

NAYS—None.

ABSENT—Messrs. DuPont, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Simpson, Tull—8.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The President administered the "Oath of Office" of the Senate to T. Dennis Walker as Chaplain.

On motion of Mr. Hoey **HS 1** for **HB 207** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Hoey the bill was deferred.

On motion of Mr. Hoey **HB 218** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 218—"An Act Making an Appropriation to the Civil War Centennial Commission".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Wilgus, Pres. Pro Tem Steen—11.

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, Martin, McCullough, Simpson, Tull—6.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Hoey **HB 311** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Hoey the bill was deferred.

Mr. Johnson asked to be marked present.

On motion of Mr. Cook **HB 194** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 194—"An Act to Amend §2619, Title 9, Delaware Code, Pertaining to Violation of Zoning Regulation and Enforcement by Adjoining Landowners".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Isaacs, Martin, McCullough, Simpson—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 2:00 P.M.

The Senate met at the expiration of the recess at 2:10 P.M., Lt. Gov. Lammot presiding.

The House informed the Senate that it had passed **HB 349**, **HB 368** with **HA 1**, **HB 184** with **HA 2**, **HA 4**, **HA 6** and desired the concurrence of the Senate; also that it had passed **SB 73** and **SB 106** and was returning same to the Senate.

At 2:22 P.M., the Chair appointed a committee comprising Messrs. DuPont, Donovan and two Girls' State Senators — Hastings and Caldwell to escort the Governor of Delaware and the Girls' State Governor to the Chambers.

At 2:47 P.M., the above committee escorted the above dignitaries from the Chambers.

The House informed the Senate that it had passed **HB 347**, **HB 18**, and **HB 360** with **SA 1** and desired the concurrence of the Senate.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 2:50 P.M.

The Senate met at the expiration of the recess at 6:38 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Messrs. McCullough, Simpson and Isaacs.

Committee reports submitted were as follows:

SB 183—Revised Statutes, 3 on merits, 2 unfavorable, by Mr. Cook; **HB 318**—Judiciary, 4 favorable, 1 on merits, by Mr. Cook.

Mr. Martin asked to be marked present.

On motion of Mr. Cook **HB 309** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 309—"An Act Concerning Procurement of Material and Awarding of Contracts for Public Works by State Agencies".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Donovan, Hoey—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Hoey **HB 307** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 307—"An Act to Amend Chapter 31, Volume 54, Laws of Delaware, Entitled 'An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1964, and Making a Supplemental Appropriation in the Amount of \$40,644.00 for the Proposed Amendments'."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, McCullough, Wilgus—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 7:02 P.M.

The Senate met at the expiration of the recess at 9:30 P.M., Lt. Gov. Lammot presiding.

Mr. Hoey moved to adjourned according to **SCR 24**.

65th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 10:00 P.M. on Thursday, June 27, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Wilgus, Pres. Pro Tem Steen—11.

Members Absent—Messrs. Donovan, Hoey, Isaacs, McCullough, Robbins, Tull—6.

The Secretary proceeded to read the Journal of the previous days session when Mr. Cook moved that so much be considered the reading of the Journal and the Journal be approved as read.

Mr. Cook moved that the Senate not be adjourned unless by a majority of the Senators. Motion prevailed.

Mr. Isaacs asked to be marked present.

Pres. Pro Tem Steen introduced **SB 198**—"An Act to Amend Section 2733, Title 21, Delaware Code, Entitled Discretionary Suspension or Revocation of License", which was given first reading and assigned to the Revised Statutes Committee.

On motion of Pres. Pro Tem Steen **SB 195** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 195—"An Act to Amend Title 29, Part II, Delaware Code, Relating to the General Assembly by Providing for the Composition of the Senate and Reapportionment Thereof".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

ABSENT—Messrs. Donovan, Hoey, McCullough, Robbins, Tull—5.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mrs. Lord **SB 183** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 183—"An Act Amending Title 6, Delaware Code of 1953, by Protecting the Public Welfare, Entitling all Persons to Full and Equal Accommodations, Facilities, Advantages and Privileges of Places of Public Accommodation and Making It Unlawful to Refuse the Same to any Person on Account of Race, Creed, Color or National Origin or to Publish any Communication to the Effect that the Same Shall be

Refused on Account of Race, Creed, Color or National Origin, Empowering and Directing the State Human Relations Commission to Effect Voluntary Compliance Therewith and Providing Criminal Penalties for the Violation Thereof, and Repealing Section 1501 of Title 24, Section 902 of Title 28 and Section 703 of Title 26, Delaware Code of 1953, Insofar as Said Sections are Inconsistent Herewith”.

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson.

NAYS—Messrs. Cook, Price, Wilgus.

NOT VOTING—Pres. Pro Tem Steen.

ABSENT—Messrs. Donovan, Hoey, Isaacs, McCullough, Robbins, Tull.

On motion of Mrs. Lord the roll call was tabled.

On motion of Mr. Cook **HB 221** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 221—“An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to the Definition of ‘Dependent’ and Credits for Dependents”.

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Wilgus, Pres. Pro Tem Steen—11.

NAYS—None.

ABSENT—Messrs. Donovan, Hoey, Isaacs, McCullough, Robbins, Tull—6.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Pres. Pro Tem Steen moved to suspend Rule 9. Motion carried.

On motion of Mr. Cook **SB 199** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 199—“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 Extending the Date When Certain Money Shall Revert to the General Fund”.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Wilgus, Pres. Pro Tem Steen—11.

NAYS—None.

ABSENT—Messrs. Donovan, Hoey, Isaacs, McCullough, Robbins, Tull—6.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The Chair presented the following House Bills, which were given first and second reading and referred to Committees as follows:

HB 360—"An Act to Amend Chapter 31, Volume 54, Laws of Delaware, Entitled 'An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1964', and Making a Supplemental Appropriation in the Amount of \$200.00 for the Proposed Amendment"; to Finance.

HB 286 with HA 1—"An Act to Amend Section 702, Title 21, Delaware Code, by Adding a New Paragraph Thereto Pertaining to Enforcement of Speed Regulations by Use of Electronic Radar and the Proper Use of Same by State Police and Amending Chapter 83, Title 11, Delaware Code by Adding a New Paragraph Thereto Pertaining to State Police Patrol Cars and the Marking of Same"; to Revised Statutes.

HB 347—"An Act to Amend Chapter 166, Volume 43, Laws of Delaware, as Amended, Entitled 'An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown by Fixing the Time for Opening and Closing the Polls if There is No Contest for Any Office';" to Corporations—Municipal.

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"; to Revised Statutes.

HB 184 with HA 1—"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"; to Miscellaneous.

HB 349—"An Act to Amend Chapter 222, Volume 49, Laws of Delaware, by Changing the Amount of the Floating Debt of the City of Harrington"; to Corporations—Municipal.

HB 368 with **HA 1**—"An Act to Amend Chapter 345, Volume 52, Delaware Laws, Known as the School Building Program Act of 1960, to Authorize the Harrington Special School District to Expend Certain Funds Raised Pursuant to Said Act"; to Education.

On motion of Mr. Cook **HB 318** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. DuPont the bill was deferred.

On motion of Mr. Cook **HB 182** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 182—"An Act to Amend Chapter 11, Title 28, Delaware Code, by Increasing the Bingo License Fee".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

ABSENT—Messrs. Donovan, Hoey, McCullough, Robbins, Tull—5.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mrs. Manning **SB 100** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 100—"An Act to Amend Section 1302, Title 10, Delaware Code, Relating to Salary of the Judges of the Court of Common Pleas for New Castle County".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

ABSENT—Messrs. Donovan, Hoey, McCullough, Robbins, Tull—5.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook the Senate recessed upon call of the Chair at 10:42 P.M.

The Senate met at the expiration of the recess at 1:30 A.M., June 28, 1963, Lt. Gov. Lamot presiding.

The following Senators asked to be marked present: Messrs. Robbins, Tull, Hoey and McCullough.

On motion of Mr. Cook **HB 46** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 46 with **HA 1**—"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 Subdivision 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".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Donovan—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mrs. Lord moved to resume roll call on **SB 183**. Messrs. Isaacs, Hoey and Robbins asked to be recorded as voting nay.

Mr. McCullough moved to table roll call on **SB 183**. Motion prevailed.

The following legislation was introduced, given first reading and acted upon as follows:

SB 200—"An Act to Amend Title 21, Delaware Code, Relating to Suspension of License and/or Registration for Failure to File Proof of Financial Responsibility", by Messrs. Pres. Pro Tem Steen and Isaacs; to Revised Statutes.

Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote: **SCR 26**—"Providing for Temporary Adjournment of the Senate

and the House of Representatives of the 122nd General Assembly of the State of Delaware".

On motion of Mr. Cook **HB 290** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 290—"An Act Relating to the Issuance of Bonds and Notes of the State".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen.

NAYS—Mr. Isaacs.

NOT VOTING—Mr. McCullough.

ABSENT—Messrs. Donovan, Hoey, Johnson, Robbins.

On motion of Mr. Cook the roll call was tabled.

Mrs. Lord moved to resume roll call on **SB 183**. Motion prevailed.

Messrs. McCullough and Pres. Pro Tem Steen asked to be recorded as voting yea.

On motion of Mrs. Lord **SB 183** was taken up for consideration and read by title in order for final vote to pass the Senate.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Pres. Pro Tem Steen—9.

NAYS—Messrs. Cook, Hoey, Isaacs, Price, Robbins, Wilgus—6.

ABSENT—Messrs. Donovan, Tull—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Pres. Pro Tem Steen the Senate adjourned at 1:55 A.M. as per **SCR 26**.

66th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, July 15, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker: Once again, our Father, we come to Thee in prayer, on the same

old terms, because of our need of Thy help, and our faith that Thou dost govern in the affairs of men and wilt hear our prayer in the name of Christ Thy Son.

Thou has given us the inner voice of conscience, and Thy Holy Spirit enables us to distinguish good from evil. But where we are unable to choose between two courses when both are good and comendable when the issues are uncertain, we need the crystal clarity of Thy guidance, to take the better course. Help us, O Lord, at the place of our uncertainty, for there is no uncertainty with Thee. Thou hast a plan. We would clasp Thy hand. That shall be to us better than light and safer than a known way.

Through Jesus Christ our Lord. Amen.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, Dupont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Tull, Wilgus, Pres. Pro Tem Steen—11.

Members Absent—Messrs. Cook, Hoey, Johnson, McCullough, Robbins, Simpson—6.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The President requested the reading of a communication from Mrs. M. Elizabeth Bane of Department of Delaware, American Legion Auxiliary.

DEPARTMENT OF DELAWARE AMERICAN LEGION AUXILIARY

317 S. Governors Avenue
Dover, Delaware
July 1, 1963

Honorable Eugene Lammot
Speaker of the Senate
Legislative Hall
Dover, Delaware
Dear Mr. Lammot:

On behalf of the 1963 Girls State Committee, American Legion Auxiliary, Department of Delaware, we wish to extend to you and members of the Senate our sincere thanks for your cooperation in making our recent session of Girls State such a success.

Although our program calls for study of City, County and State Government at sessions held at Wesley College during the week, yet one of our important activities is held at Legislative Hall. This is an inspiration to the girls as they seek to become better citizens. This year was no

exception, and we thank you and the members of the Senate for your cooperation.

Sincerely yours,
M. ELIZABETH BANE,
Chairman
By HELEN L. JONES
Secretary

P. S. — Kindly read at your session. Thank you!

H. L. J.

Pres. Pro Tem Steen requested the reading of a letter of resignation from A. Dean Betts, Senate attorney.

ENNIS & BETTS

15 South Race Street
Georgetown, Delaware
July 12, 1963

Hon. Earle M. Tull
State Senate
Dover, Delaware
Hon. Curtis W. Steen
President Pro Tem
State Senate
Dover, Delaware
Hon. Walter J. Hoey
State Senate
Dover, Delaware
Dear Senators:

Please accept this as my formal resignation as attorney for the Senate, 122nd General Assembly. I find it impossible to devote the time to my duties as Senate attorney and effectively conduct my law practice in Georgetown and Seaford which, of course, is of prime importance to me. I ask that this resignation be made effective immediately.

I express my gratitude to all of you for the privilege of serving as Senate attorney and assure you that the experience has been most enlightening.

Very truly yours,

ALEX

A. DEAN BETTS

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:35 P.M.

The Senate met at the expiration of the recess at 5:10 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Messrs. Cook, Johnson, Hoey and Simpson.

A messenger from the Governor delivered the following message of nominations:

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

July 15, 1963

To the Senate of the 122nd General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following:

Elbert N. Carvel, Clayton Avenue, Laurel, Delaware—re-elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 29, 1969;

George Burton Pearson, Jr., 2427 Delaware Avenue, Wilmington, Delaware—re-elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 1, 1969;

J. Bruce Bredin, Greenville, Delaware—re-elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 1, 1969.

Respectfully submitted,
ELBERT N. CARVEL
Governor

The Senate received Memorandums No. 13, 14 and 15 from the Governor. The memorandums follow:

MEMORANDUM NO. 13

June 25, 1963

TO: Secretary of the Senate
FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

June 20, 1963—**HB 287; SB 5; SB 112; SB 152**

June 21, 1963—**HB 315; HB 247; SB 54.** On this date the Governor returned **SB 56** to the Senate without his approval.

June 24, 1963—**HB 42; HB 64; HB 204 with HA 1; and HB 211.**

MEMORANDUM NO. 14

July 1, 1963

TO: Secretary of the Senate
FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

June 25, 1963—**HB 123; HB 250 with SA 1**

June 26, 1963—**HB 180; HB 285 with HA 1**

June 27, 1963—**SB 88; SB 6.** Governor vetoed **HB 22** with **HA 1, 2 and 3** on this date

June 28, 1963—**HB 50; HB 65 with HA 1 and 2; HB 171 with HA 1, SA 1; HB 246; HB 25; HB 78 with HA 1; HB 93; HB 346; HB 191 with HA 1; SB 191; SB 176; SB 147; SB 123; SB 120; SB 121; and SB 111.**

MEMORANDUM NO. 15

July 9, 1963

TO: Secretary of the Senate

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

July 8, 1963—**HB 278; HB 269; HB 96 with HA 1; SB 145**

July 9, 1963—Governor vetoed **HB 110 with SA 1** on this date.

The following legislation was introduced, given first reading and acted upon as follows:

SB 201—"An Act to Appropriate Funds to the State Highway Department", by Mr. Cook; to Revised Statutes.

On motion of Mr. Isaacs **SA 1 to SB 193** was placed with bill.

Mr. Hoey introduced the following resolution which upon further motion was adopted by voice vote: **SCR 27**—"Relating to the Establishment of a Joint Committee on the Returning of Fort Miles at Cape Henlopen to the State".

Messrs. Bookhammer and Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote: **SR 71**—"Expressing the Sympathy of the Senate of the 122nd General Assembly upon the Death of Former Senator William O. Covey, Jr.".

WHEREAS, the Senate of the 122nd General Assembly of the State of Delaware has learned with regret of the passing of Former Senator William O. Covey, Jr., who served in the State Senate during the years 1952 - 1956, and

WHEREAS, Former State Senator William O. Covey, Jr. 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 122nd General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Former Senator William O. Covey, Jr., 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 Senate 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 of the 122nd General Assembly.

Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote: **SR 72**—"In Reference to Election of Officers".

WHEREAS, Agnes D. Hurley, who was previously elected to the office of Secretary, has now submitted her resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Agnes D. Hurley be and she is hereby discharged from the office of Secretary;

BE IT FURTHER RESOLVED that Norman K. Godwin be and he is hereby elected to the office of Page, to serve during the pleasure of the Senate.

Mr. Robbins asked to be marked present.

The following legislation was introduced, given first reading and acted upon as follows:

SR 73—"Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending April 11, 1963", by Mr. Robbins; adopted by voice vote.

SCR 28—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through April 27, 1963", by Mr. Robbins; adopted by voice vote.

SR 74—"Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending June 11, 1963", by Mr. Robbins; adopted by voice vote.

SCR 29—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through June 11, 1963", by Mr. Robbins; adopted by voice vote.

SA 2 to SB 37—by Messrs. Bookhammer and Pres. Pro Tem Steen; placed with bill.

The House informed the Senate that it had passed **SB 130, SB 131 and SCR 24** and was returning same to the Senate.

Mr. McCullough asked to be marked present.

Mr. Hoey introduced the following bill which was given a first reading: **SB 202**—"An Act to Amend Section 8325, Title 11, Delaware Code, as Amended". Mr. Hoey moved to suspend rules to act on **SB 202**. Motion prevailed.

On motion of Mr. Hoey **SB 202** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 202—"An Act to Amend Section 8325, Title 11, Delaware Code, as Amended".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus—11.

NAYS—None.

NOT VOTING—Messrs. Bookhammer, Donovan, DuPont, (Mrs.) Lord, Simpson, Pres. Pro Tem Steen—6.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The Governor's message of nomination was referred to the Executive Committee.

On motion of Mr. Donovan **HB 181** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Donovan the bill was deferred.

On motion of Mr. DuPont **SB 49** with **SA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 49 with **SA 2**—"An Act to Amend Section 118, Title 30, Delaware Code, Relating to Deductions from State Income Tax".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

NOT VOTING—Messrs. Donovan, Hoey—2.

The President administered the "Oath of Office" as officer of the Senate to Norman K. Godwin.

Mr. Cook, who had been informed that **SA 2** to **SB 49** had been adopted, and upon learning that **SA 2** to **SB 49**

had not been acted upon, moved to strike the roll call on **SB 49**. Motion prevailed.

On motion of Mr. Cook **SA 2** to **SB 49** was taken up for consideration and read a second time in order to pass the Senate.

On the question "Shall the Amendment Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Johnson, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—Messrs. DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin—5.

So the question was decided in the affirmative and the Amendment having received the required constitutional majority passed the Senate and was ordered integrated with the bill.

Mr. DuPont moved to defer **SB 49** with **SA 2**. Motion prevailed.

On motion of Mr. Donovan the Senate adjourned at 6:00 P.M. to Tuesday, July 16, 1963, at 1:00 P.M.

67th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, July 16, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Hoey, Isaacs, (Mrs.) Lord, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—9.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Johnson, (Mrs.) Manning, Martin, McCullough, Simpson—8.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

Mr. Cook asked to be marked present.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:38 P.M.

The Senate met at the expiration of the recess at 4:00 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Messrs. McCullough, Johnson, Bookhammer, Martin, Simpson, (Mrs.) Manning, and DuPont.

Mr. Isaacs presented **SA 1** to **SB 193**.

Mr. McCullough moved to postpone consideration of **SA 1** to **SB 193** till the bill was before the Senate for action. Motion prevailed.

The House informed the Senate that it had passed **SB 113**, **SB 185** and **SCR 26** and was returning same to the Senate.

Mr. Tull, Chairman of the Banking and Insurance Committee, reported **HB 248** from committee as follows: 3 favorable, 2 on merits.

Mr. Cook introduced the following bill which was given a first reading: **SB 203**—"An Act to Appropriate Funds to the State Highway Department".

Mr. Cook moved to suspend Rule 9 for rest of the day. Motion prevailed by voice vote.

Mr. Cook requested that **SB 203** be placed before the Senate for final action under suspension of rules. Motion prevailed.

On motion of Mr. DuPont to defer **SB 203** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

NAYS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

So the question was decided in the negative and the motion was lost.

On motion of Mr. Cook **SB 203** with title as follows taken up for consideration and read a second time by title in order to pass the Senate:

SB 203—"An Act to Appropriate Funds to the State Highway Department".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—11.

NAYS—Messrs. DuPont, Isaacs, (Mrs.) Manning, Simpson, Wilgus—5.

NOT VOTING—Mr. Bookhammer—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

A messenger from the Governor delivered the following four messages of nominations to the Senate.

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

July 16, 1963

To the Senate of the 122nd General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

F. Earl McGinnes, Jr., 106 Laurel Lane, Wilmington, Delaware—to be Budget Director, effective September 1, 1963, to serve during the pleasure of the Governor (Vacancy).

Respectfully submitted,
ELBERT N. CARVEL
Governor

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

July 16, 1963

To the Senate of the 122nd General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

W. Marion Stevenson, Frederica, Delaware—to be a Judge of the Family Court for Kent and Sussex Counties for a term of 12 years, to expire July 2, 1975. Reappointment.

Respectfully submitted,
ELBERT N. CARVEL
Governor

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

July 16, 1963

To the Senate of the 122nd General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Herbert L. Cobin, 902 West 22nd Street, Wilmington, Delaware—to be a Judge of the Family Court for New Castle

County for a term of 12 years from date of confirmation by the Senate (Vacancy).

Respectfully submitted,
ELBERT N. CARVEL
Governor

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

July 16, 1963

To the Senate of the 122nd General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Harry Bonk, Rehoboth, Delaware—to be a member of the State Highway Department for a term of 3 years from June 5, 1963. (Reappointed).

