











**STATE OF DELAWARE**



**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**

**REGULAR SESSION**  
**of the**  
**122ND GENERAL ASSEMBLY**

**Convened**  
**Tuesday, January 1, 1963**  
**Dover, Delaware**

State Doc.

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**OFFICERS OF THE HOUSE—REGULAR SESSION 1963**

Speaker—SHERMAN W. TRIBBITT  
 House Attorneys—HARRISON TURNER  
     —JAMES A. WALSH  
     —GERALD Z. BERKOWITZ  
 Chief Clerk—FRANCIS X. SPLANE  
 Assistant Clerk—WALTER PYLE  
 Reading Clerk—FRANK CALIO  
 Assistant Reading Clerk—JAMES QUIGLEY  
 Chaplain—REV. DONALD J. MACCALLUM  
 Chief Bill Clerk—ALEX TOMKIEWICZ  
 Assistant Bill Clerk—BAILEY THOMAS  
 Page—HARRY WOLTON  
 Cloak Room Attendant—DOROTHY WILLIAMS  
 House Messenger—J. FRED ROBINSON  
 House Page—MARGARET HURLEY  
 Sergeant-at-Arms—ALVIN BROWN  
 Door Tender—FRANK INGRAM  
 File Clerk—CORR HILYARD  
 File Clerk—LILLIAN WALLACE  
 Typist—LOUISE H. PENNEWILL  
 Typist—IDA BRASURE  
 Sergeant-at-Arms—W. HARRISON MELVIN  
 File Clerk—CLARA CONLEY  
 Typist—BEVERLY BLEVINS  
 Typist—EMOGENE ELLIS  
 Door Tender—NELSON STUBBS  
 File Clerk—DOROTHY GAGNON  
 Page—MARTHA DIXON  
 Page—DORIS MEYERS  
 House Messenger—CHARLES E. HARTNETT  
 Door Tender—ROBERT BLOTH, JR.  
 Door Tender—JAMES ROWLINSON  
 Sergeant-at-Arms—SAM ELLIOTT  
 Multilith Operator—RICHARD J. ARGO  
 Supply Room Clerk—ADDIE BUDD  
 Roll Call Clerk—EDNA HARTSELL  
 Door Tender—HARRY WHITE  
 Sergeant-at-Arms—MARTIN O. CAREY  
 Sergeant-at-Arms—HAROLD CLENDANIEL  
 Sergeant-at-Arms—GEORGE B. VINCENT

Messenger—THOMAS TAYLOR  
Door Tender—FREDERICK BELL  
Sergeant-at-Arms—CARROLL CORDREY  
Sergeant-at-Arms—RICHARD NORWOOD  
Assistant Mail Clerk—HELEN M. COLLINS  
Roll Call Clerk—ELIZABETH WAINWRIGHT  
Typist—VENIE R. LLOYD  
Typist—MICHELENE DUFF  
Mail Clerk—JENNINGS MOORE  
Door Tender—WILLIAM REYNOLDS  
Majority's Floor Leader's Clerk—ROLAND WEST  
Sergeant-at-Arms—RALPH SPITZER  
Messenger—BARNEY LOFLAND  
File Clerk—CLAUDE JORDAN  
House Messenger—RUTH ROSS  
Door Tender—BRADFORD HOLIDAY  
House Messenger—MILDRED A. KEELER  
Minority Floor Leader's Clerk—WILLIAM J. WARWICK  
Speaker's Clerk—CATHERINE SWARTWOOD  
Page—PAULINE BENNETT  
Page—JOHN SMITH  
File Clerk—OLIVE SUTTON

## MEMBERS OF THE HOUSE OF REPRESENTATIVES NEW CASTLE COUNTY

### Wilmington

Dist.

- 1—PAUL F. LIVINGSTON, 501 Spruce Street, Wilmington
- 2—RUSSELL D. F. DINEEN, 1804 Monroe Street, Wilmington
- 3—RALPH S. KEENAN, 1114 N. Bancroft Parkway, Wilmington
- 4—PAUL E. SHOCKLEY—731 W. 4th Street, Wilmington
- 5—THOMAS J. HANLON, 1418 Maryland Avenue, Wilmington

### Rural New Castle County

- 6—T. LEES BARTLESON, 105 North Road, Wilmington 9
- 7—ROBERT N. DOWNS, III, 933 Center Road, Wilmington 7
- 8—ANDREW (JACK) CASEY, 1801 Limestone Road, Wilmington 4
- 9—EVERETT HALE, 9 Malvern Road, Newark
- 10—JAMES R. QUIGLEY, Hare's Corner, New Castle
- 11—JACOB A. CORRELL, 30 W. Chestnut Hill Road, Newark
- 12—ROBERT C. DAVIDSON, St. Georges
- 13—SHERMAN W. TRIBBITT, Odessa
- 14—NORMAN N. YOUNGER, Townsend
- 15—CARLTON BLENDT, JR., Townsend

### KENT COUNTY

- 1—GLENN W. BUSKER, 215 W. Mt. Vernon Street, Smyrna
- 2—JAMES D. MCGINNIS, 902 E. Division Street, Dover
- 3—J. REYNOLDS PRATT, 206 Washington Street, Clayton
- 4—GOODEN DARLNIG, Box 221, Wyoming
- 5—MAURICE N. JARRELL, Box 991, Dover
- 6—DAWSON H. SHULTIES, R.D. 1, Box 119, Wyoming
- 7—HARVEY P. FIFER, R.D. 1, Dover
- 8—WALLACE P. WOOTTEN, Frederica
- 9—GEORGE H. EXLEY, 150 Commerce Street, Harrington
- 10—GEORGE KIRBY, Houston

**SUSSEX COUNTY**

- 1—CARLTON CLIFTON, R.D. 1, Milford
- 2—JOHN ANNETT, Staytonsville, Harrington
- 3—NORMAN ESKRIDGE, Seaford
- 4—GRANVILLE T. LOWE, Laurel
- 5—W. HARRISON PHILLIPS, Box 386, Laurel
- 6—ROBERT B. ATKINS, Millsboro
- 7—WILBERT E. HOCKER, Millville
- 8—JOSEPH B. WALLS, Box 188, Lewes
- 9—M. MARTIN ISAACS, R.D. 3, Rt. 113, Georgetown
- 10—WILLIAM T. BEST, Box 171-C, Benson Street, Rehoboth Beach

## COMMITTEES OF THE HOUSE OF REPRESENTATIVES

**Accounts**—Wallace Wootten, Chairman; Granville T. Lowe, J. Reynolds Pratt, Andrew Casey, Maurice N. Jarrell.

**Agriculture and Forestry**—Martin Isaacs, Chairman; Gooden Darling, Carlton Blendt, John Annett, Harvey P. Fifer.

**Charities**—Thomas J. Hanlon, Chairman; H. Dawson Shulties, Martin Isaacs, Robert N. Downs, John Annett.

**Claims**—Joseph B. Walls, Chairman; Wallace Wootten, Robert C. Davidson, Andrew Casey, Maurice N. Jarrell.

**Corporations Municipal**—Paul E. Shockley, Chairman; Glenn W. Busker, James McGinnis, Ralph S. Keenan, Wilbert E. Hocker.

**Corporation Private**—Paul F. Livingston, Chairman; Paul E. Shockley, Carlton Clifton, T. Lees Bartleson, Harvey P. Fifer.

**Judiciary**—Robert C. Davidson, Chairman; W. Harrison Phillips, J. Reynolds Pratt, Jacob A. Correll, William T. Best.

**Education**—Carlton Blendt, Jr., Chairman; W. Harrison Phillips, James McGinnis, John Annett, Harvey P. Fifer.

**Elections**—Norman N. Younger, Chairman, Paul F. Livingston, George W. Kirkby, John Annett, William T. Best.

**Federal Relations**—Wallace Wootten, Chairman; Gooden Darling, Paul F. Livingston, Ralph S. Keenan, William T. Best.

**Fish, Oyster and Game**—James McGinnis, Chairman; Joseph B. Walls, Norman Younger, Wilbert E. Hocker, Maurice N. Jarrell.

**Insurance and Banking**—J. Reynolds Pratt, Chairman; Paul E. Shockley, Granville T. Lowe, Jacob A. Correll, Maurice N. Jarrell.

**Public Bldg. and Highways**—Carlton Clifton, Chairman; Norman Younger, Robert B. Atkins, Everett Hale, Harvey P. Fifer.

**Labor**—James R. Quigley, Chairman; Thomas J. Hanlon, H. Dawson Shulties, John Annett, Ralph S. Keenan.

**Manufacturing and Commerce**—Gooden Darling, Chairman; Martin Isaacs, Paul F. Livingston, Ralph S. Keenan, Robert N. Downs.

**Military Affairs**—George W. Kirby, Chairman; Robert C. Davidson, Robert B. Atkins, Wilbert E. Hocker, Andrew Casey.

**Miscellaneous**—W. Harrison Phillips, Chairman; George H. Exley, Wallace Wootten, Robert N. Downs, Jacob A. Correll.

**Printing**—George H. Exley, Chairman; Dawson Shulties, Thomas J. Hanlon, Andrew Casey, Ralph S. Keenan.

**Public Health**—Robert B. Atkins, Chairman; Carlton Blendt, Jr., James R. Quigley, Everett Hale, Wilbert E. Hocker.

**Revenue and Taxation**—Granville T. Lowe, Chairman; Paul E. Shockley, George W. Kirkby, Jacob A. Correll, T. Lees Bartleson.

**Revised Statutes**—Glenn W. Busker, Chairman; Norman Younger, George H. Exley, Robert N. Downs, T. Lees Bartleson.

**Rules**—W. Harrison Phillips, Chairman; George H. Exley, Robert C. Davidson, T. Lees Bartleson, Robert N. Downs.

**Supplies**—George W. Kirkby, Chairman; Carlton Clifton, Thomas J. Hanlon, Everett Hale, Harvey P. Fifer.

**Temperance**—J. Reynolds Pratt, Chairman; Joseph B. Walls, Glenn W. Busker, Everett Hale, Wilbert E. Hocker.

**Appropriations**—Russell D. F. Dineen, Chairman; Norman A. Eskridge, Glenn W. Busker, William T. Best, T. Lees Bartleson.

**Passed Bills**—H. Dawson Shulties, Chairman; James R. Quigley, Everett Hale.

## RULES OF ORDER

**Rule 1**—The House of Representatives shall meet every day (Saturday and Sunday excepted) at one o'clock P. M. unless otherwise ordered.

**Rule 2**—Every day before the House proceeds to other business, the Clerk of the House shall call the names of the members in alphabetical order and shall read the Journal of the preceding legislative day.

**Rule 3**—In accordance with the provisions of the Constitution, eighteen of the members elected to the House shall constitute a quorum to do business, but a less number may recess or adjourn from day to day.

**Rule 4**—The daily order of business shall be as follows:

1. Calling of House to Order.
2. Prayer by Chaplain.
3. Pledge of Allegiance.
4. Calling of Roll.
5. Reading of Journal.
6. Communications from the Speaker and presentations of Petitions and Memorials.
7. Reports from Standing Committees in regular order.
8. Reports from Special Committees in order of appointment.



9. Introduction of new business.
10. Business on the Calendar.
11. Miscellaneous.

## DUTIES OF THE SPEAKER

**Rule 5**—He shall take the presiding officer's chair at the hour to which the House shall have adjourned and call the members to order.

**Rule 6**—He shall have general direction of the House Chamber and shall preserve order and decorum. In debate he shall prevent personal reflection and confine the members to the question under discussion. No member shall have the floor except when recognized by the Speaker.

**Rule 7**—He shall decide all questions or order or may submit the question to the House. An appeal from his decision may be made by any member, if properly seconded.

**Rule 8**—He may name a member to perform the duties of presiding officer, but such substitution shall not extend beyond an adjournment, except when the Speaker obtains leave of absence, in which case he may depute a member as Speaker Pro Tempore during such leave, which leave shall not exceed five legislative days.

**Rule 9**—He shall sign all bills and resolutions requiring the signature of the Speaker and the facts of the signing shall be entered upon the Journal; all writs, warrants and subpoenas issued by the House shall be signed by him and attested by the Clerk.

**Rule 10**—He shall determine the principal object of a bill or joint resolution and assign such bill or joint resolution to a committee to which such subject matter is appropriate.

**Rule 11**—He shall appoint all committees unless otherwise ordered by the House.

**Rule 12**—Every member shall be in his seat at the hour to which the House shall have been adjourned, but any member desiring to be absent from a session may be excused by the presiding officer.

**Rule 13**—A member shall not be permitted to make a motion or address the Speaker unless such a member be at his own desk and when about to communicate any matter to the House or to speak in debate, he shall rise and respectfully address himself to "Mr. Speaker," confining his remarks to the subject before the House and avoiding personal reflections. No member shall speak more than twice on the same subject without leave of the House.

**Rule 14**—While the Speaker is putting the question or addressing the House or while a member is speaking, no member or other person shall engage in private conversation or be permitted to walk across or out of the House or pass between the Speaker and the member addressing the House.

**Rule 15**—If any member, in speaking or otherwise transgress the rules of the House, the Presiding Officer shall, or any member may, call him to order; and when a member shall be called to order he shall sit down, and not proceed without leave of the House, which if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

**Rule 16**—A member shall not be interrupted when speaking, except to a call to order by the Speaker or by a member through the Speaker, or by a member to explain, or by a motion for the previous question, or to adjourn; nor shall any member be referred to by name in debate, unless for transgression of the rules of the House and then by the Speaker only.

**Rule 17**—The standing committees of the House, consisting of five members each (except the Committee on Passed Bills of three members) to be appointed by the Speaker and to continue during the session, shall be as follows:

- Committee on Accounts
- Committee on Agriculture and Forestry
- Committee on Appropriations
- Committee on Charities
- Committee on Claims
- Committee on Corporations—Municipal
- Committee on Corporations—Private
- Committee on Education
- Committee on Elections
- Committee on Federal Relations
- Committee on Fish, Oyster and Game
- Committee on Insurance and Banking
- Committee on Judiciary
- Committee on Labor
- Committee on Manufacturing and Commerce
- Committee on Military Affairs
- Committee on Miscellaneous
- Committee on Passed Bills
- Committee on Printing
- Committee on Public Buildings and Highways
- Committee on Public Health
- Committee on Revenue and Taxation
- Committee on Revised Statutes
- Committee on Rules
- Committee on Supplies
- Committee on Temperance

**Rule 18**—Committee meetings shall be held as far as possible when the House is not in session and committee meetings shall not be held while the House is in session without the consent of the Speaker.

**Rule 19**—Committee reports shall be printed, written or typewritten, and if so desired the minority of a Committee may make a report.

**Rule 20**—The Committee of the Whole shall proceed under the rules of the House as far as the same may be applicable.

**Rule 21**—The Committee on Rules shall have supervision of and give instructions as to their duties to the attaches of the House and shall keep a record of the attendance of said attaches; shall be responsible for the seating of members; shall make assignments of offices and committee rooms, and shall have charge of the furniture and fittings of the House Chamber, offices and committee rooms.

## BILLS AND RESOLUTIONS

**Rule 22**—Every bill and resolution shall be introduced by a member or by order of the House or by report of a committee.

**Rule 23**—Every bill and resolution shall be introduced with an original and at least eight backed copies. The copies shall be marked "duplicate" and at all times every bill and resolution shall be under the general supervision of the Clerk of the House. Until its passage by the House, the original copy of every bill and resolution shall at all times remain in the custody of the Chairman of the Committee to which it was referred or the Clerk of the House. The original of all bills and resolutions shall be either printed typewritten or stenciled and backed and no erasures or interlineations shall be allowed.

**Rule 24**—Every bill and joint resolution when introduced shall be read one time by title only, after which it shall be assigned to the proper committee. When put upon its passage, each bill or joint resolution shall be given its final reading by title only unless any member requests a reading.

**Rule 25**—A bill or joint resolution shall not be passed upon the same day it has been reported to the House by the Committee having charge of such bill or resolution, nor in the absence of the member who introduced the same, without his written consent.

**Rule 26**—Any resolution carrying an appropriation or disposal of public moneys shall not be passed by the House on the same day that it shall have been introduced and read, excepting resolutions for House expenses.

**Rule 27**—Every bill and resolution may be amended at any time before final action is taken. No title of a bill may be changed, except for typographical errors.

**Rule 28**—Every bill or joint resolution which shall have been in committee for a period of ten days or more, shall, upon request of eighteen members of the House, in writing, be reported to the House for a decision, as to its further disposal.

**Rule 29**—Every bill and resolution, to which the concurrence of both Houses of the General Assembly may be necessary, shall upon its passage in the House be certified to by the Clerk of the House and the date of the passage of the name noted at the foot of the backing hereof. Said bill or resolution shall then be delivered by the Clerk as soon as possible into the custody of the Senate.

## MOTIONS

**Rule 30**—No Bill or Joint Resolution shall be received by the House unless it be prefaced by a brief statement of the purpose of the Bill or Resolution, which shall be known as the title, and shall also contain the text of the Bill or Resolution in full.

**Rule 31**—A substitute bill may be introduced under new business or by permission of the Speaker at which time it shall be given a first reading. The member introducing the substitute bill must explain briefly wherein the substitute bill differs from the original bill, after which it shall be referred to the proper committee. A substitute bill may be introduced only by the sponsor of the bill for which it is a substitute. A substitute bill upon being referred to committee shall supersede and render null and void the bill for which it is a substitute.

**Rule 32**—Every motion, except to adjourn, shall be entered on the Journal with the name of the mover, and any motion, if so desired by the mover, may be withdrawn before amendment or decision thereon and the proceedings in relation to the same shall be expunged from the Journal.

**Rule 33**—Every motion, except for leave to introduce a bill or resolution or for reading of the same, the daily adjournment of the House or to refer or postpone any subject, shall, if required by the Speaker or requested by any member, be reduced to writing by the mover, or may be typewritten as the mover may prefer.

**Rule 34**—Every motion shall be repeated by the Speaker, or presiding officer, before debate or discussion thereon; and if there has been any debate or discussion, the motion shall again be repeated distinctly by the Speaker or presiding officers before putting the question in the following

terms: "As many as are in favor of the question say "Aye," and, after the affirmative is expressed, "As many as are opposed, say No."

**Rule 35**—Every motion shall be decided in a fair and impartial manner by the Speaker or presiding officer, and the vote of a majority of the members present and voting shall be prevail, unless contrary to these rules or in conflict with the provisions of the Constitution. The Speaker or presiding officer, if necessary for a fair decision, may cause, or any member may call, for a division, and the members voting in the affirmative shall be required to rise, and after the Clerk has counted and noted those so voting, the question shall be reversed. Excepting when provided by the Constitution the yeas and nays shall be taken, only on motion that the names of those so voting be entered on the Journal.

**Rule 36**—Every motion, to adjourn shall be in order (unless such motion has just immediately been decided, or the House is voting on another question) and shall be decided without debate.

**Rule 37**—The only motions, except as otherwise provided, that shall be permitted to interrupt the business regularly before the House, are as follows:

A motion to amend, commit or postpone.

A motion to lay on the table.

A motion for the previous question.

**Rule 38**—A motion for the previous question shall not be entertained except at the request of five members rising for that purpose, and shall be determined without debate; but when the previous question has been called and sustained, it shall not cut off any pending amendment. The vote shall be taken without debate, first on the amendments in their order and then on the main question.

**Rule 39**—A motion for the reconsideration of a question which has been decided shall be made and seconded by a member who voted with the majority on the original question; and no motion for reconsideration shall be in order unless made on the same day or one of the three next succeeding days of actual session of the House thereafter. In the application of this rule the word "Majority" shall be construed to mean the number of votes that were sufficient to prevail in the decision of the original question.

**Section 2**—When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the House and been communicated to the Senate, the motion to reconsider shall be accompanied by a motion to request the Senate to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

## CALENDAR

**Rule 40**—The Clerk of the House shall keep a calendar of business on which shall be placed the number and subject of all bills and resolutions and the name of the introducer thereof; and, if reported from committee, the action of the committee thereon. Said bills and resolutions shall be kept on the Calendar until final action is taken thereon, and such as lie over and other matters undisposed of, shall be placed in the order in which they are presented.

**Rule 41**—The business on the Calendar shall be called after the receiving of committee reports and any bill ready for its final reading may be called up for passage unless the House otherwise directs.

## MISCELLANEOUS

**Rule 42**—Messages from the House shall be conveyed by the Clerk or a member, as the Speaker may direct, and when messages are conveyed to the House by a messenger from the Governor, or by a member of the State Senate, the members of the House shall rise. Messages to the House shall not be received while the House is voting on a question or a member is speaking.

**Rule 43**—Before any petition or memorial addressed to the House shall be presented, a brief statement of the contents shall be made by the introducer, and upon motion, shall be received at the Clerk's table and read; unless the reference is objected to by a member at the time the petition or memorial is read, it shall be referred without further motion.

**Rule 44**—The rules of the House shall not be changed or suspended except by a vote of a constitutional majority of the members unless these rules otherwise provide, but in all cases to which they are applicable and in which they are not inconsistent with these rules, the rules of parliamentary practice comprised in Roberts' Rules of Order Revised shall govern the House; and in all other cases the rules of parliamentary practice comprised in Jefferson's Manual shall govern in so far as they may be applicable and not inconsistent with these rules or Roberts' Rules of Order Revised.

**Rule 45**—A question of order may be raised at any stage of the proceedings, and, unless submitted to the House, shall be decided by the Presiding Officer without debate, subject to an appeal to the House. When an appeal is taken any subsequent question of which may rise before the decision of such appeal, shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. The Presiding Officer may submit any question of order for the decision of the House.

**Rule 46**—When a skeleton bill is introduced it shall not be assigned to a committee, but it shall be listed on the Calendar as a "Skeleton Bill unassigned." When it has been filled in, it shall be assigned to a committee and take the usual course of other bills. Skeleton bills will be accepted until three days preceding the deadline for the acceptance of new business.

**Rule 47**—All audio recordings of the proceedings of the House Shall be under the control and in the Custody of the Chief Clerk of the House throughout the duration of the Assembly. At the final adjournment of the House the Chief Clerk shall transfer all such records to the custody of the Public Archives Commission.

### COMMITTEE ON RULES

W. HARRISON PHILLIPS, Chairman  
 GEORGE H. EXLEY  
 ROBERT C. DAVIDSON  
 T. LEES BARTLESON

### JOINT RULES — 1963

**Rule 1**—Messages from one House of the General Assembly to the other shall be conveyed by such person as a sense of propriety in each House may determine. Announcements shall be made by the Sergeant-at-Arms of the House to which the message is being conveyed, and the message shall be respectfully communicated to the presiding officer by the person or persons conveying the same.

**Rule 2**—Every bill and resolution upon being messaged from one House to the other shall be receipted for by the Chief Clerk of the House receiving same, and all papers on which the said bill or resolution may be based shall be transmitted at the same time.

**Rule 3**—Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary shall upon its final passage in both Houses be delivered by the Chief Clerk of the House and/or the Secretary of the Senate, as the case may be, in which such bill or resolution originated, into the custody of the Bill Clerk of said House and it shall be the duty of the Bill Clerk of the House of Representatives jointly to see that such bill or resolution has attached to it a proper parchment backing and that each and every page of the said bill or resolution has been properly initialed, sealed, or stamped, unless otherwise ordered, and upon being assured that such is the case, shall immediately, if the Houses be in session and, if not, at the earliest opportunity, present the said bill or resolution to the presiding officer of each House for his signature, the presiding officer

of the House in which the bill or resolution originated signing first. Said Bill Clerks shall then certify with the Secretary of the Senate and the Clerk of the House on the backing of said bill or resolution that such bill or resolution is the same as that which passed both Houses of the General Assembly, and the said bill or resolution shall then be delivered by the Bill Clerk of the House in which such bill or resolution originated to the Chairman of the Committee on Passed Bills of said House. The Chairman of the Passed Bills Committee shall then deliver the bill to the Governor within 5 calendar days unless instructed otherwise by a concurrent resolution passed by both Houses.

**Rule 4**—Disagreement between the two Houses on a bill or resolution, or an amendment to a bill or resolution or over any other matter shall be made subject for conference at the request of either House. A committee, composed of members who voted in the majority on the point or points of difference, shall be appointed in each House, and, at a convenient hour agreed on by their chairmen, shall meet in the conference chamber and state to each other, verbally or in writing, the reasons of their respective House for or against the substitution, amendment or other matter of disagreement, and confer freely thereon. Conference shall not have power or control over any part of the bill or resolutions or other matter save such point or points over which the Houses disagree.

**Rule 5**—Every bill and/or resolution, which shall have passed one House and been rejected by the other, shall be returned to the House which had approved it and notice given of its rejection and the same entered on the Journal.

**Rule 6**—Neither the Senate nor the House shall be permitted to substitute a bill or joint resolution for a bill or joint resolution originating in the other House of the General Assembly.

**Rule 7**—The General Assembly may, by a concurrent resolution passed by both houses, request the return of a bill or resolution after it has been delivered to the Governor. The Governor may or may not return the bill at his option, but if he returns it, he shall deliver it to the Chairman of the Committee on Passed Bills of the House in which the bill originated and the Chairman shall retain the bill unless directed otherwise by a concurrent resolution passed by both Houses.

#### **HOUSE RULES COMMITTEE**

W. HARRISON PHILLIPS, Chairman  
 GEORGE H. EXLEY  
 ROBERT C. DAVIDSON  
 T. LEES BARTLESON  
 ROBERT N. DOWNS



## **SENATE RULES COMMITTEE**

ALLEN J. COOK, Chairman  
B. WALTER JOHNSON  
WALTER J. HOEY  
WILLIAM F. WILGUS  
REYNOLDS duPONT

## **APPENDAGE**

### **VOTES REQUIRED TO ENACT BILLS, RESOLUTIONS & RULES**

1. Three-fourth vote of all the members elected to each House required.
  - a. To borrow money or create a debt by or on behalf of the State.  
Exceptions: (Require majority vote of elected members)
    1. To supply casual deficiencies of revenue
    2. Repel invasion
    3. Suppress insurrection
    4. Defend the State in war
    5. Pay existing debtsArticle VIII, Section 3
  - b. To appropriate public money to any county, municipality or corporation.  
Article VIII, Section 4
  - c. To issue or loan bonds of this State to any county, municipality or corporation.  
Article VIII, Section 4
  - d. To pledge the credit of the State by guaranteeing or endorsing the bonds of other undertakings of any county, municipality or corporation.  
Article VIII, Section 4
2. Two-thirds vote of all the members elected to each House required:
  - a. To expel a member for disorderly conduct.  
Article II, Section 9
  - b. To lay out, open, alter or maintain roads and highways which form continuous roads or highways through at least a portion of the three counties. (Local laws of this nature cannot be enacted.)  
Article II, Section 19
  - c. To create courts other than constitutional courts.  
Article IV, Section 1
  - d. To grant jurisdiction over additional misdemeanors to inferior courts.  
Article IV, Section 28

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- e. To initiate impeachment proceedings.  
Article VI, Section 1
  - f. To enact or amend the general corporation law.  
Article IX, Section 1
  - g. To enact any special act of incorporation.  
Article IX, Section 1
  - h. To amend the Constitution.  
Article XVI, Section 1
3. Three-fifths vote of all members elected to each House required:
- a. To override the Governor's veto of any bill or resolution requiring the concurrence of both Houses, except on a question of adjournment.  
Article III, Section 18
4. In all other bills and resolutions a majority vote of all the members elected to each House required.
5. Rules  
"Each House may determine the rules of its proceedings"  
(The vote required is not stated in the Constitution.)  
Article II, Section 9

## FIRST LEGISLATIVE DAY

Mr. Russell D. F. Dineen called the House to order pursuant to Article 2, Section 4, of the Constitution on Tuesday, January 1, 1963 at 11:50 A.M.

