year teachers out of school; 8% of the teachers would receive \$6000 to \$6199, and 10% would receive from \$5600 to \$6000. This \$5600 is in schools where there's no local support. Now, of course, we can't fool ourselves or fool the teachers. If this \$600 isn't passed on these figures aren't any good. It's not in the bill. It was in two bills that I sent down and it was taken from those bills. My Republican friends wouldn't support it.

I have a paper or two here that will make it more clear for those of you who couldn't see (the blackboard) just what I've just said:

Delaware salaries for beginning teachers with no supplement — '65 to '68 — \$4400 to \$5600. Delaware salaries — beginning teachers with **SB 230** — 90% of the districts will pay \$6000 or more; 82% will pay \$6200; 29% of the districts will pay \$6400. The balance of about 10 will pay 50%, if **SB 230** is passed, with local supplements.

Now I read in the papers the other day something that interested me — it was in the Delaware State Education Association paper. "The average teaching salary of \$6900 a year" said Lambert, "is not enough to satisfy today's teacher, who is no longer either a sweet young thing just out of college and living with parents, or an old maid without ambition or hope for anything better."

I agree with that statement — not as far as the young man or young woman are concerned — but I agree that the \$6900 average is low. Now look what our average is: The National Average teachers' salary for all classroom teachers is \$6900. Delaware's average at present is \$7541. If you enact **SB 230** it would be \$8341. I think that speaks for itself. We are No. 1 in the United States with an average of 76.8% in state contributions to schools. We are the lowest in the U.S. with local support, at about 19%.

Now I want to read to you another interesting paper which I hope you have on your desks. Have they handed this out yet? Let's look down that list. Now remember, with **SB 230**, 82% of our teachers will receive from \$6200 to \$6400 — beginning teachers, their first year. Now I'm going to read you some salaries throughout the United States, from some of the largest school districts in our country and let us see how we compare:

Los Angeles, Calif.	\$6500
San Diego, Calif.	6200
Washington, D. C.	5840
Dade County, Fla.	6000
Duval County, Fla.	5000
Atlanta, Ga.	6000
Hawaii	4774
Chicago, Ill.	6000
Indianapolis, Ind.	5859
New Orleans, La.	5400
Baltimore, Md.	6000
Baltimore County, Md.	5900
Prince George's County, Md.	5880
Detroit, Mich.	6650
St. Louis, Mo.	5800
New York, N. Y.	6200
Cleveland, Ohio	6250
Columbus, Ohio	5600
Montgomery County, Md.	5880
Philadelphia, Pa.	6100
Memphis, Tenn.	5200
Dallas, Texas	5800
Houston, Texas	5616
Fairfax County, Va.	5900

Milwaukee, Wis.
 (Where our last superintendent
 now is)

5850

Now it seems to me to be unrealistic and unfair for anybody in the face of these figures and in the face of these facts to threaten to apply sanctions to the State of Delaware, and I say that, no matter who the man is. We rank No. 3 or 4th in this list of 26 districts in the U.S.

This bill was agreed upon by the Republican leaders of the House and the Senate back a while. The Senate fulfilled its obligation and I am quite sure that when the time comes, the House will vote accordingly.

I want to take up another subject — the subject of Transportation. We had a horrible bus strike in Wilmington last year — it lasted six months. I was waiting for the County Government and the City to do something. They didn't. So I went to Washington. I met with the Secretary of Transportation and the Secretary of Urban Affairs and with their lawyers. I told them "Give me a bill. I want a bill drawn that I can take back to Delaware and present so that my people can be secure in transportation, where they won't have this period of anxiety and difficulty that they've had in the past. We worked over this bill a week or ten days. The bill was drafted to create a cabinet form of government, which my Republican opponents insist upon, for me to appoint a Secretary to be confirmed by the Senate.

We had made arrangements in Washington for the money — the money would be available — all we had to do was to pass the bill, set our organization up and they would have earmarked our money for us so we would have been protected. The Senate killed it with a 9 - 9 vote, as I remember — or it didn't receive enough votes — the Republicans voted against it anyhow.

Now, two weeks after that I was asked by County Executive Conner and Mayor Babiarz to meet with them in Wilmington. I did. We sat down and they asked me if I would make a State contribution, along with the City and the County to Day & Zimmerman, an engineering firm in Philadelphia, to have them make a study and a survey. I said "When will it be completed?" They said "First of October". I said "We can't wait that long. We have got to act now". The report and study is not in yet as I understand it, and we are now in the — around November first.

My office received a note from the Housing & Urban Development Department to this effect: "All funds for transportation are now frozen. Because the budget act has not yet been passed by Congress, no one knows how much, if any, funds will be available this year because of the war." Therefore, the failure of the Republicans to pass the Transportation

Bill where we could have secured ourselves and the commitment last Spring, has already resulted in the loss of 2/3 of the government aid we would now receive. Now, this is serious.

I have been called a person that would try to get a Transportation Bill through to appoint a few Democratic bus drivers. I want to say to the author of that statement that let him file a bill where the County takes over, where they'll pay whatever supplements that need to be paid to keep these busses going from year to year, and send it to me and I'll sign it — and he can appoint the bus drivers. How absurd that a Governor of a State would be accused of doing such a thing as that.

I don't know what position we're in now. I truly don't know. You can't get Federal Funds and I don't know what the County will do. The State Bill is defeated. So I hope you will do something because you're going to be confronted with a situation, if you don't, that is going to embarrass you.

Now let's go to another subject — dealing with the Hard Shell Fisheries. There was a lot of difficulty about this Commission and, as far as I am concerned, it was conceived in politics and it has stayed in politics, and I am going to tell you what it's going to do for us. We have a boat. The boat needs planking. I don't care who the Commissioners of the Hard Shell Fisheries are, we have got to have a boat to guard the oyster beds and they refuse in the House — the Chairman does — to turn out of his Committee a bill that passed the Senate — I think, unanimously. Now here's what's going to happen:

They have cut the budget down — the Budget Committee has — to such a point that they can't now operate and here's what happened. Mr. Becherer, National Shellfish Consultant for the U.S. Public Health Service informed the Commission in very clear language that he was going to recommend that the Public Health Service remove its approval of Delaware, which will result in the prohibition of shipment over State lines of shell fish from Delaware. He informed the Commission that past practice indicated that the U.S. Public Health Service, if they accept his recommendation, will write the Delaware Commission of Shell Fisheries and give them 60 days to correct the defects and their enforcement methods, or be barred from Interstate Commerce. Now that's right where we are now. If you don't pass the bill and if you don't give the Commission enough money to operate, and if you don't fix the facilities with which to operate, our oystermen, our clam men, our crab men, can't cross state lines with their products. Now that's a bad situation to be in. It is pretty near as bad as Transportation.

I plead with you to do something with respect to Transportation, that will protect the people of the City of Wilmington and New Castle County. You can't delay it, you must act now. I plead with you to straighten out this Hard Shell Fish & Game situation, to give them the money so we won't be closed down and our goods not be sold across state lines. And I plead with the school teachers of this State to understand and appreciate the values under which we are operating.

We have a fine University in this State. We have a good State College — good Vocational Schools. We have a fine new Technical and College Institute. We've got good High Schools. The physical attributes could not be improved on and we are doing all we can to help the teachers — and it is sickening indeed to have a man say "Give me what I demand or I'll boycott you — I will apply sanctions to you". I don't operate that way.

Thank you very much.

The previously named committee escorted the Governor from the Chamber. Mr. Hale moved to recess. Motion prevailed. House recessed at 2:38 P.M.

House reconvened 3:42 P.M.

The following bills were reported out of committee:

HB 121, House Administration, 5 favorable.

HB 213, Judiciary, 4 favorable, 1 on merits.

HB 235, Judiciary, 5 favorable, 1 on merits.

HB 289, Judiciary, 6 favorable.

HB 304, Judiciary, 6 favorable.

HB 116, Judiciary, 1 favorable, 5 on merits.

HB 299, Education, 6 favorable.

SB 39, Education, 5 favorable, 1 on merits.

The following bills were introduced:

HB 307 — An Act to amend Title 3, Delaware Code, entitled Agriculture by providing for inspection of livestock and poultry slaughtered or processed; meat products; condemnation and destruction of carcasses and products unfit for human food; regulation of sanitation of establishments; regulation of marking and labeling of carcasses and products thereof; providing penalties; and making a supplementary appropriation therefor. Introduced by Representatives Cicione, Bartleson, Murphy, Hart, Stabler, Burton, Cashman, Frederick, Evans, Gooding, Hering, Dodge, Riddagh, Benson, Heckert, Hale, Sebrell, Pagano, Castle. Referred to Miscellaneous Committee.

HA 1 to HB 307 — Introduced by Mr. Cicione. Placed with bill.

Mr. Cicione requested that **HB 285** be stricken.

HB 308 — An Act amending Chapters 13, 15 and 16 of Title 10, and Chapter 53 of Title 11, Delaware Code of 1953, relating to the Judges, jurisdiction, powers and procedures of

the Courts of Common Pleas for New Castle, Kent and Sussex Counties and providing for the transfer of certain cases to and from Superior Court. Introduced by Mr. Stabler, co-sponsored by Mr. Castle. Referred to Judiciary Committee.

HB 309 — An Act making a supplementary appropriation to the State Highway Department for paving an unpaved section of Tanager Road in Brookmeade. Introduced by Mr. Stabler. Referred to committee on Highways and Public Safety.

HB 310 — An Act for the relief of certain persons having claims against the assets of Joseph A. L. Errigo by postponing any Levy thereon by the State Tax Department until such time as certain claims for restitution have been paid or satisfied. Introduced by Mr. Stabler. Referred to Judiciary Committee.

HB 311 — An Act amending Chapter 17 of Title 10, Delaware Code of 1953, relating to the Judges of the Municipal Court for the City of Wilmington. Introduced by Mr. Stabler and co-sponsored by Mr. Castle. Referred to Judiciary Committee.

HB 312 — An Act proposing an amendment to Article 4, Section 32 of the Constitution of the State of Delaware relating to the Register of Wills. Introduced by Mr. Stabler and co-sponsored by Mr. Castle. Referred to Judiciary Committee.

HB 313 — An Act to amend Chapter 9, Title 13, Delaware Code, relating to adoption by modifying the religious affiliation restrictions. Introduced by Mr. Stabler. Referred to Committee on Health & Welfare.

HB 314 — An Act to amend Title 11, Chapter 21 of the Delaware Code by repealing said Chapter as it now appears and enacting a new chapter 21 pertaining to release of persons accused of crimes in the various courts of this state pending trial and to provide for a system of bail with surety, bail without surety and the release on personal recognizance and to empower the court to set forth conditions of any release and providing that the Department of Correction shall administer bail and recognizance procedures. Introduced by Messrs. Stabler, Hale, Castle. Referred to Judiciary Committee.

HB 315 — 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, 1968" by providing an additional appropriation to the State Board of Education for transportation contractual services. Introduced by Mr. Hale, co-sponsored by Mr. Zimmerman. Referred to Education Committee.

HB 316 — An Act to amend Title 11, Subchapter XVI, Delaware Code, relating to deadly weapons and firearms by adding a new section making it a crime for certain persons

to purchase or posses firearms. Introduced by Messrs. Benson, Hart, Burton, Pleasanton, Frederick, Brown, Pagano. Referred to Revised Statutes Committee.

HB 317 — An Act to amend Title 11, Subchapter XVI, Delaware Code, relating to deadly weapons and firearms, by adding a new section making it a felony to posses certain firearms during the commission of another felony, and providing that anyone over the age of 16 years so accused shall be tried as an adult. Introduced by Messrs. Benson, Frederick, Hart, Burton, Pleasanton, Brown, Pagano. Referred to Revised Statutes Committee.

HB 318 — An Act to amend Section 9220, Title 10, Delaware Code, relating to salaries of the Justice of the Peace Clerks. Introduced by Messrs. Benson, Cashman, Hale, Cicone, Frederick, Pagano. Referred to Revised Statutes Committee.

HB 319 — An Act to require the State Highway Department to install illuminating lights at certain intersections in New Castle County and making a supplementary appropriation therefor. Introduced by Messrs. Benson, Cicone, Brown. Referred to Committee on Highways and Public Safety.

HB 320 — An Act to change the name of the "Delaware Institute of Technology" to "Delaware Technical and Community College". Introduced by Mrs. Heckert and Messrs. Blendt, Sebrell, Hart. Referred to Education Committee.

HB 321 — An Act authorizing the Levy Court of Sussex County to appropriate county moneys to Slaughter Beach Volunteer Memorial Fire Company for the maintenance of an ambulance. Introduced by Messrs. Harrington, Brown. Referred to Committee on Government Operations.

HB 322 — An Act authorizing the Levy Court of Sussex County to appropriate county moneys to volunteer fire companies for the maintenance of rescue trucks. Introduced by Messrs. Harrington, Brown. Referred to Committee on Government Operations.

HB 323 — An Act to amend Section 8301, Title 11, Delaware Code, relating to State Police, by eliminating the specific limitations on the number of police officers to be employed. Introduced by Messrs. Benson, Sebrell, Cicone, Brown, Frederick. Referred to Committee on Revised Statutes.

HB 324 — An Act to amend Titles 18 and 29, Delaware Code, to raise the salaries of certain elected public officials and making a supplementary appropriation therefor. Introduced by Messrs. Benson, Sebrell, Cicone, Brown, Pagano and Mrs. Heckert. Referred to Appropriations Committee.

Mr. Riddagh asked for the privilege of the floor. Privilege granted. Mr. Riddagh asked for a Roll Call vote to override the Governor's veto of **HB 261**.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gray, Hale, Hart, Heckert, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 22.

NAYS — Blendt, Eskridge, Ferguson, Gooding, Harrington, Leshner, McMahon, Phillips, Shockley, Zimmerman — 10.

ABSENT — Fonville, Hammond, Slawik — 3.

A three-fifths vote having been received, the veto on **HB 261** was declared overridden by the House.

The House adjourned at 4:12 P.M. until 1:30 P.M., Tuesday, October 31, 1967.

46TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:03 P.M., on Tuesday, October 31, 1967.

There was a prayer by the Chaplain Rev. Robert G. Heckman.

The Speaker led those present in a Salute of the Flag.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Evans, Dodge, Ferguson, Fonville, Frederick, Gooding, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Quillen, Riddagh, Sebrell, Slawik, Zimmerman, Mr. Speaker Hering — 27.

Members absent: Eskridge, Gray, Hammond, Harrington, Phillips, Pleasanton, Shockley, Stabler — 8.

The minutes of the previous Session were approved as posted.

The Speaker announced that he and Senator McCullough had met with General Lee and Mr. Steinfeld and had been given some preliminary results of the State Census. These were as follows:

PRELIMINARY RESULTS OF THE STATE CENSUS October 31, 1967

	1967	1960
State of Delaware	524,421	446,292
New Castle County	364,394	307,446
City of Wilmington	85,158	95,827
City of Newark	19,241	11,404
City of New Castle	4,683	4,469
City of Elsmere	7,748	7,319
Remainder of County	247,564	188,427
Kent County	81,500	65,651
City of Dover	14,812	7,250
City of Milford (Part)	2,160	2,248
Remainder of County	64,528	56,153

Sussex County	78,527	73,195
City of Milford (Part)	3,537	3,549
(Total population of City of Milford (5,697)		(5,795)
Remainder of County	74,990	73,195

A final breakdown is expected around November 15, 1967.

A Messenger from the Senate delivered **SB 163** and **SB 175** having passed the Senate, and **HB 254** and **HCR 21** having passed the Senate; and **HB 209** as amended, the veto having been sustained by the Senate.

Prefiled bills:

HB 325 — An Act creating a State Department of Justice under the direction and control of the Attorney General and prescribing the duties, authority and organization thereof by repealing Title 29, Chapter 25 and Title 11, Chapter 87 of the Delaware Code and substituting in lieu thereof a new Chapter 25, Title 29. Introduced by Mr. Stabler, also, McMahon, Eskridge, Frederick, Castle, Bartleson, Leshner, Pagano, Burton. Referred to Judiciary Committee.

HB 326 — An Act to require the State Highway Department to install a traffic light at Centre Road (Route 14) and Wagoner Drive (Woodland Heights), New Castle County, Delaware. Introduced by Mr. Cicione. Referred to Committee on Highway and Public Safety.

HB 327 — An Act making an appropriation to replenish the Governor's Disaster Recovery and Rehabilitation Fund and authorizing the State of Delaware to borrow money and issue bonds and notes therefor. Introduced by Messrs. Cicione, Frederick, Cashman. Referred to Appropriations Committee.

SB 163 — An Act to amend Title 9, Delaware Code, relating to the receipt of Social Security and other benefits by former Sussex County Employees and its effect on their pensions. Introduced by Senator Steen. Referred to Committee on Revised Statutes.

SB 175 — An Act to amend Chapter 64, Title 9, Delaware Code relating to eligibility for retirement benefits in Sussex County. Introduced by Senator Steen. Referred to Committee on Revised Statutes.

Mr. Cicione requested that Mr. Pagano's name be added to **HB 327**.

Mrs. Gooding requested that Mr. Pagano's and Mr. Frederick's names be added to **HJR 4**.

House recessed at 2:18 P.M.

The House reconvened at 4:00 P.M.

The following bills were reported out of committees as follows:

HJR 4, Government Operations, 5 favorable.

HB 320, Education, 6 favorable.

HB 315, Education, 5 favorable, 1 on merits.

HB 323, Revised Statutes, 5 favorable.

HB 317, Revised Statutes, 3 favorable, 2 on merits.

HB 316, Revised Statutes, 3 favorable, 2 on merits.

HB 257, Revised Statutes, 4 favorable.

SS 1 for **SB 92**, Revised Statutes, 4 on merits, 1 unfavorable.

The following bills were introduced and assigned to committee as follows:

HB 328 — An Act to amend Section 2330 (d), Chapter 23, Title 19, Delaware Code, relating to compensation for death under Workmen's Compensation. Introduced by Mr. Slawik. Referred to Labor Committee.

HB 329 — An Act to amend Section 9605, Title 9, Delaware Code, relating to the recordation of instruments in Kent County by providing for recordation by microfilming methods. Introduced by Messrs. Sebrell, Quillen. Referred to Committee on State, Urban & Municipal Affairs.

On motion of Mr. Zimmerman the following was given a final reading and taken up for consideration to pass the House:

HB 293 — An Act to amend an Act being Chapter 42, Volume 53, Laws of Delaware, as amended, entitled "An Act Amending, Revising and Consolidating the Charter of the City of Seaford" to increase the amount authorized to be raised as taxes.

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Hecktrt, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

NAYS — None.

ABSENT — Bartleson, Hammond — 2.

There being a constitutional majority, **HB 293** was declared passed by the House and ordered to the Senate for concurrence.

On motion of Mr. Cicione the following was given a final reading and taken up for consideration to pass the House:

HB 294 — An Act to amend Section 4304, Chapter 43, Title 29, Delaware Code, relating to notaries public, by adding Jewish War Veterans to the list of service organizations for which the Governor may appoint notaries.

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

NAYS — None.

ABSENT — Bartleson, Hammond — 2.

HB 294 having received a constitutional majority was declared passed the House and ordered to the Senate for concurrence.

On motion of Mrs. Heckert the following was given a final reading and taken up for consideration to pass the House:

SB 39 — An Act to permit Hartly School No. 96 to transfer certain funds from its local debt service account to its local current expense account.

YEAS — Blendt, Brown, Burton, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Riddag, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Cashman, Cicione — 2.

NOT VOTING — Benson, Frederick, Quillen — 3.

ABSENT — Bartleson, Hammond — 2.

SB 39 having received a constitutional majority was declared passed the House and ordered returned to the Senate.

On motion of Mr. Hart the following was given a final reading and taken up for consideration in order to pass the House:

HB 299 — An Act to amend Section 1318 (a), Title 14, Delaware Code, relating to school employee sick leave by allowing an additional credit of sick leave days for those school employees employed more than ten months per year.

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddag, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

NAYS — None.

ABSENT — Bartleson, Hammond — 2.

HB 299 having received a constitutional majority was declared passed the House and ordered to the Senate for concurrence.

On motion of Mr. Shockley the following was given a final reading and taken up for consideration to pass the House.

HB 304 — An Act making a supplementary appropriation to the Correctional Council of Delaware, Inc. for the operation of its Halfway House.

Mr. Shockley introduced **HA 1** to **HB 304** and moved that it be adopted by voice vote. Motion prevailed. Roll call on **HB 304** with **HA 1** revealed:

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville,

Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

NAYS — None.

ABSENT — Bartleson, Hammond — 2.

HB 304 with **H A 1** having received a constitutional majority was declared passed by the House and ordered to the Senate for concurrence.

On motion of Mr. Frederick the following was given a final reading and taken up for consideration to pass the House:

HB 116 — An Act to amend Subchapter XXXVIII, Chapter 3, Title 11, Delaware Code, with respect to hate literature.

YEAS — Blendt, Brown, Burton, Cashman, Cicone, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Phillips, Riddagh, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 27.

NAYS — Benson, Castle, Pleasanton, Quillen, Sebrell — 5.

ABSENT — Bartleson, Hammond, Heckert — 3.

HB 116 having received a constitutional majority was declared passed by the House and ordered to the Senate for concurrence.

On motion of Mr. Benson the following was given a final reading and taken up for consideration to pass the House:

HB 213 — An Act to amend Section 9203, Title 10, Delaware Code, relating to political affiliation of Justices of the Peace.

YEAS — Benson, Brown, Burton, Cashman, Castle, Dodge, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 19.

NAYS — Blendt, Eskridge, Evans, Ferguson, Fonville, Gooding, Harrington, McMahon, Phillips, Shockley, Slawik, Zimmerman — 12.

NOT VOTING — Cicone — 1.

ABSENT — Bartleson, Hammond, Pagano — 3.

HB 213 having received a constitutional majority was declared passed by the House and ordered to the Senate for concurrence.

The following resolution was introduced, given a first and only reading in full and on further motion adopted unanimously by voice vote:

HR 85 — Relative to the Illness of State Representative Reese Hammond. Introduced by Mr. Ferguson and all members of the House.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned that State Representative Reese Hammond of Wilmington has recently been released from the hospital and is convalescing from his illness; and

WHEREAS, the members of the House desire to express in this public manner their best wishes for his continued speedy recovery and return to the House.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof extend their sincere best wishes for a speedy recovery to State Representative Reese Hammond from his illness; and

BE IT FURTHER RESOLVED that this expression be conveyed to State Representative Reese Hammond and a copy of this Resolution be forwarded to him at his home in Wilmington; and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware.

The House adjourned at 4:55 P.M. until Thursday, November 2, 1967 at 1:30 P.M.

47TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:11 P.M., on November 2, 1967.

Prayer by the Chaplain Rev. Robert G. Heckman.

The Speaker led those present in a Salute of the Flag.

Members present: Reps. Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Members Absent: Fonville, Hammond, Shockley — 3.

The minutes of the previous session were approved as posted.

The following bills were reported out of committees:

HB 318, Revised Statutes, 4 favorable, 1 on Merits.

HB 326, Highways and Public Safety, 5 favorable.

The following bills were introduced:

HB 330 — An Act to amend § 1163, Chapter 11, Part II, Title 9, Delaware Code, relating to power of County Council of New Castle County to create debt. Introduced by Reps. Benson, Hart, Bartleson, Murphy, Leshner, Cashman. Referred to committee on Revised Statutes.

HB 331 — An Act to appropriate money to WHYY, Inc. Introduced by Reps. Hale and Zimmerman. Referred to Appropriations Committee.

HB 332 — An Act to amend Section 506, Title 29, Delaware Code, relating to flying of the State Flag. Introduced by Reps. Quillen, Frederick, Riddagh, Hart, Sebrell, Brown. Referred to Miscellaneous Committee.

HB 333 — An Act to provide for a Constitutional Commission. Introduced by Rep. Stabler. Referred to Judiciary Committee.

HB 334 — An Act to amend Chapter 283, Volume 21, Laws of Delaware, entitled "An Act to incorporate the Town of Little Creek" relating to the adoption and enforcement of Town Ordinances. Introduced by Reps. Zimmerman. Referred to committee on State, Urban and Municipal Affairs.

HB 335 — An Act to amend Volume 52, Chapter 283, Laws of Delaware, entitled "An Act to reincorporate the Town of Newport", also known as the Newport Town Charter, by providing that the Alderman be appointed by the Town Commissioners and generally revising those sections of the town charter relating to the Alderman of the Town of Newport. Introduced by Reps. Frederick, Cicione, Castle, Gooding. Referred to committee on State, Urban and Municipal Affairs.

HB 336 — An Act to amend Chapter 5, Title 4, Delaware Code, relating to the grounds for refusal of a liquor license. Introduced by Reps. Cashman, Slawik. Referred to committee on Revised Statutes.

HA 1 to HJR 4, Gooding, lodged with bill.

HA 1 to HB 318, Benson, lodged with bill.

Mr. Dodge moved that **HB 156** be stricken. Motion prevailed.

Mr. Quillen moved that **HB 114** be stricken. Motion prevailed.

A messenger from the Senate delivered **HB 45** with **HA 1**, **HB 94**, **HB 143**, **HB 167**, **HB 287**, **HCR 19** all having passed the Senate; and **HB 203** having lost in the Senate.

Mr. Harrington moved that his name be stricken from **HB 307**. Motion prevailed.

House recessed at 2:23 P.M.

House reconvened at 3:54 P.M.

Reps. Evans, Ferguson, Cashman asked to be marked present.

Mr. Quillen moved that Mr. Pleasanton be added to sponsors of **HB 332**.

The following bills were introduced and assigned to committees as follows:

SB 206 — An Act to amend Chapter 59, Title 29, Delaware Code, by adding the Delaware Institute of Technology to the list of exempt agencies. Referred to Education Committee.

SB 233 — An Act to amend Chapter 3, Title 28, Delaware Code relating to limitation on expenditures of the Delaware Racing Commission. Referred to Committee on Revised Statutes.

SB 236 — 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, 1968, "Being Chapter 40 ,Volume 56, Laws of Delaware, as amended. Referred to Committee on Highways and Public Safety.

HB 337 — An Act to amend § 3507, Title 11, Delaware Code, relating to evidence of alcohol in blood. Introduced by Rep. Castle. Referred to Judiciary Committee.

HB 338 — An Act to amend Titles 10 and 12, Delaware Code, by increasing the salary of the Register in Chancery and Clerk of the Orphans' Court, Prothonotary, and Register of Wills in and for New Castle County. Introduced by Reps. Cashman, McMahon, Frederick. Referred to Committee on State, Urban and Municipal Affairs.

HB 339 — An Act to amend Chapter 166, Volume 37, Laws of Delaware, being "An Act to reincorporate the Town of Selbyville" by providing for the extension of the police powers to include an area one-half mile from the boundaries of said town. Introduced by Rep. Gray. Referred to Committee on State, Urban and Municipal Affairs.

HB 340 — An Act to amend Volume 56, Chapter 40, Laws of Delaware, entitled "An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1968" by providing an additional appropriation to the State Board of Vocational Education for Adult Education Federal Matching Funds. Introduced by Reps. Heckert, Evans, Gooding, Sebrell, Hart. Referred to Committee on Education.

Mr. Evans asked for the privilege of the floor for representatives from State Department of Public Welfare recipients, Mrs. Delores Jones and Mrs. Frances White.

Mr. Evans welcomed the recipients of welfare to the House and requested the privilege of the floor for two spokesmen, Mrs. Delores Jones and Miss Frances White.

Due to the lengthy agenda ahead the Speaker asked that they confine their remarks to a time limit of ten minutes.

Mrs. Jones said that there were 19 demands prepared, but that she would speak of only nine. They were as follows:

- (1) Remove legislatives ceilings from welfare.
- (2) Revise allowance schedules.
- (3) Increase life insurance.
- (4) Increase by five dollars those payments coming at school opening, Christmas and graduation.
- (5) Introduce a major program to train young mothers in home economics.

- (6) Make several recipients members of the Welfare Board.
- (7) Form a Grievance Committee.
- (8) Train welfare recipients as social workers.

Miss White said that they were here to give us their problems, they need more money. The ceilings should be off; there should be a better relationship; there should be a free nursery; the social workers should give more respect to recipients. She suggested that the welfare checks should come twice monthly instead of once, and that there should be a publication of the rights of the recipients so that others may know what they are. She felt that recipients need help to help themselves and they should be allowed to live as they see fit and not as someone else sees fit for them. She said that their help should come quicker when they need it; if there is an investigation to be made, make it but don't stop the checks coming while the investigation is going on. Miss White also felt that the recipients need more money for heat.

Mr. Evans thanked them for coming and thanked the House members for their attention.

On motion of Mr. Harrington the following was given a final reading and taken up for consideration to pass the House:

HB 289 — An Act to amend § 9524, Title 10, Delaware Code, relating to the service of summons and verification, of service for default judgment, and to amend § 9203, Title 10, Delaware Code, relating to venue of Justices of the Peace in Civil Actions.

YEAS — Bartleson, Benson, Brown, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddag, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 30.

NAYS — None.

ABSENT — Ferguson, Fonville, Hammond, Shockley, Slawik — 5.

HB 289 having received the constitutional majority was declared passed the House.

HB 235 — An Act proposing an amendment to Article 4 of the Constitution of the State of Delaware relating to the creation of a court on the Judiciary.

YEAS — Bartleson, Benson, Brown, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddag, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 30.

NAYS — None.

ABSENT — Ferguson, Fonville, Hammond, Shockley, Slawik — 5.

There being a two-thirds majority, **HB 235** was declared passed the House.

On motion of Mrs. Gooding **HJR 4** was given a final reading and taken up for consideration to pass the House. On further motion by Mrs. Gooding **HA 1** to **HJR 4** was adopted by voice vote.