William J. Hopkins, Jr., Laurel, Delaware, to be a member of the State Highway Department for a term of 3 years from June 5, 1963. (Reappointed).

Respectfully submitted,
ELBERT N. CARVEL
Governor

The Governor's messages were referred to the Executive Committee.

Pres. Pro Tem Steen introduced the following bill which upon further motion was adopted by voice vote: **SS 1 for SB 198**—"An Act to Amend Section 2733, Title 21, Delaware Code, Entitled Discretionary Suspension or Revocation of License".

Pres. Pro Tem Steen moved to strike **SB 198** from Calendar. Motion prevailed.

Pres. Pro Tem Steen, under suspension of Rule 9, moved to consider **SS 1 for SB 198**. Motion prevailed.

On motion of Pres. Pro Tem Steen **SS 1 for SB 198** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SS 1 to SB 198—"An Act to Amend Section 2733, Title 21, Delaware Code, Entitled Discretionary Suspension or Revocation of License".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The following legislation was introduced, given first reading and acted upon as follows:

SB 204—"An Act Making a Supplementary Appropriation to the State Highway Department for the Construction of the Interstate and Defense Highway System", by Mmes. Lord, (Mr.) Isaacs, and Manning.

Under suspension of Rule 9 previously by Mr. Cook, Mrs. Lord moved that **SB 204** with title as follows be taken up for consideration and read a second time by title in order to pass the Senate:

SB 204—"An Act Making a Supplementary Appropriation to the State Highway Department for the Construction of the Interstate and Defense Highway System".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

NAYS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

So the question was decided in the negative and the bill was lost.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 4:43 P.M.

The Senate met at the expiration of the recess at 4:55 P.M., Lt. Gov. Lamnot presiding.

The following legislation was introduced, given first reading and acted upon as follows:

SB 205—"An Act Making an Appropriation to the Delaware State Highway Department for Replacement of Vegetation on Public Lands, Build-Up of Barrier Dunes, Construction and Extension of Growing Systems and General Beach Erosion Control Purposes", by Messrs. Bookhammer and Wilgus.

Under suspension of Rule 9 previously by Mr. Cook, Mr. Bookhammer moved that **SB 205** with title as follows be taken up for consideration and read a second time by title in order to pass the Senate:

SB 205—"An Act Making an Appropriation to the Delaware State Highway Department for Replacement of Vege-

tation on Public Lands, Build-Up of Barrier Dunes, Construction and Extension of Growing Systems and General Beach Erosion Control Purposes".

On motion of Pres. Pro Tem Steen by roll call the bill was deferred.

On motion of Pres. Pro Tem Steen to defer **SB 205** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

So the question was decided in the affirmative and the motion having received the majority passed the Senate.

Messrs. Isaacs and Martin introduced the following resolution which was given a first reading and assigned to the Finance Committee: **SR 75**—"Relating to Compensation Rates for Officers of the Senate".

WHEREAS, one of the Attorneys for the Senate has resigned, and

WHEREAS, the full burden of the legal work including preparation of legislation, explanation of legislation and advising the members of the Senate is upon the remaining Senate Attorney.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that the remaining attorney shall receive compensation for each day that the Senate is in Session at the daily rate of \$125.00.

Mr. Isaacs introduced the following resolution which was given a first reading and assigned to the Revised Statutes Committee: **SR 76**—"Providing for the Appointment of Two Senate Attaches to Operate the Voice Reinforcement and Taping System".

WHEREAS, the Senate has had installed a Voice Reinforcement and Taping System to record the proceedings of the Senate.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that two Senate Attaches be appointed by the President Pro Tempore to operate and be responsible for the Voice Reinforcement and Taping System.

Mr. McCullough, Chairman of the Education Committee, reported **HB 368** with **HA 1** from committee as follows: 3 favorable, 2 on merits.

Mr. McCullough moved to suspend Rule 9 to act on **HB 368** with **HA 1**. Motion prevailed.

On motion of Mr. McCullough **HB 368** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 368 with **HA 1**—"An Act to Amend Chapter 345, Volume 52, Delaware Laws, Known as the School Building Program Act of 1960, to Authorize the Harrington Special School District to Expend Certain Funds Raised Pursuant to Said Act".

On motion of Mr. Hoey the bill was deferred.

On motion of Mr. Donovan the Senate adjourned at 5:19 P.M. to Wednesday, July 17, 1963, at 1:00 P.M.

68th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, July 17, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Dennis T. Walker: Stop us, O God for a minute of prayer.

Stop our anxious minds from wandering and our hearts from anything but to know Thy will.

We believe that Thou can tell us what to do and how to do it.

If we need to make up our minds, Thou who did make our minds can show us how to make them up.

If our minds need changing we know Thou art able to change minds as Thou also art able to change men.

Collect us from our scattered purposes, our mean ways, and grant that we may be servants of all people.

We pray in the name of Christ, our Servant Lord; Amen.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, DuPont, Johnson, (Mrs.) Lord, Price, Robbins, Pres. Pro Tem Steen—7.

Members Absent—Messrs. Bookhammer, Cook, Hoey, Isaacs, (Mrs.) Manning, Martin, McCullough, Simpson, Tull, Wilgus—10.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 3:43 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Cook, Donovan, DuPont, Hoyer, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—15.

Members Absent—Messrs. Bookhammer, Wilgus—2.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The following communication from the Governor was read.

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

July 17, 1963

To the Members of the 122nd General Assembly
of the State of Delaware:

The legislative impasse on a Highway Bond Bill is of such serious consequence to our State that I feel impelled to make still another urgent appeal to the members of the General Assembly in this connection.

With all of the earnestness at my command, I urge each member of the General Assembly to lay aside today all unrelated measures, objectives and considerations and to enact a suitable Highway Bond Bill without further delay. I urge each member of the General Assembly to consider and vote upon a Highway Bond Bill upon its own merits alone, without regard for any partisan considerations.

The welfare of our people in all parts of the State requires nothing less than this. Our road building programs throughout the State are, or soon will be, at a standstill. There has been a stoppage of the construction of the Freeway in Wilmington, the completion of which is so essential to the future of the people in the northern part of our State. The economy of our State, including jobs and contracts, is being, and will be, seriously and adversely affected. Federal aid matching funds are becoming unavailable to us. The State Highway Department stands in danger of permanently losing trained and experienced staff personnel which has been built up over a long period of time.

The result of this impasse is that Delaware and its people are suffering, and will continue to suffer, irreparable harm and damage unless appropriate action is taken by the Legislature at this time. Therefore, I appeal to the members of the General Assembly, in the names of all our citizens — Democrats and Republicans alike — to enact a Highway Bond Bill now, without any further delay. Failure

to do so at this time will constitute a most grievous failure of obligation to the people of our State, for which an accounting by those responsible will most certainly be due.

Respectfully submitted,
ELBERT N. CARVEL
Governor

The following legislation was introduced given first reading and acted upon as follows:

SB 206—"An Act Making a Supplementary Appropriation to the State Highway Department", by Messrs. Cook, Pres. Pro Tem Steen and Johnson.

Mr. Cook moved to suspend Rule 9 to act on **SB 206**. Motion prevailed.

On motion of Mr. DuPont the Senate recessed upon call of the Chair at 3:50 P.M.

The Senate met at the expiration of the recess at 4:00 P.M., Lt. Gov. Lammot presiding:

Mr. Cook requested the roll call on **HB 290**.

Mr. Donovan moved to have a new roll call. Motion prevailed.

Mr. Bookhammer asked to be marked present.

On motion of Mr. Cook **SB 206** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 206—"An Act Making a Supplementary Appropriation to the State Highway Department".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Mrs. Manning, Mr. Wilgus—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Donovan **HB 290** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 290—"An Act Relating to the Issuance of Bonds and Notes of the State".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Mrs. Manning, Mr. Wilgus—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

The House informed the Senate that it had passed **HB 328** with **HA 1** and **HCR 18** and desired the concurrence of the Senate.

On motion of Mr. Hoey **HB 53** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 53 with **HA 1**—"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".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Cook, Wilgus—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Hoey **HB 80** with **HA 1** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Hoey the bill was deferred.

On motion of Mr. Hoey **HB 84** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 84 with **HA 1**—"An Act Appropriating Certain Monies to the Delaware State Fair, Inc., for Prizes".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Wilgus—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Hr. Hoey **HB 85** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 85—"An Act to Aid Homes for the Aged by Appropriating Money to Palmer Home, Incorporated and Layton Home for Aged Colored Persons".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Wilgus—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Hoey introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 77**—"Relating to Amount Due Boulevard Electric Sales and Services, Inc. for Expenses Incurred by the 122nd General Assembly".

The following legislation was introduced given first reading and acted upon as follows:

SB 207—"An Act Making a Supplementary Appropriation to New Castle Historic Building Commission", by Mr. McCullough.

Mr. McCullough moved to suspend Rule 9 to act on **SB 207**. Motion prevailed.

Mr. Isaacs moved to defer **SB 207**. Motion prevailed.

Mr. Cook, Chairman of the Revised Statutes Committee, reported the following bills from committee: **HB 18**, 3 favorable, 1 on merits; **HB 286** with **HA 1**, 3 on merits, 1 unfavorable.

The Chair presented the following House Bill, which was given first and second reading and referred to Committee as follows:

HB 328 with **HA 1** and **2**—"An Act to Amend Chapter 39, Title 7, Delaware Code, Relating to Soil Conservation

Districts by Repealing Said Chapter and Substituting a New Chapter 39 in Lieu Thereof"; to Revised Statutes.

Mr. Tull, Chairman of the Executive Committee, moved that the Senate convene in Executive Session. Motion prevailed and the Senate went into Executive Session at 4:45 P.M.

In the Executive Session, the Senate took the following action:

Elbert N. Carvel, Clayton Avenue, Laurel, Delaware, re-elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 29, 1969, was confirmed;

George Burton Pearson, Jr., 2427 Delaware Avenue, Wilmington, Delaware, re-elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 1, 1969, was confirmed;

J. Bruce Bredin, Greenville, Delaware, re-elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 1, 1969, was confirmed;

W. Marion Stevenson, Frederica, Delaware, to be a Judge of the Family Court for Kent and Sussex Counties for a term of 12 years, to expire July 2, 1975, was confirmed;

Herbert L. Cobin, 902 West 22nd Street, Wilmington, Delaware, to be a Judge of the Family Court for New Castle County for a term of 12 years from date of confirmation by the Senate, was not confirmed;

F. Earl McGinnes, Jr., 106 Laurel Lane, Wilmington 4, Delaware, to be Budget Director, effective September 1, 1963, to serve during the pleasure of the Governor, (vacancy), was confirmed.

The Senate met at the expiration of Executive Session at 5:08 P.M.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair.

The Senate met at the expiration of the recess at 5:30 P.M., Lt. Gov. Lammot presiding.

The Chair presented the following concurrent resolution: **HCR 18**—"Making Appropriations to Various Companies for Supplies and Services Rendered the 122nd General Assembly of the State of Delaware".

Mr. Cook requested 5 minutes to investigate **HCR 18**.

At 5:37 P.M., Mr. Donovan moved to adjourn to Thursday, July 18, 1963, at 1:00 P.M.

By request from the floor the motion to adjourn to Thursday, July 18, 1963, at 1:00 P.M. was taken up for consideration.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—None.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough—7.

ABSENT—Messrs. Cook, Donovan, Hoey, Johnson, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—10.

So the question was decided in the negative and the motion was lost.

The President declared a recess to call of the Chair.

The Senate met at the expiration of the recess at 5:47 P.M., Lt. Gov. Lammot presiding.

HCR 18 was adopted by voice vote and ordered returned to the House.

On motion of Mr. McCullough **SB 207** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 207—"An Act Making a Supplementary Appropriation to New Castle Historic Building Commission".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull—12.

NAYS—None.

ABSENT—Messrs. Donovan, Hoey, McCullough, Wilgus, Pres. Pro Tem Steen—5.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Bookhammer **SB 205** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 205—"An Act Making An Appropriation to the Delaware State Highway Department for Replacement of Vegetation on Public Lands, Build-Up of Barrier Dunes, Construction and Extension of Growing Systems and General Beach Erosion Control Purposes".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson.

NAYS—None.

NOT VOTING—Messrs. Cook, Johnson, Price, Tull.

ABSENT—Messrs. Donovan, Hoey, Martin, McCullough, Robbins, Wilgus, Pres. Pro Tem Steen.

On motion of Mr. Bookhammer the roll call was tabled.

On motion of Mr. Simpson the Senate adjourned to Thursday, July 18, 1963, at 1:00 P.M.

69th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, July 18, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker: Our Father, we are beginning to understand, at last, that the things that are wrong with our world are the sum total of all the things that are wrong with us as individuals. Thou hast made us after Thine image, and our hearts can find no rest until they find their rest in Thee.

We are too Christian really to enjoy sinning and too fond of sinning to enjoy Christianity. We know perfectly well what we ought to do; our trouble is that we do not want to do it. In Thy help is our only hope. Make us want to do the right and give us the power to do it.

In the name of Christ our Lord; Amen.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, DuPont, (Mrs.) Lord, (Mrs.) Manning, Price, Wilgus, Pres. Pro Tem Steen—7.

Members Absent—Messrs. Bookhammer, Cook, Hoey, Isaacs, Johnson, Martin, McCullough, Robbins, Simpson, Tull—10.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:00 P.M., Lt. Gov. Lamnot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Bookhammer, Hoey, Johnson—3.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The following Senators asked to be marked present: Messrs. Johnson, Bookhammer and Hoey.

The following legislation was introduced, given first reading and acted upon as follows:

SB 208—"An Act Making a Supplementary Appropriation to the State Highway Department to be Used for the Purchase of Land, Improvements, and Equipment for a State Police Barracks", by Mr. McCullough and Mrs. Manning.

Mr. McCullough asked to have Rule 9 suspended to act on **SB 208**. Motion prevailed.

On motion of Mr. McCullough **SB 208** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 208—"An Act Making a Supplementary Appropriation to the State Highway Department to be Used for the Purchase of Land, Improvements, and Equipment for a State Police Barracks".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Simpson, Tull, Wilgus—11.

NAYS—Messrs. Donovan, Hoey, Johnson, Robbins, Pres. Pro Tem Steen—5.

ABSENT—Mr. Martin—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

At 4:36 P.M., the Senate received the following message of nomination from the Governor which was referred to the Executive Committee.

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

July 18, 1963

To the Senate of the 122nd General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Everett Messick, Millsboro, Delaware—to be a member of the Department of Elections for Sussex County, effective June 30, 1963, for a term of 4 years to expire June 30, 1967, replacing Woodrow Steen.

Lewis Harrington, Milford, Delaware—to be a member of the Department of Elections for Sussex County, effective June 30, 1963, for a term of 4 years to expire June 30, 1967, replacing William B. Morgan.

Hayward R. Hearn, Seaford, Delaware—to be a member of the Department of Election for Sussex County, effective June 30, 1963, for a term of 4 years to expire June 30, 1967, (reappointment).

Norman Jester, Georgetown, Delaware, to be a member of the Department of Election for Sussex County, effective June 30, 1963, for a term of 4 years to expire June 30, 1967, (reappointment).

Archie B. Hudson, Selbyville, Delaware, to be a member of the Department of Election for Sussex County, effective June 30, 1963, for a term of 4 years to expire June 30, 1967, replacing Donald J. Hickman.

Respectfully submitted,
ELBERT N. CARVEL
Governor

The House informed the Senate that it had passed **HB 121** with **HA 1** and **HB 160** with **HA 1** and desired the concurrence of the Senate.

Mr. Cook, Chairman of the Revised Statutes Committee, reported the following bills from committee: **HB 228** with **HA 3**, 1 favorable, 4 on merits; **SB 42**, 2 favorable, 3 on merits.

Mr. Hoey introduced the following resolution which upon further motion by him for adoption was carried by roll call: **SR 78**—"Relating to Amount Due the Harrington Journal for Expenses Incurred by the 122nd General Assembly".

On motion of Mr. Hoey **SR 78** was taken up for consideration and read a second time by title in order to pass the Senate.

On the question "Shall the Resolution Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Johnson, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Mr. DuPont, Mrs. Manning—2.

NOT VOTING—Mrs. Lord—1.

So the question was decided in the affirmative and the resolution having received the required constitutional majority passed the Senate.

The following legislation was introduced, given first reading and acted upon as follows:

SB 209—"An Act to Amend Section 1521, Title 9, Delaware Code, with Regard to Powers of the Levy Court of New Castle County in Connection with Land Owned by the County", by Messrs. McCullough and DuPont; to Public Lands.

SB 210—"An Act to Amend Section 1521, Title 9, Delaware Code, Relating to Enumeration of Certain Specific Powers of the Levy Court of New Castle County", by Messrs. McCullough and DuPont; to Revised Statutes.

SB 211—"An Act to Amend Chapter 59, Title 11, Delaware Code, Relating to the Jurisdiction of the Justice of the Peace", by Messrs. McCullough and DuPont; to Judiciary.

Mr. Robbins asked that **HB 94** receive final action by the Senate.

Mr. Donovan presented **SA 1** to **HB 94** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Robbins **HB 94** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 94 with **SA 1**—"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".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Hoey, Isaacs, Johnson, Martin, Robbins, Simpson, Tull, Wilgus.

NAYS—Messrs. Bookhammer, DuPont, (Mrs.) Lord, (Mrs.) Manning, Price.

ABSENT—Messrs. Cook, McCullough, Pres. Pro Tem Steen.

On motion of Mr. Robbins the roll call was tabled.

On motion of Mr. Robbins **SB 139** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 139—"An Act to Amend Title 29, Section 6913, Delaware Code, Relating to the Determination of Prevailing

Wage Rates in Public Construction Contracts and Providing for the Enforcement Thereof".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus—13.

NAYS—None.

ABSENT—Messrs. Cook, Hoey, McCullough, Pres. Pro Tem Steen.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. DuPont **SB 49** with **SA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 49 with **SA 2**—"An Act to Amend Section 1118, Title 30, Delaware Code, Relating to Deductions from State Income Tax".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus—13.

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Hoey, McCullough, Pres. Pro Tem Steen—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. Robbins moved to lift roll call on **SB 141** with **SA 1** from table.

At 5:20 P.M., Mr. Robbins moved to recess "for a short while".

The Senate met at the expiration of the recess at 5:50 P.M., Lt. Gov. Lammot presiding.

Mr. Robbins moved to have a new roll call on **SB 141** with **SA 1**. Motion prevailed.

On motion of Mr. Simpson **SA 2** to **SB 141** was taken up for consideration.

On the question "Shall the Amendment be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, (Mrs.) Manning, Price, Simpson—5.

NAYS—Messrs. Isaacs, Martin, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—6.

NOT VOTING—Messrs. Cook, Donovan, Hoey, (Mrs.) Lord—4.

ABSENT—Messrs. Johnson, McCullough—2.

So the question was decided in the negative and the Senate Amendment was lost.

On motion of Mr. Robbins **SB 141** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 141 with **SA 1**—"An Act to Amend Chapter 331, Volume 53, Laws of Delaware, Relating to the Enlargement and Improvement of the System of Free Public Schools of Delaware and the Financing of the Same by the Issuance of Bonds of the State and of Certain Districts, by Providing that Certain Schools Districts be Included and Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—17.

NAYS—None.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Committee reports submitted were as follows:

HB 349—Corporations—Municipal, 4 on merits, by Mr. Price; **HB 347**—Corporations—Municipal, 4 on merits, by Mr. Price; **HB 328** with **HA 1** and **2**—Revised Statutes, 4 on merits, by Mr. Cook.

The following legislation was introduced, given first reading and acted upon as follows:

SB 212—"An Act Making a Supplementary Appropriation to the Rose Hill - Minquadale No. 47 School District", by Mr. McCullough; to Education.

On motion of Mr. Donovan the Senate adjourned at 6:02 P.M. to Monday, July 22, 1963, at 1:00 P.M.

70th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, July 22, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, DuPont, Hoey, (Mrs.) Lord, Wilgus, Pres. Pro Tem Steen—6.

Members Absent—Messrs. Bookhammer, Cook, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull—11.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:28 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

Members Absent—Messrs. Isaacs, Martin, Price, Simpson—4.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

Mr. Martin asked to be marked present.

Pres. Pro Tem Steen introduced the following resolution which upon further motion by him was adopted by voice vote: **SCR 30**—"Providing for Temporary Adjournment of the Senate and the House of Representatives 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 at the close of business on the 70th Legislative Day, both the Senate and the House shall adjourn, provided, however, that the Senate may be convened at any time upon the call of the President Pro Tempore 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 Tempore and the Speaker of the House.

Mr. Martin introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 79**—"A Resolution Requesting that the Governor of This State, Elbert N. Carvel, United States Senators John J. Williams and J. Caleb Boggs and Congressman Harris B. McDowell, Jr. Investigate the Transfer by the Pennsylvania Railroad Company of Work from the Wilmington Shops to Other Areas".

