

The most significant change in this budget was the elimination of \$33,000 from HB 12. The agency had requested \$43,500 and the item had been reduced to \$33,000 by the Governor. It was with some regret that this item was deleted, for it carried with it matching funds from the Federal Government for placing oyster shells on grounds that had been rendered useless by the MSX blight.

Between 1963 and 1965 the commission spent \$150,000 appropriated to it for rehabilitation of the oyster beds. Each year since 1958 there were expenditures of \$10,000 annually — a total of \$90,000 — for research conducted by the University of Delaware. The present budget asked for \$10,000 to continue this research, and this was approved.

In a letter from the University of Delaware, the acting director of Marine Laboratories states in relation to the shell fisheries program:

"The general results have been less than satisfactory. It is only within the past year that the causative agent for the oyster mortalities has been identified and its life cycle worked out."

And,

"The program has not received the attention it should have — The Marine Laboratories could do a much better job for the State of Delaware and its shell fisheries problems than we have up to now."

Since well over \$200,000 has been spent studying and planting oysters, the committee felt no further planting on a large scale should be done until research reports that the disease problem is understood and that replanting will bring about reseedling of the beds, with the promise of the rebuilding of the oyster industry. This conclusion is in line with the feeling of the private oyster industry, who are not spending their own money for restocking until they are assured of a probable return.

And, incidentally, we are informed by the University of Delaware that the researcher on this project left the employ of the commission and took his reports with him!

A second major item eliminated from this agency's budget is a request for appropriation of \$5,000 for boat repair. There are two reasons for not including this item in HB 137.

First, the captain of the boat told the Committee at the hearing that the boat was in good condition. He said he had no knowledge of faults but said if they (a Wilmington shipyard) say it needs a new bottom, "I don't know."

Second, SB 16, introduced by Senator Cook on February 14, seeks \$15,000 for repair of the same boat. It would seem improper to appropriate funds in two different ways for the same job.

Salaries and wages of employees were reduced \$14,900, which will necessitate some adjustments in the staff. On this matter many points of view were expressed to the effect there is opportunity for much improvement in the efficiency of this agency and its personnel.

On the subject of revenues from leases of oyster lands, the executive secretary of the commission provided information indicating 14,102 acres of lands were under lease. The revenue collected in 1966 was \$9,125.25 which is equivalent to 13,010 acres. This would indicate revenues on 1,092 acres or 7.8 per cent of the total went uncollected.

For these reasons, it was the Committee's judgment that additional funds should not be appropriated until the commission defines clearly the services to be rendered and prescribes specific procedures to be followed in carrying out the work to be done.

STATE TAX DEPARTMENT

The principal item deleted from this agency was \$11,000 for an attorney. We found that the Attorney General has been furnishing legal service to this agency. Thus, the agency has been able to transfer the \$11,000 and use it as a slush fund.

The \$25,000 slush fund that has been widely discussed had to be left in the budget since it is established by law. Legislation is before the General Assembly to abolish this fund.

HEALTH AND WELFARE

The budget requests for all health and welfare programs totaled \$22.5 million. The Governor pared this to \$18.5 million, a cut of approximately \$4 million or 18 per cent. Subsequent to the introduction of HB 12, the Governor adjusted his figure by letters to the Committee in the sums of \$210,200. It is interesting to note that in these adjustments the Delaware State Hospital and Governor Bacon Health Center suffered further cuts of \$60,000 and \$26,000 respectively. These amounted to cuts of 1.3 and 1.8 per cent.

HB 137 appropriates \$18.4 million for the total health and welfare program, only \$100,000 or 0.4 per cent below the Governor's recommendation. That figure is insignificant when one considers the 1.3 and 1.8 per cent cuts made in the two agencies.

Actually, these agencies are better off under HB 137 than under HB 12, or the present year's budget, for the line items greatly restricted management of the agencies. These agencies have experienced adjustments in personnel because of resignations and the difficulty of obtaining replacements. Many agencies informed the Committee that technical line

item restrictions had proven detrimental to patient care. HB 137 eliminates many line items.

Of the \$40,000 reduction for mental health, \$25,800 came in such areas as supplies, travel and personal services. Service to the public need not be adversely affected.

In the case of rehabilitation agencies, much the same is true. The major reduction for the Board of Corrections, for example, was the \$10,000 sought for the purchase of farming equipment. We point out that this equipment was requested for use at an institution not yet in existence, and that there is considerable difference of opinion as to the advisability of inmates learning farm trades as opposed to industrial skills. Also, this is an item that might more properly be contained in the capital budget. Finally, some Democrats joined us in opposing this expenditure.