There was a prayer by Reverend Donald Maccallum.

Mr. Dineen led those present in a salute to the Flag.

Mr. Busker called the names of the members-elect, who had taken their seats, as follows:

### WILMINGTON—NEW CASTLE COUNTY

Representative District No. 1—Paul F. Livingston  
 Representative District No. 2—Russell D. F. Dineen  
 Representative District No. 3—Ralph S. Keenan  
 Representative District No. 4—Paul E. Shockley  
 Representative District No. 5—Thomas J. Hanlon

### RURAL NEW CASTLE COUNTY

Representative District No. 6—T. Lees Bartleson  
 Representative District No. 7—Robert N. Downs, III  
 Representative District No. 8—Andrew Casey  
 Representative District No. 9—Everette Hale  
 Representative District No. 10—James R. Quigley  
 Representative District No. 11—Jacob A. Correll  
 Representative District No. 12—Robert C. Davidson  
 Representative District No. 13—Sherman W. Tribbitt  
 Representative District No. 14—Norman N. Younger  
 Representative District No. 15—Carlton Blendt, Jr.

### KENT COUNTY

Representative District No. 1—Glenn W. Busker  
 Representative District No. 2—James D. McGinnis  
 Representative District No. 3—J. Reynolds Pratt  
 Representative District No. 4—Gooden Darling  
 Representative District No. 5—Maurice N. Jarrell  
 Representative District No. 6—Dawson H. Shulties  
 Representative District No. 7—Harvey P. Fifer  
 Representative District No. 8—Wallace P. Wootten  
 Representative District No. 9—George H. Exley  
 Representative District No. 10—George Kirkby

### SUSSEX COUNTY

Representative District No. 1—Carlton Clifton  
 Representative District No. 2—John Annett  
 Representative District No. 3—Norman Eskridge  
 Representative District No. 4—Granville T. Lowe  
 Representative District No. 5—W. Harrison Phillips  
 Representative District No. 6—Robert B. Atkins  
 Representative District No. 7—Wilbert E. Hocker  
 Representative District No. 8—Joseph B. Walls  
 Representative District No. 9—M. Martin Isaacs  
 Representative District No. 10—William T. Best

All members-elect were present.

A motion by Mr. Tribbitt that Mr. Dineen be the Temporary Speaker of the House until the election of the permanent Speaker was adopted by a voice vote.

A motion by Mr. Tribbitt that Mr. Glenn Busker be the Temporary Clerk of the House was adopted by a voice vote.

A motion by Mr. Tribbitt the Temporary Speaker appoint a committee of two members to receive and examine the Certificates of Election was adopted by a voice vote.

Mr. Dineen appointed Mr. Tribbitt and Mr. Best to receive and examine the Certificates of Election.

The privilege of the floor was granted to Mr. Best who requested in a prepared statement that the members refuse to seat Mr. Joseph Walls as the Representative of Representative District No. 8 of Sussex County.

A motion by Mr. Tribbitt that the statement by Mr. Best be laid on the table was adopted by a voice vote.

Mr. Dineen declared a ten minute recess to enable the committee to examine the Certificates of Election.

Mr. Dineen called the House to order.

Messrs. Tribbitt and Best reported that they had examined the Certificates of Election and found them in order.

The Certificates of Election for Mr. Dineen, Mr. Busker and Mr. Carlton Clifton were then read as follows:

The State of Delaware, New Castle County, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen Hundred and sixty-two, for New Castle County, according to the Constitution and Laws of the State of Delaware, RUSSELL D. F. DINEEN was duly elected Representative for Representative District Number Second in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 10 day of November, A.D. 1962

(Seal)

WM. DUFFY,

President Judge.

ANDREW D. CHRISTIE,

Resident Associate Judge

The State of Delaware, Kent County, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen Hundred and sixty-two, for State of Delaware, GLENN W. BUSKER was duly elected for Kent County, according to the Constitution and Laws of the Representative for the First Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Collins J. Seitz and William J. Storey constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 9th day of November, A.D. 1962

COLLINS J. SEITZ,  
Chancellor

(Seal)

WILLIAM J. STOREY,  
Resident Associate Judge.

The State of Delaware, Sussex County, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen Hundred and sixty-two, for Sussex County, according to the Constitution and Laws of the State of Delaware, W. CARLTON CLIFTON was duly elected Representative for Representative District Number One in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, James B. Carey and Albert J. Stiftel, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this Eighth day of November, A.D., 1962

ALBERT J. STIFTEL,  
Associate Judge.

(Seal)

JAMES B. CAREY  
Resident Associate Judge.

A motion by Mr. Tribbitt that Mr. Harry C. McSherry, a Notary Public of the State of Delaware, administer the oath of office of Representative to Mr. Dineen and Mr. Busker and the oath of office as Temporary Speaker and Temporary Clerk respectively was adopted by voice vote.

Mr. McSherry then administered the following oath to Mr. Dineen:

### **OATH OF REPRESENTATIVE**

New Castle County, The State of Delaware, ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative of the General Assembly of the State of Delaware from Representative District No. 2 in New Castle County (to which office I was elected at the General Election held in said State in the year A.D. 1962), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

RUSSELL D. F. DINEEN

Sworn to this 1st day of January A.D., 1963 before me.

HARRY C. McSHERRY,  
Notary Public

Mr. McSherry administered the oath of office to Mr. Bukesr in the same form as the oath administered to Mr. Dineen.

Mr. McSherry then administered the following oath to Mr. Dineen as Temporary Speaker:

The State of Delaware, County of New Castle, ss.

### **EMPLOYEES OATH**

I, Russell D. F. Dineen, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Temporary Speaker for the House of Representative in the General Assembly of the State of Delaware, according to the best of my ability.

RUSSELL D. F. DINEEN

Sworn and subscribed to this 1st day of January A.D., 1963.

HARRY C. McSHERRY,  
Notary Public

Mr. McSherry administered the employees oath to Mr. Busker as Temporary Clerk in the form which was previously administered to Mr. Dineen.

A motion by Mr. Tribbitt that the reading of the Certificates of Mr. Dineen, Mr. Busker and Mr. Clifton be considered as being the reading of all the certificates of election was adopted by voice vote.

A motion by Mr. Tribbitt that the oath of Representative be administered by Mr. Dineen to the Representatives-elect of several Representative Districts.

Mr. Temporary Speaker administered the Oath of Representative to all members-elect in the form which was previously administered to Messrs. Dineen and Busker.

A motion by Mr. Tribbitt that the Temporary Clerk call the permanent roll was adopted by a voice vote.

Mr. Temporary Clerk called the permanent roll as follows:

1. Mr. Annett
2. Mr. Atkins
3. Mr. Bartleson
4. Mr. Best
5. Mr. Blendt
6. Mr. Busker
7. Mr. Casey
8. Mr. Clifton
9. Mr. Correll
10. Mr. Darling
11. Mr. Davidson
12. Mr. Downs
13. Mr. Eskridge
14. Mr. Exley
15. Mr. Fifer
16. Mr. Hale
17. Mr. Hanlon
18. Mr. Hocker
19. Mr. Isaacs
20. Mr. Jarrell
21. Mr. Keenan
22. Mr. Kirkby
23. Mr. Livingston
24. Mr. Lowe
25. Mr. McGinnis
26. Mr. Phillips
27. Mr. Pratt
28. Mr. Quigley
29. Mr. Shockley
30. Mr. Shulties
31. Mr. Tribbitt
32. Mr. Walls
33. Mr. Wootten
34. Mr. Younger
35. Mr. Speaker

All members were present.

A motion by Mr. Eskridge that Mr. Sherman Tribbitt be permanent Speaker of the 122nd General Assembly was seconded by Mr. Best and adopted by voice vote.

Pursuant to a successful motion by Mr. Eskridge, Mr. Dineen appointed Mr. Eskridge and Mr. Best to escort Mr. Tribbitt to the rostrum.

The motion was complied with and Mr. Dineen administered the oath of Speaker to Mr. Tribbitt as follows:  
The State of Delaware, County of Kent, ss.

I, Sherman W. Tribbitt, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Speaker of the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

SHERMAN W. TRIBBITT

Sworn and subscribed to this 1st day of January A.D., 1963.

RUSSELL D. F. DINEEN,  
Temporary Speaker

A motion by Mr. Eskridge that the House recess for five minutes was adopted by a voice vote at 1:00 P.M.

The Speaker called the House to order at 1:45 P.M.

A motion by Mr. Eskridge that Maurice A. Hartnett, III be temporary bill clerk and temporary reading clerk, to serve until the elections of the permanent bill clerk and permanent reading clerk, was adopted by a voice vote.

Mr. Eskridge introduced **HR 1**—"In Reference To Temporary Rules of The House of Representatives".

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly that the Rules of the House of Representatives in effect at the end of the second regular session of the 121st General Assembly be and they are hereby adopted as the temporary rules for the governing of the present Session.

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HR 1** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HR 2**—"Notifying The Senate That The House of Representatives Is Organized and Ready for Business".

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware, that the Clerk of said House notify the Senate that the House is organized and ready to receive business.

It was given its first and only reading in its entirety.



It was regularly moved and seconded that **HR 2** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HR 3**—"Appointing A Committee to Notify the Governor that the House of Representatives is Organized".

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware, that the Speaker of the House appoint a committee of 2 members on the part of the House to notify the Governor of the State of Delaware, of the convening of the first regular session of the House of Representatives of the 122nd General Assembly, and to inform him that the House is ready to receive any communication that he may desire to present, or to receive any message that he may choose to deliver at such time as he may designate.

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HR 3** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HR 4**—"Appropriation for Postage Stamps for The House of Representatives of The 122nd General Assembly".

BE IT RESOLVED, by the House of Representatives of the 122nd General Assembly of the State of Delaware, that the sum of \$500 be and the same is hereby appropriated out of the General Fund of the State of Delaware for the purchase of postage stamps to be used for the official business of the House of Representatives of the 122nd General Assembly.

BE IT FURTHER RESOLVED, that the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such postage stamps out of said appropriation upon warrants approved by the Executive Director of the Legislative Reference Bureau.

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HR 4** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HR 5**—"In Reference to Supply of Delaware Code and Volume 53, Laws of Delaware to members of The House of Representatives and Certain Officers Thereof".

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that the Legislative Reference Bureau is hereby authorized and directed to furnish to each member of the House, to the Chief Clerk of the House, to the Attorneys of the House and to the Executive Director of the Legislative Reference Bureau, respectively:

One copy of the 1958 Delaware Code annotated, including all cumulative Pocket Parts to date;

One copy of Volume 53, Laws of Delaware, when compiled and published.

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HR 5** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HR 6**—"Extending the Privileges of the Floor to Certain Persons".

**BE IT RESOLVED** by the House of Representatives of the 122nd General Assembly, that the privileges of the Floor be accorded to the ex-members of the House, members and ex-members of the Senate, members and ex-members of the United States Senate and the United States House of Representatives, the Governor, other State Officers, Representatives of the Press, the Executive Director of the Legislative Reference Bureau, the Attorneys for the House and Senate and that the privileges of the Floor to address the House or to confer with members may be granted to such others as a majority of the House may from time to time decide.

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HR 6** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HR 7**—"Authorizing the Chief Clerk to obtain supplies".

**BE IT RESOLVED**, by the House of Representatives of the 122nd General Assembly that the Chief Clerk of the House of Representatives be and he is authorized and directed to procure from the Legislative Reference Bureau all necessary books, forms, seals, blanks, and other stationery as may be required for the proper conducting of the business of the House and such postage stamps as may be needed by his office.

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HR 7** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HR 8**—"Authorizing the Legislative Reference Bureau to furnish stationery and other supplies".

**BE IT RESOLVED**, by the House of Representatives of the 122nd General Assembly of the State of Delaware, that the Legislative Reference Bureau is hereby authorized and directed to furnish, during the 122nd General Assembly, to the members of the House of Representatives, the Speaker's Clerk, the Chief Clerk, the Assistant Chief Clerk, the Attorneys for the House of Representatives, the Reading Clerks and the Bill Clerks, stationery and other supplies, the cost of

which shall not exceed the sum of \$25.00 for each for use during the 122nd General Assembly.

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HR 8** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HR 9**—"Authorizing the Committee on Printing to purchase Name Cards for use of members and Identification Cards for use of members and attaches of The House of Representatives".

BE IT RESOLVED, by the House of Representatives of the 122nd General Assembly of the State of Delaware that the Committee on printing is directed to purchase name cards for the use of members and identification cards for the use of the members and attaches of the House of Representatives and the Legislative Reference Bureau staff.

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HR 9** be adopted by voice vote. The motion prevailed.

Mr. Speaker appointed Mr. Eskridge and Mr. Best to notify the Governor that the House is organized and ready for business.

Mr. Speaker declared a recess to the call of the chair.

Mr. Speaker called the House to order at 2:30 P.M.

A motion by Mr. Eskridge that the Minority Floor Leader be authorized to select an attache for his use was adopted by a voice vote.

A motion of Mr. Eskridge that the House adjourn to Wednesday, January 2, 1963 at 1:00 P.M. was adopted by voice vote.

## 2ND LEGISLATIVE DAY

The Speaker called the House to order at 1:50 P.M. on Wednesday, January 2, 1963.

There was a prayer by the chaplain, Rev. Donald J. Macallum.

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

The Roll Call revealed 35 members present and none absent.

Members Present—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—35.

Members Absent—None.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved.

Motion prevailed.

Mr. Eskridge introduced **HR 10**—"In Reference to Election of Officers".

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that the following named persons be and they are hereby elected to the respective offices appearing opposite their names to serve during the pleasure of the House of Representatives.

Attorneys—James A. Walsh, Gerald Berkowitz, Harrison Turner

Chief Clerk—Francis X. Splane

Assistant Clerk—Walter Pyle

Reading Clerk—Frank Calio

Assistant Reading Clerk—James Quigley

Chaplain—Rev. Donald J. Maccallum

Chief Bill Clerk—Alex Tomkiewicz

Assistant Bill Clerk—Bailey Thomas

Page—Harry Wolton

Cloak Room Attendant—Dorothy Williams

House Messenger—J. Fred Robinson - Pauline Bennett

House Page—Margaret Hurley

House Messenger—Alvin Brown

House Messenger—Frank Ingram

File Clerk—Cora A. Hilyard

File Clerk—Lillian Wallace

Typist—Louise Pennewell - Ida Brasure

Sergeant-at-Arms—W. Harrison Melvin

File Clerk—Clara Conley

Stenographer—Beverly J. Blevins - Elizabeth Wainwright

Stenographer - Emogene Ellis - Nelson Stubbs

File Clerk—Dorothy Gagnon

Cloak Room Attendant—Martha Dixon.

Stenographer—Doris Meyers - Robert Bloth, Jr.

House Messenger—Charles E. Hartnett

Door Tender—James Rowlinson

File Clerk—Sam Elliott

Multilith Operator—John J. Argo

Supply Room—Addie Budd

Messenger—Harry White - Edna Hartsell

Sergeant-at-Arms—Martin O. Casey - John Smith

Sergeant-at-Arms—Howard A. Clendaniel - George B. Vincent

Messenger—Thomas Taylor

Door Tender—Frederick Bell

Sergeant-at-Arms—Carroll Cordroy - Richard Norwood

Messenger—Helen M. Collins - Venie R. Lloyd

Typist—Micheline Duff  
 Mail Clerk—Jennings Moore  
 Messenger—William Reynolds  
 Majority Floor Leader Clerk—Roland West  
 Messenger—Ralph Spitzer  
 Sergeant-at-Arms—Barney Lofland  
 Door Tender—Claud Jordon  
 House Messenger—Ruth Ross  
 House Messenger—Bradford Holiday  
 House Messenger—Mildred A. Keeler  
 Minority Clerk—William J. Warwick  
 Speaker's Clerk—Katherine Swartwood

It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote.

It was regularly moved and seconded that **HR 10** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HCR 1**—"Providing for Adjournment of the House of Representatives and the Senate".

**BE IT RESOLVED** by the House of Representatives of the 122nd General Assembly of the State of Delaware, the Senate concurring therein, that at the close of business on January 2, 1963, both houses shall adjourn until Thursday, January 10, 1963 at 1:00 o'clock P.M.

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HCR 1** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HCR 2**—"That the two Houses meet in Joint Session to hear the Message of the Governor".

**BE IT RESOLVED**, by the House of Representatives of the 122nd General Assembly, the Senate concurring therein, that the two Houses of the General Assembly meet in Joint Session in the Senate Chambers at 2 o'clock P.M. on the 10th day of January, A.D., 1963, or as soon thereafter as is convenient, for the purpose of receiving from the Governor of the State of Delaware, any communication that he may present, or any message that he may choose to deliver.

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HCR 2** be adopted by voice vote. The motion prevailed.

A messenger from the Senate informed the House that the Senate had passed **SCR 1** and **SCR 2** and requested the concurrence of the House.

**SCR 1** was given its first reading by title only.

**SCR 1**—"Appointing Bill Clerks For The Senate And The House of Representatives To Serve During The 122nd General Assembly."

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein, that Dale Boyce be and he is hereby appointed to the office of Senate Bill Clerk to serve during the pleasure of the 122nd General Assembly and that Alex Tomkiewicz be and he is hereby appointed to the office of House Bill Clerk to serve during the pleasure of the 122nd General Assembly.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 1**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 1** be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 1** was adopted by voice vote.

**SCR 2** was given its first reading by title only.

**SCR 2**—"Appointing Roy D. Freeman As Accountant For The Joint Finance Committee And Melba Anne Webb As Secretary For The Joint Finance Committee Of The 122nd General Assembly Of The State Of Delaware."

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein that, Roy D. Freeman be appointed as Accountant for the Joint Finance Committee and Melba Anne Webb be appointed as Secretary for the Joint Finance Committee of the 122nd General Assembly of the State of Delaware.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 2**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 2** be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 2** was adopted by voice vote.

Mr. Eskridge moved that the House adjourn until January 10, 1963 at 2:00 P.M., in Joint Session in the Senate Chambers to hear the Message from the Governor. Motion carried.

### 3RD LEGISLATIVE DAY

The Speaker called the House to order at 1:44 P.M. on Thursday, January 10, 1963.

There was a prayer by the chaplain, Rev. Donald J. Maccallum.

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

The Roll Call revealed 34 members present and 1 absent.

Members Present—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shulties, Walls, Wootten, Younger, Mr. Speaker—34.

Members Absent—Mr. Shockley—1.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved.

Motion prevailed.

Mr. Speaker announced that the microphone installation and the change in the seating arrangement were to facilitate the recording of a legislative with the possibility of adopting this procedure permanently in order to provide a complete record of proceedings in the House.

Mr. Eskridge commented that the House should join the Senate for the Joint Session in a body rather than as individuals.

Mr. Exley announced that he had received considerable comment from his constituents relative to SB 251 and that he thought all members had better acquaint themselves with this law dealing with cosmotology because of the unfavorable reaction it had caused.

The Speaker sent the House Messenger to receive information from the Senate when the Senate would be ready to receive the House in Joint Session.

Mr. Eskridge moved, at 1:58 P.M. that the House recess to meet in JOINT SESSION with the Senate. Carried.

At 2:00 P.M., The Sergeant-at-Arms announced the Speaker and Members of the House of Representatives. They were admitted and seated. Lieutenant Governor Lammot invited the Speaker of the House to a seat on the rostrum.

## JOINT SESSION

Sen. Donovan moved that the House and Senate convene in Joint Session. Motion prevailed.

Sen. Donovan moved that the President of the Senate preside over the Joint Session. Motion prevailed.

Sen. Donovan moved that the Secretary of the Senate and the Chief Clerk of the House act as Secretaries of the Joint Session. Motion prevailed.

The chair appointed the following committee to escort the Governor to the Senate Chamber: Sen. Donovan, Sen. DuPont, Rep. Busker and Rep. Bartleson.

The Sergeant-at-Arms admitted the Governor and the duly appointed Committee to the Senate Chamber.

The President invited the Governor to the Rostrum and introduced him to the Joint Session.

The Governor addressed the members of the General Assembly as follows:

### GOVERNOR'S MESSAGE

Mr. President, Mr. Speaker, Members of the One Hundred and Twenty-Second General Assembly of the State of Delaware:

During this meeting of the 122nd General Assembly, we have a splendid opportunity to carefully remold some of our important institutions and departments into improved patterns to better serve the future needs of the people of Delaware.

We cannot afford to complacently rest upon the splendid record made during the past two years. Our State, like our Nation, is moving ahead. We are in the midst of a dynamic program of Progress for People in Delaware. Just as this magnificent Legislative Hall has taken on a new, fresh and attractive appearance, so are the agencies and commissions of our State moving forward with new vigor and vision.

All over the State there are inspiring evidences by our people that they are no longer willing to mark time, to stagnate and remain in the status quo, but rather we are making monumental efforts in at least a dozen areas to analyze our weaknesses and our problems, and we are calling in outstanding study groups to evaluate our positions and make recommendations which should result in an approach to excellence in these fields. These studies are being conducted in the following areas:

1. Budget and Financial Control;
2. Corrections and Rehabilitation;
3. Welfare;
4. School Building Construction;
5. Educational Television;
6. Mental Health;
7. Retraining and Re-employment;
8. The problems of young Delawareans in obtaining higher education in subjects not offered in our State institutions;
9. Area Skills;
10. Juvenile Delinquency;
11. Bidding Laws;
12. Tax Collection Machinery.

These efforts indicate our impatience with mediocrity and our desire to make Delaware a better State and provide improved services for our people.



Most of our emergencies have been resolved. The road of Progress for People has been charted and we can see and measure the successful steps already taken. Now, it is the joint responsibility of the Executive and Legislative branches, working cooperatively, to effect the second stage of our program to restore and refine the governmental machinery of our State.

Here are the most important and far-reaching proposals of our program:

### **Balanced Budget for Fiscal 1963 and 1964**

The continued success of our program of Progress for People requires responsible financing. Responsible financing includes balanced budgets, especially during the years of an expanding economy. Last spring the budget for fiscal 1963 was prepared and enacted in the light of the best financial information available at that time. The indication then was that we could cover our expenditures, provide a cash balance of approximately \$1½ million on June 30, 1963.

Since that time the economy of our State has exceeded our predictions. In addition, higher agency reversions at the end of fiscal 1962 combined to build our cash position. During the present year the shift in harness racing dates and a substantial, unanticipated increase in revenue from inheritance and estate sources leads me to estimate the total revenue available during the present fiscal year, including the cash balance from the last year, of \$105,185,000. Based on appropriations to date, a cash balance of approximately \$9 million is anticipated on June 30th.

This encouraging financial picture means that there will be funds during the balance of this fiscal year to take care of minor emergencies and a few highly essential projects. A word of caution at this point is highly important. Although our financial picture has been brightened in fiscal 1963 by the change on racing dates and an unusual increase in inheritance taxes, this particular advantage cannot be carried into fiscal 1964.

My estimate of \$102 million revenue for fiscal 1964 is based upon a projection of our rising economy. The recommended Budget Act, when added to Automatic Appropriations and routine Grants-in-Aid and reduced by anticipated reversions, contemplates an expenditure of \$103,688,530. A cash balance of \$5 million to \$6 million on June 30, 1964 is highly desirable. This means that at least \$6.7 million of the anticipated cash balance on June 30, 1963 is committed for fiscal 1964, exclusive of desirable supplemental projects which the Assembly may wish to initiate.

## **Improved Efficiency in State Financial Management**

In the early days of our Administration I reorganized the State Council of Presidents and Executives — the Governor's informal cabinet. One of the Council's working committees, cooperating with the Budget Commission, undertook a comprehensive study of Delaware's financial operation. Using funds appropriated by the 121st General Assembly specifically for this purpose, the firm of Cresap, McCormick and Paget was retained to give professional assistance.

This independent company, outstanding in the field of governmental fiscal management, has completed its preliminary study and its detailed recommendations, approved by the State Council committee, will be available for you in the next few days. Most of the recommendations can be implemented without statutory change, and it is the desire of the State Council Committee and of this Administration to retain the services of Cresap, McCormick and Paget to work with our State agencies to fully implement these recommendations during the next 18 months. The additional cost of completing this project is \$50,000. They have recommended, and this Administration will present, a measure providing for the realignment of the fiscal duties already assigned to the Executive branch in order to facilitate the performance of these duties. This measure would provide for a full-time Budget Director, appointed by the Governor and confirmed by the Senate. The Budget Commission would be retained in an advisory capacity. The Budget Director would be responsible for the budget preparation and expenditure control duties presently vested in the Budget Commission, and the "pre-audit" duties of the Auditor. The State Auditor would be assigned the "post-audit" duties now vested in the Budget Commission.

I concur with Cresap, McCormick and Paget that this is the extent of the statutory changes needed at this time to modernize our fiscal operation.

## **Reapportionment**

Last summer a bipartisan committee, appointed by the Governor, unanimously recommended a Constitutional Amendment to reapportion the General Assembly and the call for a Constitutional Convention. The 121st General Assembly passed the first leg on the Constitutional Amendment, but rejected the call for a Constitutional Convention. The final action on the Constitution Amendment to reapportion our Assembly is now before this body.

The proposed amendment provides a much fairer representation in the House of Representatives, and is especially remarkable because it received the unanimous endorsement

of the bipartisan statewide committee. The amendment preserves the integrity of our bicameral Assembly, clearly placing representation in the House on the principle of population without destroying the traditional right of even the smallest Hundred to be represented. In addition, it recognizes the historic political autonomy of our counties. Just as each state has always had representation in the lower house of the United States Congress, based upon a census taken every ten years, so each Hundred in our State is represented in the House of Representatives of the Delaware Legislature. Just as each state, large or small, has an equal number of Senators in the United States Senate, so the counties would have equal representation in our Senate.