YEAS — Bartleson, Benson, Brown, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddag, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 30.

NAYS — None.

ABSENT — Ferguson, Fonville, Hammond, Shockley, Slawik — 5.

HJR 4 with **HA 1** having received a constitutional majority was declared passed the House.

On motion by Mr. Hale the following was given a final reading and taken up for consideration to pass the House:

HB 315 — 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, 1968" by providing an additional appropriation to the State Board of Education for transportation contractual services.

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddag, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

NAYS — None.

ABSENT — Hammond, Fonville, Shockley — 3.

HB 315 having received a constitutional majority was declared passed the House.

On motion by Mr. Benson the following was given a final reading and taken up for consideration to pass the House:

HB 316 — An Act to amend Title 11, Subchapter XVI, Delaware Code, relating to deadly weapons and firearms by adding a new section making it a crime for certain persons to purchase or possess firearms.

Mr. Benson moved that **HA 1** to **HB 316** be adopted by voice vote. Motion prevailed.

Mr. Stabler moved that **HB 316** as amended be deferred until a further amendment could be prepared. Motion prevailed.

On motion by Mr. Benson the following was given a final reading and taken up for consideration to pass the House:

HB 323 — An Act to amend Section 8301, Title 11, Delaware Code, relating to State Police, by eliminating the specific limitation on the number of police officers to be employed.

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

NAYS — Bartleson — 1.

ABSENT — Hammond, Fonville, Shockley — 3.

HB 323 having received a constitutional majority was declared passed by the House.

On motion by Mrs. Heckert the following was given a final reading and taken up for consideration to pass the House:

SB 230 — An Act to amend Chapter 13, Title 14, Delaware Code relating to salary schedules for school employees.

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gooding, Gray, Hale, Harrington, Heckert, Leshner, McMahon, Murphy, Phillips, Pleasanton, Quillen, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NAYS — Hart, Riddagh — 2.

NOT VOTING — Pagano — 1.

ABSENT — Hammond, Fonville, Shockley — 3.

House recessed at 4:53 P.M., until Tuesday, November 7th at 1:30 P.M.

48TH LEGISLATIVE DAY

The House reconvened at 1:51 P.M. on November 7, 1967. Mr. Hale moved to adjourn until 1:52 P.M. House met pursuant to adjournment at 1:52 P.M. on November 7, 1967.

There was a prayer by the Chaplain Rev. Robert G. Heckman.

The Speaker led those present in a Salute of the Flag.

Members present: Bartleson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Members absent: Benson, Blendt, Hammond — 3.

The minutes of the previous session were approved as posted.

Announcements:

The Speaker announced that Mr. Murphy would serve as Chairman of Highways & Public Safety Committee.

Mr. Speaker issued invitations to House Members to attend an assembly at Thomas McKean High School honoring two Boys Nation Delegates on December 8, 1967, at 9:00 A.M.

Mr. Leshner gave a report on the National Legislative Council held in San Antonio, Texas, September 27 - October 1, 1967.

Mr. Ferguson reported on the Council of State Highway meetings he attended at the National Legislative Council.

Mr. Hale reported on meetings he and Mr. Zimmerman attended in Washington, D. C.

The following bills were reported out of committee:

HB 258, Highways & Public Safety, 5 favorable.

HB 10, Highways & Public Safety, 5 favorable.

HB 307, Miscellaneous, 2 favorable, 1 on merits, 1 unfavorable.

The following bills were introduced:

HB 341 — An Act appropriating certain moneys to the State Board of Education for the purpose of constructing and installing a sewage treatment plant at Lord Baltimore School District No. 28 at Ocean View, Delaware. Introduced by Mr. Dodge. Referred to the Committee on Education.

HB 342 — An Act to amend Section 1703, Chapter 17, Title 14, Delaware Code, relating to State Appropriations by providing a unit for Kindergartens and making an appropriation therefore from the Capital Investment Fund. Introduced by Reps. Murphy, Cicione, Slawik, Hart, Hale, Brown, Cashman, Frederick. Referred to Committee on Education.

HB 343 — An Act to amend Section 7129(a), Title 14, Delaware Code, relating to establishment and maintenance of Free Public Libraries. Introduced by Reps. Hart, Zimmerman. Referred to the Committee on Education.

HB 344 — An Act directing the State Highway Department to undertake a feasibility study of a north-south, east-west toll highway network through the state. Introduced by Reps. Zimmerman, Burton, Murphy, Phillips. Referred to the Committee on Highways & Public Safety.

HB 345 — An Act to amend Volume 56, Laws of Delaware, Chapter 40, entitled "An Act making appropriations for the expense of the state government for the fiscal year June 30, 1968", by adding \$12,000 to the amount appropriated for salaries of the uniformed division of the State Police. Introduced by Rep. Frederick. Referred to the Committee on Highways and Public Safety.

HA 2 to HB 307 — Mr. Zimmerman moved to recommit **HB 307**. Mr. Cicione moved to defer **HA 2** until later in the day. Mr. Hale moved to table recommitting of **HB 307**. Motion prevailed. **HA 2 to HB 307** placed with bill.

House recessed at 2:40 P.M.

House reconvened at 4:47 P.M.

The following bills were reported out of committee:

HB 292 with HA 1, Miscellaneous, 1 favorable, 2 on merits, 2 unfavorable.

HB 332, Miscellaneous, 2 favorable, 3 on merits.

HB 298, State Urban & Municipal Affairs, 4 favorable, 2 on merits.

HB 348, Highways & Public Safety, 4 favorable.

The following bills were introduced:

HB 346 — An Act making a supplementary appropriation to the Delaware Board of Nursing for conversion to a computer system and for expansion of the Nurse Testing Program. Introduced by Mr. Castle. Referred to Committee on Health & Welfare.

HB 347 — An Act to amend Section 4704, Chapter 47, Title 29, Delaware Code, relating to qualifications of Medical Examiner. Introduced by Reps. Hart, Cashman, Quillen. Referred to Committee on Revised Statutes.

HB 348 — An Act to authorize the State Highway Department to install a traffic light at Centre Road (Route 141) and Wagoner Drive (Woodland Heights), New Castle County, Delaware. Introduced by Mr. Cicione. Referred to Committee on Highways & Public Safety.

HA 1 to HB 338 — Introduced by Mrs. Gooding. Placed with Bill.

HA 2 to HB 338 — Introduced by Mrs. Gooding. Placed with Bill.

HA 1 to HB 292 — Introduced by Mrs. Heckert. Placed with Bill.

On motion by Mr. Cicione, **HB 326** was stricken.

Mr. Dodge moved the Roll Call of **SB 218** be lifted.

Mr. Brown changed his vote from "no" to "yes".

Mr. Hart changed his vote from "absent" to "yes".

Mrs. Heckert changed her vote from "no" to "yes".

Mr. Shockley changed his vote from "absent" to "yes".

Mr. Phillips changed his vote from "yes" to "no".

Mr. Slawik changed his vote from "yes" to "no".

Mr. Zimmerman changed his vote from "yes" to "no".

Mr. Dodge tabled the Roll Call.

On motion of Mrs. Heckert the following was given a final reading and taken up for consideration to pass the House.

HB 320 — An Act to change the name of the "Delaware Institute of Technology" to "Delaware Technical and Community College".

YEAS — Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gray, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker — 29.

ABSENT — Bartleson, Benson, Blendt, Gooding, Hale, Hammond — 6.

HB 320 having received the constitutional majority was declared passed the House.

The House recessed at 5:08 P.M. until Monday, November 13, 1967.

49TH LEGISLATIVE DAY

The House reconvened at 1:52 P.M. on November 13, 1967. House met pursuant to adjournment at 1:53 P.M., on Monday, November 13, 1967.

There was a prayer by Representative Zimmerman.

Almighty God, we ask thy understanding and thy blessing upon those assembled in this chamber, and, on this Monday after Veterans' Day, we thank thee for your benevolence in permitting millions of Americans who placed themselves as living shields between their country and her enemies, to emerge unscathed.

And in the memory of those defenders of this nation who made the supreme sacrifice, I ask we observe a moment of silence.

The Speaker led those present in a Salute of the Flag.

Members present: Bartleson, Benson, Blendt, Brown, Burton Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering -- 34.

Members absent: Hammond -- 1.

The minutes of the previous session were approved as posted.

The following Resolutions and Bills were introduced:

HR 87 — Appropriating money out of the General Fund of the State Treasury to pay certain expenses of the present session of the 124th General Assembly. Introduced by Dr. Sebrell. Dr. Sebrell moved to strike **HR 87**. Motion prevailed.

HR 88 — Appropriating money out of the General Fund of the State Treasury to pay certain expenses of the present session of the 124th General Assembly. Introduced by Dr. Sebrell. Adopted by voice vote.

HB 349 — An Act to amend Title 14, Delaware Code, relating to Education by providing for the education and training of children of certain deceased Military Veterans. Introduced by Reps. Leshner, Bartleson. Referred to the Committee on Education.

HB 350 — An Act authorizing the Levy Court of Kent County to borrow on credit of the County, a sum of money not exceeding \$5,000,000 to be expended for the construction and installation of a Kent County Water or Sewer System. Introduced by Rep. Pleasanton. Referred to the Committee on State, Urban and Municipal Affairs.

HB 351 — An Act making a supplementary appropriation for the expenses of the Board of Game and Fish Commissioners of the State of Delaware for the fiscal year ending June 30, 1968. Introduced by Reps. Pleasanton and Sebrell. Referred to Fish, Oyster and Game Committee.

HB 352 — An Act making a supplementary appropriation to the Governor's Contingency Fund. Introduced by Reps. Leshner, Bartleson. Referred to the Appropriation Committee.

HB 353 — An Act to amend Section 106, Title 7, Delaware Code, relating to the powers and duties of the Board of Game and Fish Commissioners. Introduced by Reps. Pleasanton and Sebrell. Referred to Fish, Oyster and Game Committee.

HB 354 — An Act to permit the Board of School Trustees of Georgetown Special School District to transfer certain funds from its Local Debt Service Account to its Minor Capital Improvements Program. Introduced by Reps. Burton, Gray and Dodge. Referred to the Committee on Education.

HA 1 to HB 291 — Introduced by Reps. Leshner and Bartleson. Placed with Bill.

HB 355 — 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, 1968" being Chapter 40, Volume 56, Laws of Delaware, as amended. Introduced by Reps. Hale and Zimmerman. Referred to Appropriation Committee.

HB 356 — An Act making an appropriation of State Matching Funds to the Delaware Opportunities Industrialization Center. Introduced by Reps. Evans, Cashman, Gray, Brown, McMahon, Quillen, Fonville, Frederick, Shockley. Referred to Appropriations Committee.

HB 357 — An Act to authorize the State Highway Department to install traffic light at the intersection of Glenwood Avenue (U.S. Route No. 300) and Main Street (State Route No. 65) Smyrna, Delaware. Introduced by Rep. Ridgah. Referred to Committee on Highways and Public Safety.

The following bills were reported out of committee:

HB 296, State, Urban and Municipal Affairs, 2 favorable,
3 on merits.

HB 218, State, Urban and Municipal Affairs, 5 favorable.

HB 302, State, Urban and Municipal Affairs, 5 favorable.

HB 303, State, Urban and Municipal Affairs, 5 favorable.

HB 300, State, Urban and Municipal Affairs, 5 favorable.

SB 127, State, Urban and Municipal Affairs, 4 favorable,
1 on merits.

HB 313, Health & Welfare, 4 favorable, 2 on merits.

HB 305, Health & Welfare, 6 favorable.

The following Amendments were introduced:

HA 1 to HB 313 — Introduced by Mr. Stabler. Placed with bill.

HA 1 to HB 317 — Introduced by Mr. Stabler. Placed with bill.

HA 2 to HB 316 — Introduced by Mr. Stabler. Placed with bill.

On motion of Mr. Frederick Mr. Benson's name was added to **HB 345**.

The following bill was reported out of committee:

HB 341, Education, 6 favorable.

On motion of Mr. Cicione the following was given a final reading and taken up for consideration to pass the House:

HB 307 with HA 1 — An Act to amend Title 3, Delaware Code, entitled Agriculture by providing for inspection of livestock and poultry slaughtered or processed; meat products; condemnation and destruction of carcasses and products unfit for human food; regulation of marking and labeling of carcasses and products thereof; providing penalties; and making a supplementary appropriation therefor.

Mr. Zimmerman moved for adoption of **HA 2 to HB 307**.

Mr. Cicione had the Reading Clerk read a letter from the Board of Health dated November 9, 1967 from Mr. Donald K. Harmeson in favor of **HB 307**. Mr. Cicione moved to table **HA 2 to HB 307**. Roll Call to table revealed:

YEAS — Bartleson, Benson, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Stabler, Mr. Speaker Hering — 16.

NAYS — Blendt, Brown, Burton, Eskridge, Ferguson, Fonville, Gooding, Gray, Harrington, McMahon, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman — 18.

ABSENT — Hammond — 1.

HA 2 to HB 307 not tabled.

Mr. Ferguson made a motion to defer bill for later consideration.

Mr. Hale moved to recess at 2:45 P.M. Motion prevailed.

House reconvened at 4:19 P.M.

Mr. Cicione moved to defer **HB 307** for further consideration. Motion prevailed.

A messenger from the Senate delivered **HB 28**, **HB 38**, **HB 50** with **HA 1**, having passed the Senate, and **SJR 3**, having passed the Senate and wishing the concurrence of the House.

On motion of Mr. Slawik the following bill was given a final reading and taken up for consideration to pass the House.

HB 288 — An Act appropriating money to Boys Home of Delaware, Inc.

Mr. Russell Fiske, Executive Director, of the Boys Home spoke in favor of the bill. In his testimony he assured the General Assembly that they would not be back next year for additional funds.

Roll Call on **HB 288** revealed:

YEAS — Bartleson, Blendt, Brown, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

NAYS — Benson, Burton, Quillen — 3.

ABSENT — Cicione, Hammond — 2.

HB 288 having received the constitutional majority was declared passed the House.

On motion of Mr. Slawik the following was given a final reading and taken up for consideration in order to pass the House:

HB 258 — An Act to amend § 2124 and 2152, Title 21, Delaware Code, relating to license plates for transporters of motor vehicles and trailer units and the fees payable for such plates.

On further motion of Mr. Slawik **HA 1** to **HB 258** was adopted by voice vote.

Mr. Russell Whitby, Motor Vehicle Commissioner, was granted privilege of the floor to answer questions on **HB 258**. During the testimony, Mr. Whitby estimated the increase in revenue produced by **HB 258** would be \$200,000.

On motion of Mr. Slawik, **HB 258** with **HA 1** was deferred until the agenda of the next legislative day in order to prepare an amendment to correct a typographical error.

On motion of Mr. Benson, the following was given a final reading and taken up for consideration in order to pass the House:

HB 318 with **HA 1** — An Act to amend Section 9220, Title 10, Delaware Code, relating to salaries of the Justice of the Peace Clerks.

On further motion of Mr. Benson **HA 1** was adopted by voice vote.

Mr. Benson moved to defer **HB 318** with **HA 1** until the next legislative day in deference to a proposal made by Mr. Eskridge. Motion prevailed.

The following bills were reported out of committee:

HB 308 — Judiciary, 4 favorable.

HB 310 — Judiciary, 2 favorable, 2 on merits.

HB 311 — Judiciary, 4 favorable.

HB 312 — Judiciary, 4 favorable.

HB 314 — Judiciary, 4 favorable.

HB 325 — Judiciary, 4 favorable.

HB 330 — Revised Statutes, 5 favorable, 1 on merits.

HB 333 — Judiciary, 4 favorable.

HB 337 — Judiciary, 4 favorable.

HB 345 — Highways and Public Safety, 6 favorable.

The following bills were introduced:

HB 358 — An Act proposing certain amendments to Article II of the Constitution of the State of Delaware Vesting Legislative Power in the General Assembly and reserving legislative power in the people. Introduced by Reps. Ferguson, Burton, Benson, Sebrell, Blendt, Harrington, McMahon, Slawik, Zimmerman. Referred to Judiciary Committee.

HB 359 — An Act to prohibit dual payment of wages or salary to State Officials or state employees of any county or municipality. Introduced by Rep. Benson. Referred to Elections Committee.

HB 360 — An Act to amend § 1351, Title 30, Delaware Code, relating to estates consisting only of jointly owned property. Introduced by Reps. Stabler and McMahon. Referred to Judiciary Committee.

HB 361 — An Act to amend § 2305 (3), Title 12, Delaware Code, relating to distribution of decedent's property without grant of letters where estate assets do not exceed \$1,500. Introduced by Reps. Stabler and McMahon. Referred to Judiciary Committee.

HB 362 — An Act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of the Hollingsworth Tract Civic Association from assessment and taxation. Introduced by Rep. Stabler. Referred to Public Buildings & Land Committee.

HB 363 — An Act to amend Section 2804 (b), Chapter 28, Title 10, of the Delaware Code, relating to the payment of mileage of Justice of the Peace Constables. Introduced by Reps. Benson and Slawik. Referred to Committee on Revised Statutes.

HB 364 — An Act changing the name of the "Town of Middletown" to the "City of Middletown" and establishing a new charter therefor. Introduced by Rep. Blendt. Referred to the Committee on State, Urban and Municipal Affairs.

HA 3 to HB 307 — Cicione, Placed with bill.

SJR 3 — Assigned to Health & Welfare Committee.

The House adjourned at 5:33 P.M. until 1:30 P.M. November 14, 1967.

50TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:55 P.M., on Tuesday, November 14, 1967.

There was a prayer by Representative Frederick.

The Speaker led those present in a Salute of the Flag.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

Members absent: Cicione, Hammond — 2.

The minutes of the previous session were approved as posted.

The following bills were reported out of committee:

HB 339, State, Urban and Municipal Affairs, 4 Favorable, 1 on Merits.

HB 338 with **HA 1 & 2**, State, Urban and Municipal Affairs, 4 Favorable.

The following bills were introduced and assigned to committee:

HB 365 — An Act making a supplementary appropriation to the State Highway Department for construction of sidewalks on Washington Street, New Castle, Delaware. Introduced by Rep. Cashman. Referred to committee on Highways and Public Safety.

HB 366 — An Act to amend Chapter 31, Title 19, Delaware Code, relating to the taking of an appeal to the Superior Court by an aggrieved party from an adverse decision by the Employment Security Commission in a proceeding pursuant to Section 3155, Title 19, Delaware Code. Introduced by Rep. Riddagh. Referred to the Judiciary Committee.

On motion of Mr. Slawik **HB 258** was further considered in order to pass the House.

HA 2 to **HB 258** on motion of Mr. Slawik was adopted by voice vote.

HA 3 to **HB 258** was introduced on motion of Mr. Eskridge. On further motion of Mr. Eskridge, **HA 3** to **HB 258** was adopted by voice vote.

Roll call on **HB 258** with **HA 1, 2** and **3** revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

NAYS — Blendt — 1.

NOT VOTING — Burton — 1.

ABSENT — Cicione, Hammond — 2.

HB 258 as amended having received the constitutional majority was declared passed the House.

On motion of Mr. Benson the following bill was given a final reading and taken up for consideration to pass the House:

HB 330 — An Act to amend Section 1163, Chapter II, Title 9, Delaware Code, relating to power of County Council of New Castle County to create debt.

Mr. Clarence Taylor, County Attorney for New Castle County was granted privilege of the floor on motion of Mr. Benson.

Mr. Slawik made a motion to recess for ten minutes. Motion prevailed.

House recessed at 2:36 P.M.

House reconvened at 2:56 P.M.

On motion of Mr. Benson roll call to pass **HB 330** revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Dodge, Eskridge, Evans, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Shockley, Stabler, Mr. Speaker Hering — 22.

NAYS — Blendt, Burton, Ferguson, Fonville, Sebrell, Slawik, Zimmerman — 7.

NOT VOTING — Gooding, Harrington, McMahon, Phillips — 4.

ABSENT — Cicione, Hammond — 2.

HB 330 having received the constitutional majority was declared passed the House.

A messenger from the Senate delivered **HB 245** having passed the Senate and **SB 238**, **SB 235** and **SB 234** asking for concurrence of the House.

On motion of Dr. Sebrell the following bill was given a final reading and taken up for consideration to pass the House:

HB 10 — An Act to amend Section 4166 (b), Title 21, Delaware Code, relating to independent signalling devices on all school buses.

Roll Call on **HB 10** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Cicione, Gray, Hammond — 3.

HB 10 having received the constitutional majority was declared passed the House.

On motion of Mr. Hart the following was given the final reading and taken up for consideration to pass the House:

HB 298 — An Act to amend Section 2906, Title 29, Delaware Code, relating to quarterly audits of the office of the State Treasurer.

On further motion of Mr. Hart the privilege of the floor was granted Mr. George Cripps, State Auditor, to speak for the bill.

Roll Call on **HB 298** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Cicione, Hammond — 2.

HB 298 having received the constitutional majority was declared passed the House.

On motion of Mr. Dodge the following was given the final reading and taken up for consideration to pass the House:

HB 303 — An Act to authorize the Commissioners of Bethany Beach to borrow \$900,000 and to issue bonds to secure the payment thereof for the purpose of providing a sewage disposal plant and system for the town of Bethany Beach and to control and regulate the same.

Roll Call on **HB 303** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Cicione, Hammond — 2.

HB 303 having received two-thirds vote was declared passed the House.

On motion of Mr. Hale the following was given a final reading and taken up for consideration to pass the House:

HB 302 — An Act making a supplementary appropriation to the salary account of the Department of Civil Defense for the purpose of hiring a communications specialist.

Roll Call on **HB 302** revealed:

YEAS — Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, McMahon,

Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

NAYS — Bartleson, Benson, Leshner — 3.

ABSENT — Cicione, Hammond — 2.

HB 302 having received the constitutional majority was declared passed the House.

On motion of Mr. Dodge the following was given a final reading and taken up for consideration to pass the House:

HB 341 — An Act appropriating certain moneys to the State Board of Education for the purpose of constructing and installing a sewage treatment plant at Lord Baltimore School District No. 28 at Ocean View, Del.

On further motion of Mr. Dodge privilege of the floor was granted Mr. Davis, Chief School Officer for the Lord Baltimore School District.

Roll Call on **HB 341** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Cicione, Hammond — 2.

HB 341 having received the constitutional majority was declared passed the House.

On motion of Mr. Stabler the following was given a final reading and taken up for consideration to pass the House:

HB 313 with **HA 1**.

On further motion of Mr. Stabler **HA 1** to **HB 313** was adopted by voice vote.

Roll Call on **HB 313** as amended revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Cicione, Hammond — 2.

HB 313 with **HA 1** having received the constitutional majority was declared passed the House.

On motion of Mr. Pleasanton, Senator Isaacs was granted privilege of the floor.

Senator Isaacs announced that the report on the Shell Fish Investigation was ready to be passed out and he would like it to be made a part of the record.

On motion of Mr. Pleasanton, the report was distributed and would be made a part of the record on the next legislative day.

The following bills were reported out of committee:

HB 351, Fish, Oyster & Game, 3 favorable, 2 on merits.

HB 353, Fish, Oyster & Game, 5 favorable.

The following bills were introduced:

HB 367 — An Act to amend Section 111, Title 17, Delaware Code, relating to the composition of the State Highway Department. Introduced by Reps. Slawik, Fonville, Blendt, Ferguson, Gooding, McMahon. Referred to Committee on Highways and Public Safety.

HB 368 — An Act to authorize the State Highway Department to install a traffic light at Kirkwood Highway (Route 2) and Red Mill Road, New Castle County. Introduced by Reps. Hale and Hart. Referred to Committee on Highways and Public Safety.

SB 238 — An Act to amend Chapter 22, Title 25, Delaware Code, known as the "Unit Property Act" by providing that unit properties within the meaning of the act, may be constructed on land held under a lease and by providing that unit owners may serve as members of the "Council". Referred to Judiciary Committee.

SB 235 — An Act making a supplementary appropriation to the Department of Public Welfare for the fiscal year ending June 30, 1968. Referred to Appropriations Committee.

SB 234 — An Act making a supplementary appropriation to Big Brothers Association of Northern Delaware, Inc. Referred to Appropriations Committee.

House adjourned at 4:00 P.M. until 1:30 P.M., Thursday, November 16, 1967.

51ST LEGISLATIVE DAY

The House met pursuant to adjournment at 1:57 P.M., on Thursday, November 16, 1967.

There was a prayer by Representative Slawik.

The Speaker led those present in a Salute of the Flag.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, eLsher, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

Members absent: Cicione, Ferguson, Hammond, Pleasanton, Shockley — 5.

The minutes of the previous session were approved as posted.

Announcements:

Memorandum No. 30 from the Governor's Office stated that the Governor signed the following legislation on the dates indicated:

November 2, 1967 —

SB 221 with **SA 1** (Appropriations for Legislative Council).

November 7, 1967 —

HB 254 (Creation of a Vice President of the Commissioners of Bethany Beach).

SB 228 (School Staffing Bill).

The following bills were reported from committees:

HB 321, State, Urban & Municipal Affairs, 4 Favorable.

HB 322, State, Urban & Municipal Affairs, 3 Favorable, 1 on merits.

HB 343, Education, 4 Favorable, 2 on Merits.

SB 59, Education, 1 Favorable, 4 on Merits, 1 Unfavorable.

HB 346, Health and Welfare, 3 Favorable, 3 on Merits.

SB 128, Health and Welfare, 4 Favorable, 2 on Merits.

A messenger from the Senate delivered **HB 154** with **HA 1** having passed the Senate and **SB 222**, **SB 239** with **SA 1**, **SB 240**, and **SB 250** asking concurrence of the House.

The following bills were introduced, given first reading by title only, and assigned to committees as follows:

HB 369 — An Act to amend Chapter 13, Title 14, Delaware Code, relating to state supported salary schedules for school employees by amending the salary schedule for supervisors, directors and assistant superintendents employed by the State Board of Education and the State Board for Vocational Education in the fiscal year beginning July 1, 1968. Introduced by Reps. Heckert and Gooding. Referred to the Committee on Education.

HB 370 — An Act to amend Section 9617, Chapter 96, Title 9, Delaware Code, relating to fees for the Recorder of Deeds in New Castle County. Introduced by Reps. Benson, Castle, Bartleson and McMahon. Referred to the Committee on State, Urban and Municipal Affairs.

HB 371 — An Act to amend Chapter 27, Title 6, Delaware Code, relating to Indemnity Provisions in, or collateral to, or in connection with, construction, alteration, maintenance and demolition contracts. Introduced by Reps. Murphy and Cashman. Referred to the Judiciary Committee.

HB 372 — An Act making a supplementary appropriation to the State Treasurer for the fiscal year ending June 30, 1968. Introduced by Reps. Pagano, Brown, Benson, Evans and Castle. Referred to the Appropriations Committee.

HB 373 — An Act making a supplementary appropriation to the Delaware Code Revision Committee. Introduced by Reps. Stabler and Slawik. Referred to the Appropriation Committee.

HB 374 — An Act making a supplementary appropriation to the Delaware Alcoholic Beverage Control Commission for its expenses for the fiscal year ending June 30, 1968. Introduced by Reps. Hale and Zimmerman. Referred to the Appropriations Committee.

HA 1 to SB 206 — Introduced by Rep. Heckert. Placed with Bill.

HA 2 to HB 318 — Introduced by Rep. Benson. Placed with Bill.

HA 1 to HB 308 — Introduced by Rep. Stabler. Placed with Bill.

HR 89 — Introduced by Reps. Cashman, Frederick, Slawik, Pagano, Riddagh, Quillen, Evans and Benson.

"Expressing Concern Over Criminal Sentencing Practices of the Delaware Courts and Suggesting Reappraisal Thereof."

WHEREAS, the incidence of crime and particularly recidivistic crime is of pressing concern to us all; and

WHEREAS, it has come to the attention of the members of the House of Representatives of the General Assembly that sentencing practices in Delaware for serious crime are notably lenient and are so considered by those informed as to comparative sentencing practices nationwide; and

WHEREAS, the administration of criminal justice tends to lose whatever deterrent effect it may have when the consistent end result is probation of the offender or a very short term of imprisonment; and

WHEREAS, the aforementioned problem, when coupled with the provision of our law which frequently sees prisoners released on parole after serving but one-third of their sentence, appears to make Delaware one of the most lenient of States with respect to probation, sentencing and parole;

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the 124th General Assembly that, in these days of increasing difficulty in obtaining criminal convictions, our State and Municipal courts be cautioned with regard to the sentences meted out upon the convictions which are obtained to assure that such sentences to the extent possible render full justice to the defendant, the victim and the public at large, and that the Courts of Delaware reappraise their probation and sentencing practices (with a view also to the parole provisions which may apply) to assure that they keep pace with current developments in the community and are an effective part of the war on crime.

BE IT FURTHER RESOLVED, that a copy of this resolution be mailed by the Chief Clerk of the House to each of the state and municipal court judges of the State of Delaware.

Mr. Cashman moved that **HR 89** be adopted by voice vote. Motion prevailed.

HR 90 — Introduced by Rep. Zimmerman.

"Relating to the Establishment of a Committee to Review the Policy of the General Assembly With Respect to Bills Authorizing the Installation of Traffic Lights at Specific Locations."

WHEREAS, it is clear that the State Highway Department has general powers in the area of traffic control to determine the need for and to install traffic lights throughout the state; and

WHEREAS, a number of bills have been introduced in the House during this term calling on the State Highway Department to install traffic lights at specific locations; and

WHEREAS, there is an obvious need for a study and appraisal of the advisability and feasibility of the legislature acting on specific items in the area of traffic control.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly that a moratorium be declared on any further legislation calling for or authorizing funds for the installation of traffic lights at specific locations, until such time as a study of this matter can be completed and the House can form a clear policy with regard to such bills; and

BE IT FURTHER RESOLVED that the Speaker of the House appoint three members, two from the majority party and one from the minority party, to a House Committee which shall undertake a review of the advisability and feasibility of the legislature enacting bills calling for or authorizing funds for the installation of traffic lights at specific locations, with instructions that such committee reports its findings and conclusions and any suggestions to the House on or before June 1, 1968; and

BE IT FURTHER RESOLVED that moratorium on certain legislation declared by this resolution shall be in effect until such time as the House has received a report of the study committee appointed pursuant hereto.