The agriculturally-oriented members of the committee strongly challenged the Department's intent to expand the dairy herd from Delcastle Farm to the new institution in Smyrna, saying "it would be cheaper to buy milk."

In the area of salaries, the reduction amounted to just \$2,000 out of \$1 million, hardly a significant change. Small reductions were made in other areas also — \$1,000 for personal services, \$2,000 for supplies, etc.

There is an interesting point raised in an amendment the Governor suggested to HB 12 on corrections. He sought an increase in the number of employees from 73 to 81 but reduced the appropriation by \$52,400. How does he propose to accomplish this?

In the case of the Youth Services Commission, HB 137 contains only \$1,500 less than HB 12.

WEIGHTS AND MEASURES

A petroleum prover was eliminated when members of the committee questioned the benefit the state would receive from this equipment. The need was not adequately explained to justify the expenditure at this time. This decision also eliminated the new position of a lab technician to operate this machine.

STATE HIGHWAY DEPARTMENT

The Governor's recommendations are largely reflected in HB 137.

Attention should be paid to a \$50,000 addition in this agency budget. That is the appropriation earmarked specifically for the painting of white lines on either edge of state roads, something safety officials recommend.

Salaries for uniformed state police were restored to the full request, more than allocated by the Governor. We consider it regrettable that the Governor reduced salaries in this area

with the growing crime and public safety problem in the state.

Changes in the engineering division came in capital outlay, supplies and travel. Again, there is no reason this agency cannot do its job.

This agency presents another case where line items were reduced to give necessary flexibility of administration. The Committee was told by this agency that in the last five years 89 employees were hired and 90 were lost because of line item restrictions. The department, we were again informed, was forced to use outside consultants for lack of internal staff and this resulted in a cost $2\frac{1}{2}$ times that of having the work done internally.

On mosquito control, most of \$2 million appropriated to eradicate this pest has been spent. It is our view that operational costs should therefore be decreasing.

EDUCATION

The main thing here, of course, is the \$125 increase over the current unit allotment — \$100 more than that recommended by the Governor. We have previously made our position clear on this matter, which we consider to be essential to the well-being of our school children.

Further, we added one assistant supervisor and five instructors for driving education and a supervisor for industrial arts. The latter position has been sought since 1957. We also deleted Section 13, which took away needed flexibility from local school boards.

The Committee demonstrated its support for higher education also by adding an additional \$38,000 to Delaware State College for professors' salaries, which the Governor refused to recommend. It was felt that this addition was wise at this time in order for the college to maintain its accreditation level. Without the appropriation the level would have dropped from a "C" to a "D", which would adversely affect the educational status of the college and its graduating students.

Omitted from the education budget was a State Board request for a school plant engineer. The omission was not one of questioning the need but rather a feeling that the scope of the job and the benefits to be gained were not adequately outlined. If anything, the Committee felt when such a job is created the position should be filled with a man of greater experience and higher qualifications than requested by the department.

The Governor mentioned the area of educational television. While this agency made a fine presentation, our position here is that we have not been able to find enough substantial support for this program to justify the amount of

additional funds requested. We find that many persons do not even know of the program's existence and that some schools and teachers are not utilizing this tool.

The Committee felt there should be more positive public awareness and reaction to this service before increased appropriations are made.

It is interesting to note that the Governor reduced the ETV request by \$493,000, or 31 per cent.

The Governor also referred to a cut to the University of Delaware. We only point out that it was \$2,000 out of an \$8 million budget item!

Finally, mention should be made that our amendment to HB 137 restores the \$25,000 for the Delaware Higher Education and Vocational Loan Program inadvertently left out of the bill.

STATE CUSTODIAN

Comparing the current year's regular budget with HB 137, we find this agency receiving \$22,000 more. During fiscal year 1967 there were projects of a special nature that we understand to be nonrecurring. Therefore, the amount seems adequate. This office did not appear for a hearing, and if there is a genuine need for more money, they should articulate it.

STATE DISTRIBUTION AGENCY

The Governor cut almost \$50,000 here, 32 per cent of the requested appropriation. The amount in HB 137, however, is still \$5,100 over the adjusted 1967 budget total. Removed is the new position of assistant director of purchasing. It is anticipated that as in recent years a substantial amount of Federal funds will greatly add to the total.