The Federal Court will be hearing argument on this case later this month. The amendment now before you, without change, is the only amendment within the constitutional power of this 122nd Assembly to effect. I urge you to give immediate and favorable consideration to this reapportionment amendment.

#### **Earmarking of DuPont-General Motors Divestiture Revenue**

The collection of personal income taxes this spring for calendar 1962 will include the first significant revenue from the DuPont-General Motors stock divestiture ordered by the Federal Courts. There is no practical way to estimate the amount of this first collection. We have excluded it entirely from our revenue estimate for personal income tax during this fiscal year, as well as during fiscal 1964. The State Tax Department which has just completed special forms for reporting this special revenue, will be able to determine the amount actually received from this source by early May of each year for the previous calendar year. While we will then know the amount involved, these monies cannot, under present law, be separated physically from the rest of the General Fund.

I strongly urge that legislation be enacted to isolate this windfall revenue from the General Fund and to limit its future use to expenditures for capital improvements of a permanent nature designed to benefit present and future generations of our State.

#### **Reform of Correctional Program**

During the spring of 1961, I appointed a Governor's Committee for a State Correctional Program consisting of 16 distinguished Delawareans, representing each county of the State and the City of Wilmington. The Delaware Crime Commission provided this Committee with \$25,000 which enabled it to employ the National Council on Crime and Delinquency to make a Study of juvenile and adult correction in Delaware.

It is my sincere hope that you will act promptly to implement the major immediate recommendations of this Study which provides for:

1. Expanded professional staff to step up the rehabilitation of those presently in our correctional institutions;

2. Expanded probation and parole staff and program to follow through to a logical conclusion in the field, the rehabilitative efforts begun in the institutions;

3. A single Family Court with statewide jurisdiction and expanded professional staff.

This program will result in over-all savings to the State, and over the years it will help to build a stronger community and strengthen the morale of our people.

### **Mental Health**

At a special Governors' Conference on Mental Health in Chicago during November of 1961, it was ably demonstrated by national leaders in the field of mental health that with adequate professional staff, ample facilities and sufficient funds, it is possible to cut the population of our mental institutions in half by using the recently developed drugs and treatment.

There are a number of obstacles to be overcome before this desirable goal can be attained. It is estimated it will take double our present expenditures to accomplish this important target. Today, if the whole nation attempted to double its expenditures in this effort, sufficient psychiatrists and professional staff could not be employed because they are simply not available. Broad efforts are being made to train these all-important people so that an adequate number will be available within the next decade.

We in Delaware are slowly moving ahead in this field and a significant increase is being recommended in the budget of Delaware State Hospital.

### **Revision of Magistrate System**

Under the leadership of the Supreme Court of Delaware, a study has been made of this archaic, outmoded system. The recommendations of this distinguished body should be enacted into law so that the people of Delaware will be assured of the best possible administration of justice. In addition to eliminating the fee system, these recommendations provide for a reduction of the total number of Justices of the Peace, for convenient locations of the courts throughout the State, and for staffing on a 24-hour basis. Constables would also be compensated by salary rather than by fees.

## Education

Great strides have been made in both higher and public education in Delaware during the past two years. State support for the University of Delaware has been increased by 38% over this period. Additional funds for teacher salary schedule increases, for expanded special services, and for the unit appropriation for ALL OTHER COSTS have been provided.

This is as it should be. The future of our State and Nation depends upon the excellence of our educational system. The way we support and build our educational program will help to determine the success of our future leaders in government, business, agriculture and science. A sound educational program, turning out well-grounded, intelligent students, will help to lessen future unemployment and welfare claimants. Such a program will reduce the demands upon our mental health and correctional institutions.

**1. Scholarships for Delawareans desiring to pursue studies in higher education not afforded to them within the State:** Because of the small size of our State, we cannot economically provide top quality higher education in all the major fields. The concept of equal educational opportunity demands that qualified students who wish to pursue such programs as medicine, dentistry, law, veterinary medicine, psychiatry and many other professions vital to the welfare of our society, be assisted just as we are now assisting those who choose engineering or some other field provided by a Delaware institution.

For several years now we have been part of the Southern Regional Education Board at an annual administrative cost of \$33,000. It was thought that we would some day provide the additional monies to place students in some of the Southern Regional institutions to meet these specialized demands of higher education. Last year I appointed a committee to study the value of Delaware's continued participation in this Compact. After intensive research, it was the recommendation of this Committee that we withdraw from the SREB and provide a program of direct scholarships to students desiring to pursue certain programs of higher education not provided in our Delaware institutions. I fully concur with these recommendations and urge that legislation for this purpose be supported.

**2. Educational Television:** In our efforts to step up the quality of our educational program, one opportunity available to us becomes more attractive with each passing day. Delaware should be utilizing television as an educational tool. This is a vast, untapped resource which is readily available to us. It is not my idea to eliminate a single teacher through the use of educational television. It

is my strong belief that we will be able to broaden our courses of study and the effectiveness of transmittal of ideas through the use of teachers who are master communicators, broadcasting on educational television. In every case, they will be complemented by on-the-spot classroom teachers. I strongly urge the House and Senate Education Committees, or a joint committee of the Assembly, to work with the Governor to continue a study of the opportunities and benefits that are available to us. Closed circuit educational television could well be the answer to expensive school consolidations by providing a broad and uniform curriculum of high excellence, not presently available to all the schools of our State — large, medium and small.

**3. Increase in the Driver Education Program.** Presently, Delaware is providing about 65% of the qualified students in high school with the opportunity to share in the Driver Education Training Program. I believe that when this program becomes available to the entire qualified student enrollment, a splendid step will be taken to reduce accidents, injuries and fatalities on our streets and highways. To attain this goal I have caused sufficient funds to be included in the Budget being presented to provide 100% participation in this important program by those qualified students.

**4. Repair and Replacement of Capital Investment.** During recent years the lack of attention given this problem has encouraged unsupervised appropriations. Our system of uniform appropriations to the districts is based on units of pupils. It is my belief that we should follow this practice except in cases of most extreme emergency. Routine maintenance and repair of our school buildings such as the replacement of glass, painting, and refinishing of floors should be kept up to date and should be paid out of the unit appropriation of ALL OTHER COSTS. Major capital replacements such as a new roof, a new heating plant, a new plumbing or electrical system, or structural repairs expected to last a generation should be financed outside of this unit appropriation. There will be enough money in the General Fund to carry out a program of capital repairs of schools during this calendar year. An Administration measure will be presented to cover these major capital replacements. This will set forth guidelines for the expenditure of these funds and will provide for the supervision of this program by the State Board of Education. I urge your prompt passage of this legislation so that the State Board and the schools may take adequate preparation for the installation of these capital replacements during the period the schools are closed down next summer.

## **Labor and Full Employment**

Our employment problem, which had reached a critical point two years ago, has been substantially relieved by our expanding economy. Despite this progress there is, and will continue to be, a persistent core of unemployment resulting from automation and the technical revolution in industry.

The Governor's Committee on Training for Employment has been systematically studying the causes and solutions of unemployment, and helping to coordinate the activities of the State and Federal agencies having a responsibility in this field. A statewide area skill survey by the Employment Security Commission and the University of Delaware to determine the long-range training needs is nearly complete. In cooperation with the Federal Manpower Utilization Act, we are starting our first class this month to train chemist assistants. Additional courses should be initiated within the next few months. The Apprenticeship and On-the-Job Training program has been overhauled to the fullest extent possible under the present law.

Our efforts in this area will be stepped up during the coming year. I support the Training Committee's recommendations for legislation to establish an Apprenticeship and Training Council under the State Department of Labor.

This Administration favors legislation which will establish a state minimum wage to cover many of the workers not under the jurisdiction of the Federal Wage and Hour Law, and which would eliminate the unnecessary waiting period required before a qualified unemployed person can collect benefits.

## **Highways and Flood Control**

During the past year our reorganized State Highway Department has demonstrated that it has the will and the energy to efficiently and effectively carry out the broad, progressive highway program Delaware needs. We cannot afford to have the experiences of 1960 repeated in 1963. Federal matching funds for Delaware are waiting our action. Major traffic arteries in northern New Castle County are seriously overcrowded and need to be promptly supplemented. Some of our important highways have deteriorated to the point where reconstruction is urgently required. Our citizens are entitled to not only a continued, but a stepped-up and improved program of suburban street renewal.

The City of Wilmington is in the heart of Delaware's prosperity and industry. During the past seven years, wide areas on the eastern and western side of that City have been razed to provide for slum clearance and FAI-2, the new Freeway. As a result, population and the taxable base has de-

clined, posing a serious threat to the vigor and progress of this, the most important city of our State. To arrest further deterioration in the heart of this great Delaware metropolis, and to encourage business and redevelopment in that area, I urge that the completion date for FAI-2 be set for 1965 instead of 1967 as presently contemplated. This stepped-up program will require in the main, stepped-up appropriations. Our Highway Department has assured me that if the necessary funds are provided, the work can be completed by the stepped-up target date, albeit this would entail a tremendous effort on their part.

The State Highway Department will present a comprehensive highway program bond bill in the near future. It is imperative that the Assembly give early and favorable consideration to this measure or to a similar measure with such modifications as the Assembly in its wisdom may deem necessary.

The rapid population boom in New Castle County has created drainage as well as traffic problems. During recent years the State Highway Department has, when directed by Act of the General Assembly, carried out or participated in a number of drainage projects not directly connected with highway work. Such Acts have not been comprehensive in coverage, nor provided for maintenance of the project after completion.

New Castle County has advanced to the point where it should assume the responsibility for storm drainage. The Delaware Code does not clearly assign this responsibility to either the State or the County. It is my belief, previously expressed and supported by the Levy Court of New Castle County, that our laws should be amended to designate the Levy Court as the agency responsible for storm drainage in New Castle County and to provide a method of financing this work.

### **Additional Legislative Program**

The enactment of the following legislation is highly important to the progress of the people of our State, and I strongly urge you to take positive action on these items during the present session:

1. Authorization of a Personnel Department to provide job classification and uniform personnel policies for State employees;
2. Pass the first leg of a Constitutional Amendment to provide for zoning in Kent and Sussex Counties;
3. Authorize enabling legislation to provide for Delaware River and Bay Crossings when submitted by the new Delaware-New Jersey Crossing Authority. I strongly urge



that the authorization of a ferry crossing between Lewes and Cape May be vigorously supported, both by the new Authority and the Legislatures of Delaware and New Jersey;

4. Authority to our State Police to prevent the operation of highway vehicles which are emitting poisonous and noxious gasses into the atmosphere due to improper and inefficient combustion;

5. Provide whatever funds are deemed to be necessary in conjunction with Federal financing, to protect the shores and beaches of our valuable and highly regarded ocean and bay frontage;

6. Inter-State Compacts on: (a) the placement of children, (b) juveniles, (c) driver licenses, and (d) safety equipment;

7. The "Uniform Manual on Traffic Control Devices" as approved by the Delaware Highway Department;

8. Increase the ceiling presently over Old Age Assistance from \$75 per month to \$100 per month;

9. The proposed Bidding Laws drafted by the Governors Committee to improve and revise the present out-moded statutes;

10. The construction of a State Office Building to be located in the Poplar Street Redevelopment Project in Wilmington. This building would be one of a complex of Federal, State and City buildings in that area;

11. The construction of new State Office Buildings in the Dover area to provide space for a) the present occupants of the Old State House, and (b) the State Highway Department;

12. Restore our Old State House so that it can be preserved as a beloved and hallowed Historic Shrine for present and future generations;

13. The purchase of the Hope Building on the Dover Green for State offices;

14. Ratify the U. S. Constitutional Amendment to eliminate the payment of the Poll Tax as a requirement for voting in Federal elections;

15. The revision of Delaware's Election Laws, as recommended by the State Auditor, who is also the State Election Commissioner;

16. Provide for a financial accounting to the Secretary of State of all expenditures over \$100 by the major political parties and candidates in all primaries and general elections;

17. A Leasing Law to provide for offshore leasing practices for the exploration of mineral and oil resources;

18. Funds to step up Delaware's Youth Fitness Program.

## Our Employees and Executives

The opportunity to work with the thousands of people who are connected with our State as employees, executives, or as commissioners and board members, has to me been an experience full of inspiration and personal satisfaction.

I believe that our State employees are dedicated to the purpose of sincerely serving the people of our State in every area of their responsibility.

We are likewise indeed fortunate to have the splendid assistance of hundreds of talented and capable Delawareans who serve the State on its boards and commission, many of whom receive no compensation except the satisfaction of making their personal contribution to the successful operation of their State.

On behalf of a grateful Delaware, I express our warm thanks to all of these public servants for the splendid record they have made in the outstanding service they have given their State.

## Conclusion

Delaware is moving forward. We are facing up to our problems and we are making a determined effort to find the answers to our perplexing questions.

Unemployment is on the wane. New, desirable industry is finding our State to be a good place in which to locate. The spirit of our people is good and we look forward to a future of greater opportunities and accomplishments.

We are endowed with few natural resources, but with great human resources. The most important contribution which our State can make to a successful future is to nurture, encourage and inspire our great human resources, the vibrant, vital and valiant people of our State.

May we, the people of Delaware, continue this forward progress, thankful for the many blessings which God has seen fit to shower upon us, ever seeking more light and understanding, and ever using this knowledge for the welfare and advancement of all humanity.

At 2:53 P.M., the previously named committee escorted the Governor from the Chamber.

Sen. Donovan moved that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals.

The Secretary of the Senate and the Chief Clerk of the House compared their Journals found them to agree, and so notified the President.

Sen. Donovan moved the two House now separate to re-convene in their respective chambers. Motion prevailed.

At 3:48 P.M., the Speaker called the House to order.

Mr. Eskridge introduced **HR 11**—"In Reference to Election of Officers".

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that the following named person be and is hereby elected to the office appearing opposite his name:

Assistant Chief Clerk - Walter Pyle

It was given its first and only reading in its entirety.

It was regularly moved and seconded that **HR 11** be adopted by voice vote. The motion prevailed.

Mr. Walter Pyle was sworn in by the Speaker as Assistant Chief Clerk.

#### OATH OF OFFICE

I, Walter Pyle do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Assistant Clerk of the House for the House in the General Assembly of the State, according to the best of my ability.

#### WALTER PYLE

Sworn and subscribed to this 10th day of January, A. D., 1963.

Mr. Speaker appointed members to the Standing Committee of the House.

Mr. Speaker ordered without objection, the report on Committee membership as read to be made a part of the record.

**ACCOUNTS**—Wallace Wootten (D-K), Chm.; Granville T. Lowe (D-S), J. Reynolds Pratt (D-K), Andrew Casey (R-NC), Maurice N. Jarrell (R-K).

**AGRICULTURE AND FORESTRY**—Martin Issacs (D-S), Chm.; Gooden Darling (D-K), Carlton Blendt (D-NC), John Annett (R-S), Harvey P. Fifer (R-K).

**CHARITIES**—Thomas J. Hanlon (D-NC), Chm.; H. Dawson Shulties (D-K), Martin Isaacs (D-S), Robert N. Downs (R-NC), John Annett (R-S).

**CLAIMS**—Joseph B. Walls (D-S), Chm.; Wallace Wootten (D-K), R. C. Davidson (D-NC), Andrew Casey (R-NC), Maurice N. Jarrell (R-K).

**CORPORATIONS MUNICIPAL**—Paul E. Shockley (D-NC), Chm.; Glenn W. Busker (D-K), Jim McGinnis (D-K), Ralph S. Keenan (R-NC), Wilbert E. Hocker (R-S).

**CORPORATION PRIVATE**—Paul F. Livingston (D-NC), Chm.; Paul E. Shockley (D-NC), Carlton Clifton (D-S), T. Lees Bartleson (R-NC), Harvey P. Fifer (R-K).

**JUDICIARY**—Robert C. Davidson (D-NC), Chm.; W. Harrison Phillips (D-S), J. Reynolds Pratt (D-K), Jacob A. Correll (R-NC), William T. Best (R-S).

**EDUCATION**—Carlton Blendt, Jr. (D-NC), Chm.; W. Harrison Phillips (D-S), Jim McGinnis (D-K), John Annett (R-S), Harvey P. Fifer (R-K).

**ELECTIONS**—Norman N. Younger (D-NC), Chm.; Paul F. Livingston (D-NC), George W. Kirby (D-K), John Annett (R-S), William T. Best (R-S).

**FEDERAL RELATIONS**—Wallace Wootten (D-K), Chm.; Gooden Darling (D-K), Paul F. Livingston (D-NC), Ralph S. Keenan (R-NC), William T. Best (R-S).

**FISH, OYSTER AND GAME**—James McGinnis (D-K), Chm.; Joseph B. Walls (D-S), Norman Younger (D-NC), Wilbert E. Hocker (R-S), Maurice N. Jarrell (R-K).

**INSURANCE AND BANKING**—J. Reynolds Pratt (D-K), Chm.; Paul E. Shockley (D-NC), Granville T. Lowe (D-S), Jacob A. Correll (R-NC), Maurice N. Jarrell (R-K).

**PUBLIC BLDG. AND HIGHWAYS**—Carlton Clifton (D-S), Chm.; Norman Younger (D-NC), Robert B. Atkins (D-S), Everett Hale (R-NC), Harvey P. Fifer (R-K).

**LABOR**—James R. Quigley (D-NC), Chm.; Thomas J. Hanlon (D-NC), H. Dawson Shulties (D-K), John Annett (R-S), Ralph S. Keenan (R-NC).

**MANUFACTURING AND COMMERCE**—Gooden Darling (D-K), Chm.; Martin Isaacs (D-S), Paul F. Livingston (D-NC), Ralph S. Keenan (R-NC), Robert N. Downs (R-NC).

**MILITARY AFFAIRS**—George W. Kirkby (D-K), Chm.; R. C. Davidson (D-NC), Robert B. Atkins (D-S), Wilbert E. Hocker (R-S), Andrew Casey (R-NC).

**MISCELLANEOUS**—Harrison H. Phillips (D-S), Chm.; George H. Exley (D-K), Wallace Wootten (D-K), Robert N. Downs (R-NC), Jacob A. Correll (R-NC).

**PRINTING**—George H. Exley (D-K), Chm.; Dawson Shulties (D-K), Thomas J. Hanlon (D-NC), Andrew Casey (R-NC), Ralph S. Keenan (R-NC).

**PUBLIC HEALTH**—Robert B. Atkins (D-S), Chm.; Carlton Blendt, Jr. (D-NC), James R. Quigley (D-NC), Everett Hale (R-NC), Wilbert E. Hocker (R-S).

**REVENUE AND TAXATION**—Granville T. Lowe (D-S), Chm.; Paul E. Shockley (D-NC), George W. Kirkby (D-K), Jacob A. Correll (R-NC), T. Lees Bartleson (R-NC).

**REVISED STATUTES**—Glenn W. Busker (D-K), Chm.; Norman N. Younger (D-NC), George H. Exley (D-K), Robert N. Downs (R-NC), T. Lees Bartleson (R-NC).

**RULES**—Harrison Phillips (D-S), Chm.; George H. Exley (D-K), Robert C. Davidson (D-NC), T. Lees Bartleson (R-NC), Robert N. Downs (R-NC).

**SUPPLIES**—George W. Kirkby (D-K), Chm.; Carlton Clifton (D-S), Thomas J. Hanlon (D-NC), Everett Hale (R-NC), Harvey P. Fifer (R-K).

**TEMPERANCE**—J. Reynolds Pratt (D-K), Chm.; Joseph B. Walls (D-S), Glenn W. Busker (D-K), Everett Hale (R-NC), Wilbert E. Hocker (R-S).

**APPROPRIATIONS**—Russell D. F. Dineen (D-NC), Chm.; Norman A. Eskridge (D-S), Glenn W. Busker (D-K), William T. Best (R-S), T. Lees Bartleson (R-NC).

**PASSED BILLS**—H. Dawson Shulties (D-K), Cham.; James R. Quigley (D-NC), Everett Hale (R-NC).

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

**HB 1**—"An Act Making Appropriations For The Expenses of The State Government For The Fiscal Year Ending June 30, 1964 And Authorizing The Allocations of Funds," by Eskridge; to Appropriations.

**HB 2**—"An Act Making An Emergency Appropriation To The State Custodian For The Purpose Of Installing An Elevator In Legislative Hall," by Eskridge; to Appropriations.

**HB 3**—"An Act Agreeing to A Proposed Amendment to Article II of The Constitution of the State of Delaware, Relating to the Composition of the House and Senate, By Providing for Expansion and Reapportionment," by Eskridge; to Revised Statutes.

**HB 4**—"An Act to Amend Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees by Changing the Application of Chapter 13," by Dineen; to Education.

Mr. Speaker announced Mr. Phillips as Chairman of the Rules Committee which is responsible for Attaches.

At 4:00 P.M. it was regularly moved and seconded that the House adjourn until 1:00 P.M., Monday, January 14, 1963. The motion prevailed by voice vote.

#### 4TH LEGISLATIVE DAY

The Speaker called the House to order at 2 P.M. on Monday, January 14, 1963.

There was a prayer by the chaplain, the Rev. Donald J. Maccallum.

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

The Roll Call revealed 34 members present and 1 absent.

Members Present—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Darling, Davidson, Din-

en, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wooten, Younger, Mr. Speaker—34.

Members Absent—Mr. Correll—1.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion prevailed.

Without objection the following communication was made part of the record.

# UNIVERSITY OF DELAWARE

Newark, Delaware

January 3, 1963

## MEMORANDUM

To: Representative Sherman W. Tribbitt  
Speaker of the House of Representatives  
122nd General Assembly of Delaware

FROM: John A. Perkins

SUBJECT: Report Requested Under Chapter 86, Volume 51, **Laws of Delaware**

Title 14, Section 5524 of Chapter 6, Volume 51, **Laws of Delaware** read as follows:

"Within a reasonable time after the end of each fiscal year the University officer responsible for the administration of Sections 5520-5524 of the Title shall submit through the appropriate University channels a written report to the General Assembly in which shall be outlined the number of grants given, the amount received by each student and an analysis of whether the aim of Sections 5520-5524 of the Title to eliminate economic need as a bar to an education at the University of Delaware has been accomplished."

The enclosure to this memorandum lists the 198 students who were awarded Delaware Right-to-Education Grants during 1961-62, the stipends they received, and gives other personal data about these students. A total of \$56,160.32 was expended for grants awarded for 1961-62. The appropriation by the General Assembly to support these grants amounted to \$57,000.00. The University refunded \$1,180.15 in Delaware Right-to-Education money to the State on July 5, 1962 as follows:

Unexpended balance from 1961-62 appropriation	\$ 839.68
Payment by student for previous year's award	175.00
Return from student accounts previous years	165.47
<b>TOTAL</b>	<b>\$1,180.15</b>

Title 14, Section 5524 calls for an "analysis of whether the aim of Sections 5520-5524 to eliminate economic need as a bar to education at the University of Delaware has been accomplished." This analysis follows.

The following points made in my reports dated July 28, 1958, October 9, 1959, December 28, 1960, and December 19, 1961 covering the Delaware Right-to-Education Grant programs for 1957-58, 1958-59, 1959-60, and 1960-61 respectively, are repeated here since they apply equally to the administration of this program during 1961-62:

1. Every effort has been made to administer this law fairly and strictly on the basis of the applicant's need. Accompanying each application for aid completed by the student is a detailed form which must be filled out by the parents disclosing their income and liabilities, size of family, and other personal data. Several letters of reference are also called for. The University is in no position to perform an actual audit of the facts as returned on the applications and set forth in the letters of reference. Some people may be less than completely honest in providing the information. If this is at all obvious, further investigation is made and if substantiated, financial assistance is refused. The University conscientiously endeavors to determine financial need. It cannot always verify it. The costs in administrative time and money to do so would be beyond our resources. There is a question, too, whether any great financial outlay to do this would be either effective or justifiable.

2. The applications of all students selected for grants under this act show genuine financial need in accordance with well-established criteria accepted generally in American higher education. This need is attested to by statements made by references.

3. Since academic merit was not a consideration in making these awards, a number of marginal students whose records would not have entitled them to consideration for academic scholarships were awarded Delaware Right-to-Education Grants.

Fifteen per cent of the total recipients were dropped from the University for academic reasons. The corresponding figures for 1960-61, 1959-60, 1958-59, and 1957-58 were fourteen per cent, fifteen and one-half per cent, nineteen per cent, and fifteen per cent respectively.

An additional thirty-five percent of the total recipients experienced academic difficulty (placed on academic warning or academic probation) during the year, but their records were such that they were permitted to continue in attendance. The corresponding figures for 1960-61, 1959-60, 1958-59, and 1957-58 were fifteen per cent, twenty-one per cent, eighteen per cent, and twenty-two per cent respectively.

Four per cent of the total recipients withdrew voluntarily for personal reasons during the school year. These reasons include a lack of confidence, sometimes rightly conceived, in their ability to do creditable college work. During 1960-61, 1959-60, 1958-59, and 1957-58, the withdrawals among recipients of these grants totaled three per cent, two and seven-tenths per cent, five per cent, and eight per cent, respectively.

The Delaware Right-to-Education Fund, together with other scholarship, grant-in-aid, and loan funds, plus part-time work opportunities, has sufficiently eliminated economic need as a bar to an education at the University of Delaware for students who are residents of the State and whose parents are desirous of their undertaking higher education. Approximately one-half of the students assisted during 1960-61 through grants from the Delaware Right-to-Education Fund could not have qualified academically for other scholarships awarded on an academic merit-financial need basis. The remaining students aided from this fund could have competed for academic as well as financial need scholarships if money had been available for such other awards.

JAP:vb

Enclosure

CC: Governor Carvel

The following Committee Reports were given as follows:

**HB 2**—Appropriations, 4 favorable, 1 merits.

**HB 3**—Revised Statutes, 2 favorable, 1 merits, 2 unfavorable.

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

**HB 5**—"An Act to Amend Title 18, Delaware Code, Relating to 'Insurance' by Redefining the Term 'Insurance Company,' by Shockley; to Insurance and Banking.

**HB 6**—"An Act to Amend Title 29, Delaware Code, Entitled 'State Government,' By Providing for a Budget Director, Transferring Certain Functions Thereto, Transferring Certain Other Functions Among Existing State Agencies," by Dineen; to Revised Statutes.

**HB 7**—"An Act Making An Appropriation to The State Board of Education for Certain Improvements and Repairs to The Public School Buildings of The State," by Dineen; to Appropriations.

**HB 8**—"An Act Making A Supplementary Appropriation to The Budget Commission for The Improvement of A Survey of The Auditing Procedures of The State of Delaware," by Dineen; to Appropriations.

**HB 9**—"An Act To Appropriate Money to The Belvedere Volunteer Fire Company," by Downs; to Appropriations.



Mr. William Warwick was sworn in by the Speaker as Minority Clerk at 2:24 P.M.

### OATH OF OFFICE

The State of Delaware, County of Kent as.