Mr. Zimmerman moved to adopt by voice vote. Mr. Hale motioned to table. Tabling motion prevailed.

On motion of Mr. Stabler, the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 314 — An Act to amend Title 11, Chapter 21, of the Delaware Code by repealing said chapter as it now appears and enacting a new Chapter 21 pertaining to release of persons accused of crimes in the various courts of this state pending trial and to provide for a system of bail with surety, bail without surety and the release on personal recognizance an to empower the court to set forth conditions of any release and providing that the Department of Correction shall administer bail and recognizance procedures.

Roll Call on **HB 314** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Cicione, Ferguson, Hammond, Harrington, Pleasanton, Shockley — 6.

HB 314 having received the constitutional majority was declared passed the House.

On motion of Mr. Stabler the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 333 — An Act to provide for a Constitutional Revision Committee.

Roll Call on **HB 333** revealed:

YEAS — Benson, Brown, Burton, Cashman, Castle, Dodge, Evans, Fonville, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Slawik, Stabler, Mr. Speaker Hering — 19.

NAYS — Bartleson, Blendt, Eskridge, Gooding, McMahon, Phillips, Quillen, Riddagh, Sebrell — 9.

NOT VOTING — Zimmerman — 1.

ABSENT — Cicione, Ferguson, Hammond, Harrington, Pleasanton, Shockley — 6.

HB 333 having received the constitutional majority was declared passed the House.

On motion of Mr. Castle the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 337 — An Act to amend § 3507, Title 11, Delaware Code, relating to evidence of alcohol in blood.

Roll Call on **HB 337** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Cicione, Ferguson, Hale, Hammond, Harrington, Pleasanton, Shockley — 7.

HB 337 having received the constitutional majority was declared passed the House.

On motion of Mr. Frederick **SB 96** was given a final reading and taken up for consideration in order to pass the House:

SB 96 — An Act to repeal 29 Delaware Code, Chapter 34, entitled "New Castle Historic Buildings Commission," and to amend Subchapter III of 29 Delaware Code, Chapter 33, entitled "Public Archives Commission," transferring the property, powers and duties of the New Castle Historic Buildings Commission to the Public Archives Commission.

Roll Call on **SB 96** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Cicione, Ferguson, Hale, Hammond, Harrington, Pleasanton, Shockley — 7.

SB 96 having received the two-thirds majority was declared passed the House.

On motion of Mr. McMahon the following letter was read:

To Whom it may Concern:

Due to my necessitated absence, I hereby authorize Representative John McMahon to bring **HB 305** up for its final vote.

Respectfully,

/s/ Rep. Paul E. Shockley

On further motion of Mr. McMahon the following bill was given a final reading and taken up for consideration in order to pass the House.

HB 305 — An Act to amend Section 122, Chapter 1, Title 16, Delaware Code, relating to the general powers and duties of the State Board of Health.

Roll Call on **HB 305** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Cicione, Ferguson, Hammond, Harrington, Pleasanton, Shockley — 6.

HB 305 having received the constitutional majority was declared passed the House.

On motion of Mr. Stabler the following bill was given a final reading and taken up for consideration in order to pass the House:

SB 79 with SA 1 — An Act amending Chapter 3, Title 11, Delaware Code relating to trespass.

Roll Call on **SB 79 with SA 1** revealed:

YEAS — Bartleson, Benson, Blendt, Burton, Cashman, Dodge, Evans, Frederick, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 19.

NAYS — Eskridge, Gray, Harrington, Phillips — 4.

NOT VOTING — Brown, Castle, Fonville, Gooding, Pagan, Slawik, Zimmerman — 7.

ABSENT — Cicione, Ferguson, Hammond, Pleasanton, Shockley — 5.

Roll Call on **SB 79 with SA 1** having received the constitutional majority was declared passed the House.

On motion of Mrs. Heckert the following bill was given a final reading and taken up for consideration in order to pass the House:

SB 292 with HA 1 — An Act making a supplementary appropriation to Joseph M. Keil to compensate for clothing ruined by a state contractor during a State Highway Department paving operation.

Mrs. Heckert moved for adoption of **HA 1**.

Mr. Eskridge moved to defer until the Attorney General rules on a majority or 3/4 vote to pay an individual. Motion prevailed.

SB 292 with HA 1 deferred.

Mr. Hale moved to recess. House recessed at 3:17 P.M. House reconvened at 4:26 P.M.

The following bills were reported from committees:

HB 363, Revised Statutes, 2 Favorable, 4 on Merits.

SB 206, Education, 4 Favorable.

SB 234, Appropriations, 2 Favorable, 6 on Merits.

SB 236, Highways and Public Safety, 4 Favorable.

HB 161, Highways and Public Safety, 4 on Merits.

HB 319, Highways and Public Safety, 4 on Merits.

HB 309, Highways and Public Safety, 4 on Merits.

HB 352, Appropriations, 6 Favorable, 3 on Merits.

HB 374, Appropriations, 8 Favorable.

HB 356, Appropriations, 4 Favorable, 3 on Merits.

HB 355, Appropriations, 4 Favorable, 5 on Merits.

HB 373, Appropriations, 6 Favorable, 2 on Merits.

HB 365, Highways and Public Safety, 4 on Merits.

The following bills were introduced and assigned to committee as follows:

HB 375 — An Act to amend Section 2330 (d), Chapter 23, Title 19, Delaware Code, relating to compensation for death under Workmen's Compensation. Introduced by Reps. Slawik and Cashman. Referred to the Committee on Labor.

HB 376 — An Act to authorize the State Highway Department to install a traffic light at 28th Street and Northeast Boulevard, Wilmington, New Castle County, Delaware, and providing an appropriation therefor. Introduced by Reps. Evans and Fonville. Referred to the Committee on Highways and Public Safety.

HB 377 — An Act to require the State Highway Department to erect a pedestrian overpass over U. S. Route 13 at Lincoln Avenue (Wilmington Manor), New Castle County, Delaware. Introduced by Reps. Slawik and Cashman. Referred to the Committee on Highways and Public Safety.

HB 378 — An Act to amend Chapter 27, Title 25, Delaware Code, relating to Mechanics' Liens. Introduced by Reps. Castle and Stabler. Referred to the Judiciary Committee.

HA 1 to SB 207 — Introduced by Reps. Cashman, Stabler and McMahon. Placed with Bill.

HA 1 to HB 329 — Introduced by Rep. Sebrell. Placed with Bill.

The following bills were assigned to committees:

SB 222 — Public Buildings and Lands.

SB 239 with SA 1 — Revised Statutes.

SB 240 — State, Urban and Municipal Affairs.

SB 250 — Education.

HR 91 — Introduced by Rep. Sebrell.

"Authorizing Payment for Services Rendered by the Legislative Staff of the House of Representatives of the 124th General Assembly."

BE IT RESOLVED by the House of Representatives of the 124th General Assembly that the State Treasury be and hereby is authorized and directed to pay the Legislative Staff of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such are to be regarded as payments in full for services rendered by said Legislative Staff for the period commencing with the 12th Day of October, 1967, and ending with and including the 16th Day of November, 1967, for the current session:

Banks, Virgle E.	270.00
Barkley, Robert J.	192.50
Butler, Roland M.	300.00
Ellis, Emogene P.	390.00
Evans, Irvin D.	220.00
Heckman, Robert G.	80.00
Hollett, David	140.00
Hurley, Charles A.	180.00

Jenkins, Gwendolyn	180.00
Joiner, McCoy	175.00
Jones, Jesse F.	140.00
Kelsey, Roger	600.00
Kenton, James	140.00
Kneisley, Evelyn M.	120.00
Konopik, Barbara Ann	360.00
Looney, Helen M.	270.00
McCready, Annette Jane	240.00
McDonald, John	210.00
Messick, Granville	210.00
Messick, John Jr.	140.00
Millman, Richard	192.50
Oliphant, Rebecca L.	210.00
Piekos, Gregory M.	20.00
Painter, Joan S.	240.00
Parker, Ruth M.	300.00
Potter, Ruth E.	180.00
Redding, Anna E.	200.00
Ross, Ruth N.	140.00
Short, Hanna E.	30.00
Shorts, Norman	140.00
Smith, Louise deR	280.00
Smith, William	20.00
Stone, F. L. Peter	675.00
Taylor, Nathaniel W.	140.00
Truitt, James P., Jr.	60.00
Van Sant, Douglas	175.00
Walsh, Peter	675.00
Williams, Dorothy E.	200.00
Zacheis, Margaret T.	140.00

Dr. Sebrell moved that **HR 91** be adopted by voice vote.
Motion prevailed.

On motion of Mr. Riddagh the following bill was given a final reading and taken up for consideration in order to pass the House:

SB 203 — An Act to amend Chapter 197, Volume 54, Laws of Delaware, as amended, entitled "An Act Revising the prior Charter of the City of Rehoboth Beach and establishing a new charter therefor and prescribing the powers and duties of the Commissioners of Rehoboth Beach" to provide for the appointment of an Alderman and an Assistant Alderman, establishing his qualifications and jurisdiction and providing for removal.

Roll Call on **SB 203** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon,

Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NOT VOTING — Frederick — 1.

ABSENT — Cicione, Ferguson, Hammond, Pleasanton, Shockley — 5.

SB 203 having received the two-third majority was declared passed the House.

On motion of Mr. Dodge the Roll Call on the following bill was lifted from the table and announced by the Clerk:

SB 218 — An Act directing and empowering the State Park Commission to alter the contract for the construction of Delaware Seashore State Park at Indian River Inlet so as to provide a channel in Indian River Inlet.

Final Roll Call revealed:

YEAS — Blendt, Brown, Cicione, Dodge, Eskridge, Ferguson, Fonville, Gooding, Gray, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Shockley, Stabler, Mr. Speaker Hering — 18.

NAYS — Bartleson, Benson, Burton, Cashman, Evans, Frederick, Hale, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Zimmerman — 16.

ABSENT — Castle — 1.

SB 218 having received the constitutional majority was declared passed the House.

On motion of Mr. Benson the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 316 with **HA 1** and **HA 2** — An Act to amend Title 11, Subchapter XVI, Delaware Code, relating to deadly weapons and firearms by adding a new section making it a crime for certain persons to purchase or possess firearms.

Mr. Stabler moved for adoption of **HA 2** to **HB 316** by voice vote. Mr. Zimmerman moved to defer **HA 2** to **HB 316**. Motion defeated. **HA 2** adopted by voice vote.

Roll Call on **HB 316** with **HA 1** and **HA 2** revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Dodge, Evans, Frederick, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 19.

NAYS — Eskridge, Gooding, McMahon, Phillips, Zimmerman — 5.

NOT VOTING — Blendt, Castle, Fonville, Harrington, Slawik — 5.

ABSENT — Cicione, Ferguson, Gray, Hammond, Pleasanton, Shockley — 6.

HB 316 with **HA 1** and **HA 2** having received the constitutional majority was declared passed the House.

On motion of Mr. Benson the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 317 with HA 1 — An Act to amend Title 11, Subchapter XVI, Delaware Code, relating to deadly weapons and firearms, by adding a new section making it a felony to possess certain firearms during the Commission of another felony, and providing that anyone over the age of 16 years so accused shall be tried as an adult.

On motion of Mr. Stabler **HA 1** to **HB 317** was adopted by voice vote.

Roll Call on **HB 317 with HA 1** revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Dodge, Eskridge, Frederick, Gooding, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Quillen, Riddagh, Sebrell — 19.

NAYS — Castle, Evans, McMahon, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 7.

NOT VOTING — Blendt, Fonville, McMahon — 3.

ABSENT — Cicone, Ferguson, Gray, Hammond, Pleasanton, Shockley — 6.

HB 317 with HA 1 having received the constitutional majority was declared passed the House.

On motion of Mr. Benson the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 318 with HA 1 and HA 2 — An Act to amend Section 9220, Title 10, Delaware Code, relating to salaries of the Justice of the Peace Clerks.

On further motion of Mr. Benson **HA 1** to **HB 318** was adopted by voice vote.

On further motion of Mr. Benson **HA 2** to **HB 318** was adopted by voice vote.

Roll Call on **HB 318 with HA 1 and HA 2** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Cicone, Ferguson, Hammond, Pleasanton, Shockley — 5.

HB 318 with HA 1 and HA 2 having received the constitutional majority was declared passed the House.

On motion of Mr. Gray the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 339 — An Act to amend Chapter 166, Volume 37, Laws of Delaware, being "An Act to reincorporate the Town of Selbyville" by providing for the extension of the police

powers to include an area one-half mile from the boundaries of said town.

Roll Call on **HB 339** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Cicione, Ferguson, Hammond, Pleasanton, Shockley — 5.

HB 339 having received the two-third majority was declared passed the House.

On motion of Mr. Stabler the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 312 — An Act proposing an amendment to Article 4, Section 32 of the Constitution of the State of Delaware relating to the Register of Wills.

On motion of Mr. Stabler roll call on **HB 312** was tabled.

Mr. Frederick moved that the Shell Fish Investigating Report submitted by the Joint Fish, Oyster and Game Committee of the 124th General Assembly dated November 3, 1967, be made a part of the record by reference.

On motion of Mr. Hale the House recessed at 5:30 P.M.

52ND LEGISLATIVE DAY

The House reconvened at 1:57 P.M., on December 5, 1967. Mr. Hale moved to adjourn until 1:58 P.M., thereby ending the 51st Legislative Day. House met pursuant to adjournment at 1:58 P.M., on Tuesday, December 5, 1967.

There was a prayer by the Chaplain Reverend Ralph W. Bayfield.

The Speaker led those present in a Salute of the Flag.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 34.

Members absent: Shockley — 1.

The minutes of the previous session were approved as posted.

Mr. Speaker welcomed the Honorable Robert N. Downs of the 121st, 122nd and 123rd General Assembly, former Senator Thomas L. Johnson of Rehoboth Beach and Representative Reese Hammond who was returning after an illness.

Announcements:

Memorandum No. 31 from the Governor's Office stated that the Governor signed the following legislation on the dates indicated:

November 22, 1967 —

HB 28 (Amendment to 9 Delaware Code, Section 8311, relating to inspection of Property Assessment List).

HB 38 (Drivers Education for all High School Students).

HB 45 with **HA 1** (Minimum Wage Bill).

HB 50 with **HA 1** (Laurel Elementary School Sidewalks - Supplementary Appropriation).

HB 94 (Elimination of Verification Requirement for Kent County Court of Common Pleas).

HB 143 (The Uniform Flag Law).

HB 167 (Illegal Parking Bill providing that Summons may be substituted for formal arrest).

HB 245 (Act permitting Daniel Pennell to be eligible for pension benefits - Wilmington Department Public Safety).

HB 287 (Middletown School District No. 60 - Transfer of funds).

SB 39 (Hartly School No. 96 - Transfer of funds).

SB 218 (Act allowing alteration of Indian River dredging contract).

SB 230 (Teachers Pay Bill).

The following bills were reported from committees:

HB 335, State, Urban and Municipal Affairs, 4 Favorable, 1 on Merits.

HB 350, State, Urban and Municipal Affairs, 3 Favorable, 1 on Merits.

HB 364, State, Urban and Municipal Affairs, 4 Favorable, 1 on Merits.

The following bills were introduced, given first reading by title only, and assigned to committee as follows:

HB 379 — An Act to amend Section 5501, Title 29, Delaware Code, relating to qualifications of blind operators of concession stands under the control of the Delaware Commission for the Blind, within the State Employee's Pension Plan. Introduced by Reps. Dodge and Hale. Referred to the Revised Statutes Committee.

HB 380 — An Act to amend Title 3, Delaware Code, entitled agriculture by providing for inspection of livestock and poultry slaughtered or processed; meat products; condemnation and destruction of carcasses and products unfit for human food, regulation of sanitation of establishments; regulation of marking and labeling of carcasses and products thereof; providing penalties; and making a supplementary appropriation therefor. Introduced by Reps. Cicione, Zimmerman, Gooding, Blendt, Cashman and Pagano. Referred to the Miscellaneous Committee.

Mr. Cicione moved that **HB 307** with **HA 1, 2 and 3** be stricken. Motion prevailed.

HB 381 — An Act to amend Section 543, Chapter 5, Title 4, Delaware Code, relating to grounds for refusal of license to sell alcoholic liquor. Introduced by Reps. Castle and Gooding (by request). Referred to the Committee on Revised Statutes.

HB 382 — An Act to amend Section 1108, Title 17, Delaware Code, relating to outdoor advertising signs. Introduced by Rep. Murphy. Referred to the Committee on Highways and Public Safety.

HB 383 — An Act to amend an act being Chapter 277, Volume 49, Laws of Delaware, as amended, entitled "An Act to re-incorporate the Town of Laurel" changing the procedure for annexation, changing the ward limits, permitting and borrowing of money, authorizing the awarding of contracts under certain conditions without competitive bidding, changing the procedure for publishing of ordinances, changing the procedure for paving and curbing, providing a registration procedure for voters and establishing regulations for the calling of special meetings. Increasing the amount to be raised by taxation for general municipal purposes, deleting the limitation of amount to be raised by taxation, enlarging the Board of Assessment, and enlarging the time when taxes shall be a lien against real estate. Introduced by Rep. Phillips. Referred to the Committee on State, Urban and Municipal Affairs.

HB 384 — An Act to permit the Board of School Trustees of the Seaford Special School District to transfer certain funds from its local debt service account to its minor capital improvement program. Introduced by Rep. Eskridge. Referred to the Committee on Education.

HA 2 to SB 128 — Introduced by Mr. Stabler. Placed with Bill.

On motion of Mr. Stabler the following bill was given a final reading and taken up for consideration in order to pass the House: (Requiring a 2/3 vote).

HB 308 with HA 1 — An Act amending Chapter 13, 15 and 16 of Title 10, and Chapter 53, of Title 11, Delaware Code of 1953, relating to the Judges, jurisdiction, powers and procedures of the Courts of Common Pleas for New Castle, Kent and Sussex Counties and providing for the transfer of certain cases to and from Superior Court.

On motion of Mr. Stabler **HA 1 to HB 308** was adopted by voice vote.

HA 2 to HB 308 — Introduced by Reps. Slawik and McMahon. Mr. Hale motioned **HA 2** be tabled. **HA 2** tabled by roll call vote, as follows:

YEAS — Bartleson, Benson, Burton, Cashman, Dodge, Frederick, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 18.

NAYS — Blendt, Evans, Ferguson, Fonville, Gooding, Hammond, McMahon, Phillips, Slawik, Zimmerman — 10.

NOT VOTING — Brown, Castle, Cicione, Eskridge, Gray, Harrington — 6.

ABSENT — Shockley — 1.

HA 2 to HB 308 tabled.

Roll Call on **HB 308** with **HA 1** revealed:

YEAS — Bartleson, Benson, Burton, Cashman, Castle, Cicione, Dodge, Frederick, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 19.

NAYS — Brown, Eskridge, Evans, Ferguson, Fonville, Gooding, Hammond, McMahon, Slawik, Zimmerman — 10.

NOT VOTING — Blendt, Gray, Harrington, Phillips, Quillen — 5.

ABSENT — Shockley — 1.

HB 308 with **HA 1** not having received the constitutional majority (2/3 vote) was declared lost in the House.

On motion of Mr. Benson the following bill was given a final reading and taken up for consideration in order to pass the House: (Requiring a 2/3 vote).

HB 35 — An Act agreeing to a proposed amendment to Article 4 of the Constitution of the State of Delaware relating to the Orphans' Court.

Roll call on **HB 35** revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Frederick, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 25.

NAYS — None.

NOT VOTING — Blendt, Ferguson, Fonville, Gooding, Hammond, Phillips, Slawik, Zimmerman — 8.

ABSENT — McMahon, Shockley — 2.

HB 35 having received the two-third majority was declared passed the House.

On motion of Mr. Benson the following bill was given a final reading and taken up for consideration in order to pass the House: (Requiring a 2/3 vote).

HB 36 — An Act agreeing to a proposed amendment to Article 3 of the Constitution of the State of Delaware relating to the Clerk of the Orphans' Court.

Roll Call on **HB 36** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 29.

NOT VOTING — Fonville, Gooding, Phillips, Slawik, Zimmerman — 5.

ABSENT — Shockley — 1.

HB 36 having received the two-third majority was declared passed the House.

On motion of Mr. Hart the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 343 — An Act to amend Section 7129 (a), Title 14, Delaware Code, relating to establishment and maintenance of free public libraries.

Roll Call on **HB 343** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Shockley — 1.

HB 343 having received the constitutional majority was declared passed the House.

On motion of Mrs. Heckert the following bill was given a final reading and taken up for consideration in order to pass the House:

SB 59 — An Act to amend Chapter 7, Title 14, Delaware Code, relating to the authority of administrators and teachers.

Roll Call on **SB 59** revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

NAYS — Blendt — 1.

ABSENT — Shockley — 1.

SB 59 having received the constitutional majority was declared passed the House.

On motion of Mr. Hale House recessed at 2:48 P.M.

The House reconvened at 3:33 P.M.

The following bills were reported from committees:

HB 382, Highways and Public Safety, 2 Favorable, 4 on Merits.

HB 365, Highways and Public Safety, 1 Favorable, 5 on Merits.

HB 357, Highways and Public Safety, 1 Favorable, 5 on Merits.

HB 376, Highways and Public Safety, 1 Favorable, 5 on Merits.

HB 368, Highways and Public Safety, 1 Favorable, 5 on Merits.

SB 222, Public Buildings and Lands, 5 Favorable, 1 on Merits.

SB 233, Revised Statutes, 6 Favorable.

HB 380, Miscellaneous, 4 Favorable, 1 on Merits.

HB 369, Miscellaneous, 4 Favorable, 1 on Merits.

HB 340, Education, 4 Favorable, 1 on Merits.

On motion of Mr. Eskridge the following amendment was introduced:

HA 1 to SB 240.

On further motion of Mr. Eskridge **HA 1 to SB 240** was adopted by voice vote and placed with bill.

On motion of Mr. Hale the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 374 — An Act making a supplementary appropriation to the Delaware Alcoholic Beverage Control Commission for its expenses for the fiscal year ending June 30, 1968.

Roll Call on **HB 374** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Rid-dagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Her-ing — 31.

ABSENT — Harrington, Hart, McMahon, Shockley — 4.

HB 374 having received the constitutional majority was declared passed the House.

On motion of Mr. Leshner the following bill was given a final reading and taken up for consideration in order to pass the House:

SB 234 — An Act making a supplementary appropriation to Big Brothers Association of Northern Delaware, Inc.

On further motion of Mr. Leshner **SB 234** was deferred until the next legislative day for further explanation.

On motion of Mr. Murphy the following bill was given a final reading and taken up for consideration in order to pass the House:

SB 236 — 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, 1968", being Chapter 40, Volume 56, Laws of Delaware, as amended.

On motion of Mr. Blendt **SB 236** was deferred for further explanation by the Highway Department.

On motion of Mr. Castle the following bill was given a final reading and taken up for consideration in order to pass the House:

HB 346 — An Act making a supplementary appropriation to the Delaware Board of Nursing for conversion to a computer system and for expansion of the Nurse Testing Program.

Roll Call on **HB 346** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Harrington, Shockley — 2.

HB 346 having received the constitutional majority was declared passed the House.

The following bills were introduced, given first reading by title only, and assigned to committee as follows:

HB 385 — An Act to amend Chapter 113, Volume 32, Laws of Delaware, as amended, entitled "An act providing for a Police Pension Fund: for members of the Police Force of the City of Wilmington", in order to permit Marjorie V. Gaines, widow of Patrolman John A. Gaines, to become eligible for Wilmington Police Pension Benefits. Introduced by Reps. Hart and Pagano. Referred to the Committee on Revised Statutes.

HB 386 — An Act making a supplementary appropriation to the salary account of the Delaware State Police for the purpose of raising Police Officers' Salaries. Introduced by Reps. Ferguson, Gooding, Benson, Slawik, Blendt and Hammond. Referred to the Appropriations Committee.

HB 387 — An Act to amend Section 717, Title 4, Delaware Code, relating to the prohibition of sales of alcoholic liquors at certain times. Introduced by Reps. Castle and McMahon. Referred to the Committee on Revised Statutes.

Mr. Benson announced that there would be a public hearing at Legislative Hall, Monday, December 11th at 11:00 A.M. on **HB 268**.

House adjourned at 4:14 P.M., until Thursday, December 7, 1967, at 1:30 P.M.

53RD LEGISLATIVE DAY

The House met pursuant to adjournment at 2:04 P.M., on Thursday, December 7, 1967.

There was a prayer by the Chaplain Reverend Ralph Bayfield.

The Speaker led those present in a Salute of the Flag.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicone, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

Members absent: Hart, Shockley — 2.

The minutes of the previous session were approved as posted.

The film "The First State" was shown. This movie was made under the auspices of the Sons of the American Revolution. Mr. Lynn Sprenkel, Chairman of Delaware Day Commission, was most instrumental in producing the film. It has been shown in every state, with two exceptions, by request. Unfortunately, the machine broke down before the completion of the showing, but all present were advised to see this very fine production at some future date.

The House reconvened for business at 2:42 P.M. The following asked to be marked present: Messrs. Fonville, Evans, Stabler.

The following Resolutions were introduced:

HR 92 — Expressing the Best Wishes of the House of Representatives of the 124th General Assembly concerning the Birthdays of Representatives George C. Hering, III, and Mario A. Pagano. Introduced by Reps. Hale, Dodge, Zimmerman and Slawik.

WHEREAS, the members of the House of Representatives have learned that today, December 7, 1967, is not only the anniversary of the attack on Pearl Harbor and "Delaware Day", but also the natal day of Speaker of the House George C. Hering, III; and

WHEREAS, the members of the House of Representatives have also learned that yesterday, December 6, 1967, was the birthday of Representative Mario A. Pagano; and

WHEREAS, the members of the House of Representatives wish to express their best wishes to both Speaker Hering and Representative Pagano;

NOW THEREFORE, BE IT RESOLVED, by the House of Representatives of the 124th General Assembly of the State of Delaware, that the best birthday wishes of the members of the House be and they hereby are extended to Speaker George C. Hering, III, and Representative Mario A. Pagano.

BE IT FURTHER RESOLVED, that a copy of this resolution be entered upon the Journal of the House and a copy delivered to Speaker Hering and to Representative Pagano.

On motion of Mr. Hale **HR 92** was adopted by voice vote.

HR 93 — Authorizing payment of amount due various companies for supplies and services furnished the 124th General Assembly. Introduced by Rep. Sebrell.

BE IT RESOLVED, by the House of Representatives of the 124th General Assembly of the State of Delaware, that the following named companies be paid for supplies and services rendered the 124th General Assembly of the State of Delaware:

The Harrington Journal

P.O. Box 239

Harrington, Delaware

(499715) Bill Backers, Resolution Backers & pink mimeo paper \$202.00

Alteration of engraved stationary (Bill Frederick) 60.00

Pitney-Bowes, Inc.

69 Walnut Street

Stamford, Conn. 06904

(97-03462) Collator repair 65.00

IBM Corporation

P.O. Box 746

Philadelphia, Pa. 19105

(8458190, 8463930, 8463950, OP76521, 8110520, 8115680) 128.35

Western Union Telegraph Co.

Dover, Delaware

(for book of messages filed Sept. 21 to all members of House calling them back into session). 43.40

On motion of Rep. Sebrell **HB 93** was adopted by voice vote.

HJR 6 — In Reference to the presentation of the film, "The First State", to all future General Assemblies. Introduced by Reps. Hering, Ferguson.

WHEREAS, this day, December 7, A.D. 1967, has been formally proclaimed as Delaware Day to annual observance of our proud state heritage, and in further observance of the proud distinction of our State being the first State to ratify the United States Constitution, on December 7, A.D. 1787;

AND WHEREAS, today marks the One Hundred Eightieth anniversary of such ratification;

AND WHEREAS, in observance of same the 124th General Assembly would like to express its sincere appreciation to the cast and staff of the film, "The First State", for their fine efforts in helping to bring to life the reenactment of Delaware's ratification of the United States Constitution on December 7, A.D. 1787;

NOW THEREFORE,

BE IT RESOLVED, by the House of Representatives of the State of Delaware, the Senate concurring therein, that

the 124th General Assembly urges the leadership of all future General Assemblies to establish a tradition of showing the film, "The First State", during the first week of each new General Assembly in order that we might all once again reconsider our proud State heritage.

BE IT FURTHER HESOLVED, that the text of this Resolution be made a part of the Journal of the proceedings of the House and Senate of the 124th General of the State of Delaware.

On motion of Mr. Hale there was a suspension of rules by Roll Call. On further motion of Mr. Hale **HJR 6** was adopted by Roll Call as follows:

YEAS — Benson, Blendt, Brown, Burton, Cashman, Cicone, Dodge, Eskridge, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, McMahon, Murphy, Phillips, Pleasanton, Sebrell, Slawik, Zimmerman, Mr. Speaker Hering — 24.

NAYS — Bartleson, Castle, Fonville, Leshner, Pagano, Quillen, Riddagh, Stabler — 8.

ABSENT — Evans, Hart, Shockley — 3.

The following bills were introduced and assigned to committee:

HB 388 — An Act to amend Chapter 83 of title 11, Delaware Code, relating to appointment and classification of State Police Officers. Introduced by Reps. Ferguson, Cashman, Burton, Pagano, Stabler, Slawik, Blendt. Referred to the Committee on Highways and Public Safety.