PUBLIC ARCHIVES COMMISSION

The Committee is to this time unconvinced that this agency requires more funds.

STATE PARK COMMISSION

Here is an example of where the Committee saved the state money while at the same time actually improving the agency's ability to do its job.

The major item deleted was \$20,000 for the purchase of a beach sanitizer, a large machine to remove objectionable litter from beachlands. While such machines do perform a necessary task, the item was dropped because it would have been the third unit of its type to be purchased within a year.

Last year two beach sanitizers were purchased and delivered in mid- and late-summer. Since the oldest machine has been run only 57 hours and the other only six hours, it does not appear logical to purchase another until experience indicates the other two are performing to capacity.

This agency does appear to function well, however, and the Committee increased overall salaries by \$7,000 over what the Governor recommended. As previously stated, we support separate legislation granting major salary increases for the positions of director and assistant director.

DEPARTMENTS OF ELECTIONS, KENT AND NEW CASTLE COUNTIES

In the case of Kent County, money to purchase two additional voting machines was deleted. We are informed that by moving a polling place the board will not require these machines.

In the case of New Castle County, it was our opinion that the agency sought more money than needed in an off-election year.

STATE PLANNING OFFICE — STATE BUDGET OFFICE

While the State Planning Office, a relatively new agency, certainly performs many essential services to state and local government, it was the feeling of the Committee that it was growing too fast. Thus, a very minor cut from HB 12 was made.

The Budget Office in HB 137 would receive \$18,000 more than in the current budget, an increase that would appear to be adequate.

STATE BOARD OF WELFARE

Here HB 137 and HB 12 are almost identical. Nothing was changed to affect the program, and the total is just \$3,000 down out of a total of \$4 million.

GAS TAX REFUNDS

This change was made to ensure a proper accounting of the way agencies are spending money. Under the present system agencies are appropriated money to pay the tax and receive tax refunds but never account for how the money is spent.

Mr. Bartleson asked for consideration of **HA 1** to **HB 137**. Mr. Slawik and Mr. Zimmerman expressed desires to ask questions of Mr. Hering. Mr. Bartleson yielded his motion. After much discussion, **HA 1** to **HB 137** was given a Roll Call vote:

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

NAYS — Blendt, Eskridge, Ferguson, Fonville, Gooding, Harrington, McMahon, Phillips, Shockley, Slawik, Zimmerman — 11.

ABSENT — Burton, Hammond — 2.

Mr. Hering returned to the Chair and Mr. Benson to his seat.

Mr. Zimmerman moved to adopt **HA 2** to **HB 137** by roll call vote. After discussion, Mr. Hale moved to table **HA 2** to **HB 137** by voice vote. Motion carried.

Mr. Bartleson asked for a roll call vote on **HB 137** with **HA 1**. Motion carried.

Roll Call revealed:

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

NAYS — Blendt, Eskridge, Ferguson, Fonville, Gooding, Harrington, McMahon, Phillips, Shockley, Slawik, Zimmerman — 11.

ABSENT — Burton, Hammond — 2.

HB 137 with **HA 1** having received the constitutional majority was declared passed the House.

The following bill was introduced:

HB 160 — An Act to amend Sections 2101, 2126, 2127, 2322, 2323, 2324, 2325, 2326, 2330, 2332, 2348, 2350 and 2373, Title 19, Delaware Code relating to Workmen's Compensation by providing qualifications for board members, by providing for attorney's fee for an injured employee, by establishing a maximum amount and time for medical payments, by making medical reports available to both parties, by providing standards for changing physicians, by establishing a healing period and temporary total disability, by providing for permanent total disability, by permitting partial disability compensation in addition to the healing period, by providing permanent partial disability payments in certain schedule injuries after the healing period, by providing increases in maximum benefits, by providing payment of schedule injury awards to beneficiary after death of an employee for other causes, by providing for specific findings on evidence to be included in the board's award, by providing for superior court review of the board's findings and by providing for a discretionary order of the board for a self-insurer to deposit in trust the amount of any award.

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

Mr. Hale moved to adjourn. Motion carried. House adjourned at 6:40 P.M.

22ND LEGISLATIVE DAY

The Speaker called the House to order at 1:49 P.M., on May 18, 1967.

There was a prayer by the Chaplain Reverend William H. Miller.

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

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

Members absent: Hart, Shockley, Stabler — 3.