I, William J. Warwick do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Minority Clerk for the House in the General Assembly of the State, according to the best of my ability.

WILLIAM J. WARWICK

Sworn and subscribed to this 14th day of January, A. D., 1963.

At 2:30 P.M. it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote.

At 4:43 P.M., the Speaker called the House to order.

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

**HB 10**—"An Act to Amend Article Three of The Constitution of The State of Delaware," by Eskridge; to Revised Statutes.

**HB 11**—"An Act Proposing An Amendment to The Constitution of The State of Delaware Relating to The President Pro Tempore, Speaker, and Other Officers; Absence of Presiding Officers," by Eskridge; to Revised Statutes.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HB 2**. The motion prevailed by voice vote.

Mr. Eskridge moved that **HB 2** be given its first and only reading and taken up for consideration in order to pass the House. **HB 2**—"An Act Making An Emergency Appropriation to The State Custodian for the Purpose of installing an elevator in Legislative Hall."

It was regularly moved and seconded that so much be considered the reading of the bill. The motion prevailed by voice vote.

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—34.

NAYS—None.

ABSENT—Mr. Correll—1.

**HB 2** having received the constitutional majority, passed the House.

Mr. Shockley introduced **HB 12**—"An Act Appropriating Money to the Mayor and Council of Wilmington for use of Its Fire Companies".

It was given its first reading by title only and assigned to the committee on Appropriations.

Mr. Eskridge moved at 4:53 P.M. for adjournment until Tuesday, January 15, 1963 at 1:00 P.M.

### 5th LEGISLATIVE DAY

The Speaker called the House to order at 1:40 P.M. on Tuesday, January 15, 1963.

There was a prayer by the chaplain, the Rev. Donald J. Maccallum.

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

The Roll Call revealed 35 members present; none absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—35.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion prevailed.

Mr. Eskridge introduced **HCR 3**—"Relative to the Proposed Amendment to The Constitution of The United States Relating to the Qualifications of Electors".

It was given its first reading by title only and assigned to committee on Miscellaneous Bills.

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

**HB 13**—"An Act To Provide for The Reversion of School Construction Funds to The State and to The School Districts In The Same Proportion As Such Funds Were Appropriated and to Stipulate How These Funds Shall Be Expended," by Eskridge; to Education.

**HB 14**—"An Act Making A Supplementary Appropriation to The State Board of Education," by Eskridge; to Appropriations.

**HB 15**—"An Act To Amend Chapter 3, Title 30, Delaware Code Relating to The State Tax Board," by Eskridge; to Revenue and Taxation.

**HB 16**—"An Act making A Supplementary Appropriation to The Delaware State Hospital For The Fiscal Year Ending June 30, 1963 For Certain Items of The Daytime Care Centers," by Eskridge; to Appropriations.

**HB 17**—"An Act Making A Supplementary Appropriation to The Public Archives Commission for The Fiscal Year Ending June 30, 1962 to be used on March 29, 1963 in cooperation with the City of Wilmington in their celebration in commemoration of the settlement of "The Rocks" by the Swedes in 1638", by Shockley; to Appropriations.

**HB 18**—" An Act To Amend Title 31, Delaware Code, Entitled 'Welfare' In Relation to The Needs of The Caretaker Relative In Aid and Services to Needy Families With Children," by Shockley; to Revised Statutes.

**HB 19**—"An Act To Establish Conditions Upon Which Contracts Will Be Awarded; And Prescribing Remedies and Penalties By Noncompliance With Such Conditions Relative To Printing for The State of Delaware," by Shockley; to Printing.

**HB 20**—"An Act To Amend Title 14, Delaware Code, Entitled 'Education' Relating To Free Public Schools", by McGinnis; to Education.

**HB 21**—"An Act To Amend Section 5521, Title 29, Delaware Code, Relating to Optional and Mandatory Retirement of Covered Employees of The State of Delaware," by Loweby Request; to Miscellaneous.

Mr. Eskridge moved that **HB 3** be given its third and final reading and taken up for consideration in order to pass the House. **HB 3**—"An Act Agreeing to a Proposed Amendment to Article II of The Constitution of The State of Delaware, Relating to the Composition of The House and Senate, by providing for expansion and reapportionment."

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—34.

**NAYS**—Mr. Bartleson—1.

**HB 3** having received the constitutional majority, passed the House.

Mr. Eskridge introduced **HS 1** for **HB 16** for the Speaker. **HS 1** for **HB 16**—"An Act Making A Supplementary Appropriation to the Delaware State Hospital for the Fiscal Year Ending June 30, 1964 for Certain Items of The Daytime Care Centers."

It was given its first reading by title only and assigned to the committee on Appropriations.

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

**HB 22**—"An Act To Amend Chapter 83, Title 11, Delaware Code, Relating to State Police Pensions by Liberalizing The Same," by Quigley; to Judiciary.

**HB 23**—"An Act To Provide For The Use of Prison Labor By State Agencies," by Hocker; to Judiciary.

Mr. Eskridge at 5:08 P.M., moved that the House adjourn until Wednesday, January 16 at 1 P.M.. The motion Prevailed by voice vote.

## 6th LEGISLATIVE DAY

The Speaker called the House to order at 2:05 P.M. on Wednesday, January 16, 1963.

There was a prayer by the Chaplain, the Rev. Donald J. Maccallum.

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

The Roll Call revealed 35 members present; none absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—35.

The following committee reports were given as follows:

**HB 4**—Education, 5 favorable.

**HB 10**—Revised Statutes, 4 favorable.

**HB 11**—Revised Statutes, 4 favorable.

Mr. Eskridge introduced **HJR 1**—"Providing for a Joint Committee to investigate Educational Television in the State of South Carolina and elsewhere, and authorizing the necessary expenses therefor".

It was given its first and only reading by title only and assigned to Committee on Education.

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

**HB 24**—"An Act To Providing for An Allowance for State Employees Incapacitated By Accident," by Mr. Eskridge; to Insurance and Banking.

**HB 25**—"An Act To Appropriate Moneys to Certain Hospitals in The State of Delaware," by Shockley; to Appropriations.

At 2:28 P.M. it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote.

At 4:40 P.M., The Speaker called the House to order.

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

**HB 26**—"An Act Proposing An Amendment to The Constitution of The State of Delaware Relating to The Time and Frequency of Sessions of The General Assembly," by Dineen; to Revised Statutes.

**HB 27**—"An Act To Amend Chapter 19, Title 14, Delaware Code, Relating To Local Shool Taxes," by Annett, by Request; to Education.

Mr. Shockley introduced **HS 1** for **HB 17**—"An Act Making a Supplementary Appropriation to the Public Archives Commission for the Fiscal Year Ending June 30, 1963 to be used on March 29, 1963 in Cooperation with the City of Wilmington in their celebration in commemoration of the settlement of 'The Rocks' by the Swedes in 1638.

It was given its first reading by title only.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HS 1** for **HB 17**. The motion prevailed by voice vote.

Mr. Shockley moved that **HS 1** for **HB 17** be given its third and final reading and taken up for consideration in order to pass the House.

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—35.

**HS 1** for **HB 17** having received the constitutional majority, passed the House.

At 5:56 P.M., it was regularly moved and seconded that the House adjourn until 1:00 P.M., Thursday, January 17, 1963. The motion prevailed by voice vote.

## 7th LEGISLATIVE DAY

The Speaker called the House to order at 2:14 P.M. on Thursday, January 17, 1963.

There was a prayer by the chaplain Rev. Donald J. Macallum.

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

The Roll Call revealed 33 members present; 2 absent.

MEMEBERS PRESENT—Messrs. Annett, Atkins, Bartleson, Best, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, McGin-

nis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—33.

**MEMBERS ABSENT**—Messrs. Blendt and Lowe—2.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion prevailed.

Mr. Shockley introduced **HB 28**. It was given its first and only reading by title only and assigned to committee on Public Bldg. and Hwys.

**HB 28**—"An Act Authorizing The State of Delaware To Borrow Money to Be Use by The Department of Public Welfare to Be Used to Make Capital Improvements and to Purchase Equipment for The Building occupied by The Department of Public Welfare in Dover and to Issue Notes and Bonds Therefore and Appropriating The Money Borrowed to The Said Board."

At 2:22 P.M., it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote.

At 3:30 P.M., The Speaker called the House to order.

Mr. Walls introduced **HR 12**—"Authorizing Payments for services rendered by Attaches and Employees of the House of Representatives of the present session of the 122nd General Assembly".

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 122nd GENERAL ASSEMBLY** that the State Treasurer be and she is heerby authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 1st Legislative Day and including the .... Legislative Day, of the current session.

Harrison Turner .....	\$525.00
James A. Walsh .....	262.50
Gerald Berkowitz .....	262.50
Frances X. Splane .....	231.00
Walter Pyle .....	231.00
Frank Calio .....	175.00
James Quigley .....	175.00
Rev. Donald J. Maccalum .....	140.00
Alex Tomiewicz .....	192.50
Bailey Thomas .....	175.00
Harry Wolton .....	140.00
Dorothy Williams .....	140.00
J. Fred Robinson .....	140.00
Margaret Hurley .....	140.00

Alvin Brown .....	140.00
Frank Ingram .....	140.00
'Cora Hilyard .....	140.00
Lillian Wallace .....	140.00
Louise Pennewell .....	192.50
Ida Brasure .....	192.50
W. Harrison Melvin .....	140.00
Clara Conley .....	140.00
Beverly J. Blevins .....	192.50
Emogene Ellis .....	192.50
Nelson Stubbs .....	140.00
Dorothy Gagnon .....	140.00
Martha Dixon .....	140.00
Doris Meyers .....	140.00
Charles E. Hartnett .....	140.00
Robert Bloth, Jr. ....	140.00
James Rowlinson .....	140.00
Sam Elliott .....	140.00
John J. Argo .....	175.00
Addie Budd .....	140.00
Edna Hartsell .....	175.00
Harry White .....	140.00
Martin O. Casey .....	140.00
Harold Clendaniel .....	140.00
George B. Vincent .....	140.00
Thomas Taylor .....	140.00
Frederick Bell .....	140.00
Carroll Cordrey .....	140.00
Richard Norwood .....	140.00
Helen M. Collins .....	140.00
Elizabeth Wainwright .....	175.00
Venie R. Lloyd .....	192.50
Micheline Duff .....	192.50
Jennings Moore .....	140.00
William Reynolds .....	140.00
Roland West .....	175.00
Ralph Spitzer .....	140.00
Barney Lofland .....	140.00
Claude Jordan .....	140.00
Ruth Ross .....	140.00
Bradford Holiday .....	140.00
Mildred A. Keeler .....	140.00
William J. Warwick .....	175.00
Catherine Swartwood .....	192.50
Roy Freeman .....	214.50
Melba Webb .....	175.50

It was given its first and only reading in its entirety.

It was regularly moved and seconded that so much be considered the reading of the resolution. Without objection it was so ordered.

It was regularly moved and esconded that **HR 12** be adopted by voice vote. The motion prevailed.

Mr. Walls introduced **HR 13**—"Relating to Classification, Titles and Compensation rates for Officers of the House".

BE IT RESOLVED, by the House of Representatives of the 122nd General Assembly of the State of Delaware that all persons elected as officers of the House of Representatives shall be subject to the following classifications and shall receive of the following titles, and for their services shall receive compensation for each day that the House is in session in accordance with the following schedule.

ATTORNEYS	\$75.00
CHIEF CLERK	33.00
BILL CLERK	27.50
RULE CLERK	25.00
SPEAKER'S CLERK	27.50
ASSISTANT CHIEF CLERK	27.50
READING CLERK	25.00
ASSISTANT READING CLERK	25.00
STENOGRAPHER	27.50
MINORITY LEADER'S CLERK	25.00
MAJORITY LEADER'S CLERK	25.00
CHAPLAIN	20.00
HOUSE MESSENGER	20.00
SERGEANT-AT-ARMS	20.00
DOOR TENDER	20.00
PAGE	20.00
CLOAK ROOM ATTENDANT	20.00
FILE CLERK	20.00
MAIL CLERK	20.00
SUPPLY CLERK	20.00

It was given its first and only reading in its entirety.

It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote.

It was regularly moved and seconded that **HR 13** be adopted by voice vote. The motion prevailed.

The Judiciary Committee reported 5 favorable on **HB 22**.

A messenger from the Senate informed the House that the Senate had passed **SCR 3** and **SCR 4** and requested the concurrence of the House.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 4**. The motion prevailed by voice vote.

Mr. Eskridge requested **SCR 4** be given its first and only reading in its entirety. **SCR 4**—"Providing for Adjournment of the Senate and House of Representatives".



**BE IT RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware, The House of Representatives concurring therein, that at the close of business on January 17, 1963, both houses shall adjourn to the call of the President Pro Tem of the Senate and the Speaker of the House of Representatives.

It was regularly moved and seconded that **SCR 4** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HCR 4**—"A Resolution Expressing the intent of the House and Senate of the 122nd General Assembly relative to the Composition of the House of Representatives under the proposed Amendments to Article II of the Constitution of the State of Dealware".

It was given its first reading by title only.

**WHEREAS**, an amendment to the Constitution of the State of Delaware was proposed to the 122nd General Assembly as follows:

An Act Proposing an Amendment to Article II of the State of Delaware, Relating to the Composition of The House and Senate, By Providing for Expansion and Re-appointment, and

**WHEREAS**, the said amendment was further propoesd for enactment by the 122nd General Assembly and,

**WEHERAS**, the House of Representatives of the 122nd General Assembly the Senate concurring therein, desire to make clear that tehir intent with respect to that portion of said amendment which enlarges the membership and composition of the House of Representatives,

**NOW THEREFORE, BE IT RESOLVED:**

That it is the express intent of the 122nd General Assembly that in any Representative District which secures additional Representatives pursuant to said Constitutional amendment, all Representatives, both present and additional, shall be elected from separate Representative Districts and that no Representative, whether present or additional, shall be elected at large in said District.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HCR 4**. The motion prevailed by voice vote.

Mr. Eskridge moved that **HCR 4** be given its third and final reading and taken up for consideration in order to pass the House.

**HCR 4** was adopted by voice vote.

Mr. Eskridge introduced that **HB 29**—"An Act to Amend Chapter 6, Title 24, Delaware Code, Relating to the Practice of Cosmetology".

It was given its first and only reading by title only.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HB 29**. The motion prevailed by voice vote.

Mr. Eskridge moved that **HB 29** be given third and final reading and taken up for consideration in order to pass the House.

Without objection the privilege of the floor was granted to House Attorney James A. Walsh to explain the bill.

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shulties, Walls, Wootten, Younger, Mr. Speaker—32.

NAYS—None.

ABSENT—Messrs. Dineen and Shockley—2.

NOT VOTING—Mr. Best—1.

**HB 29** having received the constitutional majority, passed the House.

Mr. Eskridge introduced **HB 30**—"An Act to Amend Section 2301, Title 30, Delaware Code, Relating to Occupations Requiring Licenses: Definitions; Fees".

It was given its first reading by title only.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HB 30**. The motion prevailed by voice vote.

Mr. Eskridge moved that **HB 30** be given its third and final reading and taken up for consideration in order to pass the House.

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shulties, Wootten, Younger, Mr. Speaker—31.

NAYS—None.

ABSENT—Messrs. Dineen, Shockley, Walls—3.

NOT VOTING—Mr. Best—1.

**HB 30** having received the constitutional majority, passed the House.

Mr. Eskridge introduced **HB 31**—"An Act to Empower the State Board of Cosmetology to refund monies collected under Chapter 6, Title 24, Delaware Code".

It was given its first reading by title only.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HB 31**. The motion prevailed by voice vote.

Mr. Eskridge moved that **HB 31** be given its third and final reading and taken up for consideration in order to pass the House.

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shulties, Wootten, Younger, Mr. Speaker—31.

NAYS—None.

ABSENT—Messrs. Dineen, Shockley, Walls—3.

NOT VOTING—Mr. Best—1.

**HB 31** having received the constitutional majority, passed the House.

A messenger from the Senate informed the House that the Senate had passed **SCR 5** and **SCR 6**, and requested the concurrence of the House.

He also informed the House that the Senate had passed **HB 3** and **HS 1** for **HB 17** and was returning the same to the House.

Mr. Eskridge introduced **HB 32**—"An Act Appropriating Funds to the State Board of Cosmetology for the fiscal year ending June 30, 1963 for the purpose of carrying out the provisions of Chapter 6, Title 24, Delaware Code".

It was given its first reading by title only.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HB 32**. The motion prevailed by voice vote.

Mr. Eskridge moved that **HB 32** be given its third and final reading and taken up for consideration in order to pass the House.

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shulties, Walls, Wootten, Younger, Mr. Speaker—32.

NAYS—None.

ABSENT—Messrs. Dineen, Livingston, Shockley—3.

**HB 32** having received the constitutional majority, passed the House.

Mr. Quigley introduced **HB 33**—"An Act to Amend Chapter 4, Title 24, Delaware Code, relating to Barbers".

It was given its first reading by title only and assigned to Committee on Revised Statutes.

Mr. Walls introduced **HR 14**. It was given its first and only reading in its entirety. It was regularly moved and

seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote.

On request of Mr. Walls, **HR 14** was withdrawn.

Without objection the personal privilege of the floor was granted to Mr. Annett.

At 5:00 P.M. it was regularly moved and seconded that the House adjourn until 1:00 P.M. Monday, February 4, 1963. The motion prevailed by voice vote.

At 5:00 P.M. it was regularly moved and seconded that

### 8th LEGISLATIVE DAY

The Speaker called the House to order at 1:53 P.M. on Monday, February 4, 1963.

There was a prayer by the chaplain, Rev. Donald J. Mac-callum.

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

The Roll Call revealed 34 members present; 1 absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Isaacs, Jarrell, Keenan, Kirkby, Livingston, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—34.

**MEMBERS ABSENT**—Mr. Lowe—1.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion prevailed.

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

**HB 34**—"An Act Making An Appropriation to The Delaware Commission of Shell Fisheries for the State's Share of the Initial Costs of the Improvement of White's Creek between Indian River Bay and a point beyond Assawoman Canal to Lord Baltimore School in Sussex County, and Authorizing and Empowering the Said Commission to Act as the Agency of the State of Delaware to do All Things Necessary to Comply with the Requirements of the United States Government Relative to the State's Contribution Contribution to Said Government," by Hocker; to Appropriations.

**HB 35**—"An Act Appropriating Money to Selbyville American Legion Post No. 39 Inc. with which to Operate and Maintain an Ambulance," by Hocker; to Appropriations.

Mr. Eskridge moved that **HB 10** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 10**—"An Act to Amend Article Three of the Constitution of the State of Delaware."

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Busker, Casey, Clifton, Correll, Darling Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Younger, Mr. Speaker—32.

**NAYS**—Mr. Wootten—1.

**ABSENT**—Messrs. Blendt, Lowe—2.

**HB 10** having received the constitutional majority, passed the House.

Mr. Eskridge moved that **HB 11** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 11**—"An Act Proposing An Amendment to the Constitution of the State of Delaware Relating to the President Pro Tempore, Speaker, and Other Officers; Absence of Presiding Officers."

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—33.,

**NAYS**—None.

**ABSENT**—Messrs. Blendt, Lowe—2.

**HB 11** having received the constitutional majority, passed the House.

At 2:15 P.M. it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote.

At 5:15 P.M. the Speaker called the House to order.

Mr. Exley introduced **HR 14**—"Authorizing the payment of certain expenses for the printing of Roll Call Books for the House of Representatives of the 122nd General Assembly".

It was given its first and only reading in its entirety. vote. The motion prevailed.

Be It resolved by the House of Representatives of the 122nd General Assembly of the State of Delaware that the sum of one hundred (\$100.00) dollars is hereby appropriated out of any money in the State Treasury, not otherwise appropriated to pay the Harrington Journal, Harrington, Delaware for the printing of 250 roll call books for the House of Representatives of the 122nd General Assembly.

It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote.

It was regularly moved and seconded that **HR 14** be adopted by voice vote. The motion prevailed.

Mr. Exley introduced **HR 15**—"Authorizing The Payment of Certain Expenses for the Printing of Calendars for the House of Representatives".

It was given its first and only reading in its entirety.

It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote.

It was regularly moved and seconded that **HR 15** be adopted by voice vote. The motion prevailed.

**BE IT RESOLVED** by the House of Representatives of the 122nd General Assembly of the State of Delaware that the sum of seven hundred eighty four (\$784.40) dollars and forty cents is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the Sussex Countian, Georgetown, Delaware for the following printing services:

300 copies Final House Calendar	
121st General Assembly	\$701.10
300 copies House Calendar	
122nd General Assembly	83.30
Total	\$784.40

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

**HB 36**—"An Act To Amend Section 1183 (d), Title 30, Delaware Code, Relating to payment of Refunds," by Shockley; to Revenue and Taxation.

**HB 37**—"An Act To Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, By Exempting Lands and Improvements of the Henlopen Grange, No. 20, Patrons of Husbandry, Inc., From Assessment and Taxation," by Best; to Revenue and Taxation.

**HB 38**—"An Act To Amend Section 132, Title 17, Delaware Code, Relating to the General Powers and Duties of the State Highway Department", by Dineen; to Public Buildings and Highways.

**HB 39**—"An Act Proposing An Amendment to Article XVI Section 2 of The Constitution of the State of Delaware, Relating to Constitutional Conventions and the Voting of the Delegates," by Tribbitt; to Revised Statutes.

Mr. Tribbitt introduced **HCR 5**—"Relating to the Formation of a Joint Committee on Correctional Systems of the State of Delaware".

It was given its first and only reading by title only.

WHEREAS, the Governor of the State of Delaware on June 1, 1961 appointed a Committee known as the Governor's Committee for a State Correctional Program and

WHEREAS, the Committee so appointed was charged with the responsibility of making a Comprehensive Survey and Study of all the Correctional Services in the State of Delaware and related areas where violators of law are involved and Report with Recommendations for improving and developing said Correctional Services into a modern and progressive system, including development and planning for the future, and

WHEREAS, the Governor's Committee has now drawn lengthy factual reports on The Correctional System now existent in the State of Delaware, and

WHEREAS, legislation will be introduced from time to time relative to the studies and recommendations of the Committee and

WHEREAS, the citizenry of the State of Delaware have exhibited an active interest in improving the Correctional System of the State.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly, The Senate Concurring therein, that the Speaker of the House of Representatives and the President pro tem of the Senate shall appoint from their respective Houses a delegation of five (5) members each which shall comprise a Committee to be known as the Joint Committee on Correctional Systems. This Committee shall meet at the earliest practicable date, after appointment, to elect a Chairman from among its members. The Joint Committee shall then study all reports submitted by the Governor's Committee for a State Correctional Program and shall submit its recommendations as to desirable changes in the Correctional System. The final report of the Committee shall be submitted to the General Assembly on or before the 75th legislative day.

It is herein requested that the Presiding Officer of each House assign all legislation introduced in either House relative to the State System of Corrections to the Joint Committee on Correctional Systems in order that such Committee shall be continually abreast of proposed pertinent legislation of the 122nd General Assembly.

Expenses incurred by the Joint Committee hereinabove formed shall be borne by the 122nd General Assembly.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on HCR 5. The motion prevailed by voice vote.

Mr. Eskridge moved that **HCR 5** be given its third and final reading and taken up for consideration in order to pass the House.

**HCR 5** was adopted by voice vote.

**SCR 6** was given its first reading in its entirety.

**SCR 6**—"Realting To Parking Space for Members of the General Assembly.

**BE IT RESOLVED** by the Senate of the 122nd General Assembly, the House of Representatives concurring therein, that the State Custodian is instructed to assign to each member of the 122nd General Assembly a parking space adjacent to Legislative Hall.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 6**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 6** be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 6** was adopted by voice vote.

**HB 40**—"An Act To Amend Chapter 81, Title 9, Delaware

Mr. Fifer introduced **HB 40**—"An Act to Amend Chapter 1, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, By Exempting Lands and Improvements of the D.A.R.'s Old Maull House from Assessment and Taxation".

It was given its first reading by title only and assigned to Committee on Revenue and Taxation.

At 5:30 P.M., it was regularly moved and seconded that the House adjourn until 1:00 P.M. Tuesday, February 5, 1963. The motion prevailed by voice vote.

## 9th LEGISLATIVE DAY

The Speaker called the House to order at 2:37 P.M. on Tuesday, February 5, 1963.

There was a prayer read by the reading clerk, Frank Calio.

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

The Roll Call revealed 32 members present; 3 absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Kirkby, McGinnis, Phillips, Pratt, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—32.

**MEMBERS ABSENT**—Messrs. Keenan, Lowe, Quigley—3.



The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approval. Motion Prevailed.

A messenger from the Senate informed the House that the Senate had passed **SB 3 & 4** and requested the concurrence of the House.

Mr. Best introduced **HB 41**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Colonel David Hall Chapter DAR from Assessment and Taxation."

It was given its first reading by title only and assigned to Committee on Revenue and Taxation.

Mr. Dineen introduced **HB 42**—"An Act to Amend Section 5920, Title 11, Delaware Code, Pertaining to Collections by Justices of the Peace."

It was given its first reading by title only and assigned to Committee on Judiciary.

Mr. Dineen introduced **HB 43**—"An Act Proposing an Amendment to Article V, Section 2, of the Constitution of the State of Delaware Relating to Elections by Amending the Residence Requirements to Allow Certain Voters Recently Moving into or Within the State or Election Districts to Vote."

It was given its first reading by title only and assigned to Committee on Elections.

Mr. Pratt introduced **HB 44**—"An Act Making a Supplementary Appropriation to the State Law Library in Kent County for the Fiscal Year Ending June 30, 1963."

It was given its first reading by title only and assigned to Committee on Appropriations.

Mr. Kirkby introduced **HB 45**—"An Act to Amend Subchapter II, Title 20, Delaware Code, Relating to Military.

It was given its first reading by title only and assigned to Committee on Military Affairs.

Mr. Dineen introduced **HB 46**—"An Act to Provide, in the Event of Attack Upon the United States, for the Continuity of the Executive Functions of the Government of the State and the Governments of Political Subdivisions of the State by Providing for Emergency Interim Succession to Executive Offices of the State and its Political Subdivisions; and by Authorizing Political Subdivisions to Enact Resolutions and Ordinances Relating to the Subject."

It was given its first reading by title only and assigned to Committee on Revised Statutes.

Mr. Dineen introduced **HB 47**—"An Act Prohibiting the Solicitation of Contributions for Gifts to Employees of the State of Delaware, and its Various Political Subdivisions and Acceptance of Gifts by Employees of the State of Delaware, and its Various Political Subdivisions."

It was given its first reading by title only and assigned to Committee on Miscellaneous Bills.

Mr. Isaacs introduced **HR 16**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 16** be adopted by voice vote. The motion prevailed.