WHEREAS, the people of the State have been concerned by the transfer of work by the Pennsylvania Railroad from the Wilmington shops to other areas in the past; and

WHEREAS, the Pennsylvania Railroad Company has given assurances in the past that the transfer of work from the Wilmington shops would not be continued to the point where employment in these shops would be drastically reduced; and

WHEREAS, it presently appears that the Pennsylvania Railroad Company is engaged in the process of piecemeal transfer of work from the Wilmington shops to other areas which if continued will result in the gradual decrease of employment in these shops and their ultimate closing to the great detriment not only of the workers employed in these shops but to the economy of the City of Wilmington, New Castle County, and the State of Delaware; and

WHEREAS, the Senate desires to be fully appraised as to the future operation of the Wilmington shops by the Pennsylvania Railroad and that every possible means be employed to prevent the closing of these shops.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE and Governor Elbert N. Carvel, Senators John J. Williams and J. Caleb Boggs, and Congressman Harris B. McDowell, Jr. be requested to investigate the threatened closing of the Wilmington shops by the Pennsylvania Railroad; to take all possible action to prevent the closing of these shops; to secure the employment of the workers concerned; and thereby, to safeguard the City of Wilmington, New Castle County, and the State of Delaware from the economic consequences which would result from the abandonment of these shops from the Pennsylvania Railroad Company.

The House informed the Senate that it had passed **HB 199** with **HA 2**, **HB 314**, **HB 223**, **HB 107**, **HB 387** and **HB 15** and desired the concurrence of the Senate, and that it had passed **SB 28**, **SB 196** and **SJR 29** and was returning same to the Senate.

The following legislation was introduced, given first reading and acted upon as follows:

SB 213—"An Act to Amend Section 2733, Title 21, Delaware Code, Entitled Discretionary Suspension or Revocation of License", by Pres. Pro Tem Steen.

Pres. Pro Tem Steen moved to suspend rules to act on **SB 213**. Motion carried.

Mr. McCullough asked to be marked present.

On motion of Pres. Pro Tem Steen **SB 213** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 213—"An Act to Amend Section 2733, Title 21, Delaware Code, Entitled Discretionary Suspension or Revocation of License".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Robbins, Tull, Pres. Pro Tem Steen—9.

NAYS—Messrs. Bookhammer, DuPont, (Mrs.) Lord—3.

NOT VOTING—Mr. Wilgus—1.

ABSENT—Messrs. Isaacs, (Mrs.) Manning, Price, Simpson—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. Martin, Chairman of the Labor Committee, reported **SB 110** from committee as follows: 1 favorable, 3 on merits.

Mr. Cook, Chairman of the Revised Statutes Committee, reported that **HB 318** had been reported on by the Revised Statutes Committee, but had originally been assigned to the Judiciary Committee. So the Chair re-assigned **HB 318** to the Revised Statutes Committee and the committee report prevailed.

The Chair presented the following House Bills, which were given first and second reading and referred to Committees as follows:

HB 387—"An Act to Amend an Act Entitled 'An Act Changing the Corporate Name of 'The Commissioners of Wyoming' to 'The Town of Wyoming' and Establishing a Charter Therefor,' Being Chapter 189, Volume 43, Laws of Delaware, by Authorizing the Town Council to Extend the Boundaries of Said Town After a Special Election of the Qualified Voters and Real Estate Owners of the Territory Proposed to be Annexed"; to Revised Statutes.

HB 334—"An Act to Appropriate \$6,580 to the State Board of Education for the Use of the Greenwood Consolidated School District to Equip an Agriculture Shop"; to Finance.

HB 314—"An Act to Make Real Property Held by the Levy Court of New Castle County Within the New Castle Special School District from Which Revenue is Derived Subject to the School Taxes Imposed by Said School District, and Providing for the Assessment of Such Property"; to Revised Statutes.

HB 223—"An Act Increasing the Membership of the State Board of Trustees of the Delaware State Hospital at Farnhurst"; to Revised Statutes.

HB 107—"An Act to Amend Title 29, Delaware Code, Relating to the Limitation on Cost of Automobiles for State Use"; to Revised Statutes.

HB 199—"An Act to Amend Chapter 21, Title 19, Delaware Code, Relating to Compensation of the Members of the Industrial Accident Board"; to Labor.

HB 15—"An Act to Amend Chapter 3, Title 30, Delaware Code, Relating to the State Tax Board"; to Revised Statutes.

On motion of Pres. Pro Tem Steen **SB 118** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 118—"An Act to Adopt on Behalf of the State of Delaware, the Vehicle Equipment Safety Compact and to Provide for the Adoption by the State Highway Department of Motor Vehicle Equipment, Rules, Regulations and Codes to Supersede Existing Law".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. DuPont, Johnson, (Mrs.) Lord, Martin, Wilgus, Pres. Pro Tem Steen—6.

NAYS—Mr. Cook—1.

NOT VOTING—Messrs. Bookhammer, Donovan, Hoey, Robbins, Tull—5.

ABSENT—Messrs. Isaacs, (Mrs.) Manning, McCullough, Price, Simpson—5.

So the question was decided in the negative and the bill was lost.

On motion of Pres. Pro Tem Steen **SB 119** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 119—"An Act to Adopt on Behalf of the State of Delaware, the Driver License Compact".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, DuPont, Johnson, (Mrs.) Lord, Martin, Tull, Pres. Pro Tem Steen—7.

NAYS—None.

NOT VOTING—Messrs. Bookhammer, Donovan, Hoey, McCullough, Robbins, Wilgus—6.

ABSENT—Messrs. Isaacs, (Mrs.) Manning, Price, Simpson—4.

So the question was decided in the negative and the bill was lost.

Pres. Pro Tem Steen moved to restore **SB 118** and **SB 119** to Calendar. Motion prevailed.

Mr. Cook, Chairman of the Revised Statutes Committee, reported **HB 387** from committee as follows: 5 favorable.

Mr. Cook moved to suspend Rule 9 to act on **HB 387**. Motion prevailed.

On motion of Mr. Cook **HB 387** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 387—"An Act to Amend an Act Entitled 'An Act Changing the Corporate Name of 'The Commissioners of Wyoming' to 'The Town of Wyoming' and Establishing a Charter Therefor,' Being Chapter 189, Volume 43, Laws of Delaware, by Authorizing the Town Council to Extend the Boundaries of Said Town After a Special Election of the Qualified Voters and Real Estate Owners of the Territory Proposed to Be Annexed".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Johnson, (Mrs.) Lord, Martin, McCullough, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Isaacs, (Mrs.) Manning, Price, Simpson—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Hoey introduced **SA 1** to **HB 311** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Donovan **HB 181** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 181—"An Act to Amend Chapter 21, Title 23, Delaware Code, by Giving the Commission of Shell Fisheries Added Power to Make Rules Regarding Proof of Ownership of Motorboats".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, Martin, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—11.

NAYS—None.

ABSENT—Messrs. Cook, Isaacs, (Mrs.) Manning, McCullough, Price, Simpson—6.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Hoey **HB 275** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 275—"An Act Making a Supplementary Appropriation to the Public Archives Commission for the Fiscal Year Ending June 30, 1964 to be Used for Preservation of the Sign of the Buck Building".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, Martin, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—11.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cook, Isaacs, (Mrs.) Manning, Price, Simpson—5.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 5:15 P.M.

The Senate met at the expiration of the recess at 7:15 P.M., Lt. Gov. Lamnot presiding.

Mr. Robbins introduced the following resolution which upon further motion my him was adopted by voice vote: **SR 80**—"Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

On motion of Mr. Hoey **HB 311** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 311 with **SA 1**—"An Act to Appropriate Funds to the Supreme Court of the State of Delaware for Office Expense".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, Martin, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—11.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cook, Isaacs, (Mrs.) Manning, Price, Simpson—5.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Pres. Pro Tem Steen withdrew his previous motion to restore to the Calendar Senate Bills 118 and 119.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 7:20 P.M.

The Senate met at the expiration of the recess at 1:55 P.M., September 9, 1963, Lt. Gov. Lamnot presiding.

The Chair presented to the Senate the following two messages from the Governor relative to nominations:

**GOVERNOR'S MESSAGE
EXECUTIVE DEPARTMENT
STATE OF DELAWARE**

September 9, 1963

To the Senate of the 122nd General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Brig. General George J. Schulz, Hartly, Delaware—to be a member of the Delaware Alcoholic Beverage Control Commission for a term to expire May 15, 1968 (Reappointment).

John G. Tarburton, N. Little Road, Dover, Delaware—to be a member of the State Board of Agriculture for a term to expire March 1, 1966 (Reappointment).

Respectfully submitted,

ELBERT N. CARVEL

Governor

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

September 9, 1963

To the Senate of the 122nd General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Joseph P. Hurley, 1901 Van Buren Street, Wilmington 3, Delaware—to be a Judge of the Family Court of the State of Delaware in and for New Castle County, for a term of 12 years from date of confirmation, replacing Francis A. Reardon;

Herbert L. Cobin, 902 West 22nd Street, Wilmington, Delaware—to be a Judge of the Family Court of the State of Delaware in and for New Castle County, for a term of 12 years from date of confirmation, to fill existing vacancy.

Respectfully submitted,

ELBERT N. CARVEL

Governor

On motion of Mr. Donovan the Senate adjourned at 1:57 P.M. to September 9, 1963.

71st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:00 P.M. on Monday, September 9, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

Members Absent—Messrs. DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning—4.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The following Senators asked to be marked present: Mr. DuPont and Mrs. Manning.

Mr. Cook moved to restore **SB 118** to Calendar. Motion prevailed.

Pres. Pro Tem Steen moved to suspend all rules in order to restore **SB 119** to Calendar. Motion prevailed.

Pres. Pro Tem Steen moved to restore **SB 119** to Calendar. Motion prevailed.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 2:10 P.M.

The Senate met at the expiration of the recess at 2:45 P.M., Lt. Gov. Lammot presiding.

Mr. Donovan, Chairman of the Miscellaneous Committee, reported on **HB 184** as follows: 3 on merits.

Mr. Johnson asked to be marked present.

On motion of Mr. Donovan **HCR 20** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HCR 20—"That the Two Houses Meet in Joint Session to Hear Facts Concerning the Highway Bond Bill".

On the question "Shall the Resolution Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mrs. Lord—1.

So the question was decided in the affirmative and the resolution having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Steen, Chairman of the Buildings and Highways Committee, reported on **SB 165** as follows: 4 favorable, 1 on merits.

Mr. Martin introduced the following bill which was given first reading and assigned to the Labor Committee: **SB 214**—"An Act to Amend Title 19, Delaware Code, Relating to Labor and Providing for the Registration of Crew Leaders of Migrant Agricultural Workers; Definitions; Certificate of Registration Required; Issuance of Certificate of Registration, Denial, Revocation or Suspension Thereof; Duties of Delaware State Employment Service; Agreements with Federal Agencies and Agencies of Other States; Employment of Unregistered Crew Leaders; Benefits and Violations".

At 2:50 P.M., Mr. Donovan moved to recess till 2:55 P.M. to re-convene in body in Joint Session with the House

in the House Chambers according to **HCR 20**. Motion prevailed.

At 3:00 P.M., the Senate convened with the House in the House Chambers.

The Senate came to order in the Senate Chambers at 4:45 P.M., Lt. Gov. Lammot presiding.

The following legislation was introduced, given first reading and acted upon as follows:

SB 215—"An Act to Amend Chapter 177, Volume 36, Laws of Delaware, and Chapter 203, Volume 25, Laws of Delaware, by Revising and Amending the Duties of the Town Alderman of 'The Commissioners of Millsboro' and Eliminating the Town Constable as such, and Creating a Police Department", by Pres. Pro Tem Steen; to Corporations—Municipal.

SB 216—"An Act to Amend Chapter 152, Volume 48, Laws of Delaware, Entitled 'An Act Changing the Name of the Town of Newark to the City of Newark and Establishing a Charter Therefore' Relating to the Power of the City of Newark to Raise Revenue", by Mrs. Manning and Mr. McCullough; to Corporations—Municipal.

SB 217—"An Act to Amend Chapter 108, Volume 47, Laws of Delaware, Entitled 'An Act Extending the Corporate Limits of the Town of Camden', by Adding a New Area Thereto", by Mr. Simpson; to Corporations—Municipal.

Mr. Price, Chairman of the Corporations—Municipal Committee, reported the following bills from committee: **SB 215**, 3 favorable, 1 on merits; **SB 216**, 3 favorable, 1 on merits; and **SB 217**, 3 favorable, 1 on merits.

In the interim between July 22, 1963, and this date the Governor had addressed the following memorandums to the Senate.

MEMORANDUM NO. 17

July 19, 1963

TO: Secretary of the Senate
FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

July 18, 1963—**HB 46** with **HA 1**; **HB 108**; **HB 115**; **HB 125** with **HA 1**; **HB 148**; **HB 221**; **HB 268**; **HB 82** with **SA 1**; and **HB 84** with **HA 1**.

MEMORANDUM NO. 18

July 26, 1963

TO: Secretary of the Senate
FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

July 19, 1963—**SB 84** with **HA 1**; **SB 85**; and **SB 185**.

July 22, 1963—Governor vetoed **HB 194**.

July 25, 1963—**SB 113**; **SB 130**; **SB 106**; **SB 73**; **HB 290**, and **HB 85**.

MEMORANDUM NO. 19

August 7, 1963

TO: Secretary of the Senate

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

July 31, 1963—**HB 53** with **HA 1**.

August 6, 1963—**HB 275**; **HB 387**; **SB 202**; and **SB 206**.

June 27, 1963—**SB 131** — Constitutional Amendment, became law after passage of both Houses.

On motion of Mr. Donovan the Senate adjourned at 5:04 P.M., to Tuesday, September 10, 1963, at 1:00 P.M.

72nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Tuesday, September 10, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Manning, Price, Tull, Wilgus—9.

Members Absent—Messrs. Bookhammer, Isaacs, (Mrs.) Lord, Martin, McCullough, Robbins, Simpson, Pres. Pro Tem Steen—8.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

Mr. Cook remarked that the bill he was about to introduce was an exact duplicate of the House Road Construction Bond Bill.

Mr. Cook introduced the following bill which was given a first reading and assigned to the Buildings and Highways Committee: **SB 218**—"An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department".

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:45 P.M.

The Senate met at the expiration of the recess at 5:42 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Messrs. McCullough, Isaacs, Bookhammer, Simpson, and Pres. Pro Tem Steen.

A messenger from the Governor delivered the following message:

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

September 10, 1963

To the Senate of the 122nd General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Ralph D. Knotts, Sr., 171 N. duPont Highway, Dover, Delaware—to be a Justice of the Peace for the State of Delaware for a term of 4 years, to expire September 10, 1967 (reappointment).

Respectfully submitted,
ELBERT N. CARVEL
Governor

Mr. Johnson introduced the following resolution which upon further motion was adopted by voice vote: **SB 81**—“In Reference to Election of Officers”.

WHEREAS, Ellis Sartin, who was previously elected to the office of Mail Clerk, has now submitted his resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Ellis Sartin be and he is hereby discharged from the office of Mail Clerk;

BE IT FURTHER RESOLVED that Gilbert Moore be and he is hereby elected to the office of Mail Clerk, to serve during the pleasure of the Senate.

Mr. Bookhammer and all Republican Senators introduced the following resolution which upon further motion was adopted by voice vote: **SR 82**—“Extending to J. Donald Isaacs, Senator, Congratulations Upon the Birth of his Third Child”.

WHEREAS, the members of the Senate have learned of the birth of Melissa Isaacs, third child of Senator J. Donald Isaacs;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that congratulations be and are hereby extended to J. Donald Isaacs, Senator, and his wife, Claudia, upon the birth of their third child;

BE IT FURTHER RESOLVED that a copy of this resolution be entered on the Journal of the Senate and a copy delivered to Senator and Mrs. Isaacs.

Mr. Bookhammer and all Republican Senators introduced the following resolution which upon further motion was adopted by voice vote: **SR 83**—"Extending to Senator Evelyn M. Lord Congratulations Upon the Birth of her Fifth Child".

WHEREAS, the members of the Senate have learned of the birth of William Kenneth Lord, fifth child of Mr. Samuel Lord and his wife, Senator Evelyn M. Lord; and

WHEREAS, upon information and belief this is the first time in the history of our great State that a member of the General Assembly has given birth to a child while in office;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that congratulations be and are hereby extended to Evelyn M. Lord, Senator, and her husband Samuel Lord, upon the birth of their fifth child;

BE IT FURTHER RESOLVED that a copy of this resolution be entered on the Journal of the Senate and a copy delivered to Senator and Mr. Lord.

Messrs. Hoey and Pres. Pro Tem Steen introduced the following bill which was given a first reading and assigned to the Finance Committee: **SB 219**—"An Act to Amend Chapter 3, Title 3, Delaware Code, Relating to Bureau of Markets by Providing for Tenure for Certain Employees".

Mr. Martin asked to be marked present.

On motion of Mrs. Manning **SB 216** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 216—"An Act to Amend Chapter 152, Volume 48, Laws of Delaware, Entitled 'An Act Changing the Name of the Town of Newark to the City of Newark and Establishing a Charter Therefore' Relating to the Power of the City of Newark to Raise Revenue".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Mrs. Lord, Mr. Robbins—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Pres. Pro Tem Steen **SB 215** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 215—"An Act to Amend Chapter 177, Volume 36, Laws of Delaware, and Chapter 203, Volume 25, Laws of Delaware, by Revising and Amending the Duties of the Town Alderman of 'The Commissioners of Millsboro' and Eliminating the Town Constable as such, and Creating a Police Department".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Mrs. Lord, Mr. Robbins—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Simpson **SB 217** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 217—"An Act to Amend Chapter 108, Volume 47, Laws of Delaware, Entitled 'An Act Extending the Corporate Limits of the Town of Camden', by Adding a New Area Thereto".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Mrs. Lord, Mr. Robbins—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Donovan **HB 184** with **HA 2**, **HA 4**, and **HA 6** was taken up for consideration.

On motion of Pres. Pro Tem Steen the bill was deferred till September 11, 1963.

Mr. Steen, Chairman of the Buildings and Highways Committee, reported on **SB 218** as follows: 4 favorable, 1 on merits.

Pres. Pro Tem Steen introduced the following bill which was given a first reading and assigned to the Miscellaneous Committee: **SB 220**—"An Act to Amend Section 2804, Title 31, Delaware Code, Relating to Fees for Attending Meetings".

The House informed the Senate that it had passed **HB 353**, **HB 316**, **HB 375**, **HB 167**, **HS 1** for **HB 179**, **HB 357**, **HB 396**, **HB 121** and **HB 160** and desired the concurrence of the Senate and that it had passed **SB 190** and was returning same to the Senate.

Mr. Cook introduced the following bill which was given a first reading and assigned to the Buildings and Highways Committee: **SB 221**—"An Act to Adopt on Behalf of the State of Delaware, the Vehicle Equipment Safety Compact and Providing for its Effectuation in This State".

On motion of Mr. Price **HB 349** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 349—"An Act to Amend Chapter 222, Volume 49, Laws of Delaware by Changing the Amount of the Floating Debt of the City of Harrington".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Mrs. Lord, Mr. Robbins—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Steen, Chairman of the Buildings and Highways Committee, reported on **SB 221** as follows: 5 favorable.

On motion of Mr. Hoey **HB 322** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 322—"An Act to Amend Chapter 31, Volume 54, Laws of Delaware, Entitled 'An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1964 and Making a Supplemental Appropriation in the Amount of \$600.00 for the Proposed Amendment'."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Mrs. Lord, Mr. Robbins—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Cook **HB 318** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 318—"An Act to Amend Chapter 3, Title 11, Delaware Code by Excluding from the Operation of Sections 661 through 664 Thereof any Plan Which Does Not Require Payment of Money or Something of Actual Pecuniary Value for the Opportunity to Win a Prize".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, DuPont—2.

NAYS—Messrs. Bookhammer, Donovan, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NOT VOTING—Mr. McCullough—1.

ABSENT—Mrs. Lord, Mr. Robbins—2.

So the question was decided in the negative and the bill was lost.

On motion of Mr. Hoey **HB 334** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 334—"An Act to Appropriate \$6,580 to the State Board of Education for the Use of the Greenwood Consolidated School District to Equip an Agriculture Shop".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Mrs. Lord, Mr. Robbins—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Hoey **HS 1** for **HB 207** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for **HB 207**—"An Act Appropriating Money to the Delaware Safety Council, Inc.".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Mr. Donovan—1.

ABSENT—Mrs. Lord, Mr. Robbins—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Price **HB 347** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 347—"An Act to Amend Chapter 166, Volume 43, Laws of Delaware, as Amended, Entitled 'An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown by Fixing the Time for Opening and Closing the Polls if There is No Contest for Any Office'."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Mr. Hoey—1.

ABSENT—Mrs. Lord, Mr. Robbins—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

The Chair presented the following House Bills, which were given first and second reading and referred to Committees as follows:

HB 353—"An Act Making a Supplemental Appropriation for the Surplus Food for Needy Families Program"; to Finance.