HB 389 — An Act to amend an act being Chapter 1, 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 for mental health in the amount of \$2,750,000 and for Delaware Institute of Technology in the amount of \$1,540,000 and to issue Bonds and Notes therefor". Introduced by Reps. Heckert, Blendt, Sebrell and Gooding. Referred to the Appropriations Committee.

HB 390 — An Act making a supplementary appropriation to the State Highway Department for the purpose of reimbursing Joseph M. Keil for damage to his clothing which occurred during a highway paving operation. Introduced by Reps. Heckert and Eskridge. Referred to the Miscellaneous Committee.

HB 391 — An Act to amend Chapter 43, Title 21, Delaware Code, relating to equipment requirements for motorcycles. Introduced by Reps. Ferguson, Pagano, Slawik and Cashman. Referred to the Committee on Highways and Public Safety.

HB 392 — An Act to amend Section 20, Chapter 428, Volume 50, Part II, Laws of Delaware, as amended, relating to the powers and authority of the Mayor of the Town of Elsmere. Introduced by Rep. Cicione. Referred to the Committee on State, Urban and Municipal Affairs.

HB 393 — An Act to amend Title 12 of the Delaware Code relating to distribution by fiduciaries. Introduced by Reps. Zimmerman and Hering. Referred to the Judiciary Committee.

HB 394 — An Act to amend Section 132, Title 17, Delaware Code, relating to General Powers and Duties of the State Highway Department, by allowing highway department equipment to be used to assist the maintenance of County and Municipal garbage dumps. Introduced by Reps. Quillen, Pleasanton, Harrington and Sebrell. Referred to the Committee on Highway and Public Safety.

HB 395 — An Act to amend Chapter 29, Title 7, Delaware Code, relating to the State Forestry Department by providing for the power of arrest and providing for criminal penalties for violating the rules promulgated by the State Forester. Introduced by Reps. Blendt, Sebrell, Gray, Pleasanton and Burton. Referred to the Committee on Agriculture and Forestry.

HB 396 — An Act to amend Title 13, Delaware Code, entitled "Domestic Relations" in regard to divorce, reducing the separation time for desertion and voluntary separation, and adding incompatibility as a ground. Introduced by Reps. Castle and Slawik. Referred to Judiciary Committee.

On motion of Mr. Murphy the following, having had its final reading and been deferred, was placed again before the House for consideration and passage:

SB 236 — Mr. Murphy was granted privilege of the floor for Mr. Ernest A. Davidson, Director of Operations of the State Highway Department, to explain certain aspects of the bill.

Roll Call on **SB 236** revealed:

YEAS — Brown, Cashman, Evans, Fonville, Frederick, Murphy, Pleasanton, Quillen, Riddagh, Sebrell, Zimmerman — 11.

NAYS — Bartleson, Benson, Blendt, Burton, Castle, Eskridge, Gooding, Gray, Hale, Harrington, Heckert, Leshner, McMahon, Phillips, Slawik, Stabler, Mr. Speaker Hering — 17.

NOT VOTING — Cicione, Dodge, Hammond — 3.

ABSENT — Ferguson, Hart, Pagano, Shockley — 4.

SB 236 not having received a constitutional majority was declared lost in the House.

On motion of Mr. Leshner, the following having had its final reading was again taken up for consideration to pass the House:

SB 234 — Mr. Demo M. Carros, Executive Director of Big Brothers Associated, was granted privilege of the floor. He explained the organization and answered questions. Mr. Leshner reminded the House that a three-quarter vote was needed for passage.

Roll Call on **SB 234** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NAYS — Quillen, Riddagh — 2.

NOT VOTING — Burton, Phillips — 2.

ABSENT — Hart, Shockley — 2.

SB 234 having received three-quarter majority was declared passed the House.

On motion of Mr. Cicione, the following was given a final reading and placed before the House for consideration. The Yeas and Nays were ordered and on further motion of Mr. Cicione, the Roll Call was tabled.

On motion of Mr. Frederick the following was given a final reading and taken up for consideration in order to pass the House:

HB 335 — An Act to amend Volume 52, Chapter 283, Laws of Delaware, entitled "An Act to reincorporate the Town of Newport", also know as the Newport Town Charter, by providing that the Alderman be appointed by the Town Commissioners and generally revising those sections at the Town Charter relating to the Alderman of the Town of Newport.

Mr. Frederick reminded the House that a two-thirds vote was necessary for passage.

Roll Call on **HB 335** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Hart, Shockley — 2.

HB 335 having received a 2/3 majority was declared passed the House.

On motion of Mr. Evans the following was given a final reading and placed before the House for consideration: A three-quarter vote necessary to pass.

HB 356 — An Act making an appropriation of state matching funds to the Delaware Opportunities Industrialization Center.

Privilege of the floor was granted Mr. Evans for Mr. Ralph Allen, Executive Director of O.I.C. Mr. Allen explained the program at length and its support of 80% federal funding and 20% local funding. He stated that he did not anticipate returning to the legislature next year for further funds. Mr. Evans reminded the House a three-quarter vote was necessary. After the yeas and nays were taken, Mr. Evans moved to table the Roll Call. Motion prevailed.

On motion of Mr. Benson, the following was given a final reading and placed before the House for consideration:

HB 161 — An Act to amend Section 4402, Chapter 44, Title 21, Delaware Code, relating to removal of abandoned vehicles by permitting the New Castle County Police to enforce such provisions in conjunction with the State Police.

Roll Call on **HB 161** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 30.

ABSENT — Ferguson, Hart, Pagano, Shockley, Zimmerman — 5.

HB 161 having received a constitutional majority was declared passed.

On motion of Mr. Benson the following was given a final reading and taken up for consideration in order to pass the House:

HB 363 — An Act to amend Section 2304 (b), Chapter 28, Title 10, of the Delaware Code, relating to the payment of mileage of Justice of the Peace Constables.

Roll Call on **HB 363** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Evans, Hart, Shockley — 3.

HB 363 having received a constitutional majority was declared passed.

On motion of Mr. Hale the following was given a final reading and taken up for consideration in order to pass the House:

HB 355 — An Act to amend an act entitled "An Act making appropriations for the expenses of the state government for the fiscal year ending June 30, 1968" being Chapter 40, Volume 56, Laws of Delaware, as amended.

Roll Call on **HB 355** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Hart, Shockley — 2.

HB 355 having received a constitutional majority was declared passed.

On motion of Mr. Blendt, the following was given a final reading and taken up for consideration to pass the House:

HB 364 — An Act changing the name of the "Town of Middletown" to the "City of Middletown" and establishing a new charter therefor.

Roll Call on **HB 364** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Hart, Shockley — 2.

HB 364 having received a constitutional majority was declared passed.

On motion of Mr. Stabler, **HB 309** was deferred from the Agenda until a later date.

Mr. Hale moved to recess at 4:52 P.M. Motion prevailed. House reconvened at 5:23 P.M.

On motion of Mr. Evans the Roll Call of the following was lifted:

HB 356.

Roll Call on **HB 356** revealed:

YEAS — Bartleson, Blendt, Brown, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 28.

NAYS — Burton, Eskridge — 2.

NOT VOTING — Phillips, Benson, Zimmerman — 3.

ABSENT — Hart, Shockley — 2.

HB 356 having received a three-quarter majority was declared passed.

On motion of Mr. Cicione the following was given a final reading and taken up for consideration to pass the House:

HB 380 — An Act to amend Title 3, Delaware Code, entitled Agriculture by providing for inspection of livestock and poultry slaughtered or processed; meat products; condemnation and destruction of carcasses and products unfit for human food; regulation of sanitation of establishments; regulation of marking and labeling carcasses and products thereof; providing penalties; and making a supplementary appropriation therefor.

Roll Call on **HB 380** revealed:

YEAS — Bartleson, Benson, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

NAYS — Brown, Eskridge — 2.

NOT VOTING — Phillips — 1.

ABSENT — Hart, Shockley — 2.

HB 380 having received a constitutional majority was declared passed.

On motion of Mrs. Heckert the following was given a final reading and taken up for consideration to pass the House:

HB 340 — An Act to amend Volume 56, Volume 40, Laws of Delaware, entitled 'An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1968' by providing an additional appropriation to the State Board of Vocational Education for adult education federal matching funds.

Roll Call on **HB 340** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

NAYS — Quillen — 1.

ABSENT — Hart, Shockley — 2.

HB 30 having received a constitutional majority was declared passed.

On motion of Mr. Pleasanton the following was given a final reading and taken up for consideration to pass the House:

HB 351 — An Act making a supplementary appropriation for the expenses of the Board of Game & Fish Commissioners of the State of Delaware for the fiscal year ending June 30, 1968.

Roll Call on **HB 351** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Hammond, Hart, Shockley — 3.

HB 351 having received a constitutional majority was declared passed.

On motion of Mr. Pleasanton the following was given a final reading and placed before the House for consideration:

HB 353 — An Act to amend Section 106, Title 7, Delaware Code, relating to the powers and duties of the Board of Game and Fish Commissioners.

Mr. Pleasanton was granted privilege of the floor for Mr. Norman Wilder.

Roll Call on **HB 353** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gray, Hale, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Ferguson, Gooding, Hammond, Hart, Shockley, Slawik — 6.

HB 353 having received a constitutional majority was declared passed.

On motion of Mr. Evans the following was given a final reading and placed before the House for consideration:

SB 128 with **SA 2**, **HA 1** and **HA 2** — An Act to amend Title 31, Delaware Code, entitled "Welfare" by changing the definition of Medical Care and by providing for a Medical Advisory Committee.

Mr. Stabler moved to strike **HA 1**. Motion prevailed.

On further motion of Mr. Stabler **HA 2** was adopted by voice vote.

HA 3 to **SB 128** was introduced by Mr. Murphy. Mr. Stabler moved to table **HA 3**. Motion prevailed. Mr. Murphy moved to override the chair on the motion by Mr. Stabler to table. Mr. Eskridge moved to table Mr. Murphy's motion to override the Chair. Motion prevailed.

A Roll Call on **SB 128** with **SA 2** and **HA 2** revealed:

YEAS — Bartleson, Brown, Burton, Cashman, Castle, Ciccione, Dodge, Eskridge, Evans, Fonville, Frederick, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Seibrell, Stabler, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Benson, Blendt, Ferguson, Gooding, Hart, Shockley, Slawik — 7.

SB 128 with **SA 2** and **HA 2** having received a constitutional majority was declared passed.

The following bills were reported out of committee:

HB 354, Education, 5 Favorable.

HB 349, Education, 2 Favorable, 3 on Merits.

HB 384, Education, 5 Favorable.

HB 361, Judiciary, 3 Favorable, 1 on Merits.

HB 360, Judiciary, 3 Favorable, 1 on Merits.

HB 393, Judiciary, 4 Favorable.

HB 366, Judiciary, 4 on Merits.

HB 378, Judiciary, 4 on Merits.

SB 238, Judiciary, 1 Favorable, 3 on Merits.

HB 387, Revised Statutes, 3 Favorable, 2 Unfavorable.

HB 208, Revised Statutes, 1 Favorable, 4 Unfavorable.

HB 379, Revised Statutes, 5 Favorable.

SB 163, Revised Statutes, 5 Favorable.

The following were introduced and assigned as follows:

HB 397 — An Act to amend Chapter 27, Title 21, Delaware Code, by providing penalties for any person driving during the period of suspension of his operator's, chauffeur's or taxi cab driver's license. Introduced by Rep. Benson. Referred to the Committee on Highways and Public Safety.

HB 398 — An Act to authorize the State Highway Department to install illuminating lights at certain intersections in New Castle County and making a supplementary appropriation therefor. Introduced by Mr. Benson. Referred to Committee on Highways and Public Safety.

HB 399 — An Act to amend Volume 52, Chapter 283, Laws of Delaware, entitled "An Act to reincorporate the Town of Newport", also known as the Newport Town Charter by revising Charter provisions as to the Alderman, Election Bal-lots, Commissioners' compensation, Nonresident Voters, Special Meetings of the Commissioners, Community Welfare Fund, City Engineer, Borrowing for current expenses and fees and costs in the monition proceedings. Introduced by Reps. Frederick and Gooding. Referred to the Committee on State, Urban and Municipal Affairs.

HB 400 — An Act transferring money from the Capital Investment Fund to create a revolving fund to expedite the construction of low income housing within the state; and to authorize a study by the State Board of Housing. Introduced

by Reps. Evans, Murphy, Cashman, Frederick, Fonville, Hammond. Referred to the Committee on Public Buildings and Lands.

HB 401 — An Act to permit the Board of Education of the Milford Special School District to transfer certain funds from its local debt service account to its minor capital improvement program and current operating expenses. Introduced by Reps. Harrington and Quillen. Referred to the Committee on Education.

HB 402 — An Act to amend an Act entitled "An Act to incorporate the Town of Ocean View in Sussex County, Delaware, "Being chapter 649, Volume 18, Laws of Delaware, as amended, relating to the annexation of additional property and the procedure therefor. Introduced by Rep. Dodge. Referred to the Committee on State, Urban and Municipal Affairs.

HB 403 — An Act relating to the display of the American Flag and the State Flag in Schools. Introduced by Reps. Zimmerman and Hale. Referred to the Committee on Miscellaneous.

HB 404 — An Act to amend Chapter 23, Title 29, Delaware Code, and Chapter 47, Title 7, Delaware Code, relating to establishment of a minimum salary for two State Officials, the Assistant Secretary of State and the Director of the State Parks. Introduced by Reps. Hale, Benson, Dodge, Zimmerman, Harrington, Phillips. Referred to the Committee on Public Buildings and Lands.

HB 405 — An Act to amend Delaware Code, Title 14, Chapter 1, Subchapter II, Section 122, by adding a provision relative to summer driver education and providing an appropriation therefor. Introduced by Reps. Heckert, Sebrell, Pagano, Murphy, Evans, Cicione. Referred to the Committee on Education.

HA 1 to SS 1 for SB 193. Introduced by Reps. Dodge, Gray. Placed with Bill.

HA 1 to HB 387. Introduced by Rep. Murphy. Tabled.

HR 94 — Authorizing payment of amount due Audio Video Systems, Ltd. for supplies furnished the 124th General Assembly. Introduced by Rep. Sebrell.

BE IT RESOLVED, by the House of Representatives of the 124th General Assembly of the State of Delaware that the sum of \$58.50 is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay Audio Video Systems, Ltd., Wilmington Ave. & New Road, Elsmere, Wilmington, Delaware, for Reels-Magnetic recording tape furnished to the 124th General Assembly as per invoice number 994-7440. Adopted by voice vote.

House adjourned at 6:15 P.M. until Thursday, December 12, 1967 at 1:30 P.M.

54TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:43 P.M., on Tuesday, December 12, 1976.

There was a prayer by the Chaplain Reverend Bernard Mumford.

The Speaker led those present in a Salute of the Flag.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Castle, Cicone, Dodge, Eskridge, Evans, Fonville, Frederick, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

Members absent: Cashman, Ferguson, Gooding, Riddagh — 4.

The minutes of the previous session were approved as posted.

Letter to Mr. Slawik was read in from the Civic League for New Castle County and made a part of the record as follows:

December 6, 1967

Honorable Melvin A. Slawik

Legislative Hall

Dover, Delaware

Dear Mel:

The Board of Directors of the Civic League, at its October meeting, endorsed the principle of the reapportionment of the Delaware State Highway Commission to more nearly reflect the population distribution of the State.

Last night the Board discussed **HB 367** which you introduced on November 14th. We found the bill satisfactory - with one exception: it fails to include the words "outside of Wilmington" after the words "New Castle County". We presume that this was the intent of the bill since representation from Wilmington was specified, and I was instructed to inform you that we endorse **HB 367** if amended as indicated.

We will be pleased to help in every way possible to get the amended bill passed and thank you for your work in behalf of the citizens of New Castle County.

Sincerely,

Jane B. Aughey

Mrs. Henry Aughey, President

Mr. Zimmerman presented a letter from the City of Dover and requested it be made a part of the record as follows:

Members of the State Legislature
Legislative Hall
Dover, Delaware 19901
Gentlemen:

The Mayor and Council of the City of Dover, Delaware, at its meeting of December 11, 1967, unanimously approved the following Resolution:

WHEREAS, House Bill No. 350 would authorize the Levy Court of Kent County to borrow up to \$5,000,000 to construct and install a Kent County water or sewer system, and directs that the interest and principal on amounts borrowed be repaid from general taxation; and

WHEREAS, The City of Dover, as well as other municipalities, in Kent County, have already constructed and installed water and sewer systems and are paying for such systems in the regular course of municipal operations.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, DELAWARE IN COUNCIL MET:

That the Mayor and Council of the City of Dover, Delaware, are unanimously opposed to the passage and approval of House Bill No. 350 which would impose upon the residents and property owners of Dover, a burden of taxation to pay for a County Water and Sewer System despite the fact that Dover has already constructed and installed a Water and Sewer System.

Adopted December 11, 1967.

Crawford J. Carroll, Mayor

The City of Dover does not object to the construction of County sewer and water systems. The City does believe that payment for such systems should be made in proportion to benefits received.

Very truly yours,
Crawford J. Carroll, Mayor

The following bills were reported out of committee:

HB 383, State, Urban and Municipal Affairs, 2 Favorable, 3 on Merits.

HB 334, State, Urban and Municipal Affairs, 4 Favorable.

SB 240, State, Urban and Municipal Affairs, 3 Favorable, 2 on Merits.

The Following Bills were introduced and assigned to committee:

HB 406 — An Act making a supplementary appropriation to the State Department of Public Welfare for the purpose of increasing the scope of its Family Planning Program.

Introduced by Reps. Heckert, Hammond, Evans, Zimmerman, Sebrell, Blendt. Referred to the Committee on Health and Welfare.

HB 407 — An Act to permit Marshallton Consolidated School District No. 77 to transfer certain funds from its local debt service account to its minor capital improvements program. Introduced by Rep. Frederick. Referred to the Committee on Education.

HA 1 to **HB 349** — Introduced by Rep. Heckert. Placed with bill.

HA 1 to **HB 214** — Introduced by Rep. Sebrell. Placed with bill.

HA 1 to **HB 367** — Introduced Rep. Slawik. Placed with bill.

HJR 7 — Introduced by Rep. Slawik. Referred to the Committee on State, Urban and Municipal Affairs.

Mr. Cicione motioned to lift the Roll Call on **HB 348**. Roll Call revealed:

YEAS — Benson, Burton, Cashman, Cicione, Dodge, Evans, Fonville, Frederick, Gray, Hale, Hart, Heckert, McMahon, Murphy, Pagano, Quillen, Riddagh, Stabler, Mr. Speaker Hering — 19.

NAYS — Bartleson, Castle, Eskridge, Ferguson, Leshner, Phillips, Sebrell, Slawik, Zimmerman — 9.

NOT VOTING — Blendt, Brown, Gooding, Hammond, Harrington, Pleasanton — 6.

ABSENT — Shockley — 1.

HB 348 having received a constitutional majority was declared passed.

Mr. Hart moved to strike **HB 197** and **HB 347**. Motion prevailed.

Mr. Hale moved to strike **HS 1** for **HB 72**. Motion prevailed.

Mr. Hale motioned to recess at 2:00 P.M. Motion prevailed.

House reconvened at 4:17 P.M.

Messrs. Castle, Ferguson and Riddagh and Mrs. Gooding asked to be marked present.

On motion of Mr. Stabler the following was given a final reading and placed before the House for consideration:

HB 325 — An Act creating a State Department of Justice under the direction and control of the Attorney General and prescribing the duties, authority and organization thereof by repealing Title 29, Chapter 25, and Title 11, Chapter 87 of the Delaware Code and substituting in lieu thereof a new Chapter 25, Title 29.

Mr. Zimmerman introduced **HA 1, HA 2, HA 3, HA 4 and HA 5** to **HB 325**.

Attorney General David P. Buckson was granted privilege of the floor and spoke for the bill and on the amendments.

Mr. Zimmerman moved for adoption of **HA 1** by voice vote. Motion prevailed.

Mr. Zimmerman moved for adoption of **HA 2** by voice vote. On further motion of Mr. Zimmerman **HA 2** was deferred to prepare another amendment.

Mr. Zimmerman moved for adoption of **HA 3** by voice vote. Motion prevailed.

Mr. Zimmerman moved for adoption of **HA 4** by voice vote. Mr. Leshner moved to table **HA 4**. Motion to table prevailed.

Mr. Zimmerman moved for adoption of **HA 5** by voice vote. Motion prevailed.

Mr. Zimmerman introduced **HA 6** to **HB 325**. On further motion of Mr. Zimmerman **HA 6** was adopted by voice vote.

Mr. Zimmerman moved to strike **HA 2**. Motion prevailed.

On motion of Mr. Stabler a roll call on **HB 325** with **HA 1, HA 3, HA 5, HA 6** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 35.

HA 325 with **HA 1, HA 3, HA 5, HA 6**, having received a constitutional majority was declared passed by the House.

On motion of Mr. Castle the following was given a final reading and placed before the House for consideration:

HB 387 with **HA 1** — An Act to amend Section 717, Title 4, Delaware Code, relating to the prohibition of sales of alcoholic liquors at certain times.

Mr. Vincent Bifferato, Chairman of the Alcoholic Beverage Control Commission was granted privilege of the floor. Mr. Frederick moved to table **HB 387**. Mr. Slawik moved to table the motion to table. Mr. Hale moved to table the motion by Mr. Slawik to table the motion to table by Mr. Frederick. Mr. Speaker requested a House Attorney, Mr. Peter Walsh, to rule on the validity of a third tabling motion. Mr. Walsh ruled only two such motions were acceptable. Therefore Mr. Hale's motion was ruled out of order. A roll call on Mr. Slawik's motion to table Mr. Frederick's motion to table **HB 387** revealed as follows:

YEAS — Benson, Castle, Ferguson, Hammond, McMahon, Murphy, Quillen, Shockley, Slawik, Stabler, Zimmerman — 11.

NAYS — Bartleson, Blendt, Burton, Cashman, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Pagano, Phillips, Pleasanton, Riddagh, Sebrell, Mr. Speaker Hering — 23.

NOT VOTING — Brown — 1.

Mr. Slawik's tabling motion declared lost.

Roll Call on Mr. Frederick's motion to table **HB 387** revealed:

YEAS — Bartleson, Benson, Blendt, Burton, Cashman, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Mr. Speaker Hering 25.

NAYS — Castle, Ferguson, Hammond, McMahon, Murphy, Shockley, Slawik, Stabler, Zimmerman — 9.

NOT VOTING — Brown — 1.

HB 387 with **HA 1** declared tabled.

On motion of Mr. Leshner the following was given a final reading and placed before the House for consideration:

HB 352 — An Act making a supplementary appropriation to the Governor's Contingency Fund.

Roll Call on **HB 352** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Eskridge, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Cicione, Evans, Riddagh — 3.

HB 352 having received a constitutional majority was declared passed by the House.

On motion of Mr. Castle the following was given a final reading and placed before the House for consideration:

HB 199 — An Act to amend Chapter 113, Volume 32, Laws of Delaware, as amended, entitled "An Act providing for a Police Pension Fund: for members of the police force of the City of Wilmington", by providing accelerated benefits for retired Wilmington Police Officers.

Mr. Castle introduced **HA 1** to **HB 199** and moved for adoption by voice vote. Motion prevailed. Mr. Shockley motioned to defer **HB 199** with **HA 1**. Motion failed. The yeas and nays were ordered and revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Hale, Hammond, Hart, Heckert, Murphy, Pagano, Riddagh, Stabler, Mr. Speaker Hering — 21.

NAYS — McMahon, Shockley — 2.

NOT VOTING — Blendt, Eskridge, Gooding, Gray, Harrington, Leshner, Phillips, Pleasanton, Quillen, Sebrell, Slawik, Zimmerman — 12.

HB 199 with **HA 1** having received a constitutional majority was declared passed in the House.

A Messenger from the Senate delivered the following, having passed the Senate and asking for the concurrence of the House:

SCR 24, SB 278, SB 277, SB 268, SB 260, SB 243, SB 171, SB 67, SS 1 for **SB 276**.

Also delivered having passed the Senate were:

HB 71, HB 161, HB 296, HB 303, HB 333, HB 339, HB 343, HB 351, HB 356, HB 101, HB 184, HB 304 with **HA 1, HB 341, HB 315, HJR 6**.

The following bills were reported out of committees as follows:

Appropriations: **HB 331**, 2 favorable, 7 on merits; **HB 324**, 1 favorable, 6 on merits; **HB 372**, 5 favorable, 3 on merits; Education: **HB 401**, 5 favorable; **HB 405**, 1 favorable, 4 on merits; **SB 250**, 2 favorable, 3 on merits; Health and Welfare: **HB 214**, 2 favorable, 3 on merits; **SB 43**, 2 favorable, 3 on merits; Judiciary: **HB 396**, 3 favorable, 1 unfavorable; Labor: **SB 207**, 5 favorable, 1 on merits; Miscellaneous: **HB 390**, 4 on merits, 2 unfavorable; Public Buildings and Lands: **HB 404**, 5 favorable; Revised Statutes: **HB 385**, 6 on merits; State, Urban and Municipal Affairs: **HB 399**, 6 favorable; **HB 392**, 4 on merits; **HB 370**, 5 favorable, 1 on merits; **HB 329**, 6 favorable; **HB 402**, 3 favorable, 2 on merits.

The following bills were introduced and assigned to committees as follows:

HB 408 — An Act making a supplementary appropriation to the State Highway Department for storm damage repair of duPont Road in New Castle County. Introduced by Mr. Cicone. Referred to the Committee on Highways and Public Safety.

HB 409 — An Act to amend Chapter 25, Title 6, Delaware Code, relating to the delivery of unsolicited merchandise. Introduced by Mrs. Gooding, Mr. Castle and Mr. Slawik. Referred to the Committee on Commerce and Corporations.

HB 410 — An Act to amend Title 14, Delaware Code, relating to Education by providing for certification and salary for substitute teachers and appropriation therefore. Introduced by Reps. Heckert, Evans, Blendt, Quillen, Pagano, Hart, Sebrell. Referred to the Committee on Education.

HB 411 — An Act to amend Chapter 92, Title 10, Delaware Code, relating to the salaries of the Justices of the Peace. Introduced by Reps. Slawik, Murphy, Cashman, Ben-

son, Brown, Zimmerman, Gooding, Ferguson. Referred to the Committee on Judiciary.

HB 412 — An Act to amend Section 2133, Title 7, Delaware Code, relating to the taking of oysters from the Broadkill, Mispillion and Murderkill Rivers. Introduced by Mr. Zimmerman. Referred to the Committee on Fish, Oyster and Game.

HB 413 — An Act making a supplementary appropriation to the Delaware Soil and Water Conservation Commission for the purpose of conducting surveys of certain creeks in Sussex County. Introduced by Reps. Dodge, Leshner. Referred to the Committee on Agriculture and Forestry.

HS 1 for HJR 7 — Establishing a committee to make a comprehensive examination of the feasibility of the use of computers by state government agencies. Introduced by Mr. Slawik. Referred to the Committee on State, Urban and Municipal Affairs.

HJR 8 — Introduced by Reps. Hering, Hale, Dodge.

Relating to limitation of matters to be considered at any session of the General Assembly after January 1, 1968, called to consider reapportionment legislation.

WHEREAS, the United States District Court for the District of Delaware has ordered that the Delaware General Assembly be reapportioned and has set as a deadline January 10, 1968; and

WHEREAS, a census has been conducted of the State of Delaware for the purpose of determining a basis for a proper reapportionment plan within the guidelines set by the United States District Court for the District of Delaware and the United States Supreme Court; and

WHEREAS, final census figures and other preliminary work to drafting and acting upon reapportionment legislation are not yet available; and

WHEREAS, it may be necessary for the General Assembly to be in session subsequent to January 1, 1968, for the specific purpose of considering reapportionment legislation;

NOW THEREFORE, BE IT RESOLVED by the House of Representatives of the 124th General Assembly, the State concurring therein, that if reapportionment legislation is not passed by January 1, 1968, and it becomes necessary for the General Assembly to be called into session subsequent to that date to consider such legislation, no other legislation, of any kind shall be considered at such session of the General Assembly, and reapportionment shall be the sole item on the agenda of both Houses.

Referred to Committee on House Administration.

House adjourned at 6:56 P.M., until Thursday, December 14, 1967 at 1:30 P.M.

55TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:23 P.M., on Thursday, December 14, 1967.

There was a prayer by the Speaker of the House, Mr. Hering.

The Speaker led those present in a Salute of the Flag.

Members present: Benson, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

Members absent: Bartleson, Brown, Evans, Ferguson, Harrington, Shockley — 6.

The minutes of the previous session were approved as posted.

The following bills were introduced and assigned to committee as follows:

HB 414 — An Act making a supplementary appropriation to the Public Archives Commission. Introduced by Reps. Leshner and Zimmerman. Referred to the Committee on Public Buildings and Lands.

HB 415 — An Act making a supplementary appropriation to the State Department of Public Welfare for the purpose of compensating Lewis Donald McKnatt, Funeral Director, for the burial of certain indigent individuals. Introduced by Rep. Quillen. Referred to the Committee on Appropriations.

HB 416 — An Act to require the State Highway Department to erect a pedestrian overpass over U.S. Route 13 at Harrison Avenue (Wilmington Manor), New Castle County, Delaware. Introduced by Reps. Slawik and Cashman. Referred to the Committee on Highways and Public Safety.

HB 417 — An Act making a supplementary appropriation to the Delaware Commission of Shell Fisheries for the purpose of providing additional operating funds for the fiscal year ending June 30, 1968. Introduced by Reps. Dodge and Sebrell. Referred to the Committee on Fish, Oyster and Game.