**HR 16**—"In Reference to Election of Officers."

WHEREAS, Martin O. Carey was previously elected to the office of Sergeant-at-Arms but has resigned effective at the close of the legislative day, January 17, 1963

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that Martin O. Carey is hereby relieved from the duties of Sergeant-at-Arms effective at the close of the Legislative Day, January 17, 1963.

BE IT FURTHER RESOLVED that Joseph W. Carey is hereby elected to serve as Sergeant-at-Arms effective February 4, 1963 to serve during the pleasure of the House of Representatives.

Mr. Davidson introduced **HB 48**—"An Act to Amend Chapter 7, Title 14, Delaware Code, Relating to the Authority of Administrators and Teachers."

It was given its first reading by title only and assigned to Committee on Education.

Mr. Davidson introduced **HB 49**—"An Act to Provide for the Regulation of the Practice of Nursing: To Provide for a Board of Nursing and to Define the Powers and Duties of the Board Including Licensure of Practitioners of Nursing and Establishment of Standards for Educational Programs Preparing for Nursing Practice, and to Prescribe Penalties for Violations of the Provisions of this Act."

It was given its first reading by title only and assigned to Committee on Revised Statutes.

Mr. Eskridge introduced **HB 50**—"An Act to Amend Title 31, Delaware Code, with Respect to Support from Relatives of Persons Applying for or Receiving Public Assistance."

It was given its first reading by title only and assigned to Committee on Miscellaneous Bills.

Mr. Bartleson introduced **HB 51**—"An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees' Pensions of the Levy Court of New Castle County."

It was given its first reading by title only and assigned to Committee on Revised Statutes.

Mr. Hanlon, by request, introduced **HB 52**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Garden Century Club, Inc. from Assessment and Taxation."

It was given its first reading by title only and assigned to Committee on Revenue and Taxation.

Mr. Walls introduced **HR 17**. It was given its first and only reading in its entirety. It was regularly moved and seconded that **HR 17** be adopted by voice vote. The motion prevailed.

**HR 17**—"Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 122nd General Assembly.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 122nd GENERAL ASSEMBLY that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 1st Legislative Day and including the 7th Legislative Day, of the current session.

Pauline Bennett .....	\$140.00
John Smith .....	140.00
Olive Sutton .....	140.00

Mr. Shockley introduced **HB 53**—"An Act to Amend Chapter 1, Title 13, Delaware Code, Relating to Marriage Licenses and Marriage License Applications, and Making a Supplementary Appropriation to the State Board of Health to Effectuate the Amendment."

It was given its first reading by title only and assigned to Committee on Appropriations.

Mr. Quigley introduced **HB 54**—"An Act to Amend Chapter 7, Title 7 of the Delaware Code of 1953 by Adding a Section Relating to a Bounty on Grey Foxes."

It was given its first reading by title only and assigned to Committee on Fish, Oyster, and Game.

Mr. Quigley introduced **HB 55**—"An Act to Amend Title 7, Section 795, Delaware Code of 1953 by Exempting the Grey Fox from the Prohibition Therein Contained."

It was given its first reading by title only and assigned to Committee on Fish, Oyster, and Game.

**SB 3**—"An Act Proposing an Amendment to Article 2, Section 25, of the Constitution of the State of Delaware Relating to Zoning in Sussex County, was given its first reading by title only and assigned to Committee on Revised Statutes."

**SB 4**—"An Act Proposing an Amendment to Article 2, Section 25 of the Constitution of the State of Delaware Relating to Zoning in Kent County," was given its first reading by title only and assigned to Committee on Revised Statutes.

**SCR 5**—"Making An Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending August 11, 1962," was given its first reading in its entirety.

BE IT RESOLVED, by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein that the sum of \$133.20 be paid to the Diamond State Telephone Company for services rendered through August 11, 1962 for extensions 24, 202, 220, 221, 222, 223, 224, 226, 225, 227, 228, 229, 230, 231 and 232.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 5**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 5**—"Making An Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending August 11, 1962," be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 5** was adopted by voice vote.

**SCR 3**—"Providing for a Joint Committee to Investigate the Present Condition of the Beaches of the State of Delaware and to Make Recommendations for Their Maintenance and Preservation," was given its first reading in its entirety.

WHEREAS, the beaches of the State of Delaware have been damaged extensively as a result of recent storms, and

WHEREAS, it is desirable and in the best interests of the citizens of the State that these beaches be properly maintained and preserved,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein, that a Joint Bipartisan Committee consisting of four members from the Senate to be appointed by the President Pro Tem of the Senate and four members from the House of Representatives to be appointed by the Speaker of the House; which said Committee is empowered and directed to investigate and study the present condition of the beaches of the State of Delaware, and

BE IT FURTHER RESOLVED, that said committee is directed to report upon the condition of said beaches on or before April 1, 1963, said report to include suggestions and recommendations as to what steps should be taken to insure the permanent maintenance and preservation of said beaches of the State of Delaware.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 3**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 3**—"Providing for a Joint Committee to Investigate the Present Condition of the Beaches of the State of Delaware and to Make Recommendations for their Maintenance and Preservation," be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 3** was adopted by voice vote.

Mr. Isaacs introduced **HB 56**—"An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, with Which to Operate and Maintain an Ambulance."

It was given its first reading by title only and assigned to Committee on Appropriations.

Mr. Busker introduced **HB 57**—"An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection with the Holding of Boy's State and Girl's State."

It was given its first reading by title only and assigned to Committee on Appropriations.

Mr. Busker introduced **HB 58**—"An Act Appropriating Moneys for Education and Training of Children of Veterans

of World War I, World War II and Korean Conflict Who Died While in the Services of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or Who Died From Disease, Wounds or Disabilities Resulting From Such Service.”

It was given its first reading by title only and assigned to Committee on Appropriations.

Mr. Busker introduced **HB 59**—“An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate a Rescue Truck.”

It was given its first reading by title only and assigned to Committee on Appropriations.

Mr. Busker introduced **HB 60**—“An Act Appropriating Money to American Legion, Post Number 14, in Smyrna, with Which to Operate and Maintain an Ambulance.”

It was given its first reading by title only and assigned to Committee on Appropriations.

Mr. Atkins introduced **HB 61**—“An Act to Amend Chapter 41, Title 21, of the Delaware Code of 1953 by Prohibiting Evidence Obtained From Electronic Radar Speed Meters to be Used in Prosecutions for Violations of the Speed Laws of the State of Delaware.”

It was given its first reading by title only and assigned to Committee on Revised Statutes.

Mr. McGinnis introduced **HB 62**—“An Act to Repeal Chapter 11, Title 29, Delaware Code Relating to Printing Needs of the General Assembly.”

It was given its first reading by title only and assigned to Committee on Printing.

Mr. McGinnis introduced **HB 63**—“An Act Proposing an Amendment in the Constitution of the State of Delaware by Inserting at the End Thereof an Article Providing for Municipal Home Rule.”

It was given its first reading by title only and assigned to Committee on Corporations, Municipal.

Mr. Dineen introduced **HA 1** to **HB 7**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the amendment. The motion prevailed by voice vote. It was regularly moved and seconded that **HA 1** to **HB 7** be placed with the bill. Without objection it was so ordered.

At 3:19 P.M. it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote.

At 5:07 P.M. the Speaker called the House to order.

Mr. Quigley moved that **HB 22**—"An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to State Police Pensions by Liberalizing the Same," be given its third and final reading and taken up for consideration in order to pass the House.

Mr. Quigley introduced **HA 1** to **HB 22**. It was given its first and only reading in its entirety. It was regularly moved and seconded that **HA 1** to **HB 22** be adopted by voice vote. The motion prevailed.

It was regularly moved and seconded that action on **HB 22** as amended be temporarily deferred.

It was regularly moved and seconded that the motion to defer action on **HB 22** be laid on the table. The motion was lost by voice vote.

The motion to defer action on **HB 22**, as amended with **HA 1** prevailed by voice vote.

Mr. Dineen introduced **HB 64**—"An Act to Amend Section 9701, Title 10, Delaware Code Pertaining to Charges for Services by Justices of the Peace."

It was given its first reading by title only and assigned to Committee on Judiciary.

Mr. Dineen introduced **HB 65**—"An Act to Amend Title 10, Delaware Code, Relating to the Appointment of Judges of the Family Court of the State of Delaware in and for New Castle County."

It was given its first reading by title only and assigned to Committee on Judiciary.

Mr. Phillips introduced **HR 18**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. Without objection it was so ordered.

It was regularly moved and seconded that action on **HR 18** be temporarily deferred. The motion prevailed by voice vote.

**HR 18**—"Authorizing the Payment of Certain Expenses for the Printing of Bill Backers for the House of Representatives."

Be it resolved by the House of Representatives of the 122nd. General Assembly of the State of Delaware that the sum of Two Hundred Fifteen (\$215.00) is hereby appro-

priated out of any money in the State Treasury, not otherwise appropriated, to pay Albe-Mar Printing Service, 419 Shipley Street, Wilmington, Delaware for the following contract printing services:

1,700 Bill Backers—Original  
11,000 Bill Backers—Duplicate .....\$215.00

**HCR 6**—“Adopting Permanent Joint Rules for the 122nd General Assembly.”

BE IT RESOLVED by the House of Representatives, the Senate concurring therein, that the joint rules in effect at the end of the 121st General Assembly are hereby adopted as the permanent joint rules for the House and Senate of the 122nd General Assembly, except that the following rules are to read:

### Joint Rule 3.

Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary shall upon its final passage in both Houses be delivered by the Chief Clerk of the House and/or the Secretary of the Senate, as the case may be, in which such bill or resolution originated, into the custody of the Bill Clerk of said House and it shall be the duty of the Bill Clerk of the Senate and the Bill Clerk of the House of Representatives jointly to see that such bill or resolution has attached to it a proper parchment backing and that each and every page of the said bill or resolution has been properly initialed, sealed, or stamped, unless otherwise ordered, and upon being assured that such is the case, shall immediately, if the Houses be in session and, if not, at the earliest opportunity, present the said bill or resolution to the presiding officer of each House for his signature, the presiding officer of the House in which the bill or resolution originated signing first. Said Bill Clerks shall then certify with the Secretary of the Senate and the Clerk of the House on the backing of said bill or resolution that such bill or resolution is the same as that which passed both Houses of the General Assembly, and the said bill or resolution shall then be delivered by the Bill Clerk of the House in which such bill or resolution originated to the Chairman of the Committee on Passed Bills of said House. The Chairman of the Passed Bills Committee shall then deliver the bill to the Governor within 30 calendar days unless instructed otherwise by a concurrent resolution passed by both Houses.

### Joint Rule 7.



The General Assembly may, by a concurrent resolution passed by both houses, request the return of a bill or resolution after it has been delivered to the Governor. The Governor may or may not return the bill at his option, but if he returns it, he shall deliver it to the Chairman of the Committee on Passed Bills of the House in which the bill originated and the Chairman shall retain the bill unless directed otherwise by a concurrent resolution passed by both Houses.

Mr. Phillips introduced **HCR 6**. It was given its first reading by title only and assigned to Committee on Rules.

**HR 19**—"Adopting Permanent Rules for the House of Representatives."

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that the permanent Rules of Order of the House of Representatives of the 121st General Assembly are hereby adopted as the permanent rules of this House except that the following rules are to read as follows:

Rule 8.

He may name a member to perform the duties of presiding officer, but such substitution shall not extend beyond an adjournment, except when the Speaker obtains leave of absence, in which case he may depute a member as Speaker Pro Tempore during such leave, which leave shall not exceed five legislative days.

Rule 23.

(a) Every bill and resolution shall be introduced with an original and at least eight backed copies, the copies shall be marked "duplicate" At all times every bill and resolution shall be under the general supervision of the Clerk of the House. Until its passage by the House, the original copy of every bill and resolution shall at all times remain in the custody of the Chairman of the committee to which it was referred or the Clerk of the House. The original of all bills and resolutions shall be either printed, or stenciled on permanent rag content bond paper and backed and no erasures or interlineations shall be allowed. They shall be produced in such manner as shall be approved by the State Archivist and the Executive Director of the Legislative Reference Bureau.

(b) In addition to the backed copies each member shall be provided with a true copy of the bill or resolution at the time of introduction.

(c) The stencil used to produce the bill or resolution (except in case of printed bills or resolutions), together with 150 true copies of the bill or resolution, shall be made available to the Legislative Reference Bureau immediately after the introduction of a bill.

(d) Every bill and resolution shall be first submitted to the Executive Director of the Legislative Reference Bureau or the House Attorneys for their comments before introduction.

#### Rule 44.

The rules of the House shall not be changed or suspended except by a vote of a constitutional majority of the members unless these rules otherwise provide, but in all cases to which they are applicable and in which they are applicable and in which they are not inconsistent with these rules, the rules of parliamentary practice comprised in Mason's Manual of Legislative Procedure shall govern the House.

#### Rule 47.

Any equipment or tapes used to record the proceedings of the House shall be under the control and custody of the Rules Committee.

Mr. Exley introduced **HR 19**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 19** be adopted by voice vote. The motion prevailed.

Mr. Shulties introduced **HB 66**—"An Act to Amend Chapter 9, Title 7, Delaware Code of 1953 by Adding a New Section 813 to Provide a Bounty for the Killing of Wood Chucks or Ground Hog Within the Boundaries of the State of Delaware."

It was given its first reading by title only and assigned to Committee on Fish, Oyster and Game.

Mr. McGinnis introduced **HB 67**—"An Act to Amend Chapters 17, 19 and 21, Title 14, Delaware Code, Relating to Education."

It was given its first reading by title only and assigned to Committee on Education.

Mr. McGinnis introduced **HB 68**—"An Act to Appropriate Funds to the State Board of Education for the Purpose of Paying Salaries to Certain Professional Employees of the State Department of Public Instruction."

It was given its first reading by title only and assigned to Committee on Appropriations.

At 5:25 P.M. it was regularly moved and seconded that the House adjourn until 1:00 P.M. Wednesday, Feb. 6, 1963. The motion prevailed by voice vote.

### 10th LEGISLATIVE DAY

The Speaker called the House to order at 2:11 P.M. on Wednesday, February 6, 1963.

There was a prayer by the chaplain, Rev. Donald J. MacCallum.

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

The Roll Call revealed 32 members present; 3 Absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Isaacs, Jarrell, Kirkby, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—32.

**MEMBERS ABSENT**—Messrs. Bartleson, Keenan, Lowe—3.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion Prevailed.

The following Committee Reports were given as follows:

**HB 13**—Education, 5 favorable.

**HJR 1**—Education, 5 favorable.

**HB 64**—Judiciary, 3 favorable, 2 merits.

**HB 42**—Judiciary, 3 favorable, 2 merits.

A messenger from the Senate informed the House that the Senate had passed Senate Bills, 9, 34, and SCR 8, and requested the concurrence of the House.

He also informed the House that the Senate had passed House Bills 29, 30, 31 and 32 and was returning the same to the House.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on SCR 8. Motion prevailed by voice vote.

Mr. Eskridge moved that SCR 8 be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 8**—"Providing For Temporary Adjournment of The Senate and The House of Representatives of the 122nd General Assembly of the State of Delaware until Monday, February 25, 1963."

**BE IT RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein, that at the close of business on February 6, 1963, both the Senate and the House shall adjourn until Monday, February 25, 1963 at 1:00 P.M., provided, however, that the Senate may be reconvened at any time upon the call of the Pres Pro Tem for the purpose of receiving and acting upon appointments by the Governor, and further provided that the Senate and the House may be reconvened at any time upon the call of the Pres Pro Tem and the Speaker of the House.

**SCR 8** was adopted by voice vote.

Mr. Exley introduced **HR 20**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 20** be adopted by voice vote. The motion prevailed.

**HR 20**—"Awarding Contract for the Printing of House Calendars."

**BE IT RESOLVED** by the House of Representatives of the 122nd General Assembly that the Sussex Countian, Inc., Georgetown, Delaware, upon its execution of a proper contract, is awarded the contract for the printing of the calendar for the House of Representatives of the 122nd General Assembly, upon the terms and conditions set forth in the Delaware Code, and the specifications for the printing needs of the General Assembly.

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

**HB 69**—"An Act To Provide for An Allowance for State Employees Incapacitated by Accident Who Would Not Otherwise Be Eligible for a State Pension," by Eskridge; to Insurance and Banking.

**HB 70**—"An Act To Amend Title 14, Delaware Code, By Providing for the Establishment and Administration of Kindergartens in The Public Schools of Delaware, and To Appropriate Funds For Kindergarten Teachers," by Blendt, by Request; to Education.

**HB 71**—"An Act To Authorize The State Building And Grounds to Acquire Property on The Dover Green and Appropriating Moneys Therefore," by McGinnis; to Appropriations.

Mr. Phillips for Mr. Lowe introduced **HS 1** for **HB 21**. It was given its first reading by title only and assigned to the Committee on Miscellaneous Bills.

**HS 1 for HB 21**—"An Act To Amend Section 5521, Title 29, Delaware Code, Relating to Optional and Mandatory Re-

tirement of Covered Employees of The State of Delaware."

Without objection the following communication was made part of the record.

February 6, 1963

The Honorable Sherman W. Tribbitt  
Speaker of the House  
Legislative Hall  
Dover, Delaware

Dear Mr. Tribbitt:

Due to an attack of pneumonia I will not be present at any session of the legislature during this week. For this reason I hereby authorize Representative Harrison Phillips to introduce a substitute bill for House Bill 21.

Mr. Phillips is chairman of the committee to which the bill has been assigned.

The original bill was incorrectly drawn and House Substitute No. 1 for House Bill 21 will correct this situation.

Thank you for your consideration of this request.

Sincerely,

GRANVILLE T. LOWE,  
Representative

Mr. Walls introduced **HR 21**. It was given its first and only reading by title only. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 21** be adopted by voice vote. The motion prevailed.

**HR 21**—"Making An Appropriation to the Diamond State Telephone Company for Services Rendered for the period Ending January 11, 1963."

**BE IT RESOLVED** by the House of Representatives of the 122nd General Assembly that the sum of \$70.55 be paid to the Diamond State Telephone Company for services rendered for the period ending January 11, 1963 for phone 736-6180.

At 2:46 P.M., Mr. Eskridge moved that the House recess to the call of the chair. The motion prevailed by voice vote.

Speaker called the House to order at 4:38 P.M.

The following Senate Bills were given first reading by title only and assigned to Committees as follows:

**SB 9**—"An Act Amending Title 19, Delaware Code, Entitled 'Labor', by Creating a State Apprenticeship and Training Council, Defining its Powers and Duties and Providing for its Administration"; to Labor.

**SB 34**—"An Act To Amend Subchapter II, Chapter 5, Title 18, Delaware Code, Entitled 'Unfair Methods of Competition and Unfair and Deceptive Acts and Practices',' by Prohibiting the Offering of Life or Accident or Health Insurance or Annuities as an Inducement to Purchase Goods or Services"; to Insurance and Banking.

Without objection the personal privilege of the floor was granted to Mr. Bartleson.

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

**HB 72**—"An Act Relating to Aid to the Blind by Lowering the Age Eligibility," by Shockley; to Revised Statutes.

**HB 73**—"An Act To Amend Section 5501, Title 29, Delaware Code Extending the Time of Service in Covered Employment of a State Employee from 15 to 20 years," by Shockley; to Revised Statutes.

Mr. Quigley introduced **HA 2** to **HB 22**. It was given its first and only reading in its entirety. It was moved and seconded that **HA 2** be adopted by voice vote. The motion was lost.

At 4:48 P.M. the House recessed to see if the Executive Director of Legislative Reference Bureau was available. Mr. Hartnett took the floor to answer the questions, on **HA 2** to **HB 22**.

It was regularly moved and seconded that action on **HA 2** to **HB 22** be temporarily deferred. The motion prevailed by voice vote.

The following Committee Reports were given as follows:

**HB 71**—Appropriations, 4 favorable, 1 merit.

**SB 3**—5 favorable.

**SB 4**—5 favorable.

Mr. Casey introduced **HA 1** to **HB 42**. It was given its first and only reading by title only. It was regularly moved and seconded that so much be considered the reading of the amendment. The motion prevailed by voice vote. It was regularly moved and seconded that **HA 1** to **HB 42** be placed with the bill by voice vote. The motion prevailed.

Mr. Walls introduced **HR 22**. It was given its first and only reading. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 22** be adopted by voice vote. The motion prevailed.

**HR 22**—"Appropriating Money out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 122nd General Assembly."

BE IT RESOLVED, by the House of Representatives of the 122nd General Assembly of the State of Delaware, that the following amounts are appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present session of the 122nd General Assembly of the State of Delaware, up to and including the 10th Legislative Day, which expenses are declared proper and reasonable expenses actually incurred by the respective members of the House of Representatives for traveling expenses, commonly called milage expenses, in traveling from their respective homes to Dover and returning from Dover to their respective homes in the performance of their duties as members of the House of Representatives, during the present Legislative Session thereof, and the Auditor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed to pay to the respective members of the House of Representatives hereinafter named, the respective amounts set opposite their respective names, viz:

John H. Annett .....	\$152.00
Robert B. Atkins .....	200.00
T. Lees Bartleson .....	298.00
William T. Best .....	271.00
Carlton Blendt, Jr. ....	140.00
Glenn W. Busker .....	146.00
Andrew J. Casey .....	200.00
Carlton Clifton .....	160.00
Jacob A. Correll .....	184.00
Gooden M. Darling .....	124.00
Robert C. Davidson .....	162.00
Russell F. Dineen .....	280.00
Robert N. Downs, III .....	196.00
Norman A. Eskridge .....	226.00
George H. Exley .....	140.00
Harvey P. Fifer .....	110.00
Averette Hale .....	190.00
Thomas J. Hanlon .....	200.00
Wilbert E. Hocker .....	220.00
M. Martin Isaacs .....	196.00
Maurice N. Jarrell .....	104.00
Ralph S. Keenan .....	200.00
George Kirkby .....	148.00
Paul F. Livingston .....	200.00
Granville T. Lowe .....	200.00
James D. McGinnis .....	100.00
W. Harrison Phillips .....	202.00
J. Reynolds Pratt .....	132.00
James R. Quigley .....	190.00
Paul E. Shockley .....	200.00

H. Dawson Shulties .....	120.00
Joseph B. Walls .....	196.00
Wallace P. Wootten .....	126.00
Norman N. Younger .....	146.00
Sherman W. Tribbitt .....	150.00

It was regularly moved and seconded that the rules be suspended for the sole purpose of presenting a committee report on **HB 71**. The motion prevailed by voice vote.

**HB 71**—Appropriations, 4 favorable, 1 merit.

At 5:06 P.M. it was regularly moved and seconded that the House adjourn until 1:00 P.M. Monday, February 25, 1963, in accordance with **SCR 8**. The motion prevailed by voice vote.

### 11th LEGISLATIVE DAY

The Speaker called the House to order at 2:14 P.M. on Monday, February 25, 1963.

There was a prayer by the chaplain, Rev. Donald J. Maccallum.

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

The Roll Call revealed 34 members present; 1 Absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—34.

**MEMBER ABSENT**—Mr. Keenan—1.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion Prevailed.

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

**HB 74**—"An Act To Amend Title 15, Delaware Code to Provide for Registration of Voters in the Offices of the Department of Elections for each County," by Dineen; to Elections.

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

**HB 75**—"An Act To Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making a Supplementary Appropriation to the State Board of Education," by Shockley; to Elections.

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



**HB 76**—"An Act to Amend Chapter 1, Title 30, Delaware Code Pertaining to State Taxes, by Adding a new Section Thereto Providing for Reciprocal Collection of Taxes," by Lowe; to Revenue and Taxation.

It was regularly moved and seconded that **HB 66** be stricken from the calendar. The motion prevailed by voice vote.

At 2:26 P.M. it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote.

At 4:48 P.M. the Speaker called the House to order.

Mr. Phillips introduced **HB 77**. It was given its first reading by title only and assigned to the Committee on Appropriations.

**HB 77**—"An Act Making an Appropriation to the Delmar School District No. 163, Sussex County for costs incurred in Equipping a Science Room."

The following Committee Report was given as follows:

**SB 9**—Labor, 4 favorable, 1 merit.

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

**HB 78**—"An Act To Amend Title 5, Delaware Code, Relating to Pledging or Hypothecating Assets," by Shockley; to Insurance and Banking.

**HB 79**—"An Act To Amend Titles 9 and 11, Delaware Code, By Merging the New Castle County Police into the Delaware State Police," by Shockley; to Revised Statutes.

**HB 80**—"An Act to Aid Veterans' Organizations and their services to Veterans by Making an Appropriation Therefor," by Shockley; to Appropriations.

Mr. Downs introduced **HR 23**. It was given its first and only reading by title only. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 23** be adopted by voice vote. The motion prevailed.

**HR 23**—"Relative to the Death of Justina Laura Keenan, Mother of State Representative, Ralph S. Keenan."

WHEREAS, The House of Representatives of the 122nd General Assembly of the State of Delaware has learned with deep regret of the recent death of Justina Laura Keenan, mother of State Representative Ralph S. Keenan, of Wilmington, and

WHEREAS, the members of the House desire to express in this public manner their own feelings in the loss felt by Representative Ralph S. Keenan,

NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of The 122nd General Assembly of the State of Delaware that the members thereof extend their sincere sympathy and deep condolence to Representative Ralph S. Keenan, at the death of his mother, Justina Laura Keenan, and

BE IT FURTHER RESOLVED that this expression of sympathy be conveyed to the family of Justina Laura Keenan and a copy of this resolution be forwarded to the members of his immediate family, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of Representatives of the 122nd General Assembly of the State of Delaware.

Mr. Shockley moved that **SB 3** be given its third and final reading and taken up for consideration in order to pass the House.

**SB 3**—"An Act Proposing An Amendment to Article 2, Section 25, of the Constitution of the State of Delaware Relating to Zoning in Sussex County."

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—35.

**SB 3** having received the constitutional majority, passed the House.

Mr. Shockley moved that **SB 4** be given its third and final reading and taken up for consideration in order to pass the House.

**SB 4**—"An Act Proposing An Amendment to Article 2, Section 25 of the Constitution of the State of Delaware Relating to Zoning in Kent County."

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Walls, Wootten, Younger, Mr. Speaker—34.

NAYS— Mr. Shulties—1.

**SB 4** having received the constitutional majority, passed the House.

Mr. Davidson moved that **HB 42** be given its third and

final reading and taken up for consideration in order to pass the House.

**HB 42**—"An Act to Amend Section 5920, Title 11, Delaware Code, Pertaining to Collections by Justices of the Peace."

Mr. Shockley moved that **HA 1** having previously been placed with the bill, be adopted by voice vote.

It was regularly moved and seconded that **HA 1** to **HB 42** be laid on the table. The motion prevailed by voice vote.