HB 316—"An Act to Amend Title 12, Chapter 43, Delaware Code, Relating to Transfers of Securities to or by Fiduciaries"; to Corporations—Private.

HB 375—"An Act to Amend Chapter 1, Title 8, of the Delaware Code, Relating to Corporations"; to Corporations—Private.

HB 357—"An Act to Amend Chapter 31, Volume 54, Laws of Delaware, Entitled 'An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1964', and Making a Supplemental Appropriation in the Amount of \$150,000 for the Proposed Amendments"; to Finance.

HB 396—"An Act to Make a Supplemental Appropriation to the Supreme Court of the State of Delaware for the Fiscal Year Ending June 30, 1964 in the Amount of \$10,650.00"; to Finance.

HB 167—"An Act to Amend Chapter 17, Title 16, Delaware Code, to Regulate the Burning of Refuse and Garbage in Certain Residential Areas"; to Public Health.

HS 1 for HB 179—"An Act to Amend Section 108, Title 15, Delaware Code, Relating to the Compensation of Members of the Departments of Elections and Making an Appropriation Therefor"; to Elections.

HB 121 with HA 1—"An Act Relating to the Collector of Delinquent County Taxes in New Castle County"; to Corporations—Municipal.

Mr. Cook moved to suspend Rule 9 to act on **HB 121 with HA 1**. Mr. McCullough moved for deferment of action on **HB 121 with HA 1**. Motion prevailed. The Chair then assigned **HB 121 with HA 1** to committee.

The Chair presented the following House Bill, which was given first and second reading and referred to committee as follows:

HB 160 with HA 1—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to Compensation of Members of the Public Service Commission"; to Revised Statutes.

Mr. Cook moved to suspend Rule 9 to act on **HB 160 with HA 1**. Mr. McCullough moved to adjourn to 1:00 P.M., Wednesday, September 11, 1963. Roll call was demanded by Mr. DuPont.

On motion of Mr. McCullough to adjourn to Wednesday, September 11, at 1:00 P.M., the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Hoey, Martin, McCullough, Tull, Pres. Pro Tem Steen—6.

NAYS—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Manning, Price, Wilgus—8.

NOT VOTING—Mr. Simpson—1.

ABSENT—Mrs. Lord, Mr. Robbins—2.

So the question was decided in the negative and the motion was lost.

The Chair then assigned **HB 160** with **HA 1** to committee.

On motion of Mr. Donovan the Senate adjourned at 6:35 P.M. to Wednesday, September 11, 1963, at 1:00 P.M.

73rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Wednesday, September 11, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Price, Tull, Pres. Pro Tem Steen—4.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Wilgus—13.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:48 P.M., Lt. Gov. Lamnot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Hoey, (Mrs.) Lord, Martin—3.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The Chair administered the "Oath of Employee" to Gilbert E. Moore as Mail Clerk.

The House informed the Senate that it had passed **HB 426** with **HA 2** and desired the concurrence of the Senate.

Mr. Price introduced the following bill which was given a first reading and assigned to the Finance Committee: **SB 222**—"An Act Making a Supplementary Appropriation to the Smyrna Special School District to be Used for a Central Administrative Office".

Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote: **SR 84**—"Making an Appropriation to Defray Expenses of Legislative Leaders at National Legislative Leaders Convention".

The House informed the Senate that it had passed **SB 208** and **SCR 27** and was returning same to the Senate and that it had passed **HJR 5** and desired the concurrence of the Senate.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HJR 5**. Motion prevailed.

The following Senators asked to be marked present: Messrs. Martin and Hoey.

On motion of Pres. Pro Tem Steen **HJR 5** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HJR 5—"Relating to the Return to the State of Fort Miles at Cape Henlopen".

On the question "Shall the Resolution Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Mmes. Lord, Manning—2.

So the question was decided in the affirmative and the resolution having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Donovan **HB 184** with **HA 2**, **HA 4** and **HA 6** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 184—"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 Licensing 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".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Mr. Donovan—1.

NOT VOTING—Mr. Robbins—1.

ABSENT—Mrs. Lord, Mr. Martin—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mrs. Manning introduced the following bill which was given a first reading and assigned to the Finance Committee: **SB 223**—"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 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 and Providing that Certain Revenues Shall be Applied to the Payment of the States Share of the Cost".

Pres. Pro Tem Steen moved to forbid the display of placards or other pressure devices in the Senate Chambers. Mr. McCullough seconded. Motion prevailed.

On motion of Mr. Cook **SB 221** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 221—"An Act to Adopt on Behalf of the State of Delaware, the Vehicle Equipment Safety Compact and Providing for its Effectuation in this State".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Johnson, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—11.

NAYS—Messrs. Donovan, Hoey, Isaacs, McCullough, Wilgus—5.

ABSENT—Mrs. Lord—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **SB 224** and **SB 225**. Motion prevailed.

On motion of Pres. Pro Tem Steen **SB 224** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 224—"An Act Relating to the Improvement of the Indian River Bay Channel via Pepper's Creek in Sussex County".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

NOT VOTING—Mrs. Manning—1.

ABSENT—Mr. Cook, Mrs. Lord—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Pres. Pro Tem Steen **SB 225** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 225—"An Act to Amend Chapter 57, Title 7, Delaware Code, Relating to Disaster Relief and Assistance by Extending its Coverage to Include Regular Federal Aid Projects".

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

NOT VOTING—Mrs. Manning—1.

ABSENT—Mr. Cook, Mrs. Lord—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Committee reports submitted were as follows:

SB 219—Finance, 2 favorable, 3 on merits, by Mr. Hoey; **HB 357**—Finance, 2 favorable, 3 on merits, by Mr. Hoey; **HS 1** for **HB 179**—Elections, 2 favorable, 2 on merits, 1 unfavorable, by Mr. Johnson.

The following legislation was introduced, given first reading and acted upon as follows:

SB 226—"An Act to Amend Section 8323, Title 11, Delaware Code, Relating to Pensions for State Police", by Mr. McCullough; to Revised Statutes.

SB 227—"An Act to Amend Section 2912, Title 7, Delaware Code, by Limiting the Right of the State Forestry Department to Acquire Lands", by Pres. Pro Tem Steen; to Revised Statutes.

SB 228—"An Act to Amend Section 108, Title 7, Delaware Code, by Limiting the Right of the Board of Game and Fish Commissioners to Acquire Lands", by Pres. Pro Tem Steen; to Fish, Oyster and Game.

On motion of Mr. Donovan the Senate adjourned at 6:18 P.M. to Thursday, September 12, 1963, at 1:00 P.M.

74th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Thursday, September 12, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, Hoey, Price, Tull, Wilgus—6.

Members Absent—Messrs. Bookhammer, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Pres. Pro Tem Steen—11.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 5:47 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

Members Absent—Messrs. DuPont, McCullough—2.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much

be considered the reading of the Journal and the Journal be approved as read.

Mrs. Manning presented **SA 1** to **HB 426** and asked that it be placed with the bill.

The Chair presented the following House Bill, which was given first and second reading and referred to Committee as follows:

HB 426—"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"; to Finance.

Mr. McCullough asked to be marked present.

On motion of Pres. Pro Tem Steen **HCR 21** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HCR 21—"An Act Making an Appropriation to the National Conference of State Legislative Leaders as Registration and Membership Fees for the Year 1963".

On the question "Shall the Resolution Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. DuPont—1.

So the question was decided in the affirmative and the resolution having received the required constitutional majority passed the Senate and was ordered to the House.

The House informed the Senate that it had passed **HCR 22** and requested the concurrence of the Senate and that it had passed **SB 221**, **SB 224** and **SB 225** and was returning same to the Senate.

On motion of Mr. Hoey **HB 80** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 80 with **HA 1**—"An Act to Aid Veterans' Organizations and Their Services to Veterans by Making an Appropriation Therefor".

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. DuPont—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Pres. Pro Tem Steen introduced the following bill which was given a first reading and assigned to the Buildings and Highways Committee: **SB 229**—"An Act Authorizing the State of Delaware by its Proper Officials and the State Highway Department by its Proper Officials to Transfer Certain Lands in Georgetown, Delaware, to and for the Use of the Levy Court of Sussex County, Delaware".

On motion of Mr. Hoey and Pres. Pro Tem Steen **SB 219** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 219—"An Act to Amend Chapter 3, Title 3, Delaware Code, Relating to Bureau of Markets by Providing for Tenure for Certain Employees".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

NAYS—Messrs. Donovan, Simpson, Wilgus—3.

NOT VOTING—Messrs. Bookhammer, Isaacs, (Mrs.) Manning—3.

ABSENT—Mr. DuPont, Mrs. Lord—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. Hoey requested that **HB 357** be placed before the Senate for final action.

On motion of Mrs. Manning **SA 1** to **HB 357** was taken up for consideration in order to pass the Senate.

On the question "Shall the Amendment Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Isaacs, (Mrs.) Manning, Simpson—4.

NAYS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—11.

ABSENT—Mr. DuPont, Mrs. Lord—2.

So the question was decided in the negative and the amendment was lost.

On motion of Mrs. Manning to defer **HB 357** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Isaacs, (Mrs.) Manning, Simpson, Wilgus—5.

NAYS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

ABSENT—Mr. DuPont, Mrs. Lord—2.

So the question was decided in the negative and the motion was lost.

On motion of Mr. Hoey **HB 357** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 357—"An Act to Amend Chapter 31, Volume 54, Laws of Delaware, Entitled 'An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1964', and Making a Supplemental Appropriation in the Amount of \$150,000 for the Proposed Amendments".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Hoey, Johnson, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—10.

NAYS—Messrs. Donovan, Isaacs, (Mrs.) Manning—3.

NOT VOTING—Messrs. Bookhammer, Wilgus—2.

ABSENT—Mr. DuPont, Mrs. Lord—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Tull moved that **HB 318** be restored to the Calendar. Motion prevailed.

On motion of Mr. McCullough **HB 368** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 368 with **HA 1**—"An Act to Amend Chapter 345, Volume 52, Laws of Delaware, Known as the School Building Program Act of 1960, to Authorize the Harrington Special School District to Expend Certain Funds Raised Pursuant to Said Act".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen.

NAYS—Mr. Isaacs, Mrs. Manning.

NOT VOTING—Messrs. Simpson, Wilgus.

ABSENT—Mr. DuPont, Mrs. Lord.

On motion of Mr. McCullough the roll call was tabled. Committee reports submitted were as follows:

SB 229—Buildings and Highways, 4 favorable, 1 on merits, by Mr. Steen; **SB 222**—Finance, 2 favorable, 3 on merits, by Mr. Hoey; **HB 267**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 258**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 259**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 260**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 261**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 262**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 263**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 264**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 265**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 266**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 257**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook.

The following legislation was introduced, given first reading and acted upon as follows:

SB 230—"An Act to Amend Section 602, Title 14, Delaware Code, Relating to the Transfer of Pupils from One School District to Another", by Mr. Cook.

Mr. Cook moved to suspend Rule 9 to act on **SB 230**. Motion prevailed.

On motion of Mr. Cook **SB 230** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 230—"An Act to Amend Section 602, Title 14, Delaware Code, Relating to the Transfer of Pupils from One School District to Another".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, Isaacs, Johnson, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—Mr. Martin—1.

NOT VOTING—Messrs. Hoey, McCullough—2.

ABSENT—Mr. DuPont, Mrs. Lord—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. Robbins introduced the following resolution which was given a first reading: **SR 85**—"Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

On motion of Mr. Robbins **SR 85** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SR 85—"Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

On the question "Shall the Resolution Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull—10.

NAYS—Messrs. Bookhammer, Cook, Simpson, Wilgus, Pres. Pro Tem Steen—5.

ABSENT—Mr. DuPont, Mrs. Lord—2.

So the question was decided in the affirmative and the resolution having received the required constitutional majority passed the Senate.

Mr. Robbins introduced the following bill which was given a first reading and assigned to the Revised Statutes Committee: **SB 231**—"An Act to Amend Section 4504, Title 21, Delaware Code, Entitled 'Permits for Excessive Size and Weight'."

The House informed the Senate that it had passed **HB 292** and **HB 402** and requested concurrence of the Senate, and that it had passed **SB 90**, **SB 71** and **SB 143** and was returning same to the Senate.

Mr. Cook requested that **HB 228** be placed before the Senate for final action.

On motion of Mr. Cook **HB 228** was deferred.

The Chair presented the following House Bills, which were given first and second reading and referred to Committees as follows:

HB 402—"An Act to Further Amend Chapter 92, Volume 23, Laws of Delaware, as Amended, Being an Act Entitled 'An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington'," to Corporations—Municipal.

HB 292—"An Act to Provide for the Investment of Funds Belonging to Patients of Certain Mental Institutions and to Provide for the Use of the Income Therefrom by the Institution and to Provide for the Use of Certain Abandoned Funds", to Revised Statutes.

Committee reports submitted were as follows:

HB 160—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **HB 396**—Finance, 4 on merits, by Mr. Hoey.

On motion of Mr. Cook **HB 286** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 286 with **HA 1**—"An Act to Amend Section 702, Title 21, Delaware Code, by Adding a New Paragraph Thereto Pertaining to Enforcement of Speed Regulations by Use of Electronic Radar and the Proper Use of Same by State Police and Amending Chapter 83, Title 11, Delaware Code by Adding a New Paragraph Thereto Pertaining to State Police Patrol Cars and the Marking of Same".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Isaacs, Johnson, Martin, Robbins, Wilgus, Pres. Pro Tem Steen—9.

NAYS—Messrs. Bookhammer, (Mrs.) Manning, Price, Simpson, Tull—5.

ABSENT—Messrs. DuPont, (Mrs.) Lord, McCullough—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Cook **HCR 22** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HCR 22—"Relating to House Concurrent Resolution No. 5 Concerning the Joint Committee on Correctional Systems of the State of Delaware".

On the question "Shall the Resolution Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. DuPont, Mrs. Lord—2.

So the question was decided in the affirmative and the resolution having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 8:00 P.M. Thursday, September 12, 1963.

The Senate met at the expiration of the recess at 5:00 P.M., Monday, October 7, 1963, Lt. Gov. Lamnot presiding.

Mr. DuPont asked to be marked present.

The following legislation was introduced, given first reading and acted upon as follows:

SB 232—"An Act to Amend Section 131, Title 23, Delaware Code, Relating to Pilotage Rates", by Pres. Pro Tem Steen; to Revised Statutes.

SB 233—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Felton', being Chapter 208 of Volume 24, Laws of Delaware, by Providing for Zoning", by Messrs. Donovan and Robbins; to Corporations—Municipal.

SB 234—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Felton', being Chapter 208 of Volume 24, Laws of Delaware, by Increasing the Amount that can be Raised Each Year by Taxes", by Messrs. Donovan and Robbins; to Corporations—Municipal.

SB 235—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Felton', being Chapter 208 of Volume 24, Laws of Delaware, by Providing for Annexing Land", by Messrs. Donovan and Robbins; to Corporations—Municipal.

SB 236—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Felton', being Chapter 208 of Volume 24, Laws of Delaware, by Providing for a Change in Voting Hours and for Voting", by Messrs. Donovan and Robbins; to Corporations—Municipal.

SB 237—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Felton', being Chapter 208 of Volume 24, Laws of Delaware, by Providing for a Board of Health, Fire Regulations and Maintenance of Lots", by Messrs. Donovan and Robbins; to Corporations—Municipal.

The House informed the Senate that it had passed **HB 293**, **HB 416** and **HCR 19** and requested the concurrence of the Senate.

Mmes. Manning and Lord introduced the following bill which was given a first reading and referred to the Finance Committee: **SB 238**—"An Act to Appropriate Two Hundred Thousand Dollars to the Delaware State Highway Department for the Sole Purpose of Paying Back Wages to Those Employees Furloughed During 1963".

On motion of Mrs. Lord to suspend Rule 9 in order to act on **SB 238** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

NAYS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

So the question was decided in the negative and the motion was lost.

On motion of Mr. Hoey **HB 396** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 396—"An Act to Make a Supplemental Appropriation to the Supreme Court of the State of Delaware for the Fiscal Year Ending June 30, 1964 in the Amount of \$10,650.00".

On motion of Mr. McCullough the bill was deferred.

On motion of Mr. McCullough the roll call on **HB 368** with **HA 1** with title as follows was resumed.

HB 368 with **HA 1**—"An Act to Amend Chapter 345, Volume 52, Delaware Laws, known as the School Building Program Act of 1960, to Authorize the Harrington Special School District to Expend Certain Funds Raised Pursuant to said Act".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—17.

NAYS—None.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

The Chair presented the following House Bills and Concurrent Resolution, which were given first and second readings and referred to Committees as follows:

HB 416—"An Act to Amend Title 11, Delaware Code, Relating to Pensions for State Police"; to Judiciary.

HB 293—"An Act to Amend Chapter 51, Title 16, Delaware Code, Relating to the Delaware State Hospital by Providing for Retention of Funds Received from Operation of Commissary"; to Miscellaneous.

HCR 19—"Relating to the Formation of a Joint Committee to Evaluate the Tax Exempt Organizations Set Out in Chapter 81, Title 9, Delaware Code, and Those Bills Introduced to Amend Such Chapter"; to Miscellaneous.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 5:50 P.M.

The Senate met at the expiration of the recess at 5:55 P.M., Lt. Gov. Lammot presiding.

On motion of Pres. Pro Tem Steen the Senate adjourned at 5:56 P.M. to Tuesday, October 8, 1963, at 1:00 P.M.

75th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Tuesday, October 8, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Martin, Price—3.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:02 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Wilgus, Pres. Pro Tem Steen—12.

Members Absent—Messrs. Bookhammer, Cook, Johnson, Robbins, Tull—5.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The following Memorandum No. 20 was received from the Governor's Legislative Aide:

MEMORANDUM NO. 20

September 25, 1963

TO: Secretary of the Senate:

FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

September 17, 1963—**HS 1** for **HB 207**; **HJR 5**; **SB 196**

September 18, 1963—**HB 347**

September 20, 1963—**HB 181**

September 24, 1963—**HB 349**; **HB 322**. On this date the Governor returned **HB 334** to the House without his approval.

The House informed the Senate that it had passed **HB 36**, **HB 97** with **HA 1**, **HB 132**, **HB 412** and **HB 413** and requested the concurrence of the Senate.

Mr. McCullough introduced **SB 239**—"An Act to Amend Title 5, Delaware Code, entitled 'Banking' by Adding Thereto a New Chapter 22 Relating to Installment Loans", which was given a first reading and assigned to the Banking and Insurance Committee.

Mr. Bookhammer asked to be marked present.

On motion of Pres. Pro Tem Steen **SB 229** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 229—"An Act Authorizing the State of Delaware by its Proper Officials and the State Highway Department by its Proper Officials to Transfer Certain Lands in Georgetown, Delaware, to and for the Use of the Levy Court of Sussex County, Delaware".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, Martin, McCullough, Price, Simpson, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Mrs. Manning—1.

ABSENT—Messrs. Cook, Johnson, Robbins, Tull—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. McCullough, Chairman of the Corporations—Private Committee, reported the following bills from committee: **HB 316**, 1 favorable, 4 on merits; **HB 375**, 1 favorable, 4 on merits.

The following legislation was introduced, given first reading and acted upon as follows:

SB 240—"An Act to Amend Section 2105, Title 19, Delaware Code, Relating to the Compensation of the Secretary of the Industrial Accident Board", by Mr. Martin; to Revised Statutes.

SB 241—"An Act to Require Certain State Lands to be Open for Hunting and Fishing", by Mr. Martin; to Fish, Oyster and Game.

SB 242—"An Act to Amend Section 305, Title 15, Delaware Code, Entitled 'Preparation of Lists of Registered Voters', by Mr. Donovan; to Elections.

SB 243—"An Act to Amend Section 2301, Title 30, Delaware Code, by Changing the Definitions of Hotels, Motels and Tourist Homes", by Mr. Bookhammer; to Revised Statutes.

On motion of Mr. Price **SB 222** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 222—"An Act Making a Supplementary Appropriation to the Smyrna Special School District to be Used for a Central Administrative Office".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Cook, Johnson, Robbins, Tull—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. Hoey announced that he would hold a public hearing on two school construction bond bills at 2:00 P.M. on Thursday, October 10, 1963.

Mr. Price, Chairman of the Corporations—Municipal Committee, reported the following bills from committee: **HB 402**, 3 favorable, 2 on merits; **SB 233**, 5 favorable; **SB 234**, 5 favorable; **SB 235**, 5 favorable; **SB 236**, 5 favorable; and **SB 237**, 5 favorable.

Messrs. Price and Robbins introduce **SB 244**—"An Act Making a Supplementary Appropriation to the Delaware Day Commission", which was given a first reading and assigned to the Finance Committee.

The Chair presented the following House Bills, which were given first and second readings and referred to Committees as follows:

HB 97 with HA 1—"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"; to Finance.