HB 418 — An Act to amend Chapter 11, Title 30, Delaware Code, relating to Income Tax. Introduced by Reps. Gooding and Cashman. Referred to the Committee on Revenue and Taxation.

HB 419 — An Act to amend Chapter 17, Title 7, Delaware Code, relating to the issuance of a permit for the training of dogs. Introduced by Rep. Pleasanton. Referred to the Committee on Fish, Oyster and Game.

HA 1 to SB 43 — Introduced by Reps. Eskridge, Harrington, Phillips, Dodge, Burton, Gray.

On motion by Mr. Eskridge **HA 1 to SB 43** was adopted by voice vote.

HA 1 to HB 396 — Introduced by Rep. Zimmerman. Placed with bill.

HA 2 to HB 367 — Introduced by Reps. Slawik and Heckert. Placed with bill.

HA 1 to HB 367 — On motion of Mr. Slawik, was stricken.

HA 1 to HB 311 — Introduced by Rep. Stabler. Placed with bill.

SB 67 — An Act amending Title 30, of the Delaware Code, providing for the inclusion in net income of alimony and separate maintenance payments and for the deduction of such amounts by the payor. Introduced by Senator duPont. Referred to the Committee on Revenue and Taxation.

SB 171 — An Act relating to disposal of dead bodies. Introduced by Senator Cook. Referred to the Committee on Judiciary.

SB 243 — An Act to amend Section 1902, Title 14, Delaware Code, in respect to School Districts situate in two counties. Introduced by Senators Robbins and Isaacs. Referred to the Committee on Education.

SB 260 — An Act to amend Chapter 3, Title 28, Delaware Code, relating to Horse Racing. Introduced by Senators Cook, Bookhammer and Steele. Referred to the Committee on Revised Statutes.

SB 268 — An Act making a supplementary appropriation to Kenton School No. 9. Introduced by Senator Cook. Referred to the Committee on Education.

SS 1 for SB 276 — An Act to amend Chapter 61, Title 9, Delaware Code, relating to the Levy Court of Sussex County, by authorizing the Levy Court of Sussex County to negotiate with private contractors, cities and towns of Sussex County to establish public dumping areas and to expend a sum not exceeding \$75,000.00 for said disposal. Introduced by Senators Cook, Bookhammer, Foltz, Grier and Steen. Referred to the Committee on State, Urban and Municipal Affairs.

SB 277 — An Act to amend Chapter 3, Title 9, Delaware Code in respect to the election, qualifications and term of Levy Court Commissioners in and for Sussex County. Introduced by Senators Bookhammer, Grier and Steen. Referred to the Committee on State, Urban and Municipal Affairs.

SB 278 — An Act to amend Chapter 301, Volume 46, Laws of Delaware, as amended, pertaining to pension benefits for employees of New Castle County, in order to permit Warren W. Buckingham, Sr. to become eligible for New Castle County pension benefits. Introduced by Senator Isaacs. Re-

ferred to the Committee on State, Urban and Municipal Affairs.

SCR 24 — Making an appropriation to pay the staff and other expenses of the Joint Fish, Oyster and Game Committee incurred in preparation of the Shell Fish Investigation Report.

BE IT RESOLVED, by the Senate of the 124th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the following named staff members of the Joint Fish, Oyster and Game Committee of the General Assembly be paid for services rendered between July 18, 1967 and November 3, 1967, in connection with the General Assembly investigation and report concerning the Shell Fisheries Commission, in accordance with the following schedule:

Ruth E. Potter, Secretary	\$ 300.00
F. L. Peter Stone, Attorney	1,500.00

BE IT FURTHER RESOLVED, that H. B. Sinclair, marine surveyor, of Oxford, Maryland, be compensated for his services with respect to a survey and report made concerning the Shell Fisheries Commission watchboat "Delaware", at the request of the aforementioned Committee of the General Assembly, in the amount of \$138.52; and that the Lewes Boat Yard, Lewes, Delaware, be compensated in the amount of \$83.00 for services in connection with the said marine survey conducted at the request of the said Committee.

BE IT FURTHER RESOLVED, that the miscellaneous expenses of conducting the shellfish investigation and preparing the Shellfish Investigation Report involving stationery supplies, photostating and telephone costs be reimbursed to the Wilmington Law Firm of Connolly, Bove & Lodge, in the amount of \$328.51.

Introduced by Senator Isaacs. On motion of Dr. Sebrell **SCR 24** was adopted by voice vote.

HR 95 — Relative to the death of Martin J. Walsh, Sr., Representative of the 115th General Assembly.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with regret of the passing of Martin J. Walsh, Sr., a member of the 115th General Assembly; and

WHEREAS, the members of the House desire to express to the family of the deceased, in this public manner, their sympathy at occasion of this loss,

NOW THEREFORE,

BE IT RESOLVED that the family of the deceased has the full sympathy of the members of the House of Representatives of the 124th 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 House of Representatives of the 124th General Assembly of the State of Delaware.

Introduced by Reps. McMahon, Phillips, Ferguson, Pleasanton, Zimmerman, Stabler, Slawik, Brown, Eskridge, Harrington, Fonville, Blendt, Gooding, Shockley, Hammond and Hale. On Motion of Mr. McMahon **HR 95** was adopted by voice vote.

HCR 24 — Appropriating money out of the General Fund of the State Treasury to pay certain expenses of members of the Legislative Building Committee established by Joint Resolution No. 7 of the 123rd General Assembly.

BE IT RESOLVED, by the House of Representatives of the 124th General Assembly of the State of Delaware, the Senate concurring therein, that the following amounts be and the same are hereby appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the Legislative Building Committee established by Joint Resolution No. 7 of the 123rd General Assembly, for the period commencing with the 30th Day of March, 1966, and ending with and including the 29th day of June, 1966, which said expenses are hereby declared to be proper and reasonable expenses of the members of said committee for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and returning from Dover to their respective homes in attending official meetings of said committee, and the Budget Director is hereby authorized and fully empowered and directed to approve and properly execute warrants for, and the State Treasurer is hereby authorized and fully empowered and directed to pay to the respective members of said committee hereinafter named the respective amounts set opposite their respective name, viz:

Sherman W. Tribbitt	\$ 25.00
T. Lees Bartleson	99.00
John C. Kinahan	104.00
Maurice A. Hartnett	4.00
W. Harrison Phillips	102.00
Frank A. Parisi	90.00
Curtis W. Steen	100.00
W. Frank Oliphant	81.60
John A. Bivens, Jr.	2.00
George A. Robbins	16.20

On motion of Mr. Phillips **HCR 24** was adopted by voice vote.

The following bills were reported out of committees as follows: Highways and Public Safety: **HB 398**, 2 favorable,

3 on merits; **HB 408**, 2 favorable, 3 on merits; **HB 397**, 3 favorable, 2 on merits; Agriculture and Forestry: **HB 413**, 6 favorable; **HB 395**, 5 favorable, 1 unfavorable; Revenue and Taxation: **SB 155**, 3 favorable, 3 on merits; Revised Statutes: **HB 207**, 4 on merits, 1 unfavorable; Education: **HB 407**, 3 favorable, 1 on merits; House Administration: **HJR 8**, 4 favorable, 1 unfavorable.

A messenger from the Senate delivered **HB 96**, **HB 100**, **HB 104**, **HB 125**, **HB 162**, **HB 278**, **HB 340**, **HB 374** all having passed the Senate. Also, **HB 355** with **SA 1** and **HB 289** with **SA 1** having passed the Senate. And **SB 259**, **SB 269**, **SB 128** with **HA 2** and **SA 2** and **SA 3**, **SB 271**, **SB 282**, **SB 283**, wishing the concurrence of the House.

On motion of Mr. Eskridge, seconded and carried, the following was restored to the calendar: **HB 308**.

On motion of Mr. Stabler, **HB 308**, having been restored to the calendar, was reconsidered. Mr. Slawik introduced **HA 3** to **HB 308** and moved for adoption by voice vote. Motion prevailed.

Roll call on **HB 308** with **HA 1** and **HA 3** as follows:

YEAS — Benson, Blendt, Burton, Cashman, Castle, Ciccione, Dodge, Eskridge, Fonville, Frederick, Gooding, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagan, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NOT VOTING — Gray — 1.

ABSENT — Bartleson, Brown, Evans, Ferguson, Harrington, Shockley — 6.

HB 308 with **HA 1** and **HA 3** having received the required two-thirds majority, was declared passed by the House.

On motion of Mr. Stabler, the following was given a final reading and placed before the House for consideration:

HB 311 with **HA 1** — An Act amending Chapter 17 of Title 10, Delaware Code of 1953, relating to the Judges of the Municipal Court for the City of Wilmington.

On motion of Mr. Stabler, **HA 1** was adopted by voice vote.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Ciccione, Dodge, Eskridge, Frederick, Gooding, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagan, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 27.

NAYS — Fonville — 1.

NOT VOTING — Zimmerman — 1.

ABSENT — Bartleson, Brown, Evans, Ferguson, Gray, Shockley — 6.

HB 311 with **HA 1** having received the required two-thirds majority, was declared passed by the House.

On motion of Mr. Pleasanton, the following was given a final reading and placed before the House for consideration:

HB 350 — An Act authorizing the Levy Court of Kent County to borrow on the credit of the County, a sum of money not exceeding \$5,000,000 to be expended for the construction and installation of a Kent County Water or Sewer System.

Mr. Roy Shiels, attorney for the Levy Court of Kent County, was granted the privilege of the floor to answer questions on the bill.

YEAS — Benson, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 21.

NAYS — Zimmerman — 1.

NOT VOTING — Blendt, Fonville, Gooding, Hammond, Harrington, McMahon, Phillips, Slawik — 8.

ABSENT — Bartleson, Brown, Evans, Ferguson, Shockley — 5.

HB 350 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Benson, the following was given a final reading and placed before the House for consideration:

SB 233 — An Act to amend Chapter 3, Title 28, Delaware Code, relating to limitation on expenditures of the Delaware Racing Commission.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, &uillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Bartleson, Brown, Evans, Ferguson, Shockley — 5.

SB 233 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Harrington, the following was given a final reading and placed before the House for consideration:

HB 321 — An Act authorizing the Levy Court of Sussex County to appropriate County moneys to Slaughter Beach Volunteer Memorial Fire Company for the maintenance of an ambulance.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Brown, Evans, Ferguson, Hammond, Shockley — 6.

HB 321 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Harrington, the following was given a final reading and placed before the House for consideration:

HB 322 — An Act authorizing the Levy Court of Sussex County to appropriate County moneys to Volunteer Fire Companies for the maintenance of rescue trucks.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Ciccione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Bartleson, Brown, Evans, Ferguson, Shockley — 5.

HB 322 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Harrington, the following was given a final reading and placed before the House for consideration:

HB 401 — An Act to permit the Board of Education of the Milford Special School District to transfer certain funds from its local debt service account to its minor capital improvement program and current operating expenses.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Ciccione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Bartleson, Brown, Evans, Ferguson, Shockley — 5.

HB 401 having received the required three-quarters majority, was declared passed by the House.

On motion of Mr. Cashman, the following was given a final reading and placed before the House for consideration:

HB 338 with **HA 1** and **HA 2** — An Act to amend Titles 10 and 12, Delaware Code, by increasing the salary of the Register of Chancery and Clerk of the Orphans' Court, Prothonotary, and Register of Wills in and for New Castle County.

Mrs. Gooding moved for adoption of **HA 1** to **HB 338** by voice vote. Mr. Cashman moved to table **HA 1**. Motion prevailed.

Mrs. Gooding moved for adoption of **HA 2** by voice vote. Mr. Cashman moved to table **HA 2**. Motion prevailed.

Mr. Slawik introduced **HA 3** to **HB 338**. Mr. Cashman moved to table **HA 3**. Motion prevailed.

Mr. Slawik introduced **HA 4** to **HB 338**. Mr. Cashman moved to table **HA 4**. Motion prevailed.

Roll call on **HB 338** revealed the following:

YEAS — Benson, Burton, Cashman, Castle, Cicone, Dodge, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 19.

NAYS — Phillips — 1.

NOT VOTING — Blendt, Eskridge, Fonville, Gooding, Hammond, Harrington, McMahon, Quillen, Slawik, Zimmerman — 10.

ABSENT — Bartleson, Brown, Evans, Ferguson, Shockley — 5.

HB 338 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Cashman, the following was given a final reading and placed before the House for consideration:

HB 365 — An Act making a supplementary appropriation to the State Highway Department for construction of sidewalks on Washington Street, New Castle, Delaware.

On further motion of Mr. Cashman, the roll call on **HB 365** was tabled.

On motion of Mr. Cashman, the following was given a final reading and placed before the House for consideration:

SB 207 with **SA 1** and **HA 1** — An Act Title 19, Delaware Code, relating to Unemployment Compensation, by changing certain of the administrative provisions thereof and creating a special administration fund.

On motion of Mr. Cashman, **HA 1** was adopted by voice vote.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Cicone, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 28.

ABSENT — Bartleson, Brown, Evans, Ferguson, Harrington, Shockley, Zimmerman — 7.

SB 207 with **SA 1** and **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Mr. Eskridge the following was given a final reading and placed before the House for consideration:

HB 384 — An Act to permit the Board of School Trustees of the Seaford Special School District to transfer certain funds from its local debt service account to its minor capital improvement program.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Cicone, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, Mc-

Mahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Brown, Evans, Ferguson, Shockley, Zimmerman — 6.

HB 384 having received a constitutional majority was declared passed by the House.

The House recessed at 4:15 P.M. for 35 minutes and reconvened at 4:50 P.M.

The following bills were introduced and assigned to committee as follows:

HA 1 to SB 171 — Introduced by Rep. Quillen. Placed with Bill.

HA 1 to HB 398 — Introduced by Rep. Benson. Placed with Bill.

HA 1 to HB 218 — Introduced by Rep. Benson. Placed with Bill.

HA 2 to HB 193 — Introduced by Rep. Harrington. Placed with Bill.

HB 420 — An Act to amend Article 5 of the City Charter for the City of Newark, Delaware, enacted on April 26, 1965, by referendum pursuant to Chapter 8, Title 22, Delaware Code, relating to real property assessment exemptions. Introduced by Reps. Murphy, Slawik, Hale and Hart. Referred to the Committee on Revised Statutes.

HB 421 — An Act to amend Title 9 of the Delaware Code relating to "Home Rule" Legislation for Kent County. Introduced by Reps. Riddagh and Quillen. Referred to the Committee on State, Urban and Municipal Affairs.

HB 422 — An Act to permit the Board of School Trustees of the Claymont Special School District to transfer certain funds from its Local Debt Service Account to its Capital Improvements Program. Introduced by Rep. Leshner. Referred to the Committee on Education.

HB 423 — An Act to amend § 5103 (b), Title 16, Delaware Code, relating to the Commissioner of the Department of Mental Health. Introduced by Reps. Hale and Zimmerman. Referred to the Committee on Appropriations.

HB 424 — An Act to amend Title 16, Delaware Code by addition thereto of Chapter 76 creating a Commission regulating the establishment of facilities dealing in the sale and resale of gasoline and petroleum and gasoline and petroleum products. Introduced by Reps. Cashman, Slawik, Blendt, Ciccione, Gooding and Frederick. Referred to the Committee on Commerce and Corporations.

HB 425 — An Act to appropriate funds to the State Board of Education for High School Extension Programs in order to add driver education to the curriculum. Introduced

by Reps. Heckert, Hart, Leshner, Gooding and Fonville. Referred to the Committee on Education.

SB 259 — An Act to amend Chapter 237, Volume 54, Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow money to be used for the construction and remodeling of State Office Buildings in Dover, authorizing the issuance of bonds and notes therefore, appropriating the money borrowed to a Building Commission and to the Public Archives Commission" by increasing the amount of money authorized to be borrowed and appropriated. Introduced by Senator McCullough. Referred to the Committee on Public Buildings and Lands.

SB 269 — An Act appropriating certain monies to Rachael Lee and Joseph Maxwell for additional salary to which each is entitled to be paid as a teacher at the De La Warr School District No. 47. Introduced by Senator McCullough. Referred to the Committee on Education.

SB 128 with SA 3 — An Act to amend Title 31, Delaware Code, entitled "Welfare", by changing the definition of Medical Care and by providing for a Medical Advisory Committee. Introduced by Senators Dineen and Bookhammer. Referred to the Committee on Health and Welfare.

SB 271 — An Act to amend Chapter 159, Volume 43, Laws of Delaware, entitled "An Act changing the corporate name of "The Commissioners of Camden" to "The Town of Camden" and establishing a charter therefor", relating to the qualifications of officers. Introduced by Senator Foltz. Referred to the Committee on State, Urban and Municipal Affairs.

SB 282 — An Act to amend Section 9617, Chapter 96, Title 9, Delaware Code relating to fees for the Recorder of Deeds in New Castle County. Introduced by Senator Manning. Referred to the Committee on Revised Statutes.

SB 283 — An Act to amend Chapter 131, Volume 33, Laws of Delaware relating to the Charter of the Town of Clayton by extending the limits of said Town. Introduced by Senator Cook. Referred to the Committee on State, Urban and Municipal Affairs.

HB 355 as amended by **SA 1** — Mr. Hale moved that **SA 1** be read in its entirety and adopted by voice vote. Motion prevailed.

HB 289 with SA 1 — Due to inaccuracy in **SA 1**, bill was assigned to Judiciary Committee for further amendment.

Mr. Benson moved that **HB 208** be reassigned to original committee. Motion prevailed.

On motion of Mr. Cashman, the roll call on **HB 365** was lifted from the table.

YEAS — Benson, Burton, Cashman, Cicione, Dodge, Fonville, Frederick, Gooding, Gray, Hart, Heckert, Murphy, Pagano, Phillips, Quillen, Riddagh, Slawik, Stabler, Mr. Speaker Hering — 19.

NAYS — Zimmerman — 1.

NOT VOTING — Blendt, Eskridge, Hale, Hammond, Leshner, McMahon, Pleasanton, Sebrell — 8.

ABSENT — Bartleson, Brown, Castle, Evans, Ferguson, Harrington, Shockley — 7.

HB 365 having received a constitutional majority was declared passed by the House.

On motion of Mr. Hale, **HB 355** with **HA 1**, having passed the House and returned from the Senate with **SA 1**, was placed before the House for reconsideration.

YEAS — Benson, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 24.

ABSENT — Bartleson, Blendt, Brown, Evans, Ferguson, Hammond, Pleasanton, Quillen, Riddagh, Sebrell, Shockley — 11.

HB 355 with **HA 1** and **SA 1**, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Stabler, the following was given a final reading and placed before the House for consideration:

SB 238 — An Act to amend Chapter 22, Title 25, Delaware Code, known as the "Unit Property Act", by providing that unit properties within the meaning of the Act may be constructed on land held under a lease and by providing that unit owners may service as members of the "Council".

YEAS — Benson, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 25.

ABSENT — Bartleson, Brown, Evans, Ferguson, Hammond, Pleasanton, Quillen, Riddagh, Sebrell, Shockley — 10.

SB 238 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Burton, the following was given a final reading and placed before the House for consideration:

HB 354 — An Act to permit the Board of School Trustees of Georgetown Special School District to transfer certain funds from its local debt service account to its minor capital improvement program.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Brown, Evans, Ferguson, Hammond, Shockley — 6.

HB 354 having received the required three-quarters majority, was declared passed by the House.

On motion of Mr. Zimmerman, the following was given a final reading and placed before the House for consideration:

HB 393 — An Act to amend Title 12 of the Delaware Code relating to distribution by fiduciaries.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 27.

ABSENT — Bartleson, Brown, Evans, Ferguson, Pleasanton, Quillen, Riddagh, Shockley — 8.

HB 393, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Castle, the following was given a final reading and placed before the House for consideration:

HB 378 — An Act to amend Chapter 27, Title 27, Delaware Code, relating to mechanics' liens.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Dodge, Eskridge, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 26.

NAYS — Pleasanton — 1.

NOT VOTING — Cicione, Fonville, Slawik — 3.

ABSENT — Bartleson, Brown, Evans, Ferguson, Shockley — 5.

HB 378, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Harrington, the following was given a final reading and placed before the House for consideration:

HB 193 — An Act to amend Chapter 5, Title 28, Delaware Code, relating to Harness Racing.

On motion of Mr. Hart, **HA 1** to **HB 193** was adopted by voice vote.

On motion of Mr. Harrington, **HA 2** to **HB 193** was adopted by voice vote.

Roll call on **HB 193** as amended was as follows:

YEAS — Benson, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Bartleson, Brown, Evans, Ferguson, Shockley — 5.

HB 193 with **HA 1** and **HA 2**, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Hale, the following was given a final reading and placed before the House for consideration:

HB 404 — An Act to amend Chapter 23, Title 29, Delaware Code, and Chapter 47, Title 7, Delaware Code, relating to establishment of a minimum salary for two state officials, the Assistant Secretary of State and the Director of the State Parks.

YEAS — Benson, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Brown, Evans, Ferguson, Harrington, Shockley — 6.

HB 404, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Hale, the following was given a final reading and placed before the House for consideration:

HB 368 — An Act to authorize the State Highway Department to install a traffic light at Kirkwood Highway (Route 2) and Red Mill Road, New Castle County.

YEAS — Benson, Blendt, Burton, Cashman, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 26.

NAYS — Leshner — 1.

NOT VOTING — Castle, Zimmerman — 2.

ABSENT — Bartleson, Brown, Evans, Ferguson, Harrington, Shockley — 6.

HB 368, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Stabler, the following was given a final reading and placed before the House for consideration:

HB 190 — An Act to amend Chapter 56, Title 29, Delaware Code, to provide increased pensions for judges and to provide for active duty assignment of retired judges.

YEAS — Benson, Blendt, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 27.

NAYS — Hale, Riddagh — 2.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Shockley — 6.

HB 190, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Murphy, the following was given a final reading and placed before the House for consideration:

HB 382 — An Act to amend Section 1108, Title 17, Delaware Code, relating to outdoor advertising signs.

Mrs. Heckert moved to defer **HB 382**. Motion defeated by roll call.

Roll call on **HB 382** was as follows:

YEAS — Blendt, Cashman, Castle, Dodge, Fonville, Frederick, Gooding, Gray, Hammond, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Zimmerman, Mr. Speaker Hering — 23.

NAYS — Benson, Eskridge, Hale, Heckert, Stabler — 5.

ABSENT — Bartleson, Brown, Burton, Cicione, Evans, Ferguson, Shockley — 7.

HB 382, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Frederick, the following was given a final reading and placed before the House for consideration:

HB 399 — An Act to amend Volume 52, Chapter 283, Laws of Delaware, entitled "An Act to reincorporate the Town of Newport", also known as the Newport Town Charter, by revising charter provisions as to the Alderman, Election, Ballots, Commissioners' Compensation, Nonresident Voters, Special Meetings of the Commissioners, Community Welfare Fund, City Engineer, Borrowing for current expenses and fees and costs in monition proceedings.

YEAS — Benson, Blendt, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Shockley — 6.

HB 399, having received the required two-thirds majority, was declared passed by the House.

On motion of Mr. Phillips, the following was given a final reading and placed before the House for consideration:

HB 383 — An Act to amend an act being Chapter 277, Volume 49, Laws of Delaware, entitled "An Act to re-incorporate the Town of Laurel", changing the procedure for annexation, changing the ward limits, permitting the borrowing of money, authorizing the awarding of contracts under certain conditions without competitive bidding, changing the procedure for publishing of ordinances, changing the procedure for paving and curbing, providing a registration procedure for voters and establishing regulations for conducting the general municipal election, providing for the calling of special meetings, increasing the amount to be raised by taxation for general municipal purposes, deleting the limitation of amount to be raised by taxation, enlarging the Board of Assessment, and enlarging the time when taxes shall be a lien against real estate.

YEAS — Benson, Blendt, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Shockley — 6.

HB 383, having received the required two-thirds majority, was declared passed by the House.

On motion of Mr. Hart, the following was given a final reading and placed before the House for consideration:

HB 385 — An Act to amend Chapter 113, Volume 32, Laws of Delaware, as amended, entitled, "An Act providing for a police pension fund: for members of the Police Force of the City of Wilmington", in order to permit Marjorie V. Gaines, widow of Patrolman John A. Gaines, to become eligible for Wilmington Police Pension Benefits.

On further motion of Mr. Hart, the roll call on **HB 385** was tabled.

Mr. Zimmerman moved to recess for 1½ hours for dinner. Motion defeated by roll call.

On motion of Mr. Hale, the following was given a final reading and placed before the House for consideration:

HB 331 — An Act to appropriate money to WHYY, Inc.

YEAS — Benson, Blendt, Cashman, Castle, Cicione, Dodge, Eskridge, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Fonville, Shockley — 7.

HB 331, having received the required three-quarters vote, was declared passed by the House.

On motion of Mrs. Heckert, the following was given a final reading and placed before the House for consideration:

SB 250 — An Act to permit Hartley School No. 96 to transfer certain funds from its local debt service account No. 81-834 to its 1963 Construction Fund and to permit the State Treasurer to transfer certain funds from the State Treasurer's Bond Accounts No. 60-024 to the 1963 Hartley Construction Fund.

YEAS — Benson, Blendt, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 27.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Murphy, Shockley, Zimmerman — 8.

SB 250, having received a constitutional majority, was declared passed by the House.

On motion of Mrs. Heckert, the following was given a final reading and placed before the House for consideration:

HB 405 — An Act to amend Delaware Code, Title 14, Chapter 1, Subchapter II, Section 122, by adding a provision relative to Summer Driver Education, and providing an appropriation therefor.

YEAS — Benson, Blendt, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker — 27.

NAYS — Quillen, Riddagh — 2.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Shockley — 6.

HB 405, having received a constitutional majority, was declared passed by the House.

On motion of Mrs. Heckert, the following was given a final reading and placed before the House for consideration:

HB 369 — An Act to amend Chapter 13, Title 14, Delaware Code, relating to State supported salary schedules for school employees by amending the salary schedule for Supervisors, Directors and Assistant Superintendents employed by the State Board of Education and the State Board for Vocational Education in the fiscal year beginning July 1, 1968.

Mr. Hale was granted the privilege of the floor and spoke in support of the bill in spite of its meager benefits, declaring that it was the best that could reasonably be accomplished at this session.

YEAS — Benson, Blendt, Castle, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton,

Quillen, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 26.

NAYS — Cashman, Riddagh — 2.

ABSENT — Bartleson, Brown, Burton, Cicione, Evans, Ferguson, Shockley — 7.

HB 369, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Benson, the following was given a final reading and placed before the House for consideration:

SB 163 — An Act to amend Title 9, Delaware Code, Relating to the receipt of Social Security and other benefits by former Sussex County employees and its effect on their pensions.

YEAS — Benson, Blendt, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Bartleson, Brown, Burton, Cashman, Evans, Ferguson, Shockley — 7.

SB 163, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Frederick, the following was given a final reading and placed before the House for consideration:

SB 222 — An Act making a supplementary appropriation to the Public Archives Commission for the purpose of protecting and maintaining historical State property.

YEAS — Benson, Blendt, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Shockley — 6.

SB 222, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Zimmerman, the following was given a final reading and placed before the House for consideration:

HB 334 — An Act to amend Chapter 283, Volume 21, Laws of Delaware, entitled "An Act to Incorporate the Town of Little Creek", relating to the adoption and enforcement of town ordinances.

Mr. Zimmerman offered the following letter, which was read by the Reading Clerk, as follows:

(Letter undated) "We, the Town Commissioners of the Town of Little Creek, do hereby support House Bill 334."
(Signed) Helen Hegman, President; Olive Gafford, Treasurer;

Charles Ferguson, Secretary; Donald Jarman, Trustee; Harry Haggerty, Trustee.

Roll call on **HB 334**:

YEAS — Benson, Blendt, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Shockley — 6.

HB 334, having received the required two-thirds majority, was declared passed by the House.

On motion of Mr. Castle, the following was given a final reading and placed before the House for consideration:

HB 396 — An Act to amend Title 13, Delaware Code, entitled "Domestic Relations" in regard to divorce, reducing the separation time for desertion and voluntary separation, and adding incompatibility as a ground.

Mr. Zimmerman moved for adoption of **HA 1** to **HB 396** by voice vote.

Mr. Castle moved to table **HA 1**. Motion defeated by roll call. Further motion by Mr. Castle deferred **HB 396**.

On motion of Mrs. Heckert, the following was given a final reading and placed before the House for consideration:

HB 390 — An Act making a supplementary appropriation to the State Highway Department for the purpose of reimbursing Joseph M. Keil for damage to his clothing which occurred during a highway paving operation.

Mr. Sebrell moved to defer the bill (**HB 390**). Mr. Slawik moved to table Mr. Sebrell's motion to defer **HB 390**. Motion to table deferment prevailed by roll call. Roll call on **HB 390** as follows:

YEAS — Benson, Dodge, Eskridge, Hale, Harrington, Hart, Heckert, Leshner, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 12.

NAYS — Cashman, Castle, Cicione, McMahon, Pleasanton, Quillen, Riddagh, Sebrell — 8.

NOT VOTING — Blendt, Fonville, Frederick, Gooding, Gray, Murphy, Pagano, Phillips — 8.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Hammond, Shockley — 7.

HB 390 having failed to receive a constitutional majority was declared lost.

Mr. Murphy was granted the privilege of the floor and presented the following letter dated December 12, 1967, from Representative Evans: "In lieu of my absence on Thursday, December 14, 1967, I ask that you please call up House Bill No. 376. Thank you."

On motion of Mr. Murphy for Mr. Evans, the following was given a final reading and placed before the House for consideration:

HB 376 — An Act to authorize the State Highway Department to install a traffic light at 28th and Northeast Boulevard, Wilmington, New Castle County, Delaware, and providing an appropriation therefor.