Without objection the privilege of the floor was granted to Rev. Thomas Luce, of the 8th Street Presbyterian Church, Wilmington, to explain the bill.

The Roll Call revealed:

**YEAS**—Messrs. Atkins, Busker, Darling, Davidson, Dineen, Eskridge, Exley, Hanlon, Isaacs, Keenan, Kirkby, Lowe, McGinnis, Phillips, Shockley, Walls, Wootten, Younger, Mr. Speaker—19.

**NAYS**—Messrs. Annett, Bartleson, Best, Blendt, Casey, Correll, Downs, Fifer, Hale, Hocker, Jarrell, Pratt—12.

**ABSENT**—Messrs. Livingston, Shulties—2.

**NOT VOTING**—Mr. Clifton—1.

**PRESENT**—Mr. Quigley—1.

**HB 42** having received the constitutional majority, passed the House.

Mr. Dineen moved that **HB 64** be given its third and final reading and taken up in order to pass the House.

**HB 64**—"An Act to Amend Section 9701, Title 10, Delaware Code Pertaining to Charges for Services by Justices of the Peace."

The Roll Call revealed:

**YEAS**—Messrs. Atkins, Busker, Darling, Davidson, Dineen, Eskridge, Exley, Hanlon, Isaacs, Keenan, Kirkby, Lowe, McGinnis, Phillips, Shockley, Walls, Wootten, Younger, Mr. Speaker—19.

**NAYS**—Messrs. Annett, Bartleson, Best, Blendt, Correll, Downs, Fifer, Hale, Hocker, Jarrell, Pratt—11.

**ABSENT**—Messrs. Livingston, Shulties—2.

**NOT VOTING**—Messrs. Casey, Clifton—2.

**PRESENT**—Mr. Quigley—1.

**HB 64** having received the constitutional majority, passed the House.

A messenger from the Senate informed the House that the Senate had passed **SB 40** and requested the concurrence of the House.

Mr. Exley introduced **HB 80**. It was given its first reading by title only and assigned to the Committee on Appropriations.

**HB 80**—"An Act To Aid Veterans' Organizations And Their Services To Veterans By Making An Appropriation Therefor."

**HB 81**—"An Act to Amend Chapter 35, Title 3, Delaware Code, Relating to the Sale and Grading of Egge; Restricting the Advertisement Thereof; Providing for Enforcement by the State Board of Agriculture and Establishing Certain Penalties."

Mr. Exley introduced **HR 24**. It was given its first and only reading by title only. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 24** be adopted by voice vote. The motion prevailed.

**HR 24**—"Authorizing the Payment of Certain Expenses for the Printing of Bill Backers, Resolution Backers and Envelopes for the House of Representatives of the 122nd General Assembly."

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that the sum of Two Hundred and Twenty One Dollars (\$221.00) is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay The Harrington Journal, Harrington, Delaware for 50 outside Bill Backers, 50 outside Resolution Backers and for printing 17,500 envelopes for the House of Representatives of the 122nd General Assembly.

Mr. Exley introduced **HR 25**. It was given its first and only reading by title only. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 25** be adopted by voice vote. The motion prevailed.

**HR 25**—"Authorizing the Payment of Certain Expenses for the Printing of Calendars for the House of Representatives of the 122nd General Assembly."

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that the sum of One Hundred Nineteen Dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay The Sussex Countian, Georgetown, Delaware for the printing of Calendars for the House of Representatives of the 122nd General Assembly.

Mr. McGinnis moved that **HB 71** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 71**—"An Act to Authorize the State Building and Grounds Commission to acquire property on the Dover Green and Appropriating Moneys Thereof."

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Walls, Wootten, Younger, Mr. Speaker—34.

**ABSENT**—Mr. Shulties—1.

**HB 71** having received the constitutional majority, passed the House.

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

**HB 82**—"An Act to Aid Certain Fire Companies which are organized to extinguish fires or maintain ambulances or rescue trucks, by Making Appropriations for them," by Mr. Quigley; to Appropriations.

**HB 83**—"An Act to Aid Certain Organizations which maintain an Ambulance in the Public Service, by Appropriating Moneys for Maintenance of the Ambulances," by Exley; to Appropriations.

**HB 84**—"An Act Appropriating Certain Moneys to the Delaware State Fair Inc. for Prizes," by Exley; to Appropriations.

**HB 85**—"An Act to Aid Homes for the Aged by Appropriating Money to Palmer Home, Incorporated and Layton Home for Aged Colored Persons," by Livingston and Dineen; to Appropriations.

**HB 86**—"An Act Authorizing the State of Delaware to Borrow Money to be used for the Completion of the Interstate and Defense Highway System and to Issue Notes and Bonds therefor and Appropriating the Money Borrowed to the State Highway Department," by Bartleson; to Public Buildings and Highways.

**HB 87**—"An Act Authorizing the State to Borrow Money to be used for the State Highway Department's Capital Improvements Program and to Issue Notes and Bonds therefor and Appropriating the Money Borrowed to the State Highway Department," by Eskridge; to Public Buildings and Highways.

**HB 88**—"An Act to Enact and Adopt the Southern Interstate Nuclear Compact and to Provide for a Member and Alternate on the Southern Interstate Nuclear Board and Making an Appropriation therefor," by Eskridge; to Manufacturing and Commerce.

**HB 89**—"An Act Concerning Procurement of Material and Awarding of Contracts for Public Works by State Agencies," by Eskridge; to Revised Statutes.

**HB 90**—"An Act Making an Appropriation to the State Fire Prevention Commission for the Training of Volunteer Firemen," by Younger; to Appropriations.

Mr. Walls introduced **HR 26**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 26** be adopted by voice vote. The motion prevailed.

**HR 26**—"Relative to the Death of Lester V. Burton, a Former Member of the House of Representatives."

WHEREAS, the House of Representatives of the 122nd General Assembly of the State of Delaware has learned with regret of the passing of Lester V. Burton, a former member of the House; and

WHEREAS, former State Representative Lester V. Burton served his State faithfully and well during his term in the 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 122nd General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Lester V. Burton, a prominent figure in his community and a former member 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 122nd 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 122nd General Assembly of the State of Delaware.

Mr. Shockley introduced **HJR 2**. It was given its first reading in its entirety.

**HJR 2**—"Designating the Week of March 17th to March 23, 1963 as National Tall Cedars of Lebanon Week."

WHEREAS, The Tall Cedars of Lebanon of the United States of America has been among the Nation's leaders in its effort to encourage public response to the needs for medical and scientific research into the causes and possible cure of muscular dystrophy; and

WHEREAS, The public health of our Nation is constantly imperiled by this disease; and

WHEREAS, Research units sponsored by the Tall Cedars of Lebanon at the Institute of Muscle Diseases in New York City offer hope that an effective method of combating muscular dystrophy may be found; and

WHEREAS, The Tall Cedars of Lebanon continues its selfless devotion to the philanthropic principles of its Founders in the participation of its members in civic projects throughout the Country;

NOW THEREFORE BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware, the Senate concurring therein, that the week of March 17th to March 23, 1963 be designated as National Tall Cedars of Lebanon Week in the State of Delaware; and the Governor of the State of Delaware is authorized and requested to issue a proclamation calling upon all citizens of the State of Delaware to acquaint themselves with the program of the Tall Cedars of Lebanon and to lend their support to its efforts wherever possible.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HJR 2**. The motion prevailed by voice vote.

Mr. Shockley moved that **HJR 2** be given its third and final reading and taken up for consideration in order to pass the House. **HJR 2** was adopted by voice vote.

The House recognized former Senator Powell.

At 5:50 P.M., it was regularly moved and seconded that the House adjourn until 1:00 P.M. Tuesday, February 26, 1963. The motion prevailed by voice vote.

## 12th LEGISLATIVE DAY

The Speaker called the House to order at 1:24 P.M. Tuesday, February 26, 1963.

There was a prayer by the chaplain, Rev. J. Howard Link.

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

The Roll Call revealed 35 members present; none Absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Wallis, Wootten, Younger, Mr. Speaker—35.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion prevailed.

The Speaker announced that at 12:55 P.M. this date

Senator Reilly passed away. There was a minute of silent meditation in the Senator's honor.

Mr. Eskridge moved that the House recess to the call of the chair. Motion carried at 1:27 P.M.

The Speaker called the House to order at 3:15 P.M.

**SB 40** was given its first reading by title only.

**SB 40**—"An Act to Amend An Act Being Chapter 203, Volume 25, Laws of Delaware, As Amended, Entitled 'An Act to Reincorporate the Town of Millsboro' By Changing the Date of the Annual Election."

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SB 40**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SB 40** be given its third and final reading and taken up for consideration in order to pass the House.

On the question, Shall this bill pass the House? The roll call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockly, Shulties, Walls, Wootten, Younger, Mr. Speaker—34.

**ABSENT**—Mr. Hocker—1.

**SB 40** having received the constitutional majority, passed the House.

Mr. Eskridge introduced **HB 91** for Mr. Tribbitt. It was given its first reading by title only and assigned to the Committee on Appropriations.

**HB 91**—"An Act Making a Supplemental Appropriation in the Fiscal Year Ending June 30, 1963 to Honor An Obligation Incurred in the Fiscal Year Ending June 30, 1962."

Mr. Eskridge introduced **HR 27** for Mr. Tribbitt. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 27** be adopted by voice vote. The motion prevailed.

**HR 27**—"Extending An Invitation to the Members of the House of Representatives of the 104th General Assembly of the State of Delaware to be guests of the House of Representatives of the 122nd General Assembly of the State of Delaware."

WHEREAS, Thirty years ago thirty-five members of the House of Representatives of the State of Delaware did sit



for the first time in what was then known as New Legislative Hall, and

WHEREAS, for a period of thirty years thirty-five members have continued to sit through each year to transact the business coming before the House of Representatives, and

WHEREAS, through action already taken by this present House of Representatives this will be the last House of Representatives to sit in this Chamber with 35 members, and

WHEREAS, it would now seem appropriate to distinguish the first and the last House of Representatives to sit in the House Chambers consisting of 35 members over the period of 30 years.

**NOW THEREFORE:**

Be It Resolved by the House of Representatives of the 122nd General Assembly that the present members of each of the Representative Districts in the three Counties invite the members of the House of Representatives of the 104th General Assembly from his Representative District who sat in this Chamber thirty years ago for the first time to attend the session of the present House of Representatives on the 30th legislative day of this legislative session.

Mr. Dineen introduced **HA 2** to **HB 7**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the amendment. The motion prevailed by voice vote. It was regularly moved and seconded that **HA 2** be placed with the bill. The motion prevailed.

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

**HB 92**—"An Act to Amend Title 5, Delaware Code, Relating to Direct-Reduction Loans by Building and Loan Associations by Providing for the Authority to Secure Loans by Mortgages on Real Estate within the State of Delaware or Outside the State of Delaware if within 50 miles of the Main Office of the Association," by Shockley; to Insurance and Banking.

**HB 93**—"An Act to Amend Title 5, Delaware Code by Providing Authority for Building and Loan Associations to Open and Maintain Offices," by Shockley; to Insurance and Banking.

**HB 94**—"An Act to Amend Chapter 9, Title 7, Delaware Code by Adding a New Section 813 to Provide a Bounty for the Killing of Woodchucks or Ground Hogs within the Boundaries of the State of Delaware," by Shulties; to Fish, Oysters and Game.

Mr. Quigley introduced **HA 3** to **HB 22**. It was given its first reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the

amendment. The motion prevailed by voice vote. It was regularly moved and seconded that **HA 3** be adopted by voice vote. The motion prevailed.

Mr. Quigley moved that **HB 22** with **HA 1, 2, and 3** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 22**—"An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to State Police Pensions by Liberalizing the Same.

On request, the Speaker ordered Mr. Best's name removed as a sponsor of **HB 22**.

The Roll Call revealed:

**YEAS**—Messrs. Annett, Blendt, Casey, Clifton, Correll, Darling, Davidson, Downs, Hanlon, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Quigley, Shockley, Shulties, Walls, Younger, Mr. Speaker—23.

**NAYS**—Messrs. Atkins, Bartleson, Best, Dineen, Eskridge, Exley, Hale, Hocker, Pratt, Wootten—10.

**NOT VOTING**—Mr. Busker—1.

**PRESENT**—Mr. Fifer—1.

**HB 22** with **HA 1, 2, and 3** having received the constitutional majority, passed the House.

The Appropriations Committee report on **HB 7** was given as follows: 5 favorable.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HB 7**. The motion prevailed by voice vote.

Mr. Dineen moved that **HB 7** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 7**—"An Act Making an Appropriation to the State Board of Education for Certain Improvements and Repairs to the Public School Buildings of the State."

Mr. Dineen moved that **HA 2** to **HB 7** having previously been placed with the bill, be adopted by voice vote.

It was regularly moved and seconded that action on **HB 7** be temporarily deferred. The motion prevailed by voice vote.

Mr. Quigley moved that **SB 9** be taken up for consideration.

**SB 9**—"An Act Amending Title 19, Delaware Code, Entitled 'Labor', by Creating A State Apprenticeship and Training Council, Defining its Powers and Duties and Providing for its Administration."

Without objection the privilege of the floor was granted to Mr. Bachman to explain the bill.

Mr. Eskridge moved and it was seconded that action on **SB 9** be temporarily deferred. The motion prevailed by voice vote.

At 4:34 P.M., it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote.

At 1:45 P.M., Monday, March 4, 1963, the Speaker called the House to order.

The following Committee Reports were given as follows,

**HB 49**—Revised Statutes, 4 favorable, 1 merit.

**HB 72**—Revised Statutes, 5 favorable.

Mr. Dineen introduced **HS 1** to **HB 65**. It was given its first reading by title only and assigned to the Committee on Judiciary.

**HS 1** for **HB 65**—"An Act to Amend Title 10, Delaware Code, Relating to the Number, Method of Appointment, Terms and Qualifications of the Judges of the Family Court for New Castle County."

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

**HB 95**—"An Act to Amend Chapter 1, Title 13, Delaware Code, by Removing the Restrictions upon the Marriage of Epileptics," by Dineen; to Judiciary.

**HB 96**—"An Act Appropriating Funds to the American Legion and American Legion Auxiliary for expenses to be Incurred in Connection with the Holding of Boys' State and Girls' State," by Busker; to Appropriations.

**HB 97**—"An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict who died while in the Service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or who died from Disease, Wounds or Disabilities Resulting from such Service," by Busker; to Appropriations.

**HB 98**—"An Act Making A Supplementary Appropriation to the Family Court of Kent and Sussex Counties for the Fiscal Year Ending June 30, 1963," by Wootten; to Appropriations.

At 2:13 P.M., it was regularly moved and seconded that the House recess to the call of the chair adjourn until 2:15 P.M., Monday, March 2, 1963. The motion prevailed by voice vote.

### 13th LEGISLATIVE DAY

The Speaker called the House to order at 2:16 P.M., Monday, March 4, 1963.

There was a prayer by the chaplain, Rev. Donald J. Macallum.

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

The Roll Call revealed 35 members present; none absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wooten, Younger, Mr. Speaker—35.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion Prevailed.

The following Committee Reports were given as follows:

**HCR 3**, 5 favorable.

**HB 94**—Fish, Oyster, and Game, 1 favorable, 4 merits.

Mr. Shockley introduced **HB 99**. It was given its first reading by title only and assigned to the Committee on Revised Statutes.

**HB 99**—"An Act to Amend Chapter 51, Title 29, Delaware Code, by Authorizing the State Treasurer to make Certain Pay Roll Deductions."

At 2:22 P.M., it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote.

At 4:55 P.M., the Speaker called the House to order.

Mr. Eskridge introduced **HR 28**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 28** be adopted by voice vote. The motion prevailed.

**HR 28**—"Relative to the Death of Former State Auditor Dr. Harrison M. Manning."

**WHEREAS**, the House of Representatives of the 122nd General Assembly of the State of Delaware has learned with regret of the passing of Dr. Harrison M. Manning, former State Auditor.

**WHEREAS**, former State Auditor Dr. Harrison M. Manning served his State faithfully and well during his term as State Auditor from 1941 to 1942, as well as his Nation while

in the Armed Forces of the United States during World War I, as well as his Community by his constant leadership; 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 122nd General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Dr. Harrison M. Manning, a prominent figure in his community and a former State Auditor; 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 122nd 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 122nd General Assembly of the State of Delaware.

Mr. Dineen moved that **HB 7** be given its first and only third and final reading and taken up for consideration in order to pass the House.

**HB 7**—"An Act Making an Appropriation to the State Board of Education for Certain Improvements and Repairs to the Public School Buildings of the State."

Mr. Dineen introduced **HA 2** to **HB 7**. It was given its first and only reading in its entirety by title only. It was regularly moved and seconded that so much be considered the reading of the amendment resolution. Without objection it was so ordered. The motion prevailed by voice vote. It was regularly moved and seconded that **HA 2** be placed with the bill be adopted by voice vote. The motion prevailed.

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—35.

**HB 7** with **HA 2** having received the constitutional majority, passed the House.

At 4:58 P.M., it was regularly moved and seconded that the House adjourn until 1:00 P.M. on Tuesday, March 5, 1963. The motion prevailed by voice vote.

## 14th LEGISLATIVE DAY

The Speaker called the House to order at 1:49 P.M., on Tuesday, March 5, 1963.

There was a prayer by the chaplain, Rev. Donald J. MacCallum.

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

The Roll Call revealed 34 members present; 1 absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—34.

**MEMBERS ABSENT**—Mr. Quigley—1.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion Prevailed.

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

**HB 100**—"An Act to Repeal § 4309, Title 10, Delaware Code, Relating to Admissibility of Book of Original Entries," by McGinnis; to Judiciary.

**HB 101**—"An Act to Amend Title 25, Delaware Code, Relating to Property by Permitting Amendments in Certain Legal Pleadings," by McGinnis; to Judiciary.

**HB 102**—"An Act to Amend Chapter 89, Volume 53, Laws of Delaware, Relating to Discretionary Suspension or Revocation of Driver's License," by McGinnis; to Judiciary.

**HB 103**—"An Act to Amend Title 25, Delaware Code, Entitled 'Property' by Validating Certain Instruments as Deeds," by McGinnis; to Judiciary.

**HB 104**—"An Act to Repeal Chapter 5, Title 30, Delaware Code, Relating to Collector of State Revenue and Abolishing that office," by McGinnis; to Revenue and Taxation.

**HB 105**—"An Act to Amend Title 13, Section 507, Delaware Code, Relating to Probation in Desertion and Support Proceedings, By Providing that Orders for the Payment of Money for Support may be Deducted from Wages," by McGinnis; to Judiciary.

**HB 106**—"An Act to Amend § 907, Title 29, Delaware Code, Relating to Printing and Distribution of Session Laws," by McGinnis; to Printing.

**HB 107**—"An Act to Amend Title 29, Delaware Code, Relating to the Limitation on Cost of Automobiles for State Use," by Eskridge; to Revised Statutes.

A messenger from the Senate informed the House that the Senate had passed **SCR 10** and requested the concurrence of the House.

He also informed the House that the Senate had passed **HCR 4**, **HCR 5**, and **HJR 2** and was returning the same to the House.

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

**HB 108**—"An Act Appropriating Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in Kent County," by Busker; to Appropriations.

**HB 109**—"An Act Appropriating Moneys to the State Soil Conservation Commission for the Construction and Improvement of Tax Ditches and Other Ditches in New Castle County," by Blendt; to Appropriations.

**HB 110**—"An Act to Amend Title 4, Delaware Code, Relating to the Sale of Alcoholic Liquors by Restricting the Number of Licenses in a Given Area," by Dineen; to Revised Statutes.

**HB 111**—"An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for Vocational Education," by Dineen; to Education Committee.

**HB 112**—"An Act Making a Supplementary Appropriation to the State Board of Education for the Fiscal Year Ending June 30, 1963, for the Additional Cost of Transporting School Children," by Dineen; to Appropriations.

Mr. Shockley requested that **HB 72** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 72**—"An Act Relative to Aid to the Blind by Lowering the Age Eligibility,"

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Shockley, Shulties, Walls, Wootten, Mr. Speaker—33.

**ABSENT**—Messrs. Quigley, Younger—2.

**HB 72** having received the constitutional majority, passed the House.

Mr. Shockley introduced **HB 113**. It was given its first reading by title only and assigned to the Committee on Corporations, Private.

**HB 113**—"An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations."

The Appropriations Committee report on **HB 77** was given as follows: 3 favorable, 2 merits.

Mr. Eskridge moved that **HJR 1** be given its third and final reading and taken up for consideration in order to pass the House.

**HJR 1**—"Providing For a Joint Committee to Investigate Educational Television in the State of South Carolina and elsewhere, and Authorizing the Necessary Expenses Therefor."

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—34.

**ABSENT**—Mr. Quigley—1.

**HJR 1** having received the constitutional majority, passed the House and was sent to the Senate.

Mr. Hocker introduced **HB 114**. It was given its first reading by title only and assigned to the Committee on Revised Statutes.

**HB 114**—"An Act to Repeal Section 6101, Title 21, Delaware Code, Relating to Injury to Non-paying Guest."

Mr. Dineen introduced **HA 1** to **HB 38**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the amendment. The motion prevailed by voice vote. It was regularly moved and seconded that **HA 1** to **HB 38** be adopted by voice vote. The motion prevailed.

At 2:27 P.M., it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote.

At 3:46 P.M., the Speaker called the House to order.

Mr. Exley introduced **HR 29**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 29** be adopted by voice vote. The motion prevailed.

**HR 29**—"Authorizing the Payment of Certain Expenses for the Printing of Certificates for members of the House of Representatives of the 122nd General Assembly."

**BE IT RESOLVED** by the House of Representatives of the 122nd General Assembly of the State of Delaware that the sum of one hundred fifty dollars (\$150.00) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated to pay The Harrington Journal, Harring-



ton, Delaware for the printing of thirty five certificates for the members of the House of Representatives of the 122nd General Assembly of the State of Delaware.

Mr. Quigley moved that **SB 9** be given final reading and taken up for consideration in order to pass the House.

The privilege of the floor was extended to Mr. Bachman who explained the bill.

**SB 9**—"An Act Amending Title 19, Delaware Code, entitled 'Labor', By Creating a State Apprenticeship and Training Council, Defining its Powers and Duties and Providing for its Administration."

The Roll Call revealed:

**YEAS**—Messrs. Annett, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Isaacs, Jarrell, Keenan, Kirkby, Lowe, Phillips, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—30.

**NAYS**—Messrs. Atkins, Darling, Livingston, Pratt—4.

**NOT VOTING**—Mr. McGinnis—1.

**HB 9** having received the constitutional majority, passed the House.

**SCR 10** was given its first reading in its entirety.

**SCR 10**—"Expressing the Sympathy of the 122nd General Assembly upon the Death of Senator John E. Reilly, Sr."

WHEREAS, the 122nd General Assembly of the State of Delaware has learned with regret of the passing of Senator John E. Reilly, Sr., Senator from the 2nd Senatorial District, and

WHEREAS, Senator John E. Reilly, Sr. served the State of Delaware as a member of the House of Representatives in the years 1945 and 1946, and

WHEREAS, Senator John E. Reilly, Sr. served the State of Delaware as a member of the Senate from the year 1949 until his passing, and

WHEREAS, Senator John E. Reilly, Sr. served the State of Delaware as President of the New Castle County Board of Assessment, and

WHEREAS, Senator John E. Reilly, Sr. had retired after 21 years of service with the Wilmington Bureau of Fire until 1942, and

WHEREAS, Senator John E. Reilly, Sr. was a dedicated public servant whose accomplishments for the State of Delaware will never be forgotten by its citizens,

**NOW THEREFORE:**

**BE IT RESOLVED** by the Senate of the State of Delaware, the House of Representatives concurring therein,

that the members wish to give expression to the regret they experienced at the passing of Senator John E. Reilly, Sr., a prominent figure in his community, and

**BE IT FURTHER RESOLVED**, that the family of the deceased has full sympathy of the members of the 122nd 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 Senate and House of Representatives of the 122nd General Assembly of the State of Delaware.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 10**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 10** be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 10**—"Expressing the Sympathy of the 122nd General Assembly upon the Death of Senator John E. Reilly, Sr."

**SCR 10** was adopted by voice vote.

**SCR 9** was given its first reading by title only.

**SCR 9**—"Designating the Month of February as American History Month."

**WHEREAS** the history of our great country is one of pride and great sacrifice,

**WHEREAS** nine States of our Country have recognized or designated February as "American History Month" and efforts are now being made for such designation in the Congress of the United States;

**NOW THEREFORE:**

**BE IT RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein, that the month of February be and is hereby designated as "American History Month."

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 9**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 9** be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 9**—"Designating the Month of February as American History Month."

**SCR 9** was adopted by voice vote.

At 4:50 P.M., it was regularly moved and seconded that the House adjourn until 1:00 P.M., Wednesday, March 6, 1963. The motion prevailed by voice vote.

### 15th LEGISLATIVE DAY

The Speaker called the House to order at 2:02 P.M. Wednesday, March 6, 1963.

There was a prayer by the chaplain, Rev. Donald J. MacCallum.

The Roll Call revealed 32 members present; 3 absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, McGinnis, Phillips, Pratt, Quigley, Shulties, Walls, Wootten, Younger, Mr. Speaker—32.

**MEMBERS ABSENT**—Messrs. Casey, Lowe, Shockley—3.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion Prevailed.

The following Committee Reports were given as follows:

**HB 28**—Public Building and Highway, 3 favorable, 1 merit, 1 unfavorable.

**HB 38** as amended—Public Buildings and Highways, 3 favorable, 1 merit, 1 unfavorable.

**HB 87**—Public Buildings and Highways, 3 favorable, 2 merits.

**HB 78**—Insurance and Banking, 3 favorable, 2 merits.

**HB 92**—Insurance and Banking, 3 favorable, 2 merits.

**HB 93**—Insurance and Banking, 3 favorable, 2 merits.

**HB 43**—Elections, 3 favorable, 2 merits.

**HB 51**—Revised Statutes, 5 favorable.

**HB 61**—Revised Statutes, 1 favorable, 2 merits, 2 unfavorable.

Mr. Blendt introduced **HB 115**. It was given its first reading by title only and assigned to the Committee on Appropriations.

**HB 115**—"An Act Making an Appropriation to the State Soil Conservation Commission for the Purchase of Heavy Earth-Moving Machinery and Other Equipment Needed in the Soil Conservation Work of the State, Making Provision for the Re-payment Thereof, and Designating the Boards of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery."

Speaker ordered without objection Mr. Annett's name be placed as co-sponsor on **HB 115**.

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

**HB 116**—"An Act to Authorize the Levy Court of Kent County to Appropriate Money to the Kent County Volunteer Firemen's Association," by Busker; to Revised Statutes.