HB 36—"An Act to Amend Section 1183 (d) Title 30, Delaware Code, Relating to Payment of Refunds"; to Revised Statutes.

HB 132—"An Act to Amend Section 2302, Title 30, Delaware Code, Relating to Tax Stamps Required for Amusement and Music Machines"; to Revised Statutes.

HB 412—"An Act Making an Appropriation to the 308 West Residence, Prisoners Aid Society of Delaware"; to Joint Committee.

HB 413—"An Act to Amend Section 1563, Title 9, Delaware Code, to Permit the Levy Court of New Castle County to Make an Appropriation to the Prisoners Aid Society of Delaware, and Amending 51 Delaware Laws, Chapter 322 as Amended by 52 Delaware Laws, Chapter 274"; to Joint Committee.

On motion of Mr. Hoey **HB 396** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 396—"An Act to Make a Supplemental Appropriation to the Supreme Court of the State of Delaware for the Fiscal Year Ending June 30, 1964 in the Amount of \$10,650.00".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Mr. Bookhammer—1.

ABSENT—Messrs. Cook, Johnson, Robbins, Tull—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

At 4:35 P.M., a messenger from the Governor delivered the following message.

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

October 8, 1963

To the Senate of the 122nd General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

Donald F. Stevenson, Box 124, St. Georges, Delaware—to be a Justice of the Peace for the State of Delaware for a term of 4 years, to expire October 7, 1967, succeeding Calvin Staats, deceased.

Respectfully submitted,
ELBERT N. CARVEL
Governor

Mr. Cook asked to be marked present.

Mr. Hoey introduced **SB 245**—"An Act to Appropriate \$6,580. to the State Board of Education for the Use of the Greenwood Consolidated School District to Equip an Agricultural Shop", which was given a first reading and assigned to the Finance Committee.

Mr. Tull asked to be marked present.

On motion of Mr. Cook **HB 318** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 318—"An Act to Amend Chapter 3, Title 11, Delaware Code, by Excluding From the Operation of Sections 661 through 664 Thereof any Plan which Does Not Require Payment of Money or Something of Actual Pecuniary Value for the Opportunity to Win a Prize".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—11.

NAYS—Messrs. Donovan, Hoey, Isaacs, Price—4.

ABSENT—Messrs. Johnson, Robbins—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Cook **HB 228** with **HA 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 228 with HA 3—"An Act to Amend Title 21 of the Delaware Code, Relating to Motor Vehicles by Adopting the Uniform Rules of the Road and Making Other Amendments".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Messrs. Donovan, Hoey—2.

ABSENT—Messrs. Johnson, Robbins—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Robbins asked to be marked present.

Committee reports submitted were as follows:

HB 412—Joint Committee, 4 favorable, by Mr. Cook;

HB 413—Joint Committee, 4 favorable, by Mr. Cook; **HB**

416—Judiciary, 3 favorable, 2 on merits, by Mr. Cook.

On motion of Mr. Donovan the Senate adjourned at 5:40 P.M. to Wednesday, October 9, 1963, at 1:00 P.M.

76th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Wednesday, October 9, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 3:26 P.M., Lt. Gov. Lamnot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Tull, Wilgus—11.

Members Absent—Messrs. Cook, Hoey, Isaacs, Price, Simpson, Pres. Pro Tem Steen—6.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The following Senators asked to be marked present: Messrs. Price, Isaacs, Hoey, and Pres. Pro Tem Steen.

On motion of Mr. McCullough **HB 316** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 316—"An Act to Amend Title 12, Chapter 43, Delaware Code, Relating to Transfers of Securities to or by Fiduciaries".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Cook, Simpson—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. McCullough **HB 375** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 375—"An Act to Amend Chapter 1, Title 8, of the Delaware Code, Relating to Corporations".

On the question "Shall the Bill Pass the Senate" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus—14.

NAYS—None.

ABSENT—Messrs. Cook, Simpson, Pres. Pro Tem Steen—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

The House informed the Senate that it had passed **HB 442**, **HB 443** **HB 445**, **HB 284** with **HS 1**, **HB 390** and **HB 430** and requested the concurrence of the Senate; and that it had passed **SB 137** and was returning same to the Senate.

Mr. Hoey, Chairman of the Finance Committee, reported on **SB 244** as follows: 1 favorable, 3 on merits.

Mr. Robbins moved to suspend Rule 9 to act on **SB 244**. Motion prevailed.

On motion of Mr. Robbins **SB 244** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 244—"An Act Making a Supplementary Appropriation to the Delaware Day Commission".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Cook, Simpson—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The Chair presented the following House Bills, which were given first and second readings and referred to Committees as follows:

HB 390—"An Act Authorizing and Directing the Receiver of Taxes and County Treasurer of Kent County to Reimburse Mary D. Derrickson McCurdy the Sum of \$15.00 County and School Taxes Paid in Error"; to Claims.

HB 445—"An Act Authorizing and Directing the Receiver of Taxes and County Treasurer of Kent County to Reimburse Mrs. T. C. Collins School Taxes Assessed and Paid in Error"; to Claims.

HS 1 for HB 284—"An Act to Amend Section 1317, Title 14, Delaware Code, by Providing a Change in Method of Payment to School Employees for Attendance at School Sessions"; to Education.

HB 442—"An Act to Amend Chapter 17, Title 9, Delaware Code. Relating to Employees' Pensions for New Castle County"; to Revised Statutes.

HB 443—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware, as Amended, Relating to 'City of Wilmington Employees' Retirement Act';" to Corporations—Municipal.

HB 430—"An Act to Amend Section 2101, Chapter 21, Title 21, of the Laws of Delaware"; to Revised Statutes.

Mr. Simpson asked to be marked present.

On motion of Mr. Tull **HB 248** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 248 with **HA 1**—"An Act to Amend Title 18, Delaware Code, to Prohibit the Charging of Certain Fees in Connection with the Issuance and Cancellation of Insurance Policies and Providing Criminal Penalties Therefore".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Cook—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Donovan **SB 233** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 233—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Felton', being Chapter 208 of Volume 24, Laws of Delaware, by Providing for Zoning".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—14.

NAYS—None.

ABSENT—Messrs. Cook, (Mrs.) Manning, Pres. Pro Tem Steen—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Donovan **SB 234** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 234—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Felton', being Chapter 208 of Volume 24, Laws of Delaware, by Increasing the Amount That Can be Raised Each Year by Taxes".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Cook—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. Donovan requested that **SB 235** receive final Senate action.

Mr. Simpson moved to defer **SB 235**. Motion prevailed by voice vote.

Mr. Donovan requested that **SB 236** receive final Senate action.

Mr. Simpson moved to defer **SB 236**. Motion prevailed by voice vote.

On motion of Mr. Donovan **SB 237** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 237—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Felton', being Chapter 208 of Volume 24 Laws of Delaware, by Providing for a Board of Health, Fire Regulations and Maintenance of Lots".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Cook—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mrs. Manning **SB 102** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 102—"An Act to Amend Section 5004, Title 15, Delaware Code, Relating to the Use of Voting Machines".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Cook—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The House informed the Senate that it had passed **HB 330** with **HA 1** and requested the concurrence of the Senate; and that it had passed **SB 148** and was returning same to the Senate.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HB 330** with **HA 1**. Motion prevailed.

On motion of Pres. Pro Tem Steen **HB 330** with **HA 1** was taken up for consideration in order to pass the Senate.

On motion of Mr. DuPont the bill was deferred until Mr. Brandt of the Budget Commission could appear in person to explain the bill to the Senate.

Mr. Cook asked to be marked present.

On motion of Mr. Cook **HB 413** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 413—"An Act to Amend Section 1563, Title 9, Delaware Code, to Permit the Levy Court of New Castle County to Make an Appropriation to the Prisoners Aid Society of Delaware, and Amending 51 Delaware Laws, Chapter 322 as Amended by 52 Delaware Laws, Chapter 274".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Simpson, Tull, Wilgus—10.

NAYS—Messrs. Donovan, Hoey, Martin, McCullough, Robbins, Pres. Pro Tem Steen—6.

ABSENT—Mr. Johnson—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Cook **HB 412** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 412—"An Act Making an Appropriation to the 308 West Residence, Prisoners Aid Society of Delaware".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus.

NAYS—Messrs. Donovan, Hoey, Pres. Pro Tem Steen.

NOT VOTING—Mr. Robbins.

ABSENT—Mr. Johnson.

On motion of Mr. Cook the roll call was tabled.

On motion of Mr. Cook **SB 58** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 58—"An Act to Amend Chapter 51, Title 29, Delaware Code, by Authorizing the State Treasurer to Make Certain Payroll Deductions".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Tull, Pres. Pro Tem Steen.

NAYS—Messrs. Hoey, Price, Simpson.

NOT VOTING—Messrs. Bookhammer, Isaacs, Robbins, Wilgus.

ABSENT—Mr. Johnson.

Mr. Cook moved that roll call on **SB 58** be stricken. Motion prevailed.

On motion of Mr. McCullough the Senate adjourned at 5:40 P.M. to Thursday, October 10, 1963, at 1:00 P.M.

77th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, October 10, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Pres. Pro Tem Steen—8.

Members Absent—Messrs. Bookhammer, Cook, Hoey, Isaacs, Martin, McCullough, Simpson, Tull, Wilgus—9.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:32 P.M., Lt. Gov. Lamot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

Members Absent—Mr. Hoey—1.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

Pres. Pro Tem Steen introduced **SA 1** to **SB 232** and requested it be placed with the bill.

The House informed the Senate that it had passed **HB 133**, **HB 401**, and **HS 1** for **HB 429** and requested the concurrence of the Senate; and that it had passed **SB 188** and **SB 230** and was returning same to the Senate.

Mr. Hoey asked to be marked present.

Mr. Cook requested the roll call on **HB 412** be lifted from the table and resumed.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus—13.

NAYS—Messrs. Donovan, Hoey, Pres. Pro Tem Steen—3.

NOT VOTING—Mr. Robbins—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Cook moved to resume roll call on **SB 58**—"An Act to Amend Chapter 51, Title 29, Delaware Code, by Authorizing the State Treasurer to Make Certain Payroll Deductions".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Tull—9.

NAYS—Messrs. Hoey, Price, Simpson, Pres. Pro Tem Steen—4.

NOT VOTING—Messrs. Bookhammer, Isaacs, Robbins, Wilgus—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook **HB 416** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 416—"An Act to Amend Title 11, Delaware Code, Relating to Pensions for State Police".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Tull, Pres. Pro Tem Steen—9.

NAYS—Mr. Donovan—1.

NOT VOTING—Messrs. Bookhammer, Hoey, Simpson, Wilgus—4.

ABSENT—Messrs. McCullough, Price, Robbins—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

The Chair presented the following House Bills, which were given first and second readings and referred to Committees as follows:

HB 133—"An Act to Amend Section 1187, Title 30, Delaware Code, Pertaining to Violation and Penalties on Income Taxes"; to Revised Statutes.

HS 1 for **HB 429**—"An Act to Amend Chapter 158, Volume 36, Laws of Delaware, Entitled 'An Act Changing the Name of 'The Town of Dover' to 'The City of Dover' and Establishing a Charter Therefore';" to Corporations—Municipal.

HB 401—"An Act Relating to the Ownership of Real Property, the Division Thereof into Units, the Submission of Real Property to the Provisions of this Act and the Withdrawal of such Property from the Provisions of this Act, Providing for the Improvement, Management, Operation, Assessment and Taxation of such Property, Establishing Certain Procedures in Connection Therewith, Providing for the Conveyancing, Leasing, and Mortgaging Thereof, Establishing a Procedure for the Assessment and Collection of Certain Expenses with Respect Thereto, Setting Forth Certain Lien Rights with Respect Thereto and Providing for the Recording of Certain Information"; to Judiciary.

Mr. Donovan, Chairman of the Miscellaneous Committee, reported on **SB 150** as follows: 1 favorable, 4 on merits.

Mr. Tull introduced **SB 246**—"An Act to Amend Section 303, Title 3, Delaware Code, Relating to the Bureau of Market's Inspection Fund", which was given a first reading and assigned to the Revised Statutes Committee.

On motion of Mr. Donovan the Senate adjourned at 5:20 P.M. to Friday, October 11, 1963, at 1:00 P.M.

78th LEGISLATIVE DAY

The Senate came to order at 1:32 P.M. on Friday, October 11, 1963. Lacking a quorum, the President declared a recess.

The Senate met pursuant to adjournment at 3:08 P.M. on Friday, October 11, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

Members Absent—Mrs. Lord, Messrs. McCullough, Price—3.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

Mr. McCullough asked to be marked present.

Mr. Cook moved that the former roll call on **HB 143** be stricken. Prevailed by voice vote.

On motion of Mr. Cook **HB 143** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Johnson, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Mr. Hoey—1.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Mrs. Lord, Mr. Price—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Donovan introduced **SA 1** to **SB 236** and moved for its adoption. Motion prevailed.

On motion of Mr. Donovan **SB 236** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 236 with **SA 1**—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Felton', being Chapter 208 of Volume 24, Laws of Delaware, by Providing for a Change in the Voting Hours and for Voting".

On the question "Shall the Bill Pass the Senate" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Cook, (Mrs.) Lord, Price—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **HB 97** as Amended, 1 favorable, 4 on merits; **SB 245**, 1 favorable, 4 on merits; and **HB 426** with **HA 2**, 2 favorable, 3 on merits.

Mr. Hoey moved to suspend Rule 9 to act on **SB 245**, **HB 97** as Amended, and **HB 426** with **HA 2**. Motion prevailed.

Mrs. Lord asked to be marked present.

Mrs. Manning introduced **SA 1** to **HB 426** with **HA 2**.

Pres. Pro Tem Steen moved to recess. Motion lost by voice vote.

Mrs. Manning moved to adopt **SA 1** to **HB 426** with **HA 2**.

On motion of Mr. McCullough the Senate recessed upon call of the Chair at 3:35 P.M.

The Senate met at the expiration of the recess at 3:39 P.M., Lt. Gov. Lamnot presiding.

Mrs. Manning withdrew her motion to adopt **SA 1** to **HB 426** with **HA 2**.

Mr. Hoey introduced **SA 2** to **HB 426** with **HA 2** and requested it be placed with the bill.

President Lamnot declared a recess at 3:42 P.M.

The Senate met at the expiration of the recess at 4:46 P.M., Lt. Gov. Lamnot presiding.

Mrs. Manning moved that **SA 1** to **HB 426** with **HA 2** be stricken. Motion prevailed.

Mr. Hoey moved to adopt **SA 2** to **HB 426** with **HA 2**. Motion prevailed by voice vote.

Mrs. Manning presented **SA 3** to **HB 426** with **HA 2** and **SA 2** and moved for its adoption. Adopted by voice vote.

Mr. Hoey requested **HB 426** as Amended receive final Senate action.

Mr. McCullough moved to convene in Executive Session. Motion lost by voice vote.

Mr. McCullough presented **SA 4** to **HB 426** with **HA 2**, **SA 2** and **SA 3** and moved for its adoption. Adopted by voice vote.

On motion of Mr. Hoey **HB 426** with **HA 2**, **SA 2**, **SA 3** and **SA 4** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 426 with **HA 2**, **SA 2**, **SA 3** and **SA 4**—"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".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—Mr. Martin—1.

ABSENT—Mr. Price—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The following legislation was introduced, given first reading and acted upon as follows:

SB 247, by Messrs. Pres. Pro Tem Steen and Tull; to Revised Statutes.

At 5:22 P.M., the House informed the Senate that it had passed **HB 177** with **HA 1**, **HB 310** and **HB 452** and requested the concurrence of the Senate.

Mrs. Lord requested that the Journal record that her committee signature as a member of the Miscellaneous Committee on **SB 150** was unfavorable.

Mr. Donovan presented **SA 1** to **SB 235** and moved for its adoption. Adopted by voice vote.

On motion of Mr. Donovan **SB 235** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 235 with **SA 1**—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Felton', being Chapter 208 of Volume 24, Laws of Delaware, by Providing for Annexing Land".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Johnson, Price—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Messrs. Pres. Pro Tem Steen, Tull and Hoey introduced **SB 248**—"An Act to Provide a Pension for Sussex County Employees", which was given a first reading and assigned to the Revised Statutes Committee.

Mr. Bookhammer presented **SA 1** to **HB 97** with **HA 1** and moved for its adoption. Adopted by voice vote.

On motion of Mr. Bookhammer **HB 97** with **HA 1** and **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 97 with **HA 1** and **SA 1**—"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".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Johnson, Price—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey **SB 245** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 245—"An Act to appropriate \$6,580. to the State Board of Education for the Use of the Greenwood Consolidated School District to Equip an Agriculture Shop".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Johnson, Price—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The Chair presented the following House Bills, which were given first and second readings and referred to Committees as follows:

HB 177 with **HA 2**—"An Act to Create a Public Defender and Making a Supplemental Appropriation Therefore"; to Finance.

HB 310—"An Act to Amend Section 1321, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees"; to Education.

HB 452—"An Act to Amend Chapter 67, Title 16, Delaware Code, by Providing for Police Duties at all Fire Company Functions"; to Miscellaneous.

Mr. Robbins, Chairman of the Claims Committee, reported the following bills from committee: **HB 390**, 1 favorable, 4 on merits; **HB 445**, 1 favorable, 4 on merits; and **HS 1** for **HB 338**, 1 favorable, 4 on merits.

Mr. Robbins moved to suspend Rule 9 to act on **HS 1** for **HB 338**, **HB 309** and **HB 445**. Motion prevailed.

On motion of Mr. Robbins **HB 390** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 390—"An Act Authorizing and Directing the Receiver of Taxes and County Treasurer of Kent County to Reimburse Mary D. Derrickson McCurdy the Sum of \$15.00 County and School Taxes Paid in Error".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Johnson, Price—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Robbins **HB 445** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 445—"An Act Authorizing and Directing the Receiver of Taxes and County Treasurer of Kent County to Reimburse Mrs. T. C. Collins School Taxes Assessed and Paid in Error".

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Johnson, Price—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Robbins **HS 1** for **HB 338** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for **HB 338** with **HA 1**—"An Act to Appropriate Money to George Elmer Smith, Jr., a Veteran Eligible for the Bonus Paid by the State Pursuant to the Veteran's Military Pay Act No. II, but Who did not Receive his Bonus".

On motion of Messrs. Robbins and Cook the bill was deferred.

On motion of Pres. Pro Tem Steen **HB 330** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 330—"An Act Making Supplementary Appropriations to Certain Agencies and Divisions of the State Government to Pay Expenditures Incurred During Prior Fiscal Years".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Martin, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Mr. DuPont—1.

ABSENT—Messrs. Johnson, (Mrs.) Lord, (Mrs.) Manning, Price—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Robbins, Chairman of the Fish, Oyster and Game Committee, reported on **SB 228** as follows: 2 favorable, 3 on merits.

Mr. Cook, Chairman of the Revised Statutes Committee, reported the following bills from committee: **HB 442**, 2 favorable, 2 on merits; **HB 314**, 1 favorable, 4 on merits.

Mr. Cook moved to suspend Rule 9 to act on **HB 442** and **HB 314**. Motion prevailed.

On motion of Mr. Cook **HB 442** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 442—"An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees' Pensions for New Castle County".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus—14.

NAYS—None.

ABSENT—Messrs. Johnson, Price, Pres. Pro Tem Steen—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Cook **HB 314** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. DuPont to defer **HB 314** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

NAYS—Messrs. Cook, Donovan, Hoey, McCullough, Robbins, Tull—6.

ABSENT—Messrs. Johnson, Martin, Price, Pres. Pro Tem Steen—4.

So the question was decided in the affirmative and the motion having received the required majority passed the Senate.

Mr. Robbins introduced the following resolution which upon further motion was adopted by voice vote: **SR 86**—“Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 122nd General Assembly”.

Mr. Robbins introduced the following resolution which upon further motion was adopted by voice vote: **SR 87**—“Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly”.

Pres. Pro Tem Steen requested that the Journal show that Sherman Lee Townsend had resigned before pay period mentioned in **SR 87** began.

Committee reports submitted were as follows:

SB 228—Fish, Oyster and Game, 2 favorable, 3 on merits, by Mr. Robbins; **HB 169**—Revised Statutes, 5 on merits, by Mr. Cook; **SB 220**—Miscellaneous, 4 on merits, by Mr. Donovan; **HB 15**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **SB 227**—Revised Statutes, 4 on merits, by Mr. Cook; **SB 232** as Amended—Revised Statutes, 3 favorable, 2 on merits, by Mr. Cook; **SB 246**—Revised Statutes, 3 favorable, 1 on merits, by Mr. Cook; **SB 240**—Revised Statutes, 5 on merits, by Mr. Cook; **SB 243**—Revised Statutes, 4 favorable, by Mr. Cook.

Mr. Bookhammer moved to suspend Rule 9 to act on **SB 243**. Motion prevailed.