YEAS — Benson, Blendt, Cashman, Cicione, Dodge, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, McMahon, Murphy, Pagano, Phillips, Riddagh, Slawik, Stabler Mr. Speaker Hering — 21.

NAYS — Leshner — 1.

NOT VOTING — Castle, Eskridge, Pleasanton, Quillen, Sebrell, Zimmerman — 6.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Hammond, Shockley — 7.

HB 376, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Pagano, the following was given a final reading and placed before the House for consideration:

HB 372 — An Act making a supplementary appropriation to the State Treasurer for the fiscal year ending June 30, 1968.

YEAS — Benson, Blendt, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 26.

NOT VOTING — Zimmerman — 1.

ABSENT — Bartleson, Brown, Burton, Evans, Ferguson, Hammond, McMahon, Shockley — 8.

HB 372, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Sebrell, the following was given a final reading and placed before the House for consideration:

HB 392 — An Act to amend Section 9605, Title 9, Delaware Code, relating to the recordation of instruments in Kent County by providing for recordation by microfilming methods.

On further motion of Mr. Sebrell, **HA 1** to **HB 329** was adopted by voice vote. Roll call on **HB 329** as amended was as follows:

YEAS — Benson, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 25.

ABSENT — Bartleson, Blendt, Brown, Burton, Evans, Ferguson, Hammond, Harrington, Hart, Shockley — 10.

HB 329 with **HA 1**, having received a constitutional majority, was declared passed by the House.

On motion of Mrs. Heckert, the following was given a final reading and placed before the House for consideration:

SB 206 — An Act to amend Chapter 59, Title 29, Delaware Code, by adding the Delaware Institute of Technology to the List of Exempt Agencies.

On further motion of Mrs. Heckert, **HA 1** to **SB 206** was adopted by voice vote.

Roll call on **SB 206** as amended was as follows:

YEAS — Benson, Cashman, Castle, Cicione, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 25.

ABSENT — Bartleson, Blendt, Brown, Burton, Evans, Ferguson, Hammond, Harrington, Hart, Shockley — 10.

SB 206 with **HA 1**, having received a constitutional majority, was declared passed by the House.

The following bills were reported out of Committee: Fish, Oyster and Game: **HB 417**, 2 favorable, 4 on merits; Revised Statutes: **SB 260**, 4 favorable, 1 on merits; **SB 282**, 3 favorable, 2 on merits.

The following bills were introduced and assigned to committees as follows:

HB 436 — An Act making a supplementary appropriation to the State Board of Education for the Dover Special School District for the purpose of making certain additions to Dover High School. Introduced by Reps. Zimmerman and Sebrell. Referred to the Committee on Education.

HB 427 — An Act to permit the Board of School Trustees of the Dover Special School District to transfer certain funds from its local debt service account to its school construction account. Introduced by Rep. Sebrell. Referred to the Committee on Education.

HB 428 — An Act to amend Chapter 35, Title 3, Delaware Code, relating to the sale and grading of eggs; restricting the advertisement thereof; providing for enforcement by the State Board of Agriculture; establishing certain penalties and making a supplementary appropriation for the fiscal year ending June 30, 1968. Introduced by Rep. Gray. Referred to the Committee on Agriculture and Natural Resources.

HB 429 — An Act to amend Chapter 83, Title 9, Delaware Code, to make real property held by the Government of New Castle County within the New Castle Special School District from which revenue is derived in rents not connected

with airport or governmental operations subject to the school taxes imposed by said school district, and providing for the assessment of such property. Introduced by Reps. Cashman and Slawik. Referred to the Committee on Public Buildings and Lands.

HCR 25 — Directing the State Highway Department to remove certain trees located on the Kent County Highway Yard in Cheswold, Delaware.

WHEREAS, certain trees located on the Kent County Highway Yard in Cheswold, Delaware, are deemed hazardous to incoming and outgoing flights at a nearby airport;

NOW THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 124th General Assembly, the Senate concurring therein, that the State Highway Department be directed, and hereby is directed, to remove all trees marked by Kent County Highway Department Engineer John Sipple which are deemed to be in the flight path, located on the Kent County Highway Yard in Cheswold, Delaware.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Ernest A. Davidson, Director of Operations of the State Highway Department.

Introduced by Reps. Quillen, Riddagh, Pleasanton, Murphy and Sebrell. On motion of Mr. Quillen, **HCR 25** was deferred.

On motion of Mr. Hale the House recessed to the Call of the Chair at 8:30 P.M.

56TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:30 P.M., on Wednesday, December 20, 1967.

There was a prayer by Representative Benson.

The Speaker led those present in a Salute of the Flag.

The Roll Call revealed 30 members present; 5 absent.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 30.

Members absent: Castle, Hammond, Murphy, Riddagh, Slawik — 5.

The following Representatives asked to be marked present:- Messrs. Castle, Hammond, Murphy and Riddagh.

A messenger from the Senate delivered the following: **SB 128** with **SA 2**, **HA 2** and **SA 3**, **SB 259**, **SB 269**, **SB 271**, **SB 282** and **SB 283** and requested the concurrence of the

House. Also, **HB 96, HB 100, HB 104, HB 125, HB 162, HB 278, HB 289 with SA 1, HB 340, HB 355 with SA 1 and HB 374.**

On motion of Mr. Stabler, the following was given a final reading and placed before the House for consideration:

HB 360 — An Act to amend § 1351, Title 30, Delaware Code, relating to estates consisting only of jointly owned property. Introduced by Reps. Stabler and McMahon.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Slawik — 1.

HB 360 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Stabler, the following was given a final reading and placed before the House for consideration:

HB 361 — An Act to amend § 2305 (3), Title 12, Delaware Code, relating to distribution of decedent's property without grant of letters where estate assets do not exceed \$1,500. Introduced by Reps. Stabler and McMahon.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Slawik — 1.

HB 361 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Harrington the following was given a final reading and placed before the House for consideration:

HB 289 with SA 1 — An Act to amend § 9524, Title 10, Delaware, relating to the service of summons and verification of service for default judgment, and to amend § 9302, Title 10, Delaware Code, relating to venue of Justices of the Peace in Civil Actions.

Roll Call revealed :

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Slawik — 1.

HB 289 with SA 1, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Benson, the following was given a final reading and placed before the House for consideration:

HB 324 with HA 1 — An Act to amend Title 18 and 29, Delaware Code, to raise the salaries of certain elected public officials and making a supplementary appropriation therefor. Introduced by Reps. Benson, Sebrell, Cicione, Brown, Heckert, Pagano.

Mr. Benson introduced **HA 2** to **HB 324**. On motion of Mr. Benson **HA 2** to **HB 324** was adopted by voice vote.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 33.

NAY — Blendt — 1.

ABSENT — Slawik — 1.

HB 324 with HA 1 and HA 2, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Hale, the following was given a final reading and placed before the House for consideration:

HB 207 — An Act to amend Section 5501, Title 29, Delaware Code, relating to State Employees' Pension Plan and covered employment qualifications. Introduced by Reps. Hale, Murphy and Hart.

Roll Call revealed :

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Bartleson, Frederick, Slawik — 3.

HB 207 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Frederick, the following was given a final reading and placed before the House for consideration:

HB 407 — An Act to permit Marshallton Consolidated School District No. 77 to transfer certain funds from its Local Debt Service Account to its Minor Capital Improvements Program.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harring-

ton, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Castle, Slawik — 2.

HB 407 having received a required three-quarter majority was declared passed by the House.

On motion of Mr. Hale, **HJR 8** having already received a final reading, was adopted by voice vote.

On motion of Mr. Evans, the following was given a final reading and placed before the House for consideration:

SB 43 with **HA 1** — An Act to amend Chapter 62, Title 9, Delaware Code, relating to indigent sick.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Slawik — 1.

SB 43 with **HA 1**, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Riddagh, the following was given a final reading and placed before the House for consideration:

SB 240 with **HA 1** — An Act to amend Section 36, Chapter 237, Volume 51, Laws of Delaware, entitled "An Act to reincorporate the Town of Bridgeville" relating to the extension of sewer and water facilities outside the limits of the Town of Bridgeville.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Slawik — 1.

HB 240 with **HA 1** having received a required two-third majority was declared passed by the House.

On motion of Mr. Hart, the following was given a final reading and placed before the House for consideration:

SB 155 with **SA 1** — An Act to amend Chapter 19, Title 14, Delaware Code in respect to tax on mobile homes.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond,

Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Slawik — 1.

SB 155, having received a constitutional majority was declared passed by the House.

On motion of Mr. Dodge, the following was given a final reading and placed before the House for consideration:

HB 413 — An Act making a supplementary appropriation to the Delaware Soil and Water Conservation Commission for the purpose of conducting surveys of certain creeks in Sussex County.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gray, Hale, Harrington, Hart, Leshner, McMahon, Murphy, Phillips, Pleasanton, Quillen, Riddagh, Shockley, Stabler, Mr. Speaker Hering — 25.

NOT VOTING — Burton, Fonville, Gooding, Hammond, Heckert, Pagano, Sebrell, Zimmerman — 8.

ABSENT — Castle, Slawik — 2.

HB 413, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Riddagh the following was given a final reading and placed before the House for consideration:

HB 366 — An Act to amend Chapter 31, Title 19, Delaware Code, relating to the taking of an appeal to the Superior Court by an aggrieved party from an adverse decision by the Employment Security Commission in a proceeding pursuant to Section 3155, Title 19, Delaware Code.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Castle, Murphy, Slawik — 3.

HB 366, having received a constitutional majority, was declared passed by the House.

On motion Mr. Benson the following was given a final reading and placed before the House for consideration:

SB 260 — An Act to amend Chapter 3, Title 28, Delaware Code, relating to Horse Racing.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Ferguson, Fonville, Gray, Hammond, Harrington, Hart, Heckert, Leshner,

McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Evans, Frederick, Gooding, Hale, Slawik — 5.

SB 260, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Benson the following was given a final reading and placed before the House for consideration:

SB 282 — An Act to amend Section 9617, Chapter 96, Title 9, Delaware Code relating to fees for the Recorder of Deeds in New Castle County.

Roll Call revealed:

YEAS — Bartleson, Benson, Burton, Cashman, Cicione, Dodge, Evans, Frederick, Gray, Hale, Hart, Leshner, Murphy, Pagano, Quillen, Riddagh, Sebrell, Mr. Speaker Hering — 18.

NAYS — McMahon, Phillips, Shockley, Zimmerman — 4.

NOT VOTING — Blendt, Brown, Eskridge, Ferguson, Fonville, Gooding, Hammond, Harrington, Heckert, Pleasanton — 10.

ABSENT — Castle, Slawik, Stabler — 3.

SB 282 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Benson the following was given a final reading and placed before the House for consideration:

HB 397 — An Act to amend Chapter 27, Title 21, Delaware Code, by providing penalties for any person driving during the period of suspension of his operator's, chauffeur's or taxi cab driver's license.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Burton, Cashman, Dodge, Ferguson, Frederick, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Mr. Speaker Hering — 19.

NAYS — Castle, Eskridge, Fonville, Gooding, Hammond, Phillips, Shockley, Stabler, Zimmerman — 9.

NOT VOTING — Brown, Evans, Gray, Harrington, McMahon — 5.

ABSENT — Cicione, Slawik — 2.

HB 397 having received a constitutional majority, was declared passed by the House.

On motion of Mr. Dodge the following was given a final reading and placed before the House for consideration:

HB 402 — An Act to amend an act entitled "An Act to incorporate the Town of Ocean View in Sussex County, Delaware," being Chapter 649, Volume 18, Laws of Delaware, as amended, relating to the annexation of additional property and the procedure therefor.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Frederick, Harrington, Slawik — 3.

HB 402 having received a required two-third majority was declared passed by the House.

On motion of Mr. Benson the following was given a final reading and placed before the House for consideration:

HB 398 with **HA 1** — An Act to authorize the State Highway Department to install illuminating lights at certain intersections in New Castle County and making a supplementary appropriation therefor.

On further motion of Mr. Benson Roll Call was tabled.

A messenger from the Senate delivered **SB 303** and requested the concurrence of the House.

On motion of Mr. Hart, Roll Call on **HB 385** was lifted.

Roll Call revealed:

YEAS — Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Gooding, Gray, Harrington, Hart, Murphy, Pagano, Quillen, Slawik, Stabler, Mr. Speaker Hering — 18.

NAYS — Benson, Riddagh — 2.

NOT VOTING — Blendt, Eskridge, Hammond, Heckert, Leshner, McMahon, Phillips, Pleasanton, Sebrell, Zimmerman — 10.

ABSENT — Bartleson, Ferguson, Frederick, Hale, Shockley — 5.

HB 385 having received a constitutional majority was declared passed by the House.

The following bills were introduced and assigned to committee as follows:

HB 430 — An Act to authorize the State Highway Department to install a traffic light at the intersection of Route 40 and School House Lane, New Castle County. Introduced by Rep. Slawik. Referred to the Committee on Highways and Public Safety.

HB 431 — An Act to permit the Rehoboth Special School District to transfer certain funds from its debt service account to its minor capital improvements program. Introduced by Rep. Dodge. Referred to the Committee on Education.

HB 432 — An Act to amend Article IV, Section 404, and Article V, Section 501.1, of the City Charter of the City of Newark, Delaware, enacted on April 26, 1965, by referendum pursuant to Chapter 8, Title 22, Delaware Code, relating to

power to raise revenue and real property assessment exemptions. Introduced by Rep. Murphy. Referred to the Committee on State, Urban and Municipal Affairs.

The following bills were assigned to committee:

HB 199 with **SA 1** — Revised Statutes.

SB 247 — Highways and Public Safety.

SB 265 — State, Urban and Municipal Affairs.

SB 288 — State, Urban and Municipal Affairs.

A messenger from the Senate delivered **HCR 25** having been adopted in the Senate.

On motion of Mr. Hale the House recessed at 4:15 P.M.

House reconvened at 6:05 P.M.

The following bills were reported out of committees as follows:

Highways and Public Safety: **HB 394**, 1 favorable, 3 on merits; **HB 416**, 4 favorable, 2 on merits; **SB 73** with **HA 1**, 1 favorable, 1 on merits, 4 unfavorable; Fish, Oyster and Game: **HB 419**, 5 favorable; State, Urban and Municipal Affairs: **HB 421**, 3 favorable, 1 on merits; **HS 1** for **HJR 7**, 2 favorable, 2 on merits; **HB 432**, 3 favorable, 1 on merits; **SB 271**, 1 favorable, 3 on merits; **SB 277**, 1 favorable, 3 on merits; **SB 283**, 3 favorable, 1 on merits; **SS 1** for **SB 276**, 3 favorable, 1 on merits; **SB 278**, 2 favorable, 2 on merits; **SB 265**, 1 favorable, 3 on merits; **SB 288**, 3 favorable, 1 on merits; Health and Welfare: **HB 406**, 3 favorable, 3 on merits; Education: **HB 427**, 5 favorable; **HB 431**, 5 favorable; **HB 422**, 5 favorable; **SB 269**, 5 favorable; **SB 268**, 4 favorable, 1 on merits; Public Buildings and Lands: **SB 259**, 6 favorable, with the concurrence of the House Appropriations Committee. Revised Statutes: **HB 199** with **SA 1**, 2 favorable, 3 on merits; Appropriations: **SB 235**, 3 favorable, 6 on merits; **HB 415**, 4 favorable, 5 on merits; **HB 347**, 2 favorable, 6 on merits, 1 unfavorable; Miscellaneous: **HB 403**, 3 favorable, 2 on merits.

A messenger from the Senate delivered **HB 275** with **SA 1**, **SA 2**, **SA 3**, **HB 314** with **SA 1**, **SB 217**, **SB 266**, **SB 290** having passed the Senate and requested the concurrence of the House.

The following bills were introduced and assigned to committees as follows:

HB 433 — An Act to amend Section 107, (a), Title 14, Delaware Code, in order to establish a minimum salary for the State Superintendent of Public Instruction and providing a supplementary appropriation for the balance of the fiscal year ending June 30, 1968. Introduced by Reps. Hale and Gooding. Referred to the Committee on Education.

HB 434 — An Act to amend Chapter 45, Title 21, Delaware Code, relating to permits for excessive size and weight by providing for extended permits for state agencies and

political subdivisions of the State. Introduced by Rep. Burton. Referred to the Committee on Highways and Public Safety.

HB 435 — An Act to amend Section 1521, Title 10, Delaware Code, relating to payment of salary of the Clerk for the Court of Common Pleas and the Court Reporter for the Court of Pleas. Introduced by Reps. Riddagh and Quillen. Referred to the Committee on State, Urban and Municipal Affairs.

HA 1 to HB 421 — Introduced by Rep. Riddagh. Placed with bill.

HA 1 to HB 138 — Introduced by Rep. Murphy. Placed with bill.

HA 1 to HB 417 — Introduced by Reps. Dodge, Sebrell and Pleasanton. Placed with bill.

HJR 9 — Directing the State Highway Department to remove certain trees located on the Kent County Highway Yard in Cheswold, Delaware.

WHEREAS, certain trees located on the Kent County Highway Yard in Cheswold, Delaware, are deemed hazardous to incoming and outgoing flights at a nearby airport;

NOW THEREFORE, BE IT RESOLVED, by the House of Representatives of the 124th General Assembly, the Senate concurring therein, that the State Highway Department be directed, and hereby is directed, to remove all trees marked by Kent County Highway Department Engineer, John Sipple, which are deemed to be in the flight path, located on the Kent County Highway Yard in Cheswold, Delaware.

Introduced by Reps. Quillen, Zimmerman, Pleasanton, Riddagh, Sebrell. Mr. Quillen moved to suspend rules and consider **HJR 9** to pass the House. Motion defeated (by voice vote). **HJR 9** assigned to Highways and Public Safety.

SCR 25 — Appointing directors on the part of the State for the Farmers Bank of the State of Delaware.

BE IT RESOLVED BY The Senate of the 124th General Assembly of the State of Delaware, the House of Representatives concurring therein, that Curtis W. Steen, Walter J. Hoey and Rowland Wollaston be and they are hereby appointed Directors, on the part of the State, of the Farmers Bank of the State of Delaware for the branch at Georgetown; that John G. Davis, Frank DiMondi and D. Elwood Nuckols, be and they are hereby appointed Directors, on the part of the State, of the Farmers Bank of the State of Delaware for the principal office at Dover; and that William J. Buckworth, William F. Lynch, II and Everette Hale, be and they are hereby appointed Directors, on the part of the State, of the Farmers Bank of the State of Delaware for the branch at Wilmington. Introduced by Mr. duPont. On the motion of Mr. Dodge a roll call was taken and revealed as follows:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gray, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Rid-dagh, Sebrell, Stabler, Mr. Speaker Hering — 23.

NAYS — Eskridge, Gooding, Harrington, McMahon, Phil-lips, Shockley — 6.

NOT VOTING — Zimmerman — 1.

ABSENT — Blendt, Ferguson, Hale, Hammond, Slawik — 5.

SCR 25 having received a constitutional majority was declared passed by the House.

SB 217 — An Act to amend Chapter 92, Title 10, Dela-ware Code, relating to the salaries of the Justices of the Peace. Mr. Cook. Referred to Committee on Judiciary.

SB 266 — An Act to amend Chapter 264, Volume 52, Laws of Delaware, by an Act entitled "An Act to Re-incor-porate the Town of Magnolia relating to the borrowing power of the Town and the Enforcement of Town ordinances." Mr. Cook. Referred to Committee on Revenue and Taxation.

SB 290 — An Act to amend Title 10, Chapter 11, Dela-ware Code, relating to the Family Court of Kent and Sussex Counties by providing for an additional Judge for the Court. Mr. Foltz. Referred to Committee on Judiciary.

HB 275 with **SA 1**, **SA 2** and **SA 3**. Mr. Cicione moved to recommit **HB 275** as amended by the Senate. Motion pre-ailed. **HB 275** reassigned to Miscellaneous Committee.

HCR 26 — Relating to the support of the trustees and administration of the University of Delaware in their re-sponsible action during the recent campus disruptions.

WHEREAS, the campus of the University of Delaware over the past several weeks being disrupted by a few students and faculty in a more or less continuous series of protests over disciplinary actions taken by the University.

AND WHEREAS, believing that the Trustees and admin-istration have acted in a manner in accordance with their authority and responsibility for the orderly operation of the institution so as to maintain its educational purposes, while at the same time continuing the policy that its faculty and students have the right to dissent and protest so long as their actions do not interfere with or disrupt the right of the majority of the faculty and students to teach and learn, or interfere with or disrupt the established procedures of the University;

NOW THEREFORE:

BE IT RESOLVED that the House of Representatives of the 124th General Assembly, with the Senate concurring therein, do commend and support the Trustees and adminis-tration of the University for their forthright actions taken to meet this challenge to their authority and responsibility

to maintain and operate the University for the benefit of the majority of the students on the campus as well as the citizens of this State. Reps. Stabler, Phillips, Zimmerman, Sebrell, Frederick, Shockley, Quillen, Eskridge, Harrington, Castle, Pagano, Heckert, Burton, Fonville, Cicione, Murphy, Cashman, Pleasanton, McMahon. On motion of Mr. Stabler **HCR 26** was adopted by voice vote.

SB 303 — An Act to amend Chapter 167, Volume 55, Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow money to be used for capital improvements and to issue bonds and notes therefor and appropriating the money borrowed to various agencies of the State". Mr. Cook. Referred to Education Committee.

SB 295 — An Act to amend Section 2832, Title 31, Delaware Code, by providing that the State of Delaware shall pay the cost of the operation and maintenance of the Delaware Home and Hospital for the Chronically Ill and the Care and support of its inmates. Mr. Foltz. Referred to Committee on State, Urban and Municipal Affairs.

SB 291 — An Act to amend Chapter 21, Title 21, Delaware Code, relating to the application, issuance and fees for special license plates to the owners of motor vehicles. Mr. Foltz. Referred to Committee on Revenue and Taxation.

SS 1 for SB 289 — An Act to amend Chapter 17, 43 and 64, Title 9, Delaware Code, and Chapter 55, Title 29, Delaware Code, pertaining to pension benefits for former Justices of the Peace and former State constables. Mr. Keenan and others. Referred to Committee on Judiciary.

SB 294 — An Act to amend Volume 56, Chapter 119, Laws of Delaware, entitled "An Act to amend Title 28 of the Delaware Code, by adding thereto a new chapter providing for the granting of licenses to conduct horse racing meets in Kent County during either daylight or evening hours, or both, on a track no less than five-eighths of a mile in circumference, providing for the payment of taxes thereon, providing certain regulatory provisions and penalties therefor, authorizing wagering or betting by pari-mutuel machines or totalizators, and placing the issuance and control of such licenses within the authority and jurisdiction of the Delaware Racing Commission." Mr. Cook. Referred to Committee on Revised Statutes.

SB 296 — An Act to amend Title 15, Delaware Code, effecting a general revision of the Election Laws of the State of Delaware by amending Chapters 1, 3 and 11, relating to the Division of Election, State Election Commissioner. Mr. Holloway. Referred to Committee on Elections.

SB 273 — An Act to amend Title 8, Delaware Code, entitled "Corporations", by making certain technical and other

amendments to said Title. Mr. Cook. Referred to Committee on Judiciary.

The House recessed at 6:47 P.M. and reconvened at 7:29 P.M.

The following bills were reported out of committee as follows: Highways and Public Safety: **HJR 9**, 2, favorable 2 on Merits; Education: **HB 433**, 3 favorable, 2 on merits; **SB 303**, 4 favorable, 1 on merits; Revised Statutes: **SB 294**, 3 favorable; 2 on merits; State, Urban and Municipal Affairs: **SB 295**, 4 favorable, 1 on merits; **HB 435**, 5 favorable; Judiciary: **SB 273**, 4 favorable, 1 on merits; **SS 1** for **SB 289**, 1 favorable, 4 on merits.

The House adjourned at 7:37 P.M. until 1:30 P.M. Thursday, December 21, 1967.

57TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:47 P.M., on Thursday, December 21, 1967.

There was a prayer by Representative Pagano.

The Speaker led those present in a Salute of the Flag.

The Roll Call revealed 32 members present, 3 absent.

Members present: Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Members Absent: Blendt, Burton, Harrington — 3.

Rep. Blendt later asked to be marked present.

The minutes of the previous session were approved as posted, after recess.

Mr. Zimmerman deferred his place on the agenda to Mr. Slawik. Mr. Slawik asked for the committee report on **HB 275** with **SA 1**, **2** and **3**. This report was from the Miscellaneous Committee: 6 favorable. Mr. Slawik moved to suspend all rules for the sole purpose of considering **HB 275** as amended. Motion prevailed. The Debt statement accompanying the bill was read in. On motion of Mr. Slawik a roll call was ordered on **HB 275** with **SA 1**, **SA 2** and **SA 3** and revealed as follows:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Blendt, Burton, Harrington, Stabler — 4.

HB 275 with **SA 1**, **SA 2** and **SA 3**, having received a three-quarter majority was declared passed by the House.

On the motion of Mr. Zimmerman the following was given a final reading and placed before the House for consideration:

HB 138 with HA 1 — An Act relating to the control of radiation.

On motion of Mr. Murphy **HA 1** to **HB 138** was adopted by voice vote.

The privilege of the floor was granted Dr. Nelson of Atlas Chemical Company who spoke for the bill. The Roll Call revealed as follows:

YEAS — Bartleson, Benson, Brown, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Blendt, Burton, Castle, Hammond, Harrington, Stabler — 6.

HB 138 with HA 1 having received a constitutional majority was declared passed by the House.

On motion of Mr. Slawik the following was given a final reading and placed before the House for consideration:

HS 1 for HJR 7 — Establishing a Committee to make a comprehensive examination of the feasibility of the use of computers by State Government Agencies.

WHEREAS, the activities and functions performed by the various State governmental agencies have substantially increased in size and complexity over the last decade; and

WHEREAS, the magnitude and complexity of these operations has resulted in substantial paperwork, processing and delays; and

WHEREAS, large business operations have effectively utilized computer science in their complex operations; and

WHEREAS, a number of state governments have likewise effectively utilized computer science in their operations.

NOW THEREFORE,

BE IT RESOLVED that the Governor of the State of Delaware is hereby empowered and requested to appoint a committee of at least five qualified individuals to undertake a comprehensive examination of the feasibility of the use of computer science by the state government agencies.

BE IT FURTHER RESOLVED that the committee shall render its report and recommendations to the members of the General Assembly and to the Governor within one year of the date of its organization.

BE IT FURTHER RESOLVED that the sum of \$10,000 is appropriated from the General Fund to the Governor for the use of this committee in carrying out its responsibilities.

Mr. Leshner moved to table **HS 1** for **HJR 7**. Motion prevailed.

On motion of Mr. Riddagh the following was given a final reading and placed before the House for consideration:

SB 271 — An Act to Amend Chapter 159, Volume 43, Laws of Delaware, Entitled "An Act Changing the Corporate Name of 'The Commissioners of Camden' to 'The Town of Camden' and Establishing a Charter Therefor", Relating to the Qualifications of Officers.

Roll Call revealed:

YEAS — Bartleson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Benson, Blendt, Burton, Ferguson, Harrington, Phillips, Stabler — 7.

SB 271, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Dodge the following was given a final reading and placed before the House for consideration:

HB 417 with **HA 1** — An Act making a supplementary appropriation to the Delaware Commission of Shell Fisheries for the purpose of providing additional operating funds for the fiscal year ending June 30, 1968.

On further motion of Mr. Dodge **HA 1** was adopted by voice vote.

Roll Call on the bill as amended revealed:

YEAS — Bartleson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Zimmerman, Mr. Speaker Hering — 27.

ABSENT — Benson, Blendt, Burton, Harrington, Phillips, Shockley, Slawik, Stabler — 8.

HB 417, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Riddagh, the following was given a final reading and placed before the House for consideration:

SB 277 — An Act to Amend Chapter 3, Title 9, Delaware Code in Respect to the Election, Qualification and Term of Levy Court Commissioners in and for Sussex County.

This bill was introduced in the Senate by Senator Bookhammer.

Roll Call revealed:

YEAS — Bartleson, Brown, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 27.

NOT VOTING — Heckert — 1.

ABSENT — Benson, Blendt, Burton, Castle, Harrington, Phillips, Stabler — 7.

SB 277, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Riddagh the following was given a final reading and placed before the House for consideration:

SB 283 — An Act to Amend Chapter 131, Volume 33, Laws of Delaware Relating to the Charter of the Town of Clayton by Extending the Limits of Said Town.

This bill was sponsored by Senator Cook.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Blendt, Burton, Ferguson, Gray, Hammond, Harrington, Phillips — 7.

SB 283, having received the required 2/3 majority vote was declared passed by the House.

On motion of Mr. Riddagh, the following was given a final reading and placed before the House for consideration:

SS 1 for SB 276 — An Act to Amend Chapter 61, Title 9, Delaware Code Relating to the Levy Court of Sussex County, By Authorizing the Levy Court of Sussex County to Negotiate with Private Contractors, Cities and Towns of Sussex County to Establish Public Dumping Areas and to Expend a Sum Not exceeding \$75,000.00 for Said Disposal.

This substitute was introduced by Senators Bookhammer, Steen and Grier.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Zimmerman, Mr. Speaker Hering — 24.

ABSENT — Blendt, Burton, Cashman, Ferguson, Gray, Hale, Hammond, Harrington, Phillips, Shockley, Stabler — 11.

SS 1 for SB 276, having received a constitutional majority, was declared passed.