**HB 117**—"An Act to Amend Title 9, Chapter 95, Delaware Code by Increasing the Salary of the Coroner of New Castle County," by Younger; to Revised Statutes.

**HB 118**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations upon Taxing Power, By Exempting Lands and Improvements of the Women's Club of Newport from Assessment and Taxation," by Downs; to Revenue and Taxation.

Mr. Walls introduced **HR 30**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 30** be adopted by voice vote. The motion prevailed.

**HR 30**—"Authorizing the Payment of Certain Expenses for Typewriter Repair for the House Attorneys Office of the 122nd General Assembly."

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that the sum of twenty dollars and eighty-seven cents (\$20.87) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated to pay International Business Machines Corporation, Philadelphia 5, Pennsylvania for repair of two typewriters in the Office of the House Attorneys of the 122nd General Assembly of the State of Delaware.

Mr. Walls introduced **HCR 7**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote.

**HCR 7**—"Making Appropriations to Various Companies for Supplies and Services Rendered the 122nd General Assembly of the State of Delaware."

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware the Senate concurring therein that the following named companies be paid for supplies and services rendered the 122nd General Assembly of the State of Delaware;

Capitol Office Equipment Company	\$ 480.29
P. O. Box 266	
Dover, Delaware	

(No. 95167, 95015, 25532, 62120, 95191, 31604, 95151)	
Butler's, Inc.	490.83
415 Market Street Wilmington, Delaware	
(No. 19375, 19374, 19427, 19428, 36425, 19350)	
Young & Revel, Inc.	646.70
21 - 23 Church Avenue Milford, Delaware	
(No. 77024, 76904, 76966, 76989, 77101, 77091)	
Addressograph-Multigraph Corporation	62.68
P. O. Box 1305 Church Street Station New York 8, N. Y. (No. 90272)	
Dennis & Company	10.00
251 Main Street Buffalo 3, N. Y. (No. 89258)	
Harrington Journal	1,555.30
Harrington, Delaware No. 70514)	
News-Journal Company	9.00
831 Orange Street Wilmington 99, Delaware (No. 46732)	
The Sussex Countian	4.28
115 N. Race Street Georgetown, Delaware	
Lo-Mar, Inc.	333.20
Seaford, Delaware	
Photo-Center, Inc.	42.90
111 West 22nd Street Wilmington, Delaware (No. 48946)	
International Business Machines Corporation	82.59
P. O. Box 387 Philadelphia 5, Pennsylvania (No. E 05160, 51050-40)	
Underwood Corporation	563.23
P. O. Box 310, Murray Hill Station New York 16, N. Y. (No. 898961)	

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HCR 7**. The motion prevailed by voice vote.

Mr. Walls moved that **HCR 7** be given its third and final reading and taken up for consideration in order to pass the House. **HCR 7** was adopted by voice vote.

Mr. Younger introduced **HB 119**. It was given its first reading by title only and assigned to the Committee on Revised Statutes.

**HB 119**—"An Act to Amend Section 4126 Title 21, Delaware Code to Increase the Speed Limit of Motor Trucks on Four Lane Undivided Roads and on Dual Highways."

At 2:20 P.M., it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote. Without objection it was so ordered.

At 4:12 P.M., the Speaker called the House to order.

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

**HB 120**—"An Act Relating to County Comptrollers," by Davidson; to Revised Statutes.

**HB 121**—"An Act Relating to the Collector of Delinquent County Taxes in New Castle County," by Davidson; to Revised Statutes.

**HB 122**—"An Act to Amend Section 4126, Title 21, Delaware Code Relating to Specific Speed Limits," by Hocker; to Revised Statutes.

**HB 123**—"An Act to Amend Chapter 636, Volume 50, Laws of Delaware, Relating to Police Pension Fund of the City of Wilmington," by Dineen; to Corporations-Municipal.

Under House Bill No. 223 of last session, town which amends its charter must file with certain officers of State any charter changes. Speaker announced Harrington notifying of adopting 11 amendments to charter. Notice will be filed with Chief Clerk.

A messenger from the Senate informed the House that the Senate had passed Senate Bills 7, 8, 14, and 24 and requested the concurrence of the House.

Mr. Eskridge moved that **HB 13** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 13**—"An Act to Provide for the Reversion of School Construction Funds to the State and to the School Districts in the same proportion as such Funds were Appropriated and to Stipulate how these Funds shall be Expended."

Mr. Eskridge introduced **HA 1** to **HB 13**. It was given its first and only reading by title only. It was regularly moved and seconded that so much be considered the reading of the amendment. The motion prevailed by voice vote. It was regularly moved and seconded that **HA 1** to **HB 13** be adopted by voice vote. The motion prevailed.

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan Kirkby, McGinnis, Phillips, Pratt, Shulties, Walls, Wootten, Younger, Mr. Speaker—32.

ABSENT—Messrs. Casey, Lowe, Shockley—3.

**HB 13** with **HA 1** having received the constitutional majority, passed the House.

Mr. Phillips moved that **HB 77** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 77**—"An Act Making An Appropriation to the Delmar School District No. 163, Sussex County for Costs Incurred in Equipping a Science Room."

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, McGinnis, Phillips, Pratt, Quigley, Shulties, Walls, Wootten, Younger, Mr. Speaker—32.

ABSENT—Messrs. Casey, Lowe, Shockley—3.

**HB 77** having received the constitutional majority, passed the House.

Mr. Dineen introduced **HB 124**. It was given its first reading by title only and assigned to the Committee on Appropriations.

**HB 124**—"An Act Making A Supplementary Appropriation to the State Tax Department for the Fiscal Year Ending June 30, 1963 to Inaugurate a unit of the State Tax Department Designated as 'Taxation and Statistics Research.'"

Mr. Walls introduced **HR 31**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 31** be adopted by voice vote. The motion prevailed.

**HR 31**—"Appropriating Money out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the General Assembly."

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware, that the following amounts are appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present session of the 122nd General Assembly of the State of Delaware, up to and including the 16th Legislative Day, which expenses are declared proper and reasonable expenses actually incurred by the respective members of the House of Representatives for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and returning from Dover to their respective homes in the performance of their duties as members of the House of Representatives, during the present Legislative Session thereof, and the Audi-

tor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed to pay to the respective members of the House of Representatives hereinafter names, the respective amounts set opposite their respective names, viz:

John H. Annett .....	\$ 31.20
Robert B. Atkins .....	60.00
T. Lees Bartleson .....	165.00
William T. Best .....	142.50
Carlton Blendt, Jr. ....	24.00
Glenn W. Busker .....	39.00
Andrew J. Casey .....	60.00
Carlton Clifton .....	36.00
Jacob A. Correll .....	50.40
Gooden M. Darling .....	14.40
Robert C. Davidson .....	37.20
Russell F. Dineen .....	150.00
Robert N. Downs, III .....	57.60
Norman A. Eskridge .....	105.00
George H. Exley .....	24.00
Harvey P. Fifer .....	6.00
Everett Hale .....	54.00
Wilbert E. Hocker .....	72.00
M. Martin Isaacs .....	57.60
Maurice N. Jarrell .....	5.40
Ralph S. Keenan .....	60.00
George Kirkby .....	28.80
Paul F. Livingston .....	60.00
Granville T. Lowe .....	60.00
James D. McGinnis .....	
W. Harrison Phillips .....	61.20
J. Reynolds Pratt .....	19.20
James R. Quigley .....	54.00
Paul E. Shockley .....	60.00
H. Dawson Shulties .....	12.00
Joseph B. Walls .....	57.60
Wallace P. Wootten .....	15 60
Norman N. Younger .....	27.60
Sherman W. Tribbitt .....	30.00

Mr. Walls introduced **HR 32**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 32** be adopted by voice vote. The motion prevailed.

**HR 32**—"Authorizing Payments for Services by Attaches and Employees of the House of Representatives of the Present Session of the 122nd General Assembly."



BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 122nd GENERAL ASSEMBLY that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 8th Legislative Day and including the 16th Legislative Day, of the current session.

Harrison Turner .....	\$675.00
James A. Walsh .....	337.50
Gerald Berkowitz .....	337.50
Francis X. Splane .....	297.00
Walter Pyle .....	209.00
Frank Calio .....	225.00
James Quigley .....	225.00
Rev. Donald J. MacCallum .....	180.00
Alex Tomkiewicz .....	247.50
Bailey Thomas .....	225.00
Harry Wolton .....	180.00
Dorothy Williams .....	180.00
J. Fred Robinson .....	180.00
Margaret Hurley .....	180.00
Alvin Brown .....	180.00
Frank Ingram .....	180.00
Cora Hilyard .....	180.00
Lillian Wallace .....	180.00
Louise H. Pennewill .....	247.50
Ida Brasure .....	247.50
W. Harrison Melvin .....	180.00
Clara Conley .....	180.00
Beverly J. Blevins .....	247.50
Emogene Ellis .....	247.50
Nelson Stubbs .....	180.00
Dorothy Gagnon .....	180.00
Martha Dixon .....	180.00
Doris Meyers .....	180.00
Charles E. Hartnett .....	180.00
Robert Bloth, Jr. ....	180.00
James Rowlinson .....	180.00
Sam Elliott .....	180.00
John J. Argo .....	225.00
Addie Budd .....	180.00
Edna Hartsell .....	225.00
Harry White .....	180.00
Joseph W. Carey .....	320.00
Harold Clendaniel .....	180.00
George B. Vincent .....	180.00

Thomas Taylor .....	180.00
Frederick Bell .....	180.00
Carroll Cordrey .....	180.00
Richard Norwood .....	180 00
Helen M. Collins .....	180.00
Elizabeth Wainwright .....	225.00
Venie R. Lloyd .....	247.50
Michelene Duff .....	247.50
Jennings Moore .....	180.00
William Reynolds .....	180.00
Roland West .....	225.00
Ralph Spitzer .....	180.00
Barney Lofland .....	180.00
Claude Jordon .....	180.00
Ruth Ross .....	180.00
Bradford Holiday .....	180.00
Mildred A. Keeler .....	180.00
William J. Warwick .....	225.00
Catherine Swartwood .....	247 50
Pauline Bennett .....	180.00
John Smith .....	180.00
Olive Sutton .....	180.00
Roy Freeman .....	594.00
Melba Webb .....	498.00

It was regularly moved and seconded that **HB 56, HB 57, HB 58, HB 59, HB 60** be stricken from the calendar. Without objection it was so ordered.

It was moved and seconded that Mr. Fifer's name be removed as co-sponsor of **HB 108**. Without objection it was so ordered.

Mr. Eskridge introduced **HB 125**. It was given its first reading by title only and assigned to the Committee on Appropriations.

**HB 125**—"An Act Appropriating Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County."

**SB 7** was given its first reading by title only and assigned to the Committee on Revenue and Taxation.

**SB 7**—"An Act Authorizing and Directing The Levy Court of Kent County to Reimburse Stephen Seiler, Jr. and Kathleen Seiler and Florence K. Travers. Property and School Taxes paid in Error."

**SB 8** was given its first reading by title only and assigned to the committee on Revenue and Taxation.

**SB 8**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, By Exempting Lands and Improvements of 'The Eastern Shore Fox Hunters' Association'."

**SB 14** was given its first reading by title only and assigned to the committee on Revenue and Taxation.

**SB 14**—"An Act Authorizing and Directing the Receiver of Taxes and County Treasurer of New Castle County, to Reimburse Mr. & Mrs. Robert E. Mitchell. School Taxes Paid in Error."

**SB 24** was given its first reading by title only and assigned to the committee on Appropriations.

**SB 24**—"An Act Appropriating Funds to the State Highway Department and to The Board of Game and Fish Commissioners of The State of Delaware to Construct and Maintain a Dam across Garrisons Pond, Kent County, Delaware."

Mr. Phillips moved that **HB 18** be given its third and final reading and taken up for consideration in order to pass the House.

It was regularly moved and seconded that action on **HB 18** be temporarily deferred. The motion prevailed by voice vote.

At 4:50 it was regularly moved and seconded that the House adjourn until 1:00 P.M. on Thursday, March 7, 1963. so ordered.

### 16th LEGISLATIVE DAY

The Speaker called the House to order at 2:16 P.M. on Thursday, March 7, 1963.

There was a prayer by the chaplain, Rev. Donald J. Mac-callum.

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

The Roll Call revealed 33 members present; 2 absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, Phillips, Pratt, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—33.

**MEMBERS ABSENT**—Messrs. McGinnis, Quigley—2.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion prevailed.

Mr. Clifton introduced **HB 126**. It was given its first reading by title only and assigned to the committee on Revenue and Taxation.

**HB 126**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, By Exempting Lands and Improvements of The Milford Grange No. 6, P. of H., Inc., from Assessment and Taxation."

Mr. Eskridge moved that House recess to call of the chair. Recess at 2:23 P.M.

House called to order at 4:38 P.M.

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

**HB 127**—"An Act Appropriating the Sum of \$100,000.00 to The Department of Public Welfare of The State of Delaware to be Used to make Capital Improvements and to Purchase Equipment for the Building Occupied by The Department of Public Welfare in Dover," by Best; to Appropriations.

**HB 128**—"An Act to Amend Title 11, § 3909, Delaware Code, Relating to Infliction of Capital Punishment By Providing for a Change in Witnesses to An Execution," by Livingston; to Judiciary.

**HB 129**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, By Exempting Lands and Improvements of The Ashbourne Swim Club, Inc., from Assessment and Taxation," by Bartleson; to Revenue and Taxation.

**HB 130**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to The Limitations Upon Taxing Power, By Exempting Lands and Improvements of The River Road Swimming Club, Inc. from Assessment and Taxation," by Bartleson; to Revenue and Taxation.

**HB 131**—"An Act to Amend Title 28, Delaware Code, Relating to Horse and Dog Racing in The State of Delaware," by Quigley; to Revised Statutes.

A messenger from the Senate informed the House that the Senate had passed **SB 38**, **SCR 12**, **SCR 13** and requested the concurrence of the House.

He also informed the House that the Senate had passed **HCR 7** and was returning the same to the House.

Mr. Shulties moved that **HB 94** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 94**—"An Act to Amend Chapter 9, Title 7, Delaware Code by Adding a new Section 813 to Provide a Bounty for the Killing of Wood Chucks or Ground Hogs Within the Boundaries of The State of Delaware."

It was regularly moved and seconded that the results of the roll call on **HB 94** be laid on the table. The motion prevailed by voice vote.

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

**HB 132**—"An Act to Amend Section 2302, Title 30, Delaware Code, Relating to Tax Stamps Required for Amusement and Music Machines," by Eskridge; to Revenue and Taxation.

**HB 133**—"An Act to Amend Section 1187, Title 30, Delaware Code Pertaining to Violation and Penalties on Income Taxes," by Eskridge; to Revenue and Taxation.

**HB 134**—"An Act Proposing an Amendment to Article IV, Section 29 of The Constitution of The State of Delaware, Relating to Justices of the Peace," by Davidson; to Judiciary.

Judiciary Committee report on **HB 95** was as follows: 1 favorable, 4 merits.

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

**HB 135**—"An Act Making a Supplementary Appropriation in the Fiscal Year Ending June 30, 1963 to Honor An Obligation Incurred in the Fiscal Year Ending June 30, 1962," by Dineen; to Appropriations.

**HB 136**—"An Act to Waive the Sovereign Immunity of The State of Delaware and to Permit a Lawsuit Against The State of Delaware by Fontana Bros. & Sons, Inc.," by Keenan; to Miscellaneous.

Mr. Shockley moved that **HB 92** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 92**—"An Act to Amend Title 5, Delaware Code, Relating to Direct-Reduction Loans by Building and Loan Associations By Providing for the Authority to Secure Loans by Mortgages on Real Estate Within The State of Delaware or Outside The State of Delaware If within 50 Miles of the Main Office of the Association."

It was regularly moved and seconded that action on **HB 92** be temporarily deferred. The motion was lost by voice vote.

The Roll Call revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Blendt, Busker, Casey, Clifton, Correll, Darling, Dineen, Eskridge, Exley, Hale, Hanlon, Livingston, Isaacs, Keenan, Kirkby, Lowe, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—28.

NAYS—Messrs. Best, Downs, Fifer, Hocker, Jarrell—5.

ABSENT—Mr. McGinnis—1.

NOT VOTING—Mr. Davidson—1.

**HB 92** having received the constitutional majority, passed the House.

Mr. Shockley moved that **HB 93** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 93**—"An Act to Amend Title 5, Delaware Code by Providing Authority for Building and Loan Associations to Open and Maintain Branch Offices."

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, Phillips, Pratt, Quigley, Shockley, Shulties Walls, Wootten, Younger, Mr. Speaker—34.

**NAYS**—Mr. McGinnis—1.

**HB 93** having received the constitutional majority, passed the House.

Mr. Pratt introduced **HB 137**. It was given its first reading by title only and assigned to the committee on Revised Statutes.

**HB 137**—"An Act Proposing an Amendment to Article 2, Section 4 of The Constitution of The State of Delaware, Relating to the Time and Frequency of Sessions by Providing Termination Dates."

**SB 38** was given its first reading by title only and assigned to the committee on Revenue and Taxation.

**SB 38**—"An Act Authorizing and Directing The Levy Court of Kent County to Reimburse Benjamin C. Hart and Cathryn S. Hart. School Taxes Paid in Error."

**SCR 12** was given its first reading by title only.

**SCR 12**—"An Act Making An Appropriation to The Diamond State Telephone Company for Services Rendered through January 30, 1963."

**BE IT RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein that the sum of \$248.88 be paid to the Diamond State Telephone Company for services rendered through January 30, 1963 for extensions 260, 261, 262, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276 & 277.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 12**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 12** be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 12**—"An Act Making an Appropriation to The Diamond State Telephone Company for Services Rendered through January 30, 1963."

**SCR 12** was adopted by voice vote.

Mr. Shockley introduced **HB 138**. It was given its first reading by title only and assigned to the committee on Judiciary.

**HB 138**—"An Act to Amend Title 11 of The Delaware Code Entitled 'Crimes and Criminal Procedure' By Abolishing Corporal Punishment."

**SCR 13** was given its first reading by title only.

**SCR 13**—"Providing for Temporary Adjournment of The Senate and The House of Representatives of The 122nd General Assembly of the State of Delaware until Monday, March 25, 1963."

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein, that at the close of business on March 7, 1963, both the Senate and the House shall adjourn until Monday, March 25, 1963 at 1:00 P.M., provided, however, that the Senate may be reconvened at any time upon the call of the President Pro Tem for the purpose of receiving and acting upon appointments by the Governor, and further provided that the Senate and the House may be reconvened at any time upon the call of the President Pro Tem and the Speaker of the House.

It was regularly moved and seconded that the rules be suspended for the purpose of taking action on **SCR 13**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 13** be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 13**—"Providing for Temporary Adjournment of The Senate and The House of Representatives of The 122nd General Assembly of The State of Delaware until Monday, March 25, 1963."

**SCR 13** was adopted by voice vote.

At 5:30 P.M., it was regularly moved and seconded that the House adjourn until 1:00 P.M., Monday, March 25, 1963. The motion prevailed by voice vote.

### 17th LEGISLATIVE DAY

The Speaker called the House to order at 2:27 P.M. on Monday, March 25, 1963.

There was a prayer by the chaplain, Rev. Donald J. Macallum.

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

The Roll Call revealed 34 members present; 1 absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Axley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—34.

MEMBERS ABSENT—Mr. Quigley—1.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion Prevailed.

Without objection the following communications were made part of the record.

The Honorable Sherman W. Tribbitt  
Odessa  
Delaware

Dear Sir:

Mrs. John E. Reilly has forwarded to us the contribution of the House Members and the Attaches made to our Building Fund in memory of the late Senator Reilly.

We should like to express our gratitude, through you, to the members of this group whose total donation was \$60.50.

Gratefully yours,

ST. FRANCIS HOSPITAL  
Sister Mary S. Kevin  
Administrator

Honorable Sherman W. Tribbitt, Speaker  
State House of Representatives  
Dover, Delaware

Dear Mr. Tribbitt:

On behalf of my family and myself, I wish to convey to you and all members of the House our heartfelt appreciation for the many kindnesses extended during our recent loss.

We are deeply grateful to all of you, individually and as a body, for the many services and courtesies rendered, for the many expressions of sympathy, the gracious tributes and many other forms of respect. These and all of your kindnesses will always be held in grateful remembrance.

Most sincerely,

Alice M. Reilly  
(Mrs. John E. Reilly, Sr.)

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

**HB 139**—"An Act to Incorporate the Town of South Bethany," by Hocker; to Corporations, Municipal.

**HB 140**—"An Act to Amend Chapter 43, Title 21, Delaware Code, to Permit Red Lights on Tow Vehicles," by Busker; to Miscellaneous.



**HB 141**—"An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for said Purpose; Authorizing the Financing of such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," by McGinnis; to Education.

**HB 142**—"An Act to Amend Chapter 67, Title 29, Delaware Code by Providing for a Chief Purchasing Agent for the State and Appropriating Money Therefore," by McGinnis; to Revised Statutes.

**HB 143**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations upon Taxing Power, by Exempting Lands and Improvements of the Delaware Society for Crippled Children and Adults, Inc. from Assessment and Taxation," by Isaacs; to Revenue and Taxation.

A messenger from the Senate informed the House that the Senate had passed **SB 2** and **SCR 14**, and requested the concurrence of the House.

At 2:35 P.M. it was regularly moved and seconded that the House recess to the call of the chair.

The motion prevailed by voice vote.

Without objection it was so ordered.

At 5:03 P.M., The Speaker called the House to order.

Mr. Exley introduced **HR 33**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 33** be adopted by voice vote. The motion prevailed.

**HR 33**—"Authorizing the Payment of Certain Expenses for the Printing of the House Calendar and Business Cards for the House of Representatives of the 122nd General Assembly."

**BE IT RESOLVED** by the House of Representatives of the 122nd General Assembly of the State of Delaware that the sum of Four Hundred and Two dollars and seventy-five cents (\$402.75) is hereby appropriated out of money in the State Treasury not otherwise appropriated, to pay the Sussex Countian, Georgetown, Delaware for Five Hundred copies (500) of the House Calendar and thirty-five sets (35) of

Business Cards for the House of Representatives of the 122nd General Assembly.

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

**HB 144**—"An Act to Amend Chapter 297, Volume 50, Laws of Delaware to Increase the Amount Withheld from Park Police Salaries for the Park Police Pension Fund," by Shockley; to Corporations, Municipal.

**HB 145**—"An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation," by Shockley; to Labor.

**HB 146**—"An Act to Amend Section 1902, Title 14, Delaware Code by Exempting Residential Property Owned by Persons over the Age of 65 from the Payment of School Taxes," by Keenan; to Revenue and Taxation.

The following Committee Reports were given as follows:

**HB 135**—Appropriation, 3 favorable, 5 merits.

**HS 1** for **HB 65**—Judiciary, 2 favorable, 3 merits.

**HB 91**—Appropriation, 4 favorable, 1 merit.

Mr. McGinnis introduced **HS 1** for **HB 20**. It was given its first reading by title only and assigned to the committee on Education.

**HS 1** for **HB 20**—"An Act to Amend Title 14, Delaware Code, Entitled 'Education' Relating to Free Public Schools."

**HB 126**—Revenue and Taxation, 3 favorable, 2 merits.

At 5:16 P.M. it was regularly moved and seconded that the House adjourn until 1:00 P.M. Tuesday, March 26, 1963.

The motion prevailed by voice vote.

### 18th LEGISLATIVE DAY

The Speaker called the House to order at 2:03 P.M. on Tuesday, March 26, 1963.

There was a prayer by the chaplain, Rev. Donald J. Maccallum.

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

The Roll Call revealed 33 members present; 2 absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Isaacs, Jarrell, Kirkby, Livingston, Lowe, McGinnis, Phillips, Pratt, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—33.

**MEMBERS ABSENT**—Messrs. Keenan, Quigley—2.

The clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be consider-

ed the reading of the Journal. Approved. Motion Prevailed.

**HB 39**—Revenue and Statutes, 5 favorable.

Mr. Eskridge introduced **HB 147**. It was given its first reading by title only and assigned to the committee on appropriations.

**HB 147**—"An Act to Amend Chapter 401, Volume 53, Laws of Delaware, Entitled 'An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1963,' by Making Certain Transfers Therein."

Mr. Shockley moved that **HB 78** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 78**—"An Act to Amend Title 5, Delaware Code, Relating to Pledging or Hypothecating Assets."

Mr. Shockley introduced **HA 1** to **HB 78**. It was given its first and only reading in its entirety. It was regularly moved and seconded that **HA 1** to **HB 78** be adopted by voice vote. The motion prevailed.

The Roll Call Revealed:

**YEA**—Messrs. Annett, Atkins, Bartleson, Best, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Kirkby, Lowe, McGinnis, Phillips, Pratt, Shockley, Walls, Wootten, Mr. Speaker—30.

**ABSENT**—Messrs. Blendt, Keenan, Quigley, Shulties, Younger—5.

**HB 78** with **HA1** having received the constitutional majority, passed the House.

Mr. Exley introduced **HR 34**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 34** be adopted by voice vote. The motion prevailed.

**HR 34**—"Authorizing the Payment of Certain Expenses for the Printing of Letterheads for the House of Representatives of the 122nd General Assembly."

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 122nd GENERAL ASSEMBLY OF THE STATE OF DELAWARE** that the sum of \$350.00 is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the Albe-Mar Printing Service, Wilmington, Delaware, for the printing of 17,500 letterheads for the House of Representatives of the 122nd General Assembly.

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

**HB 148**—"An Act Making a Supplemental Appropriation to the State Board of Examiners of Barbers to Repay Certain Barbers Amounts paid by them in Excess of the Amounts Required under Section 414, Title 24, Delaware Code," by Isaacs; to Appropriations.

**HB 149**—"An Act to Provide for the Enlargement and Improvement of the Newport 21 School District, Commonly known as the Krebs School: Appropriating Money for said Purpose: Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State, Defining School Districts: And Authorizing the Acceptance of Federal Funds for Building Purposes and Creating a Local School Building Commission," by Downs; to Education.

A messenger from the Senate informed the House that the Senate had passed **Senate Bills 20, 44**, and requested the concurrence of the House.

He also informed the House that the Senate had passed **HJR 1**, and was returning same to the House.

**SCR 14** was given its first reading by title only.

**SCR 14**—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through February 28, 1963."

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein that the sum of \$148.06 be paid to the Diamond State Telephone Company for services rendered through February 28, 1963 for extensions 260, 261, 262, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276 & 277.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 14**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 14** be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 14**—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through February 28, 1963."

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein that the sum of \$148.06 be paid to the Diamond State Telephone Company for services rendered through February 28, 1963 for extensions 260, 261, 262, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276 & 277.