On motion of Mr. Bookhammer **SB 243** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 243—"An Act to Amend Section 2301, Title 30, Delaware Code, by Changing the Definitions of Hotels, Motels and Tourist Homes".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Donovan, Johnson, McCullough, Price—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Pres. Pro Tem Steen presented **SA 1** to **SB 232** and moved for its adoption. Adopted by voice vote.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **SB 232** with **SA 1**. Motion prevailed.

On motion of Pres. Pro Tem Steen **SB 232** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 232 with **SA 1**—"An Act to Amend Section 131, Title 23, Delaware Code, Relating to Pilotage Rates".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Donovan, Johnson, McCullough, Price—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 7:00 P.M., Friday, October 11, 1963.

The Senate met at the expiration of the recess at 12:10 P.M., Monday, December 2, 1963, Lt. Gov. Lamnot presiding.

The members of the House were already seated in the Senate Chambers.

The Chair appointed Senators DuPont and Donovan and Representatives Best and Pratt to escort the Governor to the Senate Chambers.

The Governor arrived, escorted by the above committee, and began the following message at 12:35 P.M.

GOVERNOR'S MESSAGE

December 2, 1963

Mr. President

Mr. Speaker

Members of the 122nd General Assembly

My Fellow Delawareans:

Ten days ago we received the tragic news that our beloved President had been assassinated. Grief transcended political parties, states and nations. All events surrounding this awful occurrence were brought to us with vivid clarity and imagination as 180 million Americans fixed their gaze on their television sets or listened to their radios throughout the 3½ long dreary days. We were reminded of the greatness of the man, the courageous programs which he espoused and we realized that his untimely death was the product of an unpatriotic and illogical build-up of hate and malice from within our own nation.

Millions of Americans have privately examined their deep and innermost thoughts and have highly resolved that no future words or acts of theirs would bear false witness or contribute to the building of hate or malice against any of God's children.

Suddenly, to millions of Americans, came an understanding of the brave battle which our beloved President had been waging in our name for Freedom, for Equality, for Education, for Health and for the right of all able-bodied Americans to be gainfully employed.

President Lyndon B. Johnson sounded the clarion call to our nation last Wednesday when he said, "We will carry on the fight against poverty and misery, ignorance and disease — in other lands and our own."

Our late President said that our national work might not be finished during our lifetime, "But," he said, "Let us begin." President Johnson re-echoed the urgent words when he challenged our nation with the equally urgent words, "Let us continue."

His first step was to call for "The earliest possible passage of the Civil Rights Bill" for which our fallen President so valiantly fought. Last year President Kennedy said, "As we approach the 100th Anniversary next January of the Emancipation Proclamation, let the acts of every branch of the government — and every citizen — portray that "righteousness does exalt a nation."

Last Wednesday President Johnson said, "We have talked long enough in this country about equal rights. We have talked for 100 years or more. Yes, it is time now to write the chapter and to write it in the books of law." He said that the passage of such a Civil Rights Bill would more eloquently honor President Kennedy's memory than any memorial oration or eulogy.

In Delaware, a Public Accommodations Bill has recently been introduced into the House of Representatives. It has the approval of the Human Relations Commission and the leaders of both political parties, as well as all religious denominations. In our late President's memory, and following the inspired leadership of our new President, let us take prompt action on this important bill and assure its prompt passage.

Throughout the state and nation, we have all been impressed with the solemn efforts of our political leaders to stand together during this time of crisis and national grief. President Johnson, during his many years of public service has on numerous occasions demonstrated that he places the national welfare above partisan consideration. Last Monday night the Governors of thirty-five states gathered together in his office next to the White House. These men, representing both major political parties, sincerely applauded the President's plea for unity and cooperation. They welcomed his offer to phone or write him about state and national problems, and they enthusiastically pledged their support of his efforts to lead our nation during these serious and critical times.

As Americans and Delawareans, we realize that there are more issues upon which we can agree which draw us together and unify us than there are issues which divide us. My good friends of the General Assembly, let us reason together and act together for the welfare of our State and Nation.

To help our State and Nation continue to move forward let us unite in the approval of the stalled Road Building Program. By passing a Bond Issue of \$45,000,000, we can assure the prompt completion of the Freeway in northern Delaware and the modernization and rebuilding of our highways, bridges and streets throughout the State.

The passage of this bill requires the votes of 75% of the elected members of each House. Because the representation in the General Assembly of neither political party approaches this percentage, bi-partisan cooperation must be provided in order to pass this important legislation.

The Greater Wilmington Development Council informs us that in addition to speeding up traffic and assuring safer

driving conditions, the completion of the Freeway will step up employment, attract new industry and generate sufficient prosperity to assure an additional 7 million dollars per year in State Income Tax revenue. To paraphrase President Johnson's remarks about the tax reduction bill, this Highway Bond Bill is designed to increase our State income and revenues and is our insurance against recession. This bill, if passed without delay, means more security for those now working and more jobs for those now without them.

In the field of Education, prompt consideration and action must be given a new School Bond Bill or the present School Bond Bill now in possession of the House of Representatives and will be acted upon within ten days following its delivery to my office. I am confident that the present School Bond Bill will be promptly delivered to me.

In the field of reorganization and refinement of our election laws, there are four areas to which I hope you will give prompt consideration and action:

1. The authorization of bi-partisan representation upon the 3 county boards by providing for majority party representation of no more than 5 members and minority party representation of no less than 3 members of the election boards of Kent and Sussex Counties. The New Castle County Board should be represented by a similar ratio.
2. The reporting of all contributions and expenditures over \$100.00 to and by any political party. It is highly important that the public be aware of those making heavy contributions from whatever source, as well as the locations and concentrations of expenditures. Such a law should also provide for the reporting of receipts and expenditures of over \$100.00 by committees and organizations formed to promote individual candidacies, both on the primary and regular campaign levels.
3. A State Department of Elections as recommended by the Election Commissioner should be authorized to make **official** election information available to the people.
4. Increased opportunities for registration by providing for additional registration days, as well as mobile registration teams, operating in areas of heavy concentrations of population.

We are making progress in the modernization of our Correctional System and I urge you to now take prompt action to step up this progress by adopting the legislation sponsored by the Governor's Committee for a State Correctional Program. Let us move forward to rehabilitate

and retrain those who have lost their way or who never had the opportunity to make a proper start. A substantial sum has been expended employing the National Council on Crime and Delinquency to make a study of our correction, probation parole systems. The recommendations of the National Council have the support of the Governor's Committee, the Bi-Partisan Three S Committee and leaders in public and religious life throughout the State. I sincerely urge the prompt enactment of these bills.

In accordance with my recommendation of last January, the General Assembly has enacted the necessary legislation to set aside and earmark for State Capital Improvements the revenue derived, and to be derived, from the DuPont-General Motors divestiture plan. We have not yet designated the specific capital uses to which these funds are to be dedicated. It is important that we do this without delay.

In recent months a program has been developed for which the necessary legislation has already been introduced in the House. I urge the General Assembly to consider and to act favorably upon such legislation before the end of this session. This program consists of: First, the further development of our State in the area of State open-land and water conservation, State parks, outdoor public recreational facilities and preservation of State historical sites; and Second, the creation of a Capital Investment Trust Fund where the principal of the DuPont divestiture revenues would be preserved for a number of years while the annual income from the trust would be available for the purpose of embellishing our State as set forth above. The program also includes early restoration of the Old State House, as an historical site from divestiture funds.

The creation and operation of such a Capital Investment Trust Fund requires a Constitutional Amendment. I urge prompt and favorable consideration of the package of this legislation which is now pending in the House.

The enactment of this program would cause this General Assembly to long be remembered for its vision and wisdom in the utilization of these "wind-fall" funds for the embellishment of our beloved Delaware.

One of the last acts of our late President performed outside of the Nation's Capitol, was his dedication of the Delaware Turnpike and the Maryland Northeastern Expressway. Here is a piece of the ribbon which he and I cut together at this dedication. It would be most appropriate to rename the Super Highway from Washington to Boston the John F. Kennedy Highway and to dedicate its use to his memory. Legislation will be introduced to provide for Delaware's participation in this joint proposal and I urge its speedy passage.

While the items listed above demand priority and prompt action, which I hope you will take during these next eleven days, there is much other important legislation which should be receiving your thoughtful consideration and which I hope you will enact into law during the 30-day session which will take place next year. Here is a partial list of these important bills:

Modernization of the Magistrate System;
Uniform Job Classification, A Merit System and Civil Service;
The Mental Health Program;
State Office Buildings in Wilmington and Dover;
Scholarships for Delaware students studying subjects in other states not available in Delaware.

I am confident that we Delawareans can move ahead to solve the problems which we now face. The fact that we accept and recognize these problems indicates that the battle for progress and improvement is partially won.

Let us never forget the stirring words of our courageous and beloved late President:

"I believe it is important that this country sail and not lie still in the harbors."

"Ask not what your country can do for you — ask what you can do for your country."

and finally,

"With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth, God's work must truly be our own."

The Governor concluded his message at 12:35 P.M.

The Joint Session of Assembly adjourned at 12:36 P.M.

The Chair declared a recess of the Senate at 12:37.

The Senate met at the expiration of the recess at 3:40 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Donovan the Senate adjourned at 3:42 P.M. to Monday, December 2, 1963, at 3:43 P.M.

79th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:43 P.M. on Monday, December 2, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

Members Absent—Messrs. Bookhammer, Cook, Hoey, Simpson—4.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The following communication from the Attorney General requesting an opportunity to address the General Assembly was read.

STATE OF DELAWARE
OFFICE OF THE ATTORNEY GENERAL

Dover, Delaware
October 30, 1963

Honorable Eugene Lammot
Lt. Governor of Delaware
Legislative Hall
Dover, Delaware
Dear Governor Lammot:

When the General Assembly reconvenes it is my desire to appear before the Senate and speak, for about fifteen minutes at the most, on certain proposed legislation directly related to the conduct of this office, such as personnel, compensation and protection of the consumer public from certain fraudulent practices and so forth. Therefore, it is requested that, at a time specified, I be permitted to speak to the members of the Senate while in session. The importance of these matters to this office compel me to request that my appearance be permitted at the earliest convenient date. I am making a like request of the Speaker of the House.

Your cooperation will be greatly appreciated.

Yours very truly,
DAVID P. BUCKSON
Attorney General

Pres. Pro Tem Steen moved to comply with Attorney General's request. Motion prevailed.

The Chair appointed Pres. Pro Tem Steen to so notify the Attorney General and to arrange for the Attorney General's appearance on December 3, 1963.

The following legislation was introduced, given first reading and acted upon as follows:

SB 249—"An Act to Amend Chapter 15, Title 9, Delaware Code, Authorizing the Levy Court of New Castle County to Acquire Land and Construct and Equip a Public Library and Authorizing the Levy Court of New Castle County to Issue Bonds to Finance the Cost Thereof and to Levy Taxes Therefor", by Mmes. Manning, Lord, Messrs. McCullough and Martin; to Education.

SB 250—"An Act Authorizing and Directing the Treasurer of the State of Delaware to Pay the Sum of \$9,584.83, with Interest from July 8, 1959", by Pres. Pro Tem Steen; to Finance.

SB 251—"An Act to Amend Chapter 144, Volume 41, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Frankford,' as Amended, by Extending the Limits and Bounds of the Town of Frankford", by Pres. Pro Tem Steen; rules suspended.

Pres. Pro Tem Steen moved to suspend rules to act on **SB 251**. Motion prevailed.

Mr. Hoey asked to be marked present.

On motion of Pres. Pro Tem Steen **SB 251** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 251—"An Act to Amend Chapter 144, Volume 41, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Frankford,' as Amended, by Extending the Limits and Bounds of the Town of Frankford".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. DuPont—1.

ABSENT—Messrs. Bookhammer, Cook, Simpson—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. McCullough presented a letter of resignation from Emilie Tugend, Attorneys' Secretary, as follows:

December 2, 1963

Senator Calvin R. McCullough
and Members of the Senate
of the 122nd General Assembly
Legislative Hall
Dover, Delaware

It is with regret that I hereby submit my resignation as Senate Attorneys' Secretary.

The knowledge and experience which I have gained while being so closely connected with the government of our State could not possibly be acquired elsewhere. Thus, I wish to thank the members of the Senate of the 122nd

General Assembly as well as those of the two previous General Assemblies for the privilege and many courtesies which were so generously afforded me.

Respectfully,

EMILIE E. TUGEND

Mr. McCullough moved that the Senate accept Mrs. Tugend's resignation. Motion prevailed.

Mr. McCullough, Chairman of the Education Committee, reported on **SB 249** as follows: 5 favorable.

Mr. McCullough moved to suspend Rule 9 to act on **SB 249**. Motion prevailed.

On motion of Mr. McCullough **SB 249** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 249—"An Act to Amend Chapter 15, Title 9, Delaware Code, Authorizing the Levy Court of New Castle County to Acquire Land and Construct and Equip a Public Library and Authorizing the Levy Court of New Castle County to Issue Bonds to Finance the Cost Thereof and to Levy Taxes Therefor".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus—13.

NAYS—None.

ABSENT—Messrs. Bookhammer, Cook, Simpson, Pres. Pro Tem Steen—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough the Senate recessed upon call of the Chair at 4:10 P.M.

The Senate met at the expiration of the recess at 5:00 P.M., Lt. Gov. Lamnot presiding.

The Senate received and heard read the following communication to Senator Evelyn Lord:

September 23, 1963

Mrs. Evelyn Lord
1406 Gilpin Avenue
Wilmington, Delaware 19806

Dear Mrs. Lord:

In deep and sincere appreciation I write this letter to express my thanks for the services and aid I have had, and still am receiving during this period of my disability.

I have been a resident of Wilmington, Delaware since 1950, and can truly say that this state offers so much to its disabled residents that I am happy I have made it my home. I wish to express my thanks for the wonderful services, patience and medical care given me by the doctors and nurses of the Delaware Hospital through the Social Service Agencies of Delaware. My sincere thanks to all the people who have made all these services possible.

I have been disabled for more than a year, and hope that when I recover my services will be as available to others.

Very sincerely yours,

An appreciative resident of Delaware
TEDDIE CROCKER

The following legislation was introduced, given first reading and acted upon as follows:

SB 252—"An Act to Amend Chapter 9, Title 10, Delaware Code, by Providing for the Appointment of Bailiffs in the Family Court of the State of Delaware in and for New Castle County", by Mr. Martin; to Judiciary.

SJR 5—"Memorializing Congress to Implement the American 'Open Cities' Idea", by Pres. Pro Tem Steen.

Pres. Pro Tem Steen moved to suspend rules on **SJR 5**. Motion prevailed.

Pres. Pro Tem Steen moved to defer **SJR 5**. Motion prevailed.

Committee reports submitted were as follows:

HB 443—Corporations—Municipal, 2 favorable 2 on merits, by Mr. Price; **HS 1** for **HB 429**—Corporations—Municipal, 2 favorable, 2 on merits, by Mr. Price; **SB 250**—Finance, 4 on merits, by Mr. Hoey.

On motion of Mr. Martin **SB 240** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 240—"An Act to Amend Section 2105, Title 19, Delaware Code, Relating to the Compensation of the Secretary of the Industrial Accident Board".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen.

NAYS—Mr. DuPont.

NOT VOTING—Messrs. Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Wilgus.

ABSENT—Messrs. Bookhammer, Cook, Simpson.

On motion of Mr. McCullough the roll call was tabled.

Mr. McCullough, Chairman of the Education Committee, reported on **HS 1** for **HB 284** as follows: 4 favorable, 1 on merits.

On motion of Mr. Donovan the Senate adjourned at 5:10 P.M. to Tuesday, December 3, 1963, at 1:00 P.M.

80th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:37 P.M. on Tuesday, December 3, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Tull—8.

Members Absent—Messrs. Cook, DuPont, Hoey, Isaacs, Johnson, McCullough, Simpson, Wilgus, Pres. Pro Tem Steen—9.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 3:30 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Cook, Isaacs, Simpson—3.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

Mr. Isaacs asked to be marked present.

The following legislation was introduced, given first reading and acted upon as follows:

SB 253—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware, Entitled 'An Act Changing the Name of 'The Town of Milford' to 'The City of Milford' and Establishing a Charter Therefor', Relating to (1) the Transmission of Electric Current and Water, (2) the Compensation of Members of Council, (3) the Time of Municipal Elections in the Absence of Contests, (4) the Powers of the Mayor, (5) the Powers, Duties and Jurisdiction of the Alderman and Fines and Terms of Imprisonment for Violation of Ordin-

ances or Law, and (6) Assessment of Real Estate and Assessing Property and Capitation Taxes", by Mr. Hoey; to Corporations—Municipal.

SB 254—"An Act to Provide Financial Aid for the Education of Children and Widows of State Police Killed in the Performance of Duty", by Mrs. Manning; to Finance.

On motion of Mr. Price **HB 443** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 443—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware, as Amended, Relating to 'City of Wilmington Employees' Retirement Act'."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus—12.

NAYS—None.

NOT VOTING—Pres. Pro Tem Steen—1.

ABSENT—Messrs. Bookhammer, Cook, Donovan, Simpson—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

The House informed the Senate that it had passed **SB 229** and **SB 251** and was returning same to the Senate; and that it had passed **HCR 23**, **HB 320**, **HB 436**, **HB 450**, **HB 451**, **HB 460** and **HB 476** and requested the concurrence of the Senate.

On motion of Mr. Price **HS 1** for **HB 429** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for **HB 429**—"An Act to Amend Chapter 158, Volume 36, Laws of Delaware, Entitled 'An Act Changing the Name of 'The Town of Dover' to 'The City of Dover' and Establishing a Charter Therefore'."

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Cook, Simpson—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of the Chair **HCR 23** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HCR 23—"Making Appropriations to Various Companies for Supplies and Services Rendered the 122nd General Assembly of the State of Delaware".

On the question "Shall the Resolution Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, Price, Robbins, Tull, Wilgus—12.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cook, (Mrs.) Lord, Simpson, Pres. Pro Tem Steen—4.

So the question was decided in the affirmative and the resolution having received the required constitutional majority passed the Senate and was ordered to the House.

The Chair presented the following House Bills, which were given first and second reading and referred to Committees as follows:

HB 320—"An Act to Amend Chapter 31, Volume 54, Laws of Delaware, Entitled 'An Act Making Appropriation for the Expense of State Government for the Fiscal Year Ending June 30, 1964' and Making a Supplemental Appropriation in the Amount of \$2,500.00 for the Proposed Amendments"; to Finance.

HB 451—"An Act to Amend Chapter 143, Volume 36, Laws of Delaware, being an Act Providing for the Collection of Taxes and Assessments for the City of Wilmington"; to Corporations—Municipal.

HB 460—"An Act Authorizing and Directing the Receiver of Taxes and County Treasurer of Sussex County to Reimburse Orville Hammond and Mary Lou Hammond for Taxes Assessed and Paid in Error"; to Claims.

On motion of Mr. McCullough **HS 1** for **HB 284** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for **HB 284**—"An Act to Amend Section 1317, Title 14, Delaware Code, by Providing a Change in Method of Payment to School Employees for Attendance at School Sessions".

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Cook, (Mrs.) Lord, Simpson—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Committee reports submitted were as follows:

SB 242—Elections, 1 favorable, 4 on merits, by Mr. Johnson; **SB 253**—Corporations—Municipal, 2 favorable, 2 on merits, by Mr. Price; **HB 167**—Public Health, 4 on merits, by Mr. Price.

Pres. Pro Tem Steen introduced **SJR 6**—"Relating to John F. Kennedy Highway".

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **SJR 6**. Motion prevailed.

On motion of Pres. Pro Tem Steen **SJR 6** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SJR 6—"Relating to John F. Kennedy Highway".

On the question "Shall the Resolution Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Cook, Simpson—2.

So the question was decided in the affirmative and the resolution having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Pres. Pro Tem Steen introduced **SB 255**—"An Act to Rename a Portion of the Delaware Turnpike to the John F. Kennedy Highway".

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **SB 255**. Motion prevailed.

On motion of Pres. Pro Tem Steen **SB 255** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 255—"An Act to Rename a Portion of the Delaware Turnpike to the John F. Kennedy Highway".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Cook, Simpson—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The following legislation was introduced given first reading and acted upon as follows:

SB 256—"An Act to Amend Chapter 33, Title 24, Delaware Code, Entitled 'Veterinarians', Relating to the Powers of the State Board of Veterinary Examiners, Examinations, Applications, Suspension or Revocation of Licenses, Appeals, Violations and Penalties", by Messrs. Tull and DuPont; to Agriculture.

SB 257—"An Act to Extend the Duration of Section 4520 of Title 7 of the Delaware Code, Relating to Subaqueous Public Lands, by Repealing its Present Expiration Date", by Messrs. Robbins and Bookhammer; to Public Lands.

On motion of Mr. Robbins **HS 1** for **HB 338** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for **HB 338**—"An Act to Appropriate Money to George Elmer Smith, Jr., a Veteran Eligible for the Bonus Paid by the State Pursuant to the Veteran's Military Pay Act No. II, but Who Did Not Receive his Bonus".