On motion of Mr. Frederick, the following was given a final reading and placed before the House for consideration:

SB 259 with Debt Statement — An Act to Amend Chapter 237, Volume 54, Laws of Delaware, Entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used for the Construction and Remodeling of State Office Buildings in Dover, Authorizing the Issuance of Bonds and Notes Therefore, Appropriating the Money Borrowed to a Building

Commission and to the Public Archives Commission" By Increasing the Amount of Money Authorized to be Borrowed and Appropriated. This bill was sponsored by Senator McCullough.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Blendt, Burton, Ferguson, Hammond, Harrington, Phillips — 6.

SB 259 with Debt Statement having received the required $\frac{3}{4}$ majority vote was declared passed by the House.

On motion of Mr. Pleasanton, the following was given a final reading and placed before the House for consideration:

HB 419 — An Act to Amend Chapter 17, Title 7, Delaware Code, relating to the Issuance of a permit for the Training of Dogs.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Blendt, Burton, Harrington, Riddagh, Stabler — 5.

HB 419, having received a constitutional majority, was declared passed by the House.

On motion of Dr. Sebrell, the following was given a final reading and placed before the House for consideration:

HB 427 — An Act to permit the Board of School Trustees of the Dover Special School District to transfer certain funds from its local debt service account to its school construction account.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Blendt, Burton, Ferguson, Harrington — 4.

HB 427, having received the required $\frac{3}{4}$ majority vote was declared passed by the House.

On motion of Mr. Riddagh, the following was given a final reading and placed before the House for consideration:

HB 421 with HA 1 — An Act to amend Title 9 of the Delaware Code relating to "Home Rule" legislation for Kent County.

On further motion of Mr. Riddagh **HA 1** was adopted by voice vote.

On motion of Mr. Riddagh **HB 421 with HA 1** was deferred for preparation of further amendment by Mr. Zimmerman.

On motion of Mr. Murphy, the following was given a final reading and placed before the House for consideration:

HB 432 — An Act to amend Article IV, Section 404, and Article V, Section 501.1, of the City Charter of the City of Newark, Delaware, enacted on April 26, 1965, by referendum pursuant to Chapter 8, Title 22, Delaware Code, relating to power to raise revenue and real property assessment exemptions.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Blendt, Burton, Ferguson, Fonville, Harrington — 5.

HB 432, having received the required 2/3 majority vote was declared passed by the House.

On motion of Mr. Dodge, the following was given a final reading and placed before the House for consideration:

HB 431 — An Act to permit the Rehoboth Special School District to transfer certain funds from its Debt Service Account to its Minor Capital Improvements Program.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Blendt, Burton, Ferguson, Fonville, Harrington, Murphy — 6.

HB 431, having received the required 3/4 majority vote was declared passed by the House.

On motion of Mr. Riddagh, the following was given a final reading and placed before the House for consideration:

SB 295 — An Act to Amend Section 2832, Title 31, Delaware Code, by Providing that the State of Delaware Shall Pay the Cost of the Operation and Maintenance of the Delaware Home and Hospital for the Chronically Ill and the Care and Support of its Inmates.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gray, Hale, Hart, Heckert, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Stabler, Mr. Speaker Hering — 20.

NAYS — Eskridge, Ferguson, Gooding, Leshner, McMahon, Shockley — 6.

NOT VOTING — Fonville, Hammond, Phillips, Sebrell, Slawik, Zimmerman — 6.

ABSENT — Blendt, Burton, Harrington — 3.

SB 295, having received a constitutional majority, was declared passed by the House.

On motion of Mr. Quillen the following was given a final reading and placed before the House for consideration:

HJR 9 — Directing the State Highway Department to Remove Certain Trees located on the Kent County Highway Yard in Cheswold, Delaware.

Whereas, certain trees located on the Kent County Highway Yard in Cheswold, Delaware, are deemed hazardous to incoming and outgoing flights at a nearby airport;

Now Therefore, Be It Resolved, by the House of Representatives of the 124th General Assembly, the Senate concurring therein, that the State Highway Department be directed, and hereby is directed, to remove all trees marked by Kent County Highway Department Engineer, John Sipple, which are deemed to be in the flight path, located on the Kent County Highway Yard in Cheswold, Delaware.

Be it further resolved that a copy of this resolution be sent to Ernest A. Davidson, Director of Operations of the State Highway Department.

Roll Call revealed:

YEAS — Brown, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gray, Hale, Hammond, Hart, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 25.

NAYS — Bartleson, Benson, Hackert, Leshner — 4.

NOT VOTING — Castle, Gooding — 2.

ABSENT — Blendt, Burton, Fonville, Harrington — 4.

HJR 9 having received a constitutional majority was declared passed by the House.

On motion of Mrs. Heckert the following was given a final reading and placed before the House for consideration:

SB 268 — An Act making a supplementary appropriation to Kenton School No. 9.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon,

Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Blendt, Burton, Fonville, Harrington — 4.

SB 268 having received a constitutional majority was declared passed by the House.

On motion of Mr. Leshner the following was given a final reading and placed before the House for consideration:

HB 422 — An Act to permit the Board of School Trustees of the Claymont Special School District to transfer certain funds from its local debt service account to its capital improvements program.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Burton, Ferguson, Harrington, Hart — 4.

HB 422 having received the required 3/4 majority was declared passed by the House.

Governor Charles L. Terry addressed the members of the House.

On motion of Mr. Slawik the following was given a final reading and placed before the House for consideration:

HB 416 — An Act to require the State Highway Department to erect a pedestrian overpass over U. S. Route 13 at Harrison Avenue (Wilmington Manor), New Castle County, Delaware.

On motion of Mr. Slawik the roll call was tabled.

On motion of Mr. Hale the following was given a final reading and placed before the House for consideration:

HB 433 — An Act to amend Section 107, (a), Title 14, Delaware Code, in order to establish a minimum salary for the State Superintendent of Public Instruction and providing a supplementary appropriation for the balance of the fiscal year ending June 30, 1968.

Mr. Bartleson moved to defer **HB 433**. Mr. Hale moved to table Mr. Bartleson's motion to defer. Mr. Hale's motion prevailed.

Roll Call revealed:

YEAS — Benson, Blendt, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Gooding, Gray, Hale, Hammond, Hart, Heckert, McMahon, Murphy, Pagano, Phillips, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 25.

NAYS — Riddagh, Sebrell — 2.

NOT VOTING — Bartleson, Frederick, Leshner, Pleasanton — 4.

ABSENT — Burton, Ferguson, Harrington, Quillen — 4.

HB 433 having received a constitutional majority was declared passed by the House.

On motion of Mr. Benson the following was given a final reading and placed before the House for consideration:

SB 294 with **HA 1** — An Act to amend Volume 56, Chapter 119, Laws of Delaware, entitled "An Act to amend Title 28 of the Delaware Code, by adding thereto a new chapter providing for the granting of licenses to conduct horse racing meets in Kent County during either daylight or evening hours, or both, on a track no less than five-eighths of a mile in circumference, providing for the payment of taxes thereon, providing certain regulatory provisions and penalties therefor, authorizing wagering or betting by pari-mutuel machines or totalizators, and placing the issuance and control of such licenses within the authority and jurisdiction of the Delaware Racing Commission."

Mr. Cashman moved to adopt HA 1 by voice vote. Motion carried.

Roll Call on the bill as amended:

YEAS — Benson, Blendt, Brown, Cashman, Castle, Cicone, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Burton, Evans, Ferguson, Harrington, Quillen — 6.

SB 294 with **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Mr. Riddagh the following was given a final reading and placed before the House for consideration:

SB 265 — An Act to amend Chapter 264, Volume 52, Laws of Delaware, by an Act entitled "An Act to Re-incorporate the Town of Magnolia relating to the borrowing power of the Town and enforcement of Town Ordinances."

Roll Call revealed:

YEAS — Benson, Blendt, Brown, Cashman, Castle, Cicone, Dodge, Eskridge, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Burton, Evans, Ferguson, Harrington, Slawik — 6.

HB 265 having received the required 2/3 majority was declared passed by the House.

On motion of Mr. Riddagh the following was given a final reading and placed before the House for consideration:

SB 288 — An Act to amend Chapter 3, Title 9, Delaware Code, in respect to qualifications and term and filling vacancies of Levy Court Commissioners in and for Sussex County.

Roll Call revealed:

YEAS — Benson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Bartleson, Blendt, Burton, Ferguson, Harrington — 5.

SB 288 having received a constitutional majority was declared passed by the House.

On motion of Mr. Cashman **HB 247** was stricken. The following bill was introduced:

HB 436 — An Act to amend Title 14, Chapter 29, Delaware Code, relating to transportation of pupils in nonpublic, nonprofit elementary and high schools. Introduced by Mr. Cashman.

Mr. Cashman moved to suspend rules and place **HB 436** before the House for consideration. Motion carried.

Roll Call revealed:

YEAS — Benson, Blendt, Brown, Cashman, Castle, Cicione, Evans, Fonville, Gooding, Hale, Hammond, Hart, Heckert, McMahon, Murphy, Pagano, Phillips, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 22.

NAYS — Dodge, Eskridge, Pleasanton, Quillen, Sebrell — 5.

NOT VOTING — Gray, Leshner — 2.

ABSENT — Bartleson, Burton, Ferguson, Frederick, Harrington, Riddagh — 6.

HB 436 having received a constitutional majority was declared passed by the House.

On motion of Mrs. Heckert the following was given a final reading and placed before the House for consideration:

SB 269 — An Act appropriating certain monies to Rachel Lee and Joseph Maxwell for additional salary to which each is entitled to be paid as a teacher at the DeLaWarr School District No. 47.

Mr. Peter Walsh, House Attorney, gave the opinion that the bill needed only a simple majority to pass rather than 3/4 majority

Roll Call revealed:

YEAS — Benson, Blendt, Brown, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Bartleson, Burton, Cicione, Ferguson, Frederick, Harrington, Slawik — 7.

SB 269 having received a constitutional majority was declared passed by the House.

On motion of Mrs. Heckert the following was given a final reading and placed before the House for consideration:

SB 303 — An Act to amend Chapter 167, Volume 55, Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow money to be used for capital improvements and to issue bonds and notes therefor and appropriating the money borrowed to various agencies of the State".

Roll Call revealed:

YEAS — Benson, Blendt, Brown, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 27.

ABSENT — Bartleson, Burton, Cicione, Ferguson, Frederick, Hammond, Harrington, Slawik — 8.

SB 303 having received the required 3/4 majority was declared passed by the House.

On motion of Mr. Stabler the following was given a final reading and placed before the House for consideration:

HB 314 with SA 1 — An Act to amend Title 11, Chapter 21, of the Delaware Code by repealing said chapter as it now appears and enacting a new Chapter 21 pertaining to release of persons accused of crimes in the various courts of this state pending trial and to provide for a system of bail with surety, bail without surety and the release on personal recognizance and to empower the court to set forth conditions of any release and providing that the Department of Corrections shall administer bail and recognizance procedures.

Roll Call revealed:

YEAS — Blendt, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Benson — 1.

ABSENT — Bartleson, Burton, Ferguson, Gooding, Harrington, Slawik — 6.

HB 314 with SA 1 having received a constitutional majority was declared passed by the House.

On motion of Mr. Stabler the following was given a final reading and placed before the House for consideration:

SB 273 — An Act to amend Title 8, Delaware Code, entitled "Corporations", by making certain technical and other amendments to said Title.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Burton, Ferguson, Harrington, Slawik — 4.

SB 273 having received the required 2/3 majority was declared passed by the House.

On motion of Mr. Murphy the following was given a final reading and placed before the House for consideration:

SB 73 with **HA 1** — An Act appropriating \$25,000 to the State Highway Department to correct a drainage problem created during the construction of dual highway Route 14.

Mr. Leshner moved for adoption of **HA 1** by voice vote. Motion carried.

Mr. Dodge moved for adoption of **HA 2** by voice vote. Motion carried.

On motion of Mr. Murphy **SB 73** with **HA 1** and **HA 2** was deferred momentarily.

On motion of Mr. Riddagh the following was given a final reading and placed before the House for consideration:

HB 435 — An Act to amend Section 1521, Title 10, Delaware Code, relating to payment of salary of the Clerk for the Court of Common Pleas and the Court Reporter for the Court of Common Pleas.

Mr. Benson moved to defer bill. Motion prevailed.

On motion of Mr. Quillen the following was given a final reading and placed before the House for consideration:

HB 394 — An Act to amend Section 132, Title 17, Delaware Code, relating to General Powers and Duties of the State Highway Department, by allowing Highway Department equipment to be used to assist the maintenance of County and Municipal garbage dumps.

Roll Call revealed:

YEAS — Bartleson, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Gray, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Mr. Speaker Hering — 18.

NAYS — Benson, McMahon — 2.

NOT VOTING — Blendt, Ferguson, Fonville, Gooding, Hale, Hammond, Hart, Heckert, Leshner, Stabler — 10.

ABSENT — Burton, Frederick, Harrington, Slawik, Zimmerman — 5.

HB 394 having received a constitutional majority was declared passed by the House.

On motion of Mr. Castle the following was given a final reading and placed before the House for consideration:

HB 199 with **HA 1** and **SA 1** — An Act to amend Chapter 113, Volume 32, Laws of Delaware, as amended, entitled "An Act providing for a Police Pension Fund: For members of the Police Force of the City of Wilmington", by providing accelerated benefits for retired Wilmington Police Officers.

Mr. Castle introduced **HA 1** to **SA 1** to **HB 199** and moved for its adoption by voice vote. Motion carried. Mr. Castle introduced **HA 2** to **HB 199** and moved for its adoption by voice vote. Motion defeated.

The privilege of the floor was granted to Mr. Francis Biondi, City Solicitor of Wilmington. The privilege of the floor was also granted to Mr. Herman Hughes, former member of the Police Force.

Mr. Hale moved to defer the bill. Motion carried.

On motion of Mr. Leshner the following was given a final reading and placed before the House for consideration:

SB 235 — An Act making a supplementary appropriation to the Department of Public Welfare for the Fiscal Year ending June 30, 1968.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Cashman, Castle, Cicione, Evans, Fonville, Gooding, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Phillips, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 21.

NAYS — Benson, Dodge, Eskridge, Ferguson, Gray, Pleasanton, Quillen, Riddagh, Sebrell — 9.

ABSENT — Burton, Frederick, Harrington, Pagano, Slawik — 5.

SB 235 having received a constitutional majority was declared passed by the House.

On motion of Mr. Murphy **SB 73** was reconsidered as amended and on further motion again deferred.

House recessed at 5:31 P.M. until 6:31 P.M. House recessed at 6:32 P.M. for dinner and reconvened at 8:22 P.M.

On motion of Mr. Benson the roll call on **HB 398** with **HA 1** was lifted from the table.

Roll Call revealed:

YEAS — Benson, Brown, Burton, Cashman, Cicione, Dodge, Evans, Ferguson, Frederick, Gray, Hale, Hart, Heckert, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Stabler, Mr. Speaker Hering — 20.

NAYS — Blendt, Eskridge, Gooding, Hammond, Harrington, Leshner, McMahon, Sebrell, Shockley — 10.

ABSENT — Bartleson, Castle, Fonville, Slawik, Zimmerman — 5.

HB 398 with **HA 1** having received a constitutional majority was declared passed by the House.

Mr. Dodge moved that **HA 2** to **SB 73** be stricken. On further motion Mr. Dodge moved reconsideration and repeal of **HA 2**. Motion carried. Mr. Leshner moved to table **SB 73** with **HA 1** and **HA 2**. Bill tabled by roll call.

The following was reported out of committee as follows: **SB 291**: Revenue and Taxation: 1 favorable, 3 on merits, 1 unfavorable. Mr. Hart moved to suspend rules and act on **SB 291**. Motion prevailed.

On motion of Mr. Hart the following was given a final reading and placed before the House for consideration:

SB 291 — An Act to amend Chapter 21, Title 21, Delaware Code, relating to the application, issuance and fees for special license plates to the owners of motor vehicles.

Mr. Gray introduced **HA 1** to **SB 291**. On further motion of Mr. Gray **HA 1** was adopted by voice vote. House Attorney Peter Walsh was granted privilege of the floor to give an opinion as to whether or not this bill was primarily to produce revenue and therefore should have originated in the House rather than Senate. On motion of Mr. Hart the bill was deferred temporarily.

On motion of Mr. Riddagh, the following was given a final reading and placed before the House for consideration.

SB 278 — An Act to amend Chapter 301, Volume 46, Laws of Delaware, as amended, pertaining to pension benefits for employees of New Castle County, in order to permit Warren W. Buckingham, Sr., to become eligible for New Castle County Pension Benefits.

Mr. Benson moved to defer the bill. Mr. Murphy moved to table Mr. Benson's motion to defer. The motion was defeated by roll call. A Roll Call on the bill revealed:

YEAS — Blendt, Brown, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gray, Hale, Hart, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebbrell, Mr. Speaker Hering — 20.

NAYS — Bartleson, Benson, Eskridge, Leshner, Shockley — 5.

NOT VOTING — Gooding, Heckert, Phillips, Zimmerman — 4.

ABSENT — Burton, Castle, Hammond, Harrington, Slawik, Stabler — 6.

SB 278 having received a constitutional majority was declared passed by the House.

Mr. Hart moved to reconsidered **SB 291** with **HA 1**. Mr. Ferguson moved to defer. Motion defeated. Privilege of the floor was granted Senator Foltz.

Roll Call on the bill, as amended, revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Cicione, Dodge, Evans, Frederick, Gray, Hale, Hart, Heckert,

Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 22.

NAYS — Eskridge, Ferguson, McMahon, Shockley, Zimmerman — 5.

NOT VOTING — Fonville, Gooding, Phillips — 3.

ABSENT — Burton, Castle, Hammond, Harrington, Slawik — 5.

SB 291 with **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Mr. Blendt the following was placed before the House for consideration to pass as amended by the Senate:

HB 364 with **SA 2** — An Act changing the name of the "Town of Middletown" to the "City of Middletown" and establishing a new charter therefor.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Cicione, Dodeg, Eskridge, Evans, Ferguson, Fonville, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton,, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering -- 29.

ABSENT — Burton, Castle, Frederick, Hammond, Harrington, Slawik — 6.

HB 364, having received the required 2/3 majority vote was declared passed by the House.

On motion of Mr. Riddagh the following was again placed before the House for consideration:

HB 421 with **HA 1** — An Act to amend Title 9 of the Delaware Code relating to "Home Rule" legislation for Kent County.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gray, Hale, Hart, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Mr. Speaker Hering — 26.

NOT VOTING — Gooding, Heckert, Zimmerman — 3.

ABSENT — Burton, Castle, Hammond, Harrington, Murphy, Slawik — 6.

HB 421 with **HA 1**, having received a constitutional majority was declared passed by the House.

The following bills were introduced and assigned to committees as follows:

HB 437 — An Act relating to the general revision of the Criminal Law of this State by amending Part 1, Title 11, Delaware Code, entitled "Crimes and Criminal Procedure"; by a general revision of that part to be effected by repealing that part in its entirety and substituting therefore a new part; and further, to amend parts II and III, Title 11, Delaware Code, relating to criminal procedure, particularly Chap-

ters 19, 27, 29, 35, 37, 39, 43, 47, and 59; and further to repeal certain section of Chapters 47, and 49, Title 16, Delaware Code, relating to crimes relating to health and safety. Introduced by Reps. Stabler, Castle and Zimmerman. Referred to the Committee on Judiciary.

HB 438 — An Act to amend Part I, Title 14 of the Delaware Code entitled "Free Public Schools" to provide for the reorganization of School Districts to be effected by amending and repealing existing laws pertaining thereto. Introduced by Reps. Heckert, Evans, Gooding, Blendt, Hart and Sebrell. Referred to the Committee on Education.

SB 267 — An Act transferring money from the Capitol Investment Fund to be used to improve the causeway and bridge on Route 6 to Woodland Beach. Introduced by Senator Cook. Referred to the Committee on Appropriations.

SB 274 — An Act making a supplementary appropriation to the Custodian of the State House. Introduced by Senator Dineen. Referred to the Committee on Appropriations.

SB 256 — An Act to amend Sections 1131 (a), 1131 (c), 1131 (d), 1132, 1134 (d), 1155 (d), 1158 (e), 1159 (f), and 1160, Chapter 11, Title 9, Delaware Code. Introduced by Senator Dineen and others. Referred to the Committee on Revenue and Taxation.

SB 292 — An Act to amend Chapter 17, Title 9, Delaware Code, relating to retirement and disability pension benefits. Introduced by Senators Steele and Holloway. Mr. Benson moved to suspend rules. Motion defeated. Bill referred to Committee on Revised Statutes.

SB 267 — Mr. Riddagh moved to suspend rules to consider the bill. Motion defeated. Bill remained assigned to Committee on Appropriations.

SB 304 — An Act amending Chapter 40, Volume 56, Laws of Delaware, as amended, entitled "An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1968.", and making a supplementary appropriation therefor, in the amount of \$15,000.00. Introduced by Senator Dineen. Mr. Hale moved to suspend rules in order to consider the bill. Motion prevailed.

Roll call revealed:

YEAS — Benson, Blendt, Brown, Cashman, Dodge, Eskridge, Evans, Fonville, Frederick, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Mr. Speaker Hering — 24.

NAYS — Bartleson — 1.

NOT VOTING — Zimmerman — 1.

ABSENT — Burton, Castle, Cicione, Ferguson, Gooding, Hammond, Harrington, Slawik, Stabler — 9.

SB 304 having received the constitutional majority was declared passed the House.

SB 305 — An Act relating to a pension for Elmer H. Messick, a former employee of the State of Delaware. Introduced by Senator Bookhammer. Mr. Hale moved to suspend rules in order to act on the bill. Motion defeated. Bill assigned to Miscellaneous Committee. Senator Bookhammer was granted privilege of the floor to speak for the bill. On further motion of Mr. Hale, rules were suspended and a roll call was ordered on **SB 305**:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Seibrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 30.

NAYS — Burton, Castle, Hammond, Harrington, Slawik — 5.

SB 305 having received the constitutional majority was declared passed the House.

SB 309 — An Act making a supplementary appropriation to Delaware State College for roof repairs on the Library. Introduced by Senator Cook. Mr. Hale moved to suspend rules in order to act on the bill. Motion carried.

The Roll Call was ordered and revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Seibrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NAYS — Burton, Castle, Gray, Hammond, Harrington, Slawik — 6.

SB 309 having received the constitutional majority was declared passed the House.

SB 311 — An Act appropriating certain monies to Clara M. Ford to which she is entitled to be paid as a result of a refund she had made to the State Treasurer.

WHEREAS, Walter Ford was employed by the State of Delaware as a faithful public servant for approximately 39 years; and

WHEREAS, the said Walter Ford retired effective July 1, 1959, at the time being disabled and incapable of performing his duties; and

WHEREAS, the said Walter Ford received his State Pension and Federal Disability Benefits for a period of time, and

WHEREAS, the Social Security Act was amended on August 1, 1961, rendering Walter Ford eligible for retirement benefits prior age 65; and

WHEREAS, the said Walter Ford continued to receive his State Pension and Federal Disability Benefits for which the State claimed a credit for Old Age Insurance Benefits paid; and

WHEREAS, Clara M. Ford, widow of said Walter Ford, refunded to the State Treasurer a sum of money in the amount of \$759.96 in error on August 9, 1962; and

WHEREAS, the erroneous refund of money made by Clara M. Ford, widow of Walter Ford has created a severe hardship upon the said Clara M. Ford

NOW THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. The State Treasurer is directed to pay to Clara M. Ford, Widow of Walter Ford, within thirty (30) days, the sum of Seven Hundred Fifty Nine and 96/100 Dollars (\$759.96) in payment of an erroneous refund made by said Clara M. Ford to the State Treasurer on August 9, 1962.

Section 2 This Act shall be known as a Supplementary Appropriation Act, and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury.

Introduced by Senator Foltz. Mr. Hart moved to suspend rules in order to act on the bill. Motion carried.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Burton, Castle, Hammond, Harrington, Slawik — 5.

SB 311 having received the constitutional majority was declared passed the House.

Mrs. Heckert moved to lift the roll call on SB 284. Mr. Murphy moved to adjourn. Mr. Hale moved to table Mr. Murphy's motion to adjourn. Tabling motion prevailed. Roll call on SB 284 was lifted. On further motion of Mrs. Heckert the roll call on SB 284 was tabled.

The House recessed at 11:45 P.M. to the call of the Chair.

58TH LEGISLATIVE DAY

The House reconvened pursuant to Recess at 2:19 P.M. on Friday, December 29, 1967. Mr. Hale moved to adjourn. Motion prevailed, thereby ending the 57th Legislative Day. House convened at 2:20 P.M. beginning the 58th Legislative Day.

Prayer by Representative Frederick.

The Speaker led those present in a Salute to the Flag.

The Roll Call revealed 34 members present; 1 absent.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Sawik, Stabler, Zimmerman, Mr. Speaker Hering — 34.

Members absent: Murphy — 1.

On motion of Mrs. Heckert, the Roll Call on the following was lifted from the table: **SB 284.**

Mr. Benson changed his voting from No to Yes.

Mr. Brown changed his voting from No to Yes.

Mr. Burton changed his voting from Absent to Yes.

Mr. Hammond changed his voting from Absent to Yes.

Mr. Hart changed his voting from Not Voting to Yes.

Final Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Ferguson, Frederick, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Pagano, Shockley, Stabler, Mr. Speaker Hering — 22.

NAYS — Cicione, Fonville, Sebrell — 3.

NOT VOTING — Murphy, Phillips, Pleasanton, Quillen, Riddagh, Zimmerman — 6.

ABSENT — Evans, Gooding, Harrington, Slawik — 4.

SB 284 having received a constitutional majority was declared passed by the House.

On motion of Mr. Benson the rules were suspended and the following was brought before the House for consideration:

SB 292 with SA 1 — An Act to amend Chapter 17, Title 9, Delaware Code, relating to retirement and disability pension benefits

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 34

ABSENT — Murphy — 1.

SB 292 with SA 1 having received a constitutional majority was declared passed by the House

A messenger from the Senate delivered **SB 314, SB 315, SB 294 with HA 1 and SA 1, SS 1 for SB 48, SB 121**, having passed the Senate and requests the concurrence of the House; and **HB 330 with SA 1, HB 385 with HA 1 and SA 1, HB 164, HB 302, HB 308, HB 421 with HA 1, HB 407, HB 432, HB 422**, having passed in the Senate are returned to the House.

The following communications were presented to the members of the House:

MEMORANDUM No. 32

TO: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr. Lorin B. Sebbrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Mrs. Mary J. Daily, Legislative Reference Bureau for all folders.

FROM: Robert Thurston Barrett

The Governor signed the following legislation on the date indicated:

December 20, 1967 —

HB 154 with HA 1 — (Refunding of Improperly Collected Fees)

MEMORANDUM No. 33

TO: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr. Lorin B. Sebbrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Mrs. Mary J. Daily, Legislative Reference Bureau for all folders.

FROM: Robert Thurston Barrett

The Governor signed the following legislation on the date indicated:

December 26, 1967 —

HB 71 — (Protection of the Department of Corrections Records)

HB 101 — (Temporary Garbage storage area to be provided in Multi family houses and apartment complexes.

HB 104 — (Witness Immunity Act)

HB 125 — (Right of Police to stop and question expanded to include "Public Place")

HB 161 — (New Castle County Police granted concurrent authority of removal of abandoned vehicles)

HB 162 — (Fresh pursuit permitted as to felonies, misdemeanors and motor vehicle violations)

HB 184 — (Period of Branch Offices temporary certificate lengthened)

HB 193 with HA 1 and 2 — (Delaware Standardbred Development Fund)

HB 278 — (Insurance Study and Revision Committee extended - supplementary appropriation made of \$20,000)

HB 296 — (Ocean View Charter Amendment as to Town Council Members, salaries and penalties for late payment of Taxes)

HB 303 — (\$900,000 Bond authorization for Bethany Beach - Sewerage Disposal Plant)

HB 304 with **HA 1** -- (Halfway House - \$4,000 supplementary appropriation)

HB 315 — (Additional appropriation of \$148,500 to State Board of Education for Bus Transportation)

HB 331 — (WHYY Inc. \$25,000 supplementary appropriation)

HB 339 — (Police Powers of the Town of Selbyville extended)

HB 340 — (Additional appropriation of \$50,000 for Adult Education Federal Matching Funds to State Board of Vocational Education)

HB 341 — (\$22,000 to State Board of Education for sewerage treatment facilities - Lord Baltimore School District No. 28)

HB 343 — (School District maximum for establishment of new Library increased to \$65,000)

HB 351 — (Game and Fish Commission \$75,000 supplementary appropriation)

HB 374 — (Delaware Alcoholic Beverage Control Commission - supplementary appropriation \$15,055)

SB 222 — (Public Archives Commission - supplementary appropriation of \$4,500)

SB 233 — (28 Delaware Code Section 308 limiting expenditures of Delaware Racing Commission repealed)

SB 234 — (Big Brothers Association of Northern Delaware, Inc. - supplementary appropriation of \$2,500)

HB 96 — (Existence of appropriate speed limit signs made prima facie evidence.)

HB 152 with **HA 1** — (Penalties for assault on Police Officers increased)

HB 294 — (Jewish War Veterans added to list of service organizations for which notaries may be appointed)

HB 354 — (Georgetown Special School District - transfer of \$10,000 from debt service account to minor capital improvements)

HB 363 — (Provisions for payment of mileage to Justice of Peace Constables)

HB 369 — (New salary schedule for certain employee classifications - State Board of Education and State Board of Vocational Education)

HB 382 — (Outdoor Advertising Signs - compliance extended to December 31, 1968)

HB 384 — (Seaford Special School District - transfer of \$24,000 from debt service account to minor capital improvements)

HB 401 — (Milford Special School District - transfer of \$20,000 from local debt service account, 6,000 to minor capital improvements, \$14,000 for use as to current operating expenses)

SB 79 with SA 1 — (Penalties for trespass increased)
December 27, 1967 —

SB 96 — (Property, Powers and Duties of New Castle Historic Buildings Commission transferred to Public Archives Commission)

SB 163 — (9 Delaware Code Section 6414 relating to pensions of Sussex County employees repealed)

SB 206 with HA 1 -- (Delaware Institute of Technology exempted from Merit System)

SB 250 — (Hartly School No. 96 - transfers to Construction Fund: \$2,740.70 from local debt service account and \$4,111.06 from State Treasurer's Bond Account.