**SCR 14** was adopted by voice vote.

**SB 44** was given it first and only reading by title only and assigned to the Committee on Public Buildings and Highways.

**SB 44**—"An Act Authorizing the Conveyance of Certain State owned Lands in New Castle County now being used by the State Board of Corrections.

**SB 2** was given its first and only reading in its entirety and assigned to the Committee on Revised Statutes.

**SB 2**—"An Act to Amend Section 8606, Title 9, Delaware Code, Relating to the Collection of Taxes by Repealing the Requirement that the Receiver of Taxes Sit at Different Places."

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

**HB 150**—"An Act to Amend Section 4913, Title 10, Delaware Code, Relating to Exemption and Attachment of Wages," by Shockley; to Judiciary.

**HB 151**—"An Act to Amend Section 5523, Title 29, Delaware Code, Relating to Amount of Benefit under State Employee Pension Plan," by Shockley; to Revised Statutes.

**HB 152**—"An Act to Amend Chapter 297, Volume 50, Laws of Delaware, Entitled 'An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington,' by Changing the Amount Authorized to be Withheld by the City Treasurer from the Salary of Each Member," by Shockley; to Corporations, Municipal.

It was regularly moved and seconded that **HB 144** be stricken from the calendar. The motion prevailed by voice vote.

Mr. Clifton moved that **HB 126** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 126**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations upon Taxing Power, by Exempting Lands and Improvements of the Milford Grange No. 6, P. of H., Inc., from Assessment and Taxation."

The Roll Call Revealed:

**YEAS**—Messrs. Annett, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—33.

**NAY**—Mr. Atkins—1.

**ABSENT**—Mr. Keenan—1.

**HB 126** having received the constitutional majority, passed the House.

**HB 40**—Revenue and Taxation, 4 favorable, 1 merit.

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

**HB 153**—"An Act to Amend Title 15 of the Delaware Code Relative to Elections by Increasing the Compensation of Members of the Department of Elections for New Castle County," by Younger; to Education.

**HB 154**—"An Act to Amend Chapter 15, Title 23, Delaware Code by Changing the Designation of Boundary Lines Relating to Wharf, Bulkhead and Piers of the Delaware River," by Quigley; to Public Buildings and Highways.

**HB 155**—"An Act to Designate Certain Libraries as Depositories of State Publications," by Dineen; to Education.

At 2:40 P.M., it was regularly moved and seconded that the House recess to the call of the chair.

The motion prevailed by voice vote.

At 4:44 P.M., the Speaker called the House to order.

Mr. Eskridge introduced **HR 35**. It was given its first reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote.

**HR 35**—"Authorizing the Payment of Certain Expenses for the Purchase and Installation of a Voice Reinforcement and Taping System for the House of Representatives of the 122nd General Assembly."

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that the sum of \$2,245.00 is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay to James Wood, State Custodian, for remittance to General Sound, Inc., Philadelphia, Pennsylvania in full payment for the purchase and installation of a Voice Reinforcement and Taping System for the House of Representatives of the 122nd General Assembly.

The Roll Call Revealed:

YEAS—Messrs. Annett, Atkins, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Hale, Hanlon, Livingston, Isaacs, Jarrell, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Walls, Wootten, Younger, Mr. Speaker—29.

NAYS—Messrs. Bartleson, Correll, Fifer, Hocker—4.

ABSENT—Messrs. Keenan, Shulties—2.

**HR 35** having received the constitutional majority, passed the House.

Mr. Busker introduced **HR 36**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 36** be adopted.

**HR 36**—"Expressing the Congratulations of the House of Representatives of the 122nd General Assembly of the State of Delaware to House Majority Leader Norman A. Eskridge."

WHEREAS, The members of the House of Representatives of the 122nd General Assembly of the State of Delaware have learned that the Majority Leader Norman A. Eskridge has been married for forty-two (42) years as of this date, and

WHEREAS, The members of the House wish to convey their congratulations to Representative Eskridge, and his wife.

NOW, THEREFORE

BE IT RESOLVED that the House of Representatives of the 122nd General Assembly of the State of Delaware extend to House Majority Leader Norman A. Eskridge and to his wife Gertrude Eskridge, its sincere congratulations on the occasion of their 42nd Wedding Anniversary, and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Gertrude Eskridge at her home.

The Roll Call Revealed:

YEAS—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Walls, Wootten, Younger, Mr. Speaker—32.

ABSENT—Messrs. Keenan, Shulties—2.

NOT VOTING—Mr. Eskridge—1.

**HR 36** having received the constitutional majority, passed the House.

Mr. Younger introduced **HB 156**. It was given its first reading by title only and assigned to the Committee on Revised Statutes.

**HB 156**—"An Act to Amend Section 2713, Title 29, Delaware Code Relating to the 'State Treasurer' and the Method of Paying of State Officials and Employees."

The following Committee Reports were given as follows:

**HB 130**—Revenue and Taxation, 4 favorable, 1 merit.

**HB 129**—Revenue and Taxation, 4 favorable, 1 merit.

**HB 15**—Revenue and Taxation, 5 favorable.

**SB 38**—Revenue and Taxation, 2 favorable, 1 merit.

**HB 41**—Revenue and Taxation, 3 favorable, 2 merits.

**HB 37**—Revenue and Taxation, 3 favorable, 2 merits.

At 5:02 P.M., it was regularly moved and seconded that the House adjourn until 1:00 P.M. Wednesday, March 27, 1963. The motion prevailed by voice vote.

### 19th LEGISLATIVE DAY

The Speaker called the House to order at 2:12 P.M. on Wednesday, March 27, 1963.

There was a prayer by the chaplain, Rev. Donald J. Macallum.

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

The Roll Call revealed 32 members present; 3 absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Isaacs, Jarrell, Keenan, Kirkby, Livingston, Lowe, McGinnis, Phillips, Pratt, Shockley, Walls, Wootten, Mr. Speaker—31.

**MEMBERS ABSENT**—Messrs. Best, Quigley, Shulties, Younger—4.

The clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion Prevailed.

The following Committee Report was given as follows:

**HB 33**—Revised Statutes, 3 favorable, 1 merit, 1 unfavorable.

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

**HB 157**—"An Act to Amend Sections 3902 and 3903, Title 14, Delaware Code, Relating to Teachers' Retirement and Disability Pensions," by Shockley; to Education.

**HB 158**—"An Act Making a Supplementary Appropriation to The State Board of Trustees of The Delaware State Hospital at Farnhurst to be used for Mental Health Planning," by Eskridge; to Appropriations.

**HB 159**—"An Act to Amend Chapter 31, Title 19, Delaware Code, Relating to Compensation of Members of The Unemployment Compensation Commission," by Dineen; to Labor.

**HB 160**—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to Compensation of Members of The Public Service Commission," by Dineen; to Revised Statutes

**HB 161**—"An Act to Amend Section 2101, Title 24, Delaware Code, Relating to Optometry," by Busker; to Insurance and Banking.

**HB 162**—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to Authority of The Public Service Com-



mission Over Motor Carriers of Freight, Property and/or Commodities for Hire," by Pratt; to Revised Statutes.

A messenger from the Senate informed the House that the Senate had passed **SB 46** and **SJR 2** and requested the concurrence of the House.

Mr. Phillips introduced **HR 37**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote.

**HR 37**—"Adopting Permanent Rules for The House of Representatives."

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that the permanent Rules of Order of the House of Representatives of the 121st General Assembly are hereby adopted as the permanent rules of this House except that the following rules are to read as follows:

Rule 8.

He may name a member to perform the duties of presiding officer, but such substitution shall not extend beyond an adjournment, except when the Speaker obtains leave of absence, in which case he may depute a member as Speaker Pro Tempore during such leave, which leave shall not exceed five legislative days.

Rule 23.

Every bill and resolution shall be introduced with an original and at least eight backed copies. The copies shall be marked "duplicate" and at all times every bill and resolution shall be under the general supervision of the Clerk of the House. Until its passage by the House, the original copy of every bill and resolution shall at all times remain in the custody of the Chairman of the Committee to which it was referred or the Clerk of the House. The original of all bills and resolutions shall be either printed, typewritten or stenciled and backed and no erasures or interlineations shall be allowed.

Rule 47 (new).

All audio tape recordings of the proceedings of the House shall be under the control and in the Custody of the Chief Clerk of the House throughout the duration of the Assembly. At the final adjournment of the House the Chief Clerk shall transfer all such records to the Custody of the Public Archives Commission.

It was regularly moved and seconded that action on **HR 37** be temporarily deferred. The motion prevailed was lost by voice vote. Without objection it was so ordered.

**SJR 2** was given its first reading by title only.

**SJR 2**—"To Commemorate The Centennial of The Birth of Henry Ford, Founder of The Ford Motor Company, and to

Acknowledge His Profound and Lasting Contributions to This Nation's Social, Economic and Cultural Progress."

WHEREAS, the members of the 122nd General Assembly of the State of Delaware have learned that as Henry Ford was born on July 30, 1863, the company he founded is, throughout this year, celebrating the centennial of his birth; and

WHEREAS, Mr. Ford effectively put the world on wheels by bringing to realization his dream of building "a motor car for the great multitudes," the storied Model T, thereby freeing the farmer from his isolation, bringing closer together the most distant parts of the country and giving unprecedented mobility to the American people; and

WHEREAS, Mr. Ford, as father of the moving assembly line, showed the way to mass production techniques which have enabled this nation to become the most productive nation in the history of the world and which have raised the living standards of the American people by making available to all a rich variety of useful and time-saving products; and

WHEREAS, by his introduction of the \$5-a-day wage and the 8-hour day, Mr. Ford enabled employees to become customers for the products that industry manufactures, thus creating mass markets and, more importantly, starting a peaceful social revolution that has resulted in the American worker's achieving a stature and standard of living unequalled throughout the world; and

WHEREAS, the company that Mr. Ford founded continues to contribute to the economy of this country;

THEREFORE:

BE IT RESOLVED, that the members of the 122nd General Assembly of the State of Delaware adopt this tribute to the memory of Henry Ford in recognition of his enduring contributions to the social, economic and cultural values of our times; and

BE IT FURTHER RESOLVED, that a properly authenticated copy of this resolution be sent to Mr. Henry Ford II, grandson of Mr. Ford and present Chairman of the Board of Directors of Ford Motor Company, as a message of congratulations to the company on the centennial of the birth of its founder.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SJR 2**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SJR 2** be given its third and final reading and taken up for consideration in order to pass the House. **SJR 2** was adopted by voice vote.

At 2:30 P.M. it was regularly moved and seconded that

the House recess to the call of the chair. The motion prevailed by voice vote.

At 4:30 P.M. the Speaker called the House to order.

Mr. Blendt introduced **HA 1** to **HB 87**. It was given its first and only reading by title only. It was regularly moved and seconded that so much be considered the reading of the amendment. The motion prevailed by voice vote. It was regularly moved and seconded that **HA 1** to **HB 87** be placed with the bill. The motion prevailed.

It was moved that **SB 38** be given its third and final reading and taken up for consideration in order to pass the House.

**SB 38**—"An Act Authorizing and Directing The Levy Court of Kent County to Reimburse Benjamin C. Hart and Cathryn S. Hart. School Taxes Paid in Error."

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Shockley, Walls, Wootten, Mr. Speaker—32.

**ABSENT**—Messrs. Quigley, Shulties, Younger—3.

**SB 38** having received the constitutional majority, passed the House.

Mr. Phillips moved that **HR 37** be taken up for consideration in order to pass the House.

**HR 37**—"Adopting Permanent Rules for The House of Representatives."

The Roll Call revealed

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Mr. Speaker—33.

**ABSENT**—Messrs. Wootten, Younger—2.

**HR 37** having received the constitutional majority, passed the House.

The following Committee Reports were given as follows:

**HB 152**—Corporations, Municipal, 5 favorable.

**HB 128**—Judiciary, 5 merit.

**HB 139**—Corporations, Municipal, 5 favorable.

A messenger from the Senate informed the House that the Senate had passed **SCR 7** and **SCR 15** and requested the concurrence of the House.

Mr. Annett introduced **HA 2** to **HB 87**. It was given its first and only reading in its entirety. It was regularly mov-

ed and seconded that **HA 2** to **HB 87** be placed with the bill. The motion prevailed.

Mr. Dineen introduced **HS 1** to **HB 159**. It was given its first reading by title only and assigned to the Committee on Labor.

**HS 1** to **HB 159**—"An Act to Amend Chapter 31, Title 19, Delaware Code, Relating to Compensation of Members of The Employment Security Commission."

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **HB 91**. The motion prevailed by voice vote.

Mr. Eskridge moved that **HB 91** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 91**—"An Act Making a Supplemental Appropriation in the Fiscal Year Ending June 30, 1963 to Honor an Obligation Incurred in the Fiscal Year Ending June 30, 1962."

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Mr. Speaker—33.

**ABSENT**—Messrs. Wootten, Younger—2.

**HB 91** having received the constitutional majority, passed the House.

**SCR 15** was given its first reading in its entirety.

**SCR 15**—"Expressing the Sympathy of The 122nd General Assembly of the Illness of Mr. Roy Allen Cannon."

**WHEREAS**, the members of the 122nd General Assembly of the State of Delaware have learned that Mr. Roy Allen Cannon, who served one term as State Senator and two terms in the House of Representatives is seriously ill, and

**WHEREAS**, the members of the Senate desire to express and extend their regret and sympathy to former Senator and Representative Roy Allen Cannon,

**NOW THEREFORE:**

**BE IT RESOLVED**, that the members of the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein, do hereby express their sincere wishes for a complete and speedy recovery, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be spread upon the Journal of the Senate and of the House of Representatives of the 122nd General Assembly of the State of Delaware and a copy be forwarded to former Senator and Representative Roy Allen Cannon.

It was regularly moved and seconded that the rules be suspended for the sole purpose of taking action on **SCR 15**. The motion prevailed by voice vote.

Mr. Eskridge moved that **SCR 15** be given its third and final reading and taken up for consideration in order to pass the House.

**SCR 15** was adopted by voice vote.

Mr. Dineen moved that **HB 135** be given its third and final reading and taken up for consideration in order to pass the House.

**HB 135**—"An Act Making a Supplemental Appropriation in the Fiscal Year Ending June 30, 1963 to Honor an Obligation Incurred in the Fiscal Year Ending June 30, 1962."

The Roll Call revealed:

**YEAS**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Mr. Speaker—33.

**ABSENT**—Messrs. Wootten, Younger—2.

**HB 135** having received the constitutional majority, passed the House.

Mr. Eskridge, by request introduced **HB 163**. It was given its first reading by title only and assigned to the Committee on Revised Statutes.

**HB 163**—"An Act Establishing A School Crossing Guard for the Seaford Special School District under the Jurisdiction of the Levy Court for Sussex County."

At 4:57 P.M. it was regularly moved and seconded that the House adjourn until 1:00 P.M. Thursday, March 28, 1963. The motion prevailed by voice vote.

## 20th LEGISLATIVE DAY

The Speaker called the House to order at 1:54 P.M. on Thursday, March 28, 1963.

There was a prayer by the chaplain, Rev. Donald J. Maccallum.

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

The Roll Call revealed 32 members present; 3 absent.

**MEMBERS PRESENT**—Messrs. Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Correll, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, Phillips, Pratt, Shulties, Walls, Wootten, Younger, Mr. Speaker—32.

**M E M B E R S A B S E N T**—Messrs. McGinnis, Quigley, Shockley—3.

The Clerk proceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion Prevailed.

Without objection the personal privilege of the floor was granted to Mr. Annett.

A messenger from the Senate informed the House that the Senate had passed **SS 1** to **SB 1** and requested the concurrence of the House.

He also informed the House that the Senate had passed **HB 10**, **HB 11**, and **HB 77** and was returning the same to the House.

The following Committee Report was given as follows:

**HCR 6**—Rules, 5 favorable.

**SCR 7** was given its first reading by title only and assigned to the Committee on Public Health.

**SCR 7**—"Relative to the Erection of the State Headquarters for Mental Hygiene Clinics and Lower New Castle County Therapeutic and Diagnostic Clinic."

**WHEREAS**, the General Assembly passed the House Bill No. 561, on May 10, 1962, appropriating funds to the State Board of Trustees of the Delaware State Hospital for the purpose of constructing and equipping a Mental Hygiene Clinic Administration building which would also serve as a diagnostic and therapeutic facility in New Castle County; and

**WHEREAS**, the Board approved building the facility on the State land located in Fernhook, which is within close proximity to the Delaware State Hospital; and

**WHEREAS**, some representatives of the Mental Health Association of Delaware and the Governor's Advisory Committee to the State Board of Trustees objected to the Fernhook location, citing the possibility of 'stigma' because of the nearness to the State Hospital and, further urging that Clinic services should be available within the City of Wilmington; and

**WHEREAS**, the Board studied such objections thoughtfully and twice met with representatives of the Mental Health Association of Delaware, and once with the executive committee of the Governor's Advisory Committee, in a sincere effort to bring about mutual accord and understanding; and

**WHEREAS**, the State Board of Trustees did establish a full time Clinic for the people of the City of Wilmington, at 12th and Walnut Streets in mid-city, and opened such Clinic on January 7, 1963; and

**WHEREAS**, the members of the General Assembly upon visiting the Delaware State Hospital on January 23, 1963, inspected the proposed location of the authorized headquarters building; and

WHEREAS, in the minds of the members of the General Assembly, the idea of 'stigma' by proximity to the State institution for the mentally ill is a great injustice to those in need of its special care and, wherever this opinion still exists, the true service would be to work vigorously to change such misconception, rather than encourage it by such artificial device as demanding distance between the State institution and Mental Hygiene Clinic Headquarters; and

WHEREAS, the time for erection of the State Headquarters for Mental Hygiene Clinics and Lower New Castle County Therapeutic and Diagnostic facility is limited; and

WHEREAS, the members of the General Assembly feel that the majority of the people will endorse the decision of the State Board of Trustees, which is composed of four physicians, one dentist and four men and women who are recognized throughout the State as being mindful of, and active in meeting, community needs:

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein, that the General Assembly approves the decision of the State Board of Trustees in regard to the selection of the location for the State Headquarters for Mental Hygiene Clinics and Lower New Castle County Therapeutic and Diagnostic Clinic and encourages the State Board of Trustees to proceed with the erection of the above building as soon as possible.

Mr. Downs introduced **HA 1** to **SB 44**. It was given its first and only reading in its entirety. It was regularly moved and seconded that **HA 1** to **SB 44** be adopted by voice vote. The motion prevailed.

The following Committee Report was given as follows:

**SB 44**—Public Buildings and Highways, 4 favorable.

Mr. Annett introduced **HA 1** to **HB 141**. It was given its first and only reading in its entirety. It was regularly moved and seconded that **HA 1** to **HB 141** be placed with the bill. The motion prevailed.

At 2:22 P.M. it was regularly moved and seconded that the House recess to the call of the chair. The motion prevailed by voice vote.

At 4:45 P.M. the Speaker called the House to order.

**SS 1** to **SB 1** was given its first reading by title only and assigned to the Committee on Revised Statutes.

**SS 1** for **SB 1**—"An Act to Amend Titles 9, 10 and 12, Delaware Code by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Receiver of Taxes, Prothonotary, Sheriff, Register in Chancery, Clerk of The Orphans' Court, Members

of the Board of Assessment and Register of Wills in and For Sussex County."

The following Committee Reports were given as follows:

**HB 131**—Revised Statutes, 1 merit, 4 unfavorable.

**HB 98**—Appropriations, 3 favorable, 2 merit.

**HB 90**—Appropriations, 4 favorable, 1 merit.

**HB 148**—Appropriations, 5 favorable.

Mr. Younger introduced **HA 1** to **HB 90**. It was given its first and only reading in its entirety. It was regularly moved and seconded that **HA 1** to **HB 90** be placed with the bill. The motion prevailed.

Mr. Eskridge introduced **HA 1** to **HB 125**. It was given its first and only reading in its entirety. It was regularly moved and seconded that **HA 1** to **HB 125** be adopted by voice vote. The motion prevailed.

Mr. Eskridge introduced **HB 164**. It was given its first reading by title only and assigned to the Committee on Revised Statutes.

**HB 164**—"An Act to Amend Title 29, Section 6702, Delaware Code, Relating to Contractors for Supplies or Work."

Mr. Hocker introduced **HR 38**. It was given its first and only reading in its entirety. It was regularly moved and seconded that so much be considered the reading of the resolution. The motion prevailed by voice vote. It was regularly moved and seconded that **HR 38** be adopted.

**HR 38**—"In Reference to Furnishing Members of the General Assembly with Information on the Financial Condition of the State of Delaware."

WHEREAS, the condition of the finances of the State of Delaware is a matter of special importance to each member of the General Assembly, and

WHEREAS, the monthly reports prepared by the Permanent Budget Commission for the use of the members of the General Assembly and the state officials are helpful but not fully informative, and

WHEREAS, these reports do not provide all of the information that members of the General Assembly need to vote intelligently on legislation dealing with appropriations, and

WHEREAS, the members of the House will soon have the heavy responsibility of considering the General Appropriation Bill for the fiscal year starting July 1, 1963, and

WHEREAS, it is of the utmost importance that the financial condition of Delaware be fully disclosed to the members of the House and the Senate of the 122nd General Assembly,

NOW THEREFORE,



BE IT RESOLVED, that the House of Representatives of the 122nd General Assembly request the Governor of the State of Delaware to make available to the House of Representatives the latest balance sheet with a forecast concerning the outlook for the fiscal year commencing July 1, 1963,

BE IT FURTHER RESOLVED, that the Honorable Governor of the State of Delaware be requested to make this information available on or before April 15, 1963.

It was regularly moved and seconded that the roll call on **HR 38** be laid on the table.

The Roll Call revealed:

YEAS—Messrs. Atkins, Blendt, Busker, Clifton, Darling, Davidson, Dineen, Eskridge, Exley, Hanlon, Livingston, Isaacs, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shulties, Walls, Wootten, Younger, Mr. Speaker—23.

NAYS—Messrs. Annet, Bartleson, Best, Casey, Correll, Downs, Fifer, Hale, Hocker, Jarrell, Keenan—11.

ABSENT—Mr. Shockley—1.

It was regularly moved and seconded that the results of the roll call on the motion to lay roll call on **HR 38** on the table be laid on the table. The motion was lost by voice vote.

Having received its required majority, the motion to lay the roll call on **HB 38** on the table was declared passed by the House.

Mr. Younger introduced **HB 165**. It was given its first reading by title only and assigned to the Committee on Revenue and Taxation.

**HB 165**—"An Act to Amend Section 8002 (b) Title 9, Delaware Code so as to Limit the Tax Rate for New Castle County to Forty-Five Cents (\$.45) on each One Hundred Dollars (\$100.00) of Assessed Valuation."

Mr. Wootten introduced **HR 39**. It was given its first and only reading in its entirety. It was regularly moved and seconded that **HR 39** be adopted by voice vote. The motion prevailed.

**HR 39**—"Expressing the Best Wishes of the House of Representatives of the 122nd General Assembly to Representative W. Carlton Clifton on his Birthday."

WHEREAS, the members of the House of Representatives of the 122nd General Assembly have learned that March 29 is the birthday of Representative W. Carlton Clifton, and

WHEREAS, the members of the House wish to express their best wishes to Representative Clifton.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware, that the best wishes of its members for the continued good health

and happiness of Representative Clifton for many more years are hereby extended to him.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered on the Journal of the House, a copy delivered to the press and a copy be given to Representative Clifton.

Mr. Best introduced **HR 40**. It was given its first and only reading in its entirety. It was regularly moved and seconded that **HR 40** be adopted by voice vote.

**HR 40**—"In Reference to Election of Officers."

BE IT RESOLVED by the House of Representatives of the 122nd General Assembly of the State of Delaware that the Minority Leader of the House of Representatives is hereby authorized to appoint a Minority Attorney to serve the members of the House of Representatives. The salary shall be at the established rate for the attorneys of the House of Representatives.

It was regularly moved and seconded that action on **HR 40** be temporarily deferred. The motion prevailed by voice vote.

The following Committee Report was given as follows:

**HS 1 to HB 159**—Labor, 4 favorable, 1 merit.

At 5:25 P.M. it was regularly moved and seconded that the House adjourn until 1:00 P.M. Monday, April 1, 1963. The motion prevailed by voice vote.

## 21st LEGISLATIVE DAY

The Speaker called the House to order at 2:21 PM.. on Monday, April 1, 1963

There was a prayer by the chaplain Rev. Donald J. Maccallum.

The Speaker led those present in a Salute of the Flag. The Roll Call revealed 35 members present; 0 Absent.

MEMBERS PRESENT—Messrs Annett, Atkins, Bartleson, Best, Blendt, Busker, Casey, Clifton, Darling, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hale, Hanlon, Hocker, Livingston, Isaacs, Jarrell, Keenan, Kirkby, Lowe, McGinnis, Phillips, Pratt, Quigley, Shockley, Shulties, Walls, Wootten, Younger, Mr. Speaker—35.

MEMBERS ABSENT—Messrs. NONE.

The Clerk preceeded to read the Journal of the previous session when Mr. Eskridge moved that so much be considered the reading of the Journal. Approved. Motion Prevailed.

Without objection the following communication was made part of the record.

March 29, 1963

Representative Paul E. Shockley  
House of Representatives  
Dover, Delaware

Dear Paul:

I am most appreciative to you for introducing **HB 18** to provide for the needs of the caretaker relative in needy families with children.

As you are well aware, this bill would be a great help to the poor families in Delaware. It would not cost the state a great deal since the federal government provides the bulk of the funds necessary to implement the program. Many other states enacted similar legislation and are already taking advantage of the federal funds available.

I am writing to the members of the Revised Statutes Committee, urging them to report the bill favorably.

Please keep after them and try to get the bill through. It will do a lot of good.

God bless you.

..

Sincerely yours,

(Rev.) Thomas J. Reese, ACSW  
Director

TJR:mh

**SCR 7** Committee on Public Health, 4 Favorable and 1 Merit.

The following bills were introduced, given first and only reading by title only and assigned to the following committees.

**SB 46**— "An Act to Amend Section 101, Title 13, Delaware Code, Relating to Void and Voidable Marriages". to Judiciary.

**SB 20**—An Act To Amend Section 6702 (c), Delaware Code, Relating to Contracts for Supplies or Work", To Revised Statutes.

**HB 166**—"An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1964", by Dineen; to the Committee on Appropriations.

**HB 167**—"An Act To Amend Chapter 17, Title 16, Delaware Code, to Regulate the Burning of Refuse and Garbage in Certain Residential Areas," by Downs; to the Committee on Public Health.

**HB 168**—"An Act To Amend Section 4913, Title 10, Delaware Code, Relating to Exemption and Attachment of Wages", by Quigley; to the Committee on Judiciary.