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Cook, Simpson—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Robbins introduced **SCR 31**—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered through August 11, 1963", and moved for its adoption. Motion prevailed by voice vote.

Mr. Hoey, Chairman of the Finance Committee, reported on **SB 172** as follows: 4 on merits.

On motion of Pres. Pro Tem Steen **SB 250** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 250—"An Act Authorizing and Directing the Treasurer of the State of Delaware to Pay the Sum of \$9,584.83, with Interest from July 8, 1959".

On motion of Pres. Pro Tem Steen the bill was deferred.

Mr. Robbins introduce **SB 258**—"An Act Making a Supplementary Appropriation to the Rehoboth Special School District for the Purpose of Replacing Heating Boilers in Main Building", which was given a first reading and referred to the Finance Committee.

Mr. Martin moved to lift roll call on **SB 240** from table. Motion prevailed. Mr. Hoey changed his vote from "Not Voting" to "Yea".

On motion of Mr. Martin **SB 240** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 240—"An Act to Amend Section 2105, Title 19, Delaware Code, Relating to the Compensation of the Secretary of the Industrial Accident Board".

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

NAYS—Mr. DuPont—1.

NOT VOTING—Messrs. Isaacs, (Mrs.) Lord, (Mrs.) Manning, Wilgus—4.

ABSENT—Messrs. Bookhammer, Cook, Simpson—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Pres. Pro Tem Steen **SB 227** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 227—"An Act to Amend Section 2912, Title 7, Delaware Code, by Limiting the Right of the State Forestry Department to Acquire Lands".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Hoey, Johnson, Martin, Robbins, Tull, Pres. Pro Tem Steen.

NAYS—Mr. Price.

NOT VOTING—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Wilgus.

ABSENT—Messrs. Cook, Simpson.

On motion of Pres. Pro Tem Steen the roll call was tabled.

The Chair presented the following House Bills, which were given first and second reading and referred to Committees as follows:

HB 436—"An Act to Amend Title 30, Delaware Code, Relating to Income Tax"; to Revised Statutes.

HB 476—"An Act to Amend Section 2302, Title 30, Delaware Code, Relating to Tax Stamps Required for Amusement and Music Machines"; to Revised Statutes.

At 4:38, Pres. Pro Tem Steen moved Senate be in recess.

The Senate met at the expiration of the recess at 5:56 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Hoey the Senate adjourned at 5:57 P.M. to Wednesday, December 4, 1963, at 1:00 P.M.

81st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:36 P.M. on Wednesday, December 4, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, (Mrs.) Lord, (Mrs.) Manning, Price, Tull, Wilgus—7.

Members Absent—Messrs. Cook, DuPont, Hoey, Isaacs, Johnson, Martin, McCullough, Robbins, Simpson, Pres. Pro Tem Steen—10.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:44 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

Members Absent—Mr. Cook—1.

The Senate received the following Memorandums No. 20 and 21 from the Governor:

MEMORANDUM NO. 20

September 25, 1963

TO: Secretary of the Senate

FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

September 17, 1963—**HS 1** for **HB 207**; **HJR 5**; **SB 196**

September 18, 1963—**HB 347**

September 20, 1963—**HB 181**

September 24, 1963—**HB 349**; **HB 322**. On this date the Governor returned **HB 334** to the House without his approval.

MEMORANDUM NO. 21

October 16, 1963

TO: Secretary of the Senate

FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

October 10, 1963—**SB 190**; **SB 208**; **HB 80** with **HA 1**; **HB 316**, **HB 357**; **HB 375**; **HB 396**; **HB 413**

October 11, 1963—**SB 90**; **SB 137**; **SB 143**; **SB 148**; **SB 221**; **SB 224**; **SB 225**; **HB 184** with **HA 2**; **HA 4** and **HA 6**; **HB 248** with **HA 1**; **HB 318**; **HB 368** with **HA 1**; **HB 412**; **HB 416**. On this date the Governor returned **HB 286** with **HA 1** to the House without his approval.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

Mr. Isaacs moved to have the Journal read in full. Majority of voice vote opposed the motion. Pres. Pro Tem Steen stated that any member has the privilege and authority to have the Journal read in full.

At 4:52 P.M., the Chair directed the Secretary to read the Journal.

At 4:53 P.M., Mr. Donovan moved to adjourn to Thursday, December 5, 1963, at 1:00 P.M. The Chair declared the Senate adjourned.

82nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:37 P.M. on Thursday, December 5, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Price, Robbins, Tull—4.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Wilgus, Pres. Pro Tem Steen—13.

The Chair declared a recess in the absence of a quorum.

The Senate met at the expiration of the recess at 6:37 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

Members Absent—Mr. Cook—1.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

Mr. Isaacs presented for entry into the Journal the following statement:

STATE OF DELAWARE
SENATE

Dover, Delaware
December 5, 1963

To the members of the Senate:

I would like to have the following entered upon the Journal of the Senate:

Mason's Manual Section 698, Paragraph 2

"The reading of the journal may not be interrupted, even by a highly privileged question, other than the question of no quorum, or the motion to dispense with the further reading of the journal."

Very truly yours,
J. DONALD ISAACS
State Senator

Mr. Isaacs moved that the minutes of the 81st day be read in full.

The Secretary commenced to read the minutes.

On motion of Mr. Hoey that the minutes be approved as read in part, the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Hoey, Johnson, Martin, McCullough, Price, Tull, Pres. Pro Tem Steen—9.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

ABSENT—Mr. Cook—1.

So the question was decided in the affirmative and the motion having received the required constitutional majority passed the Senate.

The House informed the Senate that it had passed **HB 281** with **HA 1**, **HB 467**, **HB 474**, **HB 480** and **HB 481** with **HA 1** and requested the concurrence of the Senate; and that it had passed and was returning to the Senate **SB 34** and **SB 142** with **HA 1**.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HB 481** with **HA 1**. Motion prevailed.

Mr. Cook asked to be marked present.

On motion Pres. Pro Tem Steen **HB** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 481 with **HA 1**—"An Act to Amend Chapter 1, Title 15, Delaware Code, Relating to the Departments of Elections for New Castle County, Kent County and Sussex County".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Messrs. Donovan, Hoey, McCullough—3.

NOT VOTING—Mr. Robbins—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. McCullough introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 88**—"In Reference to Election of Officers".

WHEREAS, Emilie Tugend, who was previously elected to the office of Secretary, has now submitted her resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Emilie Tugent be and she is hereby discharged from said office.

BE IT FURTHER RESOLVED that Olive J. Armstrong be and she is hereby elected to the office of Secretary to serve during the pleasure of the Senate.

Mr. Hoey, Chairman of the Finance Committee, reported on **SB 258** as follows: 4 on merits.

The following legislation was introduced, given first reading and acted upon as follows:

SB 259—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Lewes', being Chapter 170, Volume 43, Laws of Delaware, as Amended, by Adopting the Motor Vehicle Code and Increasing the Authority of the Mayor and the Alderman to Fix Fines, Penalties and Terms of Imprisonment", by Mr. Bookhammer.

Mr. Bookhammer moved to suspend Rule 9 to act immediately on **SB 259**. Motion prevailed.

On motion of Mr. Bookhammer **SB 259** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 259—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Lewes', being Chapter 170, Volume 43, Laws of Delaware, as Amended, by Adopting the Motor Vehicle Code and Increasing the Authority of the Mayor and the Alderman to Fix Fines, Penalties and Terms of Imprisonment".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. Martin, Chairman of the Public Lands Committee, reported on **SB 257** as follows: 2 favorable, 3 on merits.

Mr. Robbins moved to suspend Rule 9 to act on **SB 257**. Motion prevailed.

Mr. Hoey moved to defer **SB 257**. Motion prevailed.

The following legislation was introduced, given first reading and acted upon as follows:

SB 260—"An Act to Make a Supplemental Appropriation to the Office of the Attorney General for the Printing of Attorney General's Opinions", by Mrs. Lord and Mr. Cook; to Finance.

SB 261—"An Act to Amend § 8701, Title 11, Delaware Code, by Increasing the Salaries of State Detectives", by Mrs. Lord and Mr. Cook; to Finance.

SB 262—"An Act Relating to the Deputy Attorneys General, Creating the Position of Administrative Assistant to the Attorney General, Raising the Salary of Some Deputies and Making a Supplemental Appropriation", by Mrs. Lord and Mr. Cook; to Finance.

SB 263—"An Act to Prevent Unfair Competition and Unfair or Deceptive Acts or Practices in Trade or in Commerce and to Give the Attorney General Certain Powers and Duties for the Enforcement Thereof and to Give Injunctive and Other Relief in the Court of Chancery", by Mrs. Lord and Mr. Cook; to Judiciary.

SB 264—"An Act Granting the Mayor and Council of Wilmington the Right to Convey all its Rights, Title and Interest in a Certain Lot and Building", by Mr. Martin and Mrs. Lord; to Corporations—Municipal.

On motion of Pres. Pro Tem Steen **SB 220** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 220—"An Act to Amend Section 2804, Title 31, Delaware Code, Relating to Fees for Attending Meetings".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Martin, Tull, Pres. Pro Tem Steen—3.

NAYS—Messrs. Bookhammer, Isaacs, (Mrs.) Lord, Price, Simpson, Wilgus—6.

NOT VOTING—Messrs. Cook, Donovan, Hoey, Johnson, (Mrs.) Manning, McCullough, Robbins—7.

ABSENT—Mr. DuPont—1.

So the question was decided in the negative and the bill was lost.

Committee reports submitted were as follows:

HB 451—Corporations—Municipal, 2 favorable, 3 on merits, by Mr. Price; **HB 283**—Revised Statutes, 5 on merits, by Mr. Cook.

Mr. Robbins moved to suspend Rule 9 to act on **HB 467**. Motion prevailed.

On motion of Mr. Robbins **HB 467** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 467—"An Act to Amend Section 3710 of Title 12 of the Delaware Code, Relating to Charitable Contributions by Certain Fiduciaries".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—13.

NAYS—None.

NOT VOTING—Messrs. Donovan, Isaacs—2.

ABSENT—Messrs. DuPont, Pres. Pro Tem Steen—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

The following legislation was introduced, given first reading and acted upon as follows:

SB 265—"An Act to Amend Title 29, Delaware Code, by the Insertion of a New Chapter 2 Waiving the Sovereign Immunity of the State of Delaware", by Mr. Hoey; to Revised Statutes.

SB 266—"An Act to Amend Title 15, Delaware Code, Relating to Elections to Provide for Special Registration of Voters in Various Locations in New Castle County and Appropriating Funds Therefore", by Mr. Martin and Mrs. Lord; to Finance.

SB 267—"An Act Relating to a Pension for Winifred E. Przybylek, Widow of John F. Przybylek, a Former Employee of the City of Wilmington and New Castle County", by Mr. Martin; to Claims.

Lt. Gov. Lammot administered the "Oath of Office" to Olive J. Armstrong.

On motion of Mr. Price **HB 167** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 167—"An Act to Amend Chapter 17, Title 16, Delaware Code, to Regulate the Burning of Refuse and Garbage in Certain Residential Areas".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Simpson, Tull, Wilgus—8.

NAYS—Messrs. Martin, McCullough, Robbins, Pres. Pro Tem Steen—4.

NOT VOTING—Messrs. Donovan, Hoey, Johnson—3.

ABSENT—Messrs. Cook, DuPont—2.

So the question was decided in the negative and the bill was lost.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HB 480**. Motion prevailed.

On motion of Pres. Pro Tem Steen **HB 480** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 480—"An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—13.

NAYS—Messrs. Isaacs, Simpson, Wilgus—3.

NOT VOTING—Mr. Bookhammer—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Donovan the Senate adjourned at 7:41 P.M. to Tuesday, December 10, 1963, at 1:00 P.M.

83rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Tuesday, December 10, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Isaacs, Price, Robbins, Simpson, Wilgus—5.

Members Absent—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Tull, Pres. Pro Tem Steen—12.

The Chair declared a recess in the absence of a quorum.

The Senate met at the expiration of the recess at 5:15 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

Members Absent—Mr. Johnson, Mrs. Lord—2.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The Chair directed that the Attorney General, Mr. David Buckson, be granted the privilege of the rostrum to explain a group of bills: **SB 260** to **SB 261**.

The Attorney General began his address at 5:20 and finished at 5:30 P.M.

Mr. Robbins, Chairman of the Agriculture Committee, reported on **SB 256** as follows: 2 favorable, 3 on merits.

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 89**—"Authorizing Payment to Lieutenant Governor Eugene Lammot for Expenses Incurred for State Business".

On motion of Pres. Pro Tem Steen **SB 16** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 16—"An Act to Create a Poet Laureate for the State".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Mr. Johnson, Mmes. Lord, Manning—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Bookhammer **SB 258** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

SB 258—"An Act Making a Supplementary Appropriation to the Rehoboth Special School District for the Purpose of Replacing Heating Boilers in Main Building".

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Manning, Martin, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—10.

NAYS—None.

NOT VOTING—Messrs. Donovan, Hoey, McCullough, Price, Robbins—5.

ABSENT—Mr. Johnson, Mrs. Lord—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

At 5:51 P.M., the House informed the Senate that it had passed and was returning **SB 219**.

The following legislation was introduced, given first reading and acted upon as follows:

SB 268—"An Act Making a Supplementary Appropriation to the State Board of Education for the Improvement of the Grounds of the Kenton School District No. 9, Kent County", by Mr. Cook.

Mr. Cook moved to suspend Rule 9 to act on **SB 268**. Motion prevailed.

On motion of Mr. Cook **SB 268** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 268—"An Act Making a Supplementary Appropriation to the State Board of Education for the Improvement of the Grounds of the Kenton School District No. 9, Kent County".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—11.

NAYS—None.

NOT VOTING—Messrs. Hoey, McCullough, Robbins—3.

ABSENT—Messrs. Donovan, Johnson, (Mrs.) Lord—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The Chair presented the following House Bills, which were given first and second readings and referred to Committees as follows:

HB 450—"An Act to Amend Chapter 152, Volume 52, Laws of Delaware, Entitled 'An Act Requiring the Doing of all Work and the Furnishing of all Materials and Supplies to the Mayor and Council of Wilmington or to any Board, Commission, Department or Agency Thereof to the Lowest and Best Bidder and Providing the Procedure Relating Thereto' by Providing that a Bid Bond may be Submitted with Bids, and by Providing that Public Bidding Shall Not be Required on Contracts for Less than One Thousand Dollars or Where Only One Source can Perform the Contract Because of a Patent"; to Corporations—Municipal.

HB 474—"An Act to Amend Chapter 3, Title 9, Delaware Code, by Providing for the Election of Levy Court Commissioners in Kent County on a County Wide at Large Basis"; to Revised Statutes.

HB 281 with **HA 1**—"An Act to Amend Chapter 9, Title 18, Delaware Code, Relating to Valuation and Nonforfeiture Requirements of Industrial Life Insurance Policies"; to Banking and Insurance.

The following legislation was introduced given first reading and acted upon as follows:

SB 269—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Public Service Commission by Providing for the Regulation of Motor Carriers of Household Goods for Hire", by Messrs. Cook and Tull; to Revised Statutes.

SA 1 to **SB 262**, by Mr. Cook and Mrs. Lord; to be placed with the bill.

SA 1 to **SB 263**, by Mr. Cook and Mrs. Lord; to be placed with the bill.

SB 270, by Mr. Bookhammer. Mr. Bookhammer moved to suspend Rule 9 to act on **SB 270**. Motion prevailed.

After some discussion of the bill, the Chair directed that **SB 270** be withdrawn and corrected.

Mr. Cook, Chairman of the Revised Statutes Committee, reported the following bills from committee: **SB 265**, 2 favorable, 2 on merits; **HB 36**, 2 favorable, 2 on merits; **HB 76**, 2 favorable, 2 on merits; **HB 107**, 2 favorable, 2 on merits; **HB 223**, 2 favorable, 2 on merits; and **HB 474**, 3 on merits, 1 unfavorable.

On motion of Mr. Cook **HB 328** with **HA 1** and **HA 2** was taken up for consideration and read a second time by title in order to pass the Senate:

HB 328—"An Act to Amend Chapter 39, Title 7, Delaware Code, Relating to Soil Conservation Districts by Repealing said Chapter and Substituting a New Chapter 39 in Lieu Thereof".

After 40 minutes of discussion and on the motion of Mr. Cook the bill was deferred.

Mr. Martin, Chairman of the Labor Committee, reported on HB 199 with HA 2 as follows: 2 favorable, 3 on merits.

On motion of Pres. Pro Tem Steen the Senate adjourned at 6:39 P.M. to Wednesday, December 11, 1963, at 1:00 P.M.

84th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Wednesday, December 11, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, (Mrs.) Lord, (Mrs.) Manning, Tull, Pres. Pro Tem Steen—7.

Members Absent—Messrs. Cook, Hoey, Isaacs, Johnson, Martin, McCullough, Price, Robbins, Simpson, Wilgus—10.

The Chair declared a recess in the absence of a quorum.

The Senate met at the expiration of the recess at 4:40 P.M., Lt. Gov. Lamnot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

Members Absent—Mr. McCullough—1.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

Lt. Gov. Lamnot presented the following communication and directed that it be read.

December 10, 1963

Lt. Gov. Eugene Lamnot
Delaware State Senate
Dover, Delaware
Sir:

At a recent meeting of the Magistrates Association of the State of Delaware, it was unanimously voted that the Association go on record as approving and requesting the passage of House Bill No. 363.

It was requested by the Association that this letter be mailed to you as Presiding Officer of the Senate and request that the motion of the Association expressing approval of House Bill No. 363 be read into the record.

Yours very truly,
WM. M. DOUGHTEN,
Secretary
Magistrates Association
of the State of Delaware

The Senate received the following Governor's Memorandum No. 22:

MEMORANDUM NO. 22

December 9, 1963

TO: Secretary of the Senate
FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

December 5, 1963—**HB 143; HB 228 with HA 3; HB 390; HB 480; HB 481 with HA 1.**

December 6, 1963—**SB 230; HS 1 for HB 429.**

The House informed the Senate that it had passed **HB 425 with HA 1 and HB 465** and requested the concurrence of the Senate; and that it had passed and was returning **SB 215, SB 259 and SB 232 with SA 1.**

Pres. Pro Tem Steen introduced the following resolution which upon further motion by him was adopted: **SCR 32**—"Expressing the Sympathy of the 122nd General Assembly upon the Death of Former Representative Leon A. Bailey".

Mr. Price, Chairman of the Temperance Committee, reported on **SB 160** as follows: 2 favorable, 2 on merits.

Mr. Bookhammer moved to suspend Rule 9 to act on **SB 270.** Motion prevailed.

Mr. Robbins introduced the following resolution which upon further motion by him was adopted: **SR 90**—"Authorizing Payment of Amount Due B&B Music Service for Supplies Furnished to the 122nd General Assembly".

Mr. Robbins introduced the following resolution which upon further motion by him was adopted: **SCR 33**—"Making Appropriations to Various Companies for Supplies and Services Rendered the 122nd General Assembly of the State of Delaware".

On motion of Mr. Bookhammer **SB 270** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 270—"An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter There-

for and Prescribing the Powers and Duties of the Commissioners of Rehoboth Beach”.

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The following legislation was introduced given first reading and acted upon as follows:

SB 271—“An Act to Amend an Act being Chapter 196, Volume 22, Laws of Delaware, as Amended, Entitled ‘An Act to Authorize the Commissioners of Lewes to Appoint a Board of Public Works for the Town of Lewes Which Shall Establish, Control and Regulate an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board and Providing for the Election of Their Successors’ by Extending the Territory to Which Water and Sewer may be Supplied by said Board of Public Works and Permitting the Board of Public Works to Adopt Regulations”, by Mr. Bookhammer.

Mr. Bookhammer moved to suspend Rule 9 to act on **SB 271**. Motion prevailed.

On motion of Mr. Bookhammer **SB 271** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 271—“An Act to Amend an Act being Chapter 196, Volume 22, Laws of Delaware, as Amended, Entitled ‘An Act to Authorize the Commissioners of Lewes to Appoint a Board of Public Works for the Town of Lewes Which Shall Establish, Control and Regulate an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board and Providing for the Election of Their Successors’ by Extending the Territory to Which Water and Sewer may be Supplied by said Board of Public Works and Permitting the Board of Public Works to Adopt Regulations”.

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Mr. Simpson—1.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Committee reports submitted were as follows:

HB 353—Finance, 2 favorable, 3 on merits, by Mr. Hoey;
HB 292—Revised Statutes, 4 favorable, 1 on merits, by Mr. Cook; **SB 263** with **SA 1**—Judiciary, 5 favorable, by Mr. Cook; **SB 264**—Corporations—Municipal, 4 favorable, 1 on merits, by Mr. Price.