On December 19, 1967, House Bill No. 35, a constitutional amendment dealing with the transfer by the General Assembly of all or any part of the jurisdiction powers and functions of the Orphans Court and House Bill No. 36, a constitutional amendment dealing with the transfer by the General Assembly of all or any part of the powers, functions and records of the Clerk of the Orphans Court passed the Senate completing the necessary second leg and resulting in their adoption.

On December 12, 1967, House Bill No 100, a constitutional amendment dealing with the jurisdiction of the State Supreme Court in criminal cases passed the Senate completing the first of the two legs necessary for its adoption.

On December 1, 1967, House Bill 235, a constitutional amendment dealing with the creation of a court on the Judiciary passed the Senate completing the first of the two legs necessary for its adoption.

December 29, 1967

To the House of Representatives of the 124th
General Assembly of the State of Delaware:

On December 21, 1967, I received House Bill No 404, entitled:

AN ACT TO AMEND CHAPTER 23, TITLE 29, DELAWARE CODE, AND CHAPTER 47, TITLE 7, DELAWARE CODE, RELATING TO ESTABLISHMENT OF A MINIMUM SALARY FOR TWO STATE OFFICIALS, THE ASSISTANT SECRETARY OF STATE AND THE DIRECTOR OF THE STATE PARKS.

I respectfully return House Bill No. 404 without my approval for the reasons which appear below:

First, the title is so worded that the bill could be interpreted as embracing two subjects in violation of the "one subject" limitation of Article II. Section 16 of the Constitution of the State.

More importantly however, approval of this bill would be contrary to the position I have taken on bills in the past which would have given mid-year salary increases to state

employees. I refer specifically to the following bills which I have vetoed during my Administration solely or partially for this reason:

Senate Bill 221 of the 123rd General Assembly entitled: AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS FOR THE PURPOSE OF PROVIDING ON INCREASE TO CERTAIN EMPLOYEES FOR THE FISCAL YEAR ENDING JUNE 30, 1966.

Senate Bill 243 of the 123rd General Assembly entitled: AN ACT TO AMEND CHAPTER 81, VOLUME 55, LAWS OF DELAWARE, ENTITLED "AN ACT MAKING APPROPRIATIONS TO THE AMOUNT OF \$122,707,827.00 FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1966 "AND MAKING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$120,000.00 FOR THE PROPOSED AMENDMENTS".

House Bill 398 of the 123rd General Assembly entitled: AN ACT TO AMEND CHAPTER 81, VOLUME 55, LAWS OF DELAWARE, ENTITLED "AN ACT MAKING APPROPRIATIONS TO THE AMOUNT OF \$122,707,827.00 FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1966", AND MAKING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$10,200.00 FOR THE PROPOSED AMENDMENTS.

House Bill 321 of the 123rd General Assembly entitled: AN ACT TO AMEND CHAPTER 81, VOLUME 55, LAWS OF DELAWARE, ENTITLED "AN ACT MAKING APPROPRIATIONS TO THE AMOUNT OF \$122,707,827.00 FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1966," AND MAKING A SUPPLEMENTAL APPROPRIATION IN THE MOUNT OF \$55,000.00 FOR THE PROPOSED AMENDMENTS.

In essence, my objection to bills which raise salaries of state employees in mid-year is that it is bad policy, establishing a bad precedent and making it appear that the state is being operated in a disorderly and haphazard manner. For further amplification, see the veto messages above referred to. Suffice it to say that my disapproval is no reflection on the distinguished persons who presently occupy the offices of Assistant Secretary of State and Director of State Parks but rather is an expression of my belief that such salary increases should be incorporated in the Budget Appropriation Bill instead.

Respectfully submitted,
CHARLES L. TERRY, JR.
Governor

December 29, 1967

To the House of Representatives of the 124th
General Assembly of the State of Delaware:

On December 21, 1967, I received House Bill No. 405
entitled:

"AN ACT TO AMEND DELAWARE CODE, TITLE 14,
CHAPTER 1, SUBCHAPTER II, SECTION 122, BY
ADDING A PROVISION RELATIVE TO SUMMER
DRIVER EDUCATION, AND PROVIDING AN APPROPRIATION THEREFOR."

I have this day signed House Bill No. 405, but in doing so, I have disapproved and deleted in its entirety Section 2 which would have appropriated for purposes of the Summer Driver Education Program \$82,500 for a period commencing July 1, 1968 and ending September 30, 1968.

The authority for this line item veto is found in Article III, Section 18 of the Constitution of the State of Delaware. I have vetoed this item because it would result in a special appropriation being made for the 1968 fiscal year prior even to submission of the Budget Appropriation Bill for said fiscal year. This is in conflict with the longstanding public policy of the State of Delaware as expressed by 29 Delaware Code, §6337, and is disapproved for this reason alone. Any other action would not be in accord with good governmental practice.

I would like to make it clear, however, that I would approve of this appropriation absent this conflict and will approve it should it be incorporated in the Budget Appropriation Bill or should it be presented to me in some other acceptable form.

Respectfully submitted,
CHARLES L. TERRY, JR.
Governor

December 28, 1967

To the House of Representatives of the 124th
General Assembly of the State of Delaware:

On December 18, 1967, I received House Bill No 356,
entitled:

"AN ACT MAKING AN APPROPRIATION OF STATE
MATCHING FUNDS TO THE DELAWARE OPPORTUNITIES
INDUSTRIALIZATION CENTER."

I respectfully return House Bill No. 356 without my approval.

This action is taken with great reluctance but House Bill No. 356 purports to appropriate \$100,000 to the "Delaware Opportunities Industrialization Center," and I regret to inform you that my research indicates that there is no legal entity with the name "Delaware Opportunities Indus-

trialization Center." Therefore, this bill ostensibly would appropriate money to a non-existent organization, and I have no choice but to veto it.

Allow me to make it clear, however, that I have no objections to the intended purpose of this bill, and would welcome another bill being drafted which would correctly identify the organization to which the money is to be appropriated.

Respectfully submitted,
CHARLES L. TERRY, JR.
Governor

December 29, 1967

To the House of Representatives of the 124th
General Assembly of the State of Delaware:

On December 21, 1967, I received House Bill No. 42, entitled:

"AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE OF 1953, SECTION 8323(c) BY MAKING RETIRED MEMBERS OF THE DELAWARE STATE POLICE ELIGIBLE TO BE EMPLOYED AS STATE DETECTIVES UNDER THE ATTORNEY GENERAL WHILE STILL RECEIVING A STATE PENSION."

I respectfully return House Bill No. 42, without my approval.

The title of House Bill No. 42 states that its purpose is to make retired members of the Delaware State Police eligible for employment as State Detectives under the Attorney General while still receiving a state pension. A careful reading of House Bill No. 42, however, reveals that while it would, indeed make an exception for State Policemen who serve as State Detectives under the Attorney General, it would also repeal the existing exception which permits retired State Policemen to serve as emergency State Policemen in an emergency situation. Repeal of this latter exception would apparently be an unintended result were this bill to be signed into law.

In addition, this bill would completely rewrite subsection (c) of 11 Delaware Code, Section 8323. This subsection, as it exists at present, makes it very clear that a retired State Policeman serving in any of the three specified categories, may receive both his pension and the salary of the position in which he is serving. The revision proposed by House Bill 42, makes it less clear that such a State Policeman could receive both a pension and a state salary. Since I also believe that this result was not intended by the sponsors of House Bill No 42, this is an additional reason for my disapproval.

While I do disapprove of House Bill No. 42 in its present form, I would like to suggest that a new bill be drafted

clearly expressing what I believe to have been the intent of its sponsors on this occasion.

Respectfully submitted,
CHARLES L. TERRY, JR.
Governor

On motion of Mr. Benson the following was taken up for consideration to pass the House having been amended by the Senate:

HB 330 with SA 1 -- An Act to amend § 1163, Chapter 11, Part II Title 9, Delaware Code, relating to power of County Council of New Castle County to create debt.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

NAYS — Blendt — 1.

NOT VOTING — Ferguson, Gooding — 2.

ABSENT — Murphy — 1.

HB 330 with SA 1 having received a constitutional majority was declared passed by the House.

On motion of Mr. Hale rules were suspended in order to place the following bill before the House for consideration:

SB 315 — An Act making a supplementary appropriation to the Governor to be used as matching funds for Opportunities Industrialization Center, Incorporated.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

NAYS — Benson, Burton, Eskridge — 3.

ABSENT — Murphy — 1.

SB 315 having received a constitutional majority was declared passed by the House.

On motion of Mr. Dodge, rules were suspended in order to place the following bill before the House for consideration:

SB 314 — An Act to amend Chapter 96, Title 9, Delaware Code, relating to the indexing of records in the Office of the Recorder of Sussex County.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harr-

ington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Murphy — 1.

SB 314 having received a constitutional majority was declared passed by the House.

On motion of Mr. Benson the following was taken up for consideration by the House:

SB 294 with **HA 1** and **SA 1** — An Act to amend Volume 56, Chapter 119, Laws of Delaware, entitled: "An Act to amend Title 28 of the Delaware Code, by adding thereto a new chapter providing for the granting of licenses to conduct horse racing meets in Kent County during either daylight or evening hours, or both, on a track no less than five-eighths of a mile in circumference, providing for the payment of taxes thereon, providing certain regulatory provisions and penalties therefor, authorizing wagering or betting by parimutuel machines or totalizators, and placing the issuance and control of such licenses within the authority and jurisdiction of the Delaware Racing Commission."

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Murphy — 1.

SB 294 with **HA 1** and **SA 1** having received a constitutional majority was declared passed by the House.

On motion of Mr. Hart the following was taken up for consideration by the House:

HB 385 with **SA 1** — An Act to amend Chapter 113, Volume 32, Laws of Delaware, as amended, entitled, "An Act providing for a police pension fund: for members of the Police Force of the City of Wilmington", in order to permit Marjorie V. Gaines, widow of Patrolman John A. Gaines, to become eligible for Wilmington Police Pension Benefits.

Roll Call revealed:

YEAS — Brown, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Hale, Harrington, Hart, McMahon, Pagano, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 19.

NAYS — Benson, Eskridge, Shockley, Zimmerman — 4.

NOT VOTING — Blendt, Burton, Fonville, Gray, Hammond, Leshner, Phillips, Pleasanton — 8.

ABSENT — Bartleson, Ferguson, Heckert, Murphy — 4.

HB 385 with **SA 1** not having received the required 2/3 majority was declared lost.

The following bills were introduced and assigned to committees as follows:

HB 439 — An Act to authorize the State Highway Department to erect a pedestrian overpass over U.S. Route 13 at Harrison Avenue (Wilmington Manor), New Castle County, Delaware. Introduced by Mr. Slawik. Mr. Slawik moved for a suspension of rules in order to act on the bill. Motion was defeated.

HB 439 — Referred to Highways and Public Safety Committee.

HB 440 — An Act proposing an amendment to Section 20, Article 3, of the Delaware Constitution relating to gubernatorial disability. Introduced by Mr. Hering. Referred to Judiciary Committee

HB 441 — An Act to amend Chapter 21, Title 21, Delaware Code, relating to the application, issuance and fees for special license plates to the owners of motor vehicles. Introduced by Mr. Hart. Mr. Hart moved for a suspension of rules in order to act on the bill. A roll call on motion to suspend rules on **HB 441** was ordered and was defeated. Mr. Benson moved to reconsider suspension of rules on **HB 441**. Mr. Hale moved to recess for ten minutes.

House recessed at 3:22 P.M. House reconvened at 3:42 P.M.

A second roll call on motion to suspend rules on **HB 441** was defeated. **HB 441** was referred to Revenue and Taxation Committee.

House recessed at 3:44 P.M. to the Call of the Chair.

SPECIAL SESSION

The Speaker called the House to order at 8:03 PM. on Wednesday, January 10, 1968.

There was a prayer by Representative Hale.

The Speaker led those present in a Salute to the Flag.

The roll call revealed 33 members present, 2 absent.

Members Present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicone, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

Members Absent: Sebrell, Shockley — 2.

Mr. Hale moved that all officers, staff and rules be in order for special session. Motion carried.

Mr. Speaker Hering asked that the Proclamation from Governor Charles L. Terry, Jr. be read. It reads as follows:

WHEREAS, the United States District Court for the District of Delaware has ordered that the General Assembly of the State of Delaware be reapportioned; and

WHEREAS, the Court has set January 10, 1968 as the deadline for the reapportionment to be accomplished by legislation; and

WHEREAS, a bill to reapportion the General Assembly has been prepared by the Legislative Council and agreed to by the leaders of the two major political parties of this State; and

WHEREAS, the Senate of the 124th General Assembly has recessed until February 6, 1968, and the House of Representatives of the 124th General Assembly is now in recess; and

WHEREAS, it is in the best interest of our State that reapportionment of the General Assembly be accomplished by legislation and not by judicial decree:

NOW THEREFORE, I, Charles L. Terry, Jr, Governor of the State of Delaware, pursuant to Article 3, Section 16 of the Constitution of the State of Delaware, do hereby convene the 124th General Assembly into Extraordinary Session on Wednesday, January 10, 1968 at 7:30 P.M., for the purpose of considering a bill reapportioning the General Assembly of the State of Delaware.

IN WITNESS WHEREOF, I, Charles L. Terry, Jr., Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover this 10th day of January in the year of our Lord, one thousand nine hundred and sixty-eight, and of the Independence of the United States of America, the one hundred and ninety-second at 7:00 p.m.

/s/ Charles L. Terry, Jr, Governor

/s/ Elisha C. Dukes, Secretary of State

The following bill was introduced:

HB 442 — An Act to amend Title 29, Part II, Delaware Code, relating to the General Assembly by providing for the composition and reapportionment thereof. Sponsored by Messrs. Hering, Hale, Dodge, Zimmerman and Phillips.

Mr. Hale moved that all rules be suspended in order to consider **HB 442**. Motion carried. Mr. Zimmerman spoke in favor of the bill. Mrs. Heckert offered congratulations and thanks to the Legislative Council for their determination and dedicated efforts which produced this bill thereby avoiding reapportionment by the United States District Court for the District of Delaware.

Mr. Eskridge asked for a short recess during which time he could look at the bill.

Mr. Blendt moved to recess at 8:16 P.M. Motion carried.

House reconvened at 8:40 P.M., January 10, 1968. On motion of Mr Hale the following was placed before the House for consideration:

HB 442 — An Act to amend Title 29, Part II, Delaware Code, relating to the General Assembly by providing for the composition and reapportionment thereof.

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Ferguson, Frederick, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NAYS — Evans, Fonville, Hammond — 3.

NOT VOTING — Gooding — 1.

ABSENT — Sebrell, Shockley — 2.

HB 442 having received a constitutional majority was declared passed the House.

Mr. Speaker thanked the Legislative Council for their cooperation.

Mr. Phillips thanked the Legislative Council and other House members for passage of this bill.

House adjourned at 9:07 P.M.

1ST LEGISLATIVE DAY (2nd Session)

— The Speaker called the House to order at 2:06 P.M., Tuesday, February 6, 1968.

There was a prayer by the Chaplain Reverend Oliver H. Spence.

The Speaker led those present in a Salute of the Flag.

The Roll Call revealed 31 members present; 1 absent.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Phillips, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

Absent: Shockley — 1.

Reps. Heckert, Pleasanton and Quillen asked to be marked present after the roll call.

Communications:

Mr. Stabler announced a hearing on the Criminal Code, Chapter 6, excluding abortion section, at 10:00 A.M., February 7, 1968, in the House Chamber.

Mr. Speaker announced that the bound and personally marked Rule Books had been distributed to House Members; and asked if each was correct, all were.

Mr. Speaker announced that the visits to State Agencies would be scheduled starting February 19, 1968.

The following resolutions were introduced:

HR 101 — Relative to the Illness of State Representative Paul E. Shockley.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with deep regret of the illness of State Representative Paul E. Shockley of Wilmington; and

WHEREAS, the members of the House desire to express in this public manner their best wishes for his speedy recovery.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof extend their sincere best wishes for a speedy recovery to State Representative Paul E. Shockley from his illness; and

BE IT FURTHER RESOLVED that this expression be conveyed to State Representative Paul E. Shockley and a copy of this resolution be forwarded to him at his home in Wilmington; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware.

Introduced by Mr. Eskridge. Adopted by voice vote.

HR 102 — Relative to the Death of Former State Representative J. Reynolds Pratt.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with regret of the passing of J. Reynolds Pratt, a former member of the House; and

WHEREAS, former State Representative J. Reynolds Pratt served his state faithfully and well during his term in the 122nd General Assembly of the State of Delaware; and

WHEREAS, the members of the House desire to express in this public manner their own feelings and the sense of loss which is felt throughout the entire State of Delaware.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members give expression of the regret they experienced at the passing of J. Reynolds Pratt, and

BE IT FURTHER RESOLVED that the family of the deceased has the full sympathy of the members of the House of Representatives of the 124th General Assembly of the State of Delaware which is extended by sending a copy of this resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 124th General Assembly of the State of Delaware.

Introduced by Mr. Eskridge. Adopted by roll call vote as follows:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Quillen, Shockley — 2.

Mr. Speaker had a letter read from Governor Charles L. Terry returning **HJR 9**:

January 8, 1968

To the House of Representatives of the 124th
General Assembly of the State of Delaware:

On December 28, 1967, I received House Joint Resolution 9, entitled:

**"DIRECTING THE STATE HIGHWAY DEPARTMENT
TO REMOVE CERTAIN TREES LOCATED ON THE
KENT COUNTY HIGHWAY YARD IN CHESWOLD,
DELAWARE."**

I respectfully return House Joint Resolution No. 9 with my disapproval, on the basis of a letter of January 8, 1968 from Ernest A. Davidson, Director of Operations of the State Highway Department. A copy of his letter indicating disapproval of this Resolution is attached hereto.

Respectfully submitted,
CHARLES L. TERRY, JR.
Governor

January 8, 1968

The Honorable Charles A. Terry
Governor of Delaware
Dover, Delaware
Dear Governor Terry:

This is in reply to Mr. Ned Davis' telephone conversation of this morning pertaining to House Joint Resolution No. 9. This Resolution calls upon the State Highway Department to remove trees on lands under the control of the State Highway Department on the approach to the Cheswold Airport.

I am enclosing a copy of the Minutes of the Meeting of the State Highway Department of October 4, 1967, pertaining to this same subject. You will note that the official action of the Department approved removing the trees provided it was at no expense to the Department. It was the feeling of the Department Members that the Airport activity was of a private nature and that they could not justify the use of public funds for the request; it was recognized however, a safety problem was involved. The Department therefore concurred in the work being done by others.

Several of the Members pointed out that the State had only recently acquired this land and that had it still remained in private ownership, the Airport would not have expected a private owner to remove the trees at his expense.

Based on the official action of the Department, it is recommended that House Joint Resolution No. 9 not be approved.

Yours very truly,
ERNEST A. DAVIDSON
Director

October 4, 1967 —

804. ENGINEERING DIVISION - CHESWOLD AIRPORT: The Director of Operations stated that a request had been received through Mr. John Sipple, Kent County Division Engineer, that trees on lands belonging to the State Highway Department at the Cheswold Yard be removed in order to provide a safer approach to the runway at the Cheswold Airport.

After discussion

On motion made by Mr. Hickman, seconded by Mr. Gass, the Department unanimously approved the request providing the owners of the Cheswold Airport remove the trees at no expense to the Department - also the tree stumps are to be suitably removed and the ground restored to a presentable condition.

December 29, 1967 —

MEMORANDUM No. 34

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr. Lorin B. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Mrs. Mary J. Daily, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett

The Governor signed the following legislation on December 27, 1967:

SB 207 with **SA 1** and **HA 1** — (Unemployment Compensation - Creation of Special Administration Fund)

The Governor signed the following legislation on December 28, 1967:

HB 311 with **HA 1** — Full time Judges for Wilmington Municipal Court)

HB 333 — (Constitutional Revision Commission Act)

HB 355 with **SA 1** — Department of Mental Health - transfer of \$30,000 from salaries and wages to supplies and materials - drugs authorized)

HB 380 — (Meat Inspection Law)

HB 405 (except Section 2 which was line item vetoed) — (Summer Drivers Education)

SB 43 with HA 1 — (Year end distribution Sussex County Indigent Sick Fund)

SB 203 — (Rehoboth Beach - Alderman)

SB 238 — (Amendment to Unit Property Act)

SB 259 — (Chapter 237, Volume 54, Laws of Delaware amended by increasing the amount of money authorized to be borrowed and appropriated)

The Governor signed the following legislation on December 29, 1967:

SB 278 — (Warren W Buckingham Sr. - Pension Benefits)

On December 28, 1967, the Governor returned House Bill No. 356 to the House without his approval

On December 29, 1967, the Governor returned House Bill No. 42 and House Bill No. 404 to the House without his approval.

Erratum: Please note that on memorandum No. 33, Senate Bill 234 relating to a supplementary appropriation of \$2,500 for the Big Brothers Association of Northern Delaware, Inc., was incorrectly identified at page 3 as House Bill 234.

January 2, 1968 —

MEMORANDUM No. 35

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr Lorin B. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Mrs. Mary J. Daily, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant
The Governor signed the following legislation on December 29, 1967:

HB 190 — (Judicial Pension Bill)

HB 288 — (\$5,000 supplementary appropriation to Boys' Home of Delaware, Inc.)

HB 293 — (Seaford Charter amended to increase amount authorized to be raised by taxes)

HB 321 — (Sussex County Levy Court authorized to appropriate \$750.00 to Slaughter Beach Volunteer Memorial Fire Co.)

HB 322 — (Sussex County Levy Court authorized to appropriate \$750.00 to each Volunteer Fire Company having a certified Rescue Truck)

HB 334 — (Little Creek Charter amended)

HB 338 — (Salaries of Register In Chancery and Clerk of the Orphans Court, Prothonotary, and Register of Wills in and for New Castle County increased)

HB 352 — (\$30,000 supplementary appropriation to the Governor's Contingency Fund)

- HB 383** — (Laurel Charter amended)
 - HB 399** — (Newport Town Charter amended)
 - HB 402** — (Ocean View Town Charter amended)
 - HB 413** — (\$5,000 supplementary appropriation to Delaware Soil and Water Conservation Commission)
 - HB 427** — (Dover Special School District - transfer of \$30,000 from Debt Service to School Construction)
 - HB 431** — (Rehoboth Special School District - transfer of \$6,000 from Debt Service to Minor Capital Improvements)
 - SB 240** with **HA 1** — (Bridgeville Charter amended)
 - SB 265** — (Magnolia Charter amended)
 - SB 268** — (\$800.29 supplementary appropriation to Kenton School District No. 9)
 - SB 269** — (\$600 supplementary appropriation to DeLaWarr School District No. 47)
 - SB 271** — (Camden Charter amended)
 - SB 283** — (Clayton Charter amended)
 - SB 309** — (\$15,000 supplementary appropriation to Delaware State College)
 - SB 311** — (\$759.96 supplementary appropriation returning erroneous refund)
- On December 30, 1967, Senate Bill No. 59 became law in the absence of action by the Governor.
January 3, 1968 —

MEMORANDUM No. 36

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr. Lorin E. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Mrs. Mary J. Daily, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant
The Governor signed the following legislation on January 2 1968:

- HB 183** — (Uniform Commercial Code remedies made available on buyers' default)
- HB 252** — (Kent County Indigent Sick)
- HB 289** with **SA 1** — Justice of the Peace - venue expanded and service of summons clarified)
- HB 353** — (Game & Fish Commissioners given power to enter into agreements for operation of farming, trapping, etc on areas it administers)
- HB 393** — (Title 12 amended as to distributions by fiduciaries)
- SB 155** with **SA 1** — (Mobile Homes)
- SB 235** — (\$500,000 supplementary appropriation to the Department of Public Welfare)
- SB 260** — (Horse Racing - dates and commissions on Pari-Mutuel Totalizer Pools)

SB 273 — (Technical and other amendments to Corporations Law)

SB 303 — (55 Laws of Delaware, Chapter 167, amended as regards Smyrna Special School District and Claymont Special School District)

SB 305 — (Elmer H. Messick - Pension Benefits)
January 9, 1968 —

MEMORANDUM No. 37

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr. Lorin B. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Mrs. Mary J. Daily, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant
The Governor signed the following legislation on January 8, 1968:

HB 314 with **SA 1** — (Bail Bond Bill)

HB 330 with **SA 1** — (New Castle County Bond Bill)

HB 407 — (Marshallton Consolidated School District No. 77 - transfer of \$12,000 Local Debt Service to Minor Capital Improvements)

SS 1 for **SB 276** — (Counties given right to establish Public Dumping Areas)

SB 304 — (\$15,000 supplementary appropriation for Legislative Reference Bureau)

SB 315 — (\$100,000 supplementary appropriation for O.I.C.)

On January 8, 1968, Senate Bill No. 282 became law without action by the Governor

On January 8, 1968, the Governor returned the following bills or resolutions to the House of their origin with his disapproval:

HJR 9, SCR 25, SB 277, SB 288, SB 295.

January 11, 1968 —

MEMORANDUM No. 38

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr. Lorin B. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Mrs. Mary J. Daily, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant
The Governor signed the following legislation on January 10, 1968:

HB 164 — (Property Tax Exemption for the Civic Association of Belvedere and Vicinity)

HB 302 — (\$3,000 Supplementary Appropriation to the Department of Civil Defense)

HB 308 with HA 1 and HA 3 — (Court of Common Pleas - Jurisdiction expanded and certain Judges made full time)

HB 421 with HA 1 — (Amendments to Kent County Home Rule Legislation)

HB 432 — (Newark Charter Amended)

HB 442 — (Reapportionment)

SB 292 with SA 1 — (New Castle County Pension Benefits modified)

SB 294 with HA 1 and SA 1 — (Kent County Racing dates changed)

SB 314 — (Sussex County Recorder of Deeds authorized to change Indexing System)

January 16, 1968 —

MEMORANDUM No. 39

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George W. Cripps, Dr Lorin B. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Mrs. Mary J. Daily, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant

The Governor signed the following legislation on January 11, 1968:

HB 422 — (Claymont Special School District - Transfer \$136,600 from Local Debt Service Account to Capital Improvements)

SB 284 — (Amendment to New Castle County Vocational High School District)

The Governor signed the following legislation on January 12, 1968:

HB 364 with SA 2 — (Middletown Charter)

The Governor signed the following legislation on January 15, 1968:

HB 275 with SA 1, 2, & 3 — (Viet Nam Bonus Bill)
February 6, 1968 —

The following bills were introduced and assigned to committees:

SS 1 for SB 48 — An Act providing a deduction from net income. Introduced by Senators Keenan, Schlor and Holloway. Referred to the Committee on Revenue and Taxation.

SB 121 — An Act amending Title 9, Delaware Code, Section 1116 (c) and (d) requiring approval of a majority of the members of the County Council as a condition to appointment or removal or suspension by the County Executive. Introduced by Senator Isaacs. Referred to the Committee on Revised Statutes. (Mr. Speaker noted that this was not a statewide bill.)

HB 443 — An Act to amend Title 29, Delaware Code, to require a fiscal note for a bill or joint resolution having a

fiscal effect upon state and for related purposes. Introduced by Rep. Zimmerman. Referred to the Committee on Appropriations.

HB 444 — An Act to amend Section 5903, Title 11, of the Delaware Code, relating to Peace Bonds by providing standards for their use and hearings in connection with their imposition. Introduced by Rep. Zimmerman. Referred to the Committee on Judiciary.

HB 445 — An Act to amend Section 2901, Title 14, Delaware Code, relating to transportation of school pupils, by requiring State Board of Education to establish capacity limitations for school buses and providing penalty for violation of such capacity limitations. Introduced by Reps. Hart, Leshner, Cicione, Frederick, Murphy, Evans and Blendt. Referred to the Committee on Education.

HB 446 — An Act to amend Chapters 63 and 65, Title 29, Delaware Code, relating to the authority of the Budget Director with respect to local school district revenue affairs. Introduced by Rep. Hart. Referred to the Committee on Education.

HB 447 — 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. Introduced by Reps. Pagano, Slawik, Burton, Sebrell, Riddagh and Hart. Referred to the Committee on Health and Welfare.

HB 448 — An Act to amend Section 2116, Title 21, Delaware Code, relating to penalties for violating the provisions dealing with registration of vehicles by reducing the minimum fine for a first offense. Introduced by Reps. Pagano, Sebrell, Hale, Burton, Hart, Slawik and Riddagh. Referred to the committee on Highways and Public Safety.

HB 449 — An Act to amend Section 2107, Title 21, Delaware Code, relating to information to be contained upon automobile registration cards, by adding the odometer reading at the time of registration or renewal of registration. Introduced by Reps. Pagano, Benson, Hale, Burton, Hart, Riddagh, Slawik and Sebrell. Referred to the Committee on Highways and Public Safety.

HB 450 — An Act to amend Section 2702, Title 21, Delaware Code, relating to operator's and chauffeur's licenses, by requiring licenses issued to drivers under 21 years to be printed on a distinguishably different colored paper stock. Introduced by Reps. Pagano, Hale, Burton, Hart, Sebrell, Benson, Riddagh and Slawik. Referred to the Committee on Highways and Public Safety.

HB 451 — An Act to establish a central case registry to improve state services to individuals and families in the fields of health, education and welfare and to provide ap-