Pres. Pro Tem Steen requested the privilege of the floor for Mr. Russell Whitby, Motor Vehicle Commissioner, to explain **SB 119**.

On motion of Pres. Pro Tem Steen **SB 119** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 119—"An Act to Adopt on Behalf of the State of Delaware, the Driver License Compact".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—Mr. Donovan—1.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Pres. Pro Tem Steen requested the privilege of the floor for Mr. Charles Keil, Legislative Assistant to Governor, to explain **SB 172**.

On motion of Pres. Pro Tem Steen **SB 172** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 172—"An Act Making an Appropriation to the Secretary of State for a Comprehensive Review and Study of the Corporation Law of the State and for the Preparation of a Report Containing Recommended Revisions of Such Law for Submission to the General Assembly".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. Cook moved to suspend Rule 9 to act on **SB 263**. Motion prevailed.

Mr. Cook moved for adoption of **SA 1** to **SB 263**. Motion prevailed by voice vote.

On motion of Mr. Cook **SB 263** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 263—"An Act to Prevent Unfair Competition and Unfair or Deceptive Acts or Practices in Trade or in Commerce and to Give the Attorney General Certain Powers and Duties for the Enforcement Thereof and to Give Injunctive and Other Relief in the Court of Chancery".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—Mr. Donovan—1.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The following legislation was introduced, given first reading and acted upon as follows:

SS 1 for **SB 266**—"An Act to Amend Title 15, Delaware Code, Relating to Elections to Provide for Registration of Voters in Various Locations and Appropriating Funds Therefore", by Messrs. Martin, Pres. Pro Tem Steen and Cook.

Pres. Pro Tem Steen moved for adoption of **SS 1** for **SB 266**. Motion prevailed by voice vote.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **SS 1** for **SB 266**. Motion prevailed.

On motion of Pres. Pro Tem Steen **SS 1** for **SB 266** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SS 1 for **SB 266**—"An Act to Amend Title 15, Delaware Code, Relating to Elections to Provide for Registration of Voters in Various Locations and Appropriating Funds Therefore".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. Price requested the privilege of the floor for Rep. R. Dineen, of Wilmington, to explain **HB 402**.

Mr. Isaacs moved to hold a public hearing on **HB 402**. Motion was lost by voice vote.

On motion of Mr. Price **HB 402** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 402—"An Act to Further Amend Chapter 92, Volume 23, Laws of Delaware as Amended, being an Act Entitled 'An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington'."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Tull, Pres. Pro Tem Steen—9.

NAYS—Mr. Robbins—1.

NOT VOTING—Messrs. Bookhammer, Cook, Donovan, Isaacs, Simpson, Wilgus—6.

ABSENT—Mr. McCullough—1.

On motion of Mr. Price the roll call was tabled.

The following legislation was introduced, given first reading and acted upon as follows:

SB 272—"An Act to Further Amend Chapter 182 of Volume 45, Laws of Delaware 1944-5, Entitled 'An Act to Reincorporate the Town of Delmar by Increasing the Limit

of Taxation for General Town Purposes,'" by Pres. Pro Tem Steen; to Corporations—Municipal.

The House informed the Senate that it had passed **SB 249** with **HA 1** and **HA 2** and requested concurrence of the Senate.

Mr. Martin moved to restore **HB 167** to calendar. Motion prevailed by voice vote.

The House informed the Senate that it had passed **HB 466** with **HA 1** and requested the concurrence of the Senate.

Mrs. Lord moved to suspend Rule 9 to act on **HB 466** with **HA 1**. Motion lost by voice vote.

The Chair presented the following House Bills, which were given first and second reading and referred to Committees as follows:

HB 466 with **HA 1**—"An Act Amending Title 6, Delaware Code of 1953, by Protecting the Public Welfare, Entitling all Persons to Full and Equal Accommodations, Facilities, Advantages and Privileges of Places of Public Accommodations and Making it Unlawful to Refuse the Same to any Person on Account of Race, Creed, Color or National Origin or to Publish any Communication to the Effect that the Same Shall be Refused on Account of Race, Creed, Color or National Origin, Empowering and Directing the State Human Relations Commission to Effect Voluntary Compliance Therewith and Providing Criminal Penalties for the Violations Thereof, and Repealing Section 1501 of Title 24, Section 902 of Title 28 and Section 703 of Title 26, Delaware Code of 1953, Insofar as Said Sections are Inconsistent Herewith"; to Revised Statutes.

HB 425 with **HA 1**—"An Act to Amend Section 5115 of Chapter 51, Title 14, of the Delaware Code, Entitled 'University of Delaware' for the Purpose of Providing that the Revenue Bonds of the University may be Executed by Facsimile Signatures of the Officers of the University, and of Clarifying the Terms and Conditions upon which such Bonds may be Issued and Refunded and Increasing the Maximum Allowable Rate of Interest and Interest Cost from Four to Six Percent"; to Education.

HB 465—"An Act to Amend Title 15, Section 5004, Delaware Code, Pertaining to the Use of Voting Machines"; to Elections.

Mr. Cook requested that **HB 15** be placed before the Senate for action. Then Mr. Cook moved to defer action on **HB 15**. Motion prevailed.

On motion of Mr. Cook **HB 76** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus—14.

NAYS—None.

ABSENT—Messrs. Donovan, McCullough, Pres. Pro Tem Steen—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Mr. Cook **HB 36** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 36—"An Act to Amend Section 1183 (d), Title 30, Delaware Code, Relating to Payment of Refunds".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Donovan, McCullough—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mrs. Lord advised the Senate that although the Senate Calendar listed her as co-sponsor of **SB 267**, she was not a co-sponsor and desired a correction of the Calendar.

Mr. Cook requested the privilege of the floor for Mr. Talbot to explain **HB 328** with **HA 1** and **HA 2**.

On motion of Mr. Cook **HB 328** with **HA 1** and **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 328—"An Act to Amend Chapter 39, Title 7, Delaware Code, Relating to Soil Conservation Districts by Repealing Said Chapter and Substituting a New Chapter 39 in Lieu Thereof".

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Johnson, (Mrs.) Lord, Martin, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—10.

NAYS—Mr. DuPont—1.

NOT VOTING—Messrs. Isaacs, (Mrs.) Manning, Simpson—3.

ABSENT—Messrs. Donovan, Hoey, McCullough—3 .

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

The following legislation was introduced, given first reading and acted upon as follows:

SB 273—"An Act to Amend Section 904, Title 29, Delaware Code, Relating to Duties of Passed Bill Committees", by Mr. Isaacs; to Passed Bills.

Mr. Isaacs expressed displeasure at the assignment and the Chair announced that **SB 273** was re-assigned to the Revised Statutes Committee.

Mr. Johnson, Chairman of the Elections Committee, reported on **HB 465** as follows: 5 favorable.

On motion of Mr. Cook **HB 15** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 15—"An Act to Amend Chapter 3, Title 30, Delaware Code, Relating to the State Tax Board".

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Johnson, (Mrs.) Lord, Martin, Price, Robbins, Tull, Pres. Pro Tem Steen.

NAYS—Mr. Cook.

NOT VOTING—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Manning, Simpson, Wilgus.

ABSENT—Messrs. Donovan, Hoey, McCullough.

On motion of Mr. Johnson the roll call was tabled.

At 7:00 P.M., Pres. Pro Tem Steen moved to adjourn to Thursday, December 12, 1963, at 1:00 P.M.

85th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:37 P.M. on Thursday, December 12, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, (Mrs.) Manning, Price, Robbins, Tull, Wilgus—6.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, Martin, McCullough, Simpson, Pres. Pro Tem Steen—11.

The Chair declared a recess in the absence of a quorum.

The Senate met at the expiration of the recess at 4:23 P.M., Lt. Gov. Lamnot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Bookhammer, (Mrs.) Lord, McCullough—3.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The Chair directed a reading of **HA 1** and **HA 2** to **SB 249**.

The following Senators asked to be marked present: Mrs. Lord and Mr. Bookhammer.

On motion of the Chair **SB 249** as Amended with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 249 as Amended—"An Act to Amend Chapter 15, Title 9, Delaware Code, Authorizing the Levy Court of New Castle County to Acquire Land and Construct and Equip a Public Library and Authorizing the Levy Court of New Castle County to Issue Bonds to Finance the Cost Thereof and to Levy Taxes Therefor".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Robbins, Simpson, Tull, Wilgus—13.

NAYS—Mr. Donovan—1.

NOT VOTING—Pres. Pro Tem Steen—1.

ABSENT—Messrs. McCullough, Price—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate.

Mr. Cook moved to strike the roll call on **HB 15**. Motion prevailed.

On motion of Mr. Cook **HB 15** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 15—"An Act to Amend Chapter 3, Title 30, Delaware Code, Relating to the State Tax Board".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Mr. DuPont—1.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

The House informed the Senate that it had passed **HB 427**, **HB 471**, **HB 44** with **HA 1**, **HB 369** and **HB 351**, and **SB 23** with **SA 1** and **SA 2** and **HA 2**, **SB 217** with **HA 1**, **SB 255** with **HA 1** and **SJR 6** with **HA 1** and desired the concurrence of the Senate; also that it had passed and was returning to the Senate **SCR 31**.

On motion of Mrs. Lord **SB 264** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 264—"An Act Granting the Mayor and Council of Wilmington the Right to Convey all its Right, Title and Interest in a Certain Lot and Building".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Cook, McCullough—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Simpson **SB 217** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 217 with **HA 1**—"An Act to Amend Chapter 108, Volume 47, Laws of Delaware, Entitled 'An Act Extending

the Corporate Limits of the Town of Camden', by Adding a New Area Thereto".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Mr. McCullough asked to be marked present.

On motion of Mr. Hoey **HB 353** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 353—"An Act Making a Supplemental Appropriation for the Surplus Food for Needy Families Program".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Bookhammer, Cook, (Mrs.) Manning—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

The following legislation was introduced, given first reading and acted upon as follows:

SB 274—"An Act to Amend Section 903, Title 29, Delaware Code, Relating to Appointment and Duties of Bill Clerks", by Mr. Isaacs and Mrs. Manning; to Revised Statutes.

Mr. Robbins requested **SB 257** receive final action by the Senate.

Mr. Hoey presented **SA 1** to **SB 257** and moved for its adoption. Motion prevailed by voice vote.

Mr. Robbins requested the privilege of the floor for Attorney Samuel Arsch to explain **SB 257**.

On motion of Mr. Robbins **SB 257** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 257 with **SA 1**—"An Act to Extend the Duration of Section 4520 of Title 7 of the Delaware Code, Relating to Subaqueous Public Lands, by Repealing its Present Expiration Date".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Tem Steen—17.

NAYS—None.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Committee reports submitted were as follows:

HB 425—Education, 3 favorable, 2 on merits, by Mr. McCullough; **HB 199**—Labor, 3 favorable, 2 on merits, by Mr. Martin; **HB 466** with **HA 1**—Revised Statutes, 2 on merits, 3 unfavorable, by Mr. Cook; **HB 310**—Education, 3 favorable, 2 on merits, by Mr. McCullough; **HB 450**—Corporations—Municipal, 2 favorable, 2 on merits, by Mr. Price; **SB 272**—Corporations—Municipal, 3 favorable, 2 on merits, by Mr. Price; **SB 214**—Labor, 4 favorable, 1 on merits, by Mr. Martin; and **SB 33**—Finance, 4 on merits, by Mr. Hoey.

The Chair presented the following House Bills, which were given first and second readings and referred to Committees as follows:

HB 369—"An Act to Amend Chapter 1, Title 17, Delaware Code, Relating to Powers and Duties of the State Highway Department"; to Buildings and Highways.

HB 444—"An Act to Enable the Levy Court of New Castle County to Establish a Water Supply and Flood Control System in the White Clay Creek Watershed, to Control the Use of Excess Water Thereof, to Augment the Supply of Water for New Castle County, to Control the Use Thereof and to Charge Fees Therefor, to Issue Bonds to Finance Projects and Acquirements, to Acquire by Condemnation, Purchase, Gift or Otherwise Land or Rights Therein, in New Castle County or in the Commonwealth of Pennsylvania, to Levy Taxes Therefor"; to Buildings and Highways.

HB 471—Mr. Isaacs moved to suspend Rule 9 to act on this bill. Motion prevailed by voice vote.

HB 427—"An Act Making a Supplementary Appropriation to the State Law Library in Kent County"; to Finance.

On motion of Mr. Isaacs **HB 471** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 471—"An Act Making an Appropriation to Townsend School District No. 81, New Castle County, Delaware, for the Purpose of Making Alterations and Repairs to the School Building".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—17.

NAYS—None.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Mr. Martin requested **SB 110** receive final action by the Senate.

Mr. Martin presented **SA 1** to **SB 110** and moved for its adoption.

Mr. Martin requested privilege of the floor for Mr. Bock to explain **SA 1** to **SB 110**.

Mr. Isaacs moved to defer **SB 110**. Motion prevailed by voice vote.

On motion of Mr. Price **HB 465** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 465—"An Act to Amend Title 15, Section 5004, Delaware Code, Pertaining to the Use of Voting Machines".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Donovan, McCullough—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **SB 272**. Motion prevailed.

On motion of Pres. Pro Tem Steen **SB 272** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 272—"An Act to Further Amend Chapter 182 of Volume 45, Laws of Delaware 1944-5, Entitled 'An Act to Reincorporate the Town of Delmar' by Increasing the Limit of Taxation for General Town Purposes".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook **HB 160** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 160 with **HA 1**—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to Compensation of Members of the Public Service Commission".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Johnson, Martin, Price, Robbins, Tull—6.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Manning, Wilgus, Pres. Pro Tem Steen—6.

ABSENT—Messrs. Donovan, Hoey, (Mrs.) Lord, McCullough, Simpson—5.

So the question was decided in the negative and the bill was lost.

On motion of Mr. Cook **HB 223** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 223—"An Act Increasing the Membership of the State Board of Trustees of the Delaware State Hospital at Farnhurst".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Martin, Price, Robbins, Tull, Pres. Pro Tem Steen.

NAYS—Messrs. DuPont, Isaacs, (Mrs.) Manning, Wilgus.

NOT VOTING—Mr. Bookhammer, Mrs. Lord.

ABSENT—Messrs. Donovan, Hoey, Johnson, McCullough, Simpson.

On motion of Mr. Cook the roll call was tabled.

The Chair presented **HB 351**.

Mr. Isaacs moved to suspend Rule 9 to act on **HB 351**. Motion prevailed by voice vote.

On motion of Mr. Isaacs **HB 351** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 351—"An Act to Amend Chapter 31, Volume 54, Laws of Delaware, Entitled 'An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1964', and Making a Supplemental Appropriation in the Amount of \$150,000 for the Proposed Amendments".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Donovan, Hoey, Johnson, McCullough—4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

At 6:37 P.M., Pres. Pro Tem Steen moved to adjourn to Monday, December 16, 1963, at 1:00 P.M.

86th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Monday, December 16, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson—9.

Members Absent—Messrs. Donovan, Hoey, Johnson, Martin, McCullough, Tull, Wilgus, Pres. Pro Tem Steen—8.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much

be considered the reading of the Journal and the Journal be approved as read.

At 1:43, lacking a quorum the Chair declared a recess.

The Senate met at the expiration of the recess at 4:45 P.M., Lt. Gov. Lamnot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—16.

Members Absent—Mr. Wilgus—1.

Mr. Wilgus asked to be marked present.

The Secretary delivered the following statement:

STATE OF DELAWARE SENATE

Dover, Delaware
December 16, 1963

Lt. Governor Eugene Lamnot
President of Senate
Dover, Delaware

On Friday, December 13, 1963, the Secretary of the Senate of the 122nd Delaware General Assembly received from the Governor, Senate Bill No. 71 without the Governors' signature of approval and along with the bill, a message from the Governor relative to his withholding of approval.

LESLIE C. GREENLY
Secretary of Senate

The House informed the Senate that it had passed **SB 83, SB 233, SB 234, SB 235** with **SA 1, SB 236** with **SA 1, SB 237, SB 245, and SB 271** and was returning same to the Senate and that it had passed **HB 38** with **HA 1, HB 303, HB 333, HB 470, HB 477** and **HB 482** and desired the concurrence of the Senate.

Mr. Johnson presented and requested Journal reading of the following statement:

The new proposal for the reorganization of the New Castle County Levy Court embodies corrections of most of the criticisms leveled at S.B. No. 71. Specifically—

(1) It reduces the total number of Commissioners to seven (7). There would temporarily be nine (9) and then eight (8) Commissioners until the terms of the incumbents expire.

(2) It would equalize the size of the Districts as follows:

First. Wilmington (2 members) 95,827

Second. Northern (2 members) 106,883

Third. Southern (2 members) 105, 033

Fourth. County at-large, and would be President

Under these provisions the largest District would be less than 12% larger than the small district.

(3) There is provision for reapportionment every 10 years.

(4) The salary of the President, who is to be a full-time officer, would be increased to \$10,000.

The following legislation was introduced, given first reading and acted upon as follows:

SB 275—"An Act to Amend Title 9, Delaware Code, Relating to the Election, Qualification, Powers and Duties of the Levy Court Commissioners for New Castle County", by Messrs. Johnson, McCullough and Martin; to Elections.

SB 276—"An Act to Amend Title 15, Delaware Code, Relating to Elections to Provide for Special Registration of Voters in Various Locations in Each County and Appropriating Funds Therefore", by Mrs. Lord, Messrs. Cook and Pres. Pro Tem Steen; to Elections.

SB 277—"An Act Making a Supplementary Appropriation to Millsboro School No. 204 for the Installation of a Sanitary Sewer, Water Service and Fire Hydrants", by Pres. Pro Tem Steen; to Buildings and Highways.

Committee reports submitted were as follows:

HB 281—Banking and Insurance, 2 favorable, 2 on merits, by Mr. Tull; **HB 369**—Buildings and Highways, 5 favorable, by Mr. Steen; and **SB 262**—Finance, 5 on merits, by Mr. Hoey.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 4:55 P.M.

The Senate met at the expiration of the recess at 5:12 P.M., Lt. Gov. Lammot presiding.

Mr. Cook called **HB 466** with **HA 1** before the Senate for final action.

Mr. Hoey presented **SA 1** to **HB 466** with **HA 1**.

On motion of the Chair **SA 1** to **HB 466** was taken up for consideration.

On the question "Shall the Amendment Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Isaacs, Price, Robbins, Tull, Wilgus—8.

NAYS—Messrs. Bookhammer, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Pres. Pro Tem Steen—9.

So the question was decided in the negative and the Senate Amendment was lost.

On motion of Mr. Isaacs **SA 2** to **HB 466** with **HA 1** was taken up for consideration.

On the question "Shall the Amendment Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Hoey, Isaacs, Price, Robbins, Tull, Wilgus—7.

NAYS—Messrs. Bookhammer, Cook, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Pres. Pro Tem Steen—10.

So the question was decided in the negative and the Amendment was lost.

On motion of Mr. McCullough to defer **HB 466** with **HA 1** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Hoey, Isaacs, Johnson, McCullough, Price, Robbins, Wilgus—8.

NAYS—Messrs. Bookhammer, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Pres. Pro Tem Steen—7.

NOT VOTING—Mr. Cook—1.

ABSENT—Mr. Tull—1.

So the question was decided in the affirmative and the motion having received the majority passed the Senate.

On motion of Mr. DuPont to overrule the decision of the Chair on the previous motion the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. DuPont, (Mrs.) Lord, Martin—3.

NAYS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—12.

NOT VOTING—Mr. Johnson—1.

ABSENT—Mr. Tull—1.

So the question was decided in the negative and the motion was lost.

Mr. Isaacs moved to have **HB 466** with **HA 1** placed before the Senate for final action.

Mr. Cook moved to adjourn to Tuesday, December 17, 1963, at 1:00 P.M. The Chair ruled the motion was not in order.

At 5:40 P.M., Mr. Cook moved to recess. The Chair declared the Senate in recess.

The Senate met at the expiration of the recess at 3:42 P.M., Tuesday, December 17, 1963, Lt. Gov. Lamot presiding.

Mr. Isaacs withdrew his previous motion.

At 3:43 P.M., Mr. Donovan moved to adjourn to Tuesday, December 17, 1963, at 3:44 P.M.

87th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:44 P.M. on Tuesday, December 17, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

Members Absent—Messrs. Johnson, McCullough—2.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much be considered the reading of the Journal and the Journal be approved as read.

The House informed the Senate that it had passed and was returning **SB 222, SB 264, SB 270 and SCR 32**; also that it had passed **HB 233, HB 356, HB 423 with HA 1, HB 494, HB 495, HB 201 with HA 2 and HA 4, HB 344, HB 411, HB 214 and HS 2 for HB 21** and desired the concurrence of the Senate.

Mr. Johnson asked to be marked present.

On motion of Pres. Pro Tem Steen **SB 255 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 255—"An Act to Rename a Portion of the Delaware Turnpike to the John F. Kennedy Highway".

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate.

Mr. McCullough asked to be marked present.