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

The following prefiled bills were introduced and assigned to committee:

HB 161 — An Act to amend Section 4402, Chapter 44, Title 21, Delaware Code, relating to removal of abandoned vehicles by permitting the New Castle County Police to enforce such provisions in conjunction with the State Police. Introduced by Rep. Benson. Referred to the Committee on Highways and Public Safety.

HB 162 — An Act to amend Title 11, Chapter 19, Subchapter II, Delaware Code, relative to fresh pursuit in felonies, misdemeanors, and violations of Motor Vehicle Law. Introduced by Reps. Castle and Stabler. Referred to the Committee on Judiciary.

HB 163 — An Act to amend Title 6, Chapter 35, by the addition thereto of a Section 3506, requiring any person, group of persons or corporation constructing dwellings for another or for sale to post bond with surety. Introduced by Reps. Pagano and Cicione. Referred to the Committee on Commerce and Corporations.

HR 41 — Relative to the Birthday of Representative Melvin A. Slawik and the Birthday of Representative Robert W. Riddagh.

WHEREAS, it has come to the attention of the House of Representatives that May 19 is the birthday of Representative Melvin A. Slawik and the birthday of Representative Robert W. Riddagh, members of the House of Representatives, and

WHEREAS, the members of the House wish by suitable means to extend their greetings to Representative Melvin A. Slawik and Representative Robert W. Riddagh on this occasion.

NOW THEREFORE,

BE IT RESOLVED that the House congratulate Representative Melvin A. Slawik and Representative Robert W. Riddagh on the occasion of their birthdays and extend to

them the best wishes of its members for many happy returns of the day, and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the Chief Clerk to Representative Melvin A. Slawik and to Representative Robert W. Riddagh, and

BE IT FURTHER RESOLVED that this Resolution be spread upon the Journal of the House for this session.

Introduced by Reps. Gooding, Phillips, Hering and Dodge. Adopted by voice vote.

Mr. Hale announced committee meetings and moved to recess to the call of the chair. Motion carried. House recessed at 1:58 P.M.

The House reconvened at 3:17 P.M.

Messrs Hart and Ferguson asked to be marked present.

The following bills were reported out of committee: Education: **HB 150**, 5 favorable; Revised Statutes: **HB 153**, 5 favorable; **SB 29**, 5 favorable; Revenue and Taxation: **SB 102**, 5 favorable; Commerce and Corporations: **HS 1** with **HA 1** to **HB 7**, 6 on merits; Operations Operations: **HB 21**, 5 favorable; **SB 17**, 3 on merits, 1 favorable; **SB 47**, 4 favorable.

A messenger from the Senate delivered **SB 39** and **SB 101** having passed the Senate and asking concurrence of the House.

The following bills were introduced and assigned to committees:

HS 1 for **HB 135** — An Act to amend Title 9, Chapter 81, Delaware Code by providing for the taxation by New Castle County of certain mobile homes and by modifying Section 2, Chapter 275, Volume 55, Laws of Delaware, by the addition thereto of Section 1939, excluding New Castle County from its provision. Introduced by Rep. Pagano. Referred to the Committee on Revenue and Taxation.

HJR 3 — Establishing a Committee to make a thorough, unrestricted, long-range investigation into State finances. Introduced by Reps. Hart, Dodge, Hering, Benson, Hale, Murphy, and Quillen. Mr. Hart read a statement and moved to accept **HJR 3** by voice vote.

STATEMENT BY REP. WILLIAM F. HART, R-NEWARK TO THE HOUSE OF REPRESENTATIVES

Upon assuming office, Governor Terry sounded a fiscal alarm. He said: "If we continue our current trends into fiscal year 1967, we will become painfully aware that we have been planning our budgets on nonrecurring sources of income."

We are about to enter fiscal 1968, and the Governor is still planning his budget on "nonrecurring sources of income."

This administration has coasted along on windfall revenues, spending the divestiture funds when it found politically-appelling "crash" programs, using interest from that fund to help reduce budget deficits, and relying on inheritance and estate tax receipts to stay in the black. His latest budget, for example, is \$7 million out of balance. Over the past six years the state has received \$27 million in abnormal inheritance and estate taxes.

This has been the easy way out. It is also the irresponsible way out, and the Governor knows well — he has forecast a tax increase by the next governor — that the day will soon come when these facts must be squarely faced. His intention is to postpone that day until after the 1968 elections.

In recent months, some of us have spent a large amount of time attempting to analyze the state's financial position. We discovered that the information does not exist upon which to base well-informed decisions in the area of state finance.

In 1965 the Governor did appoint a committee to study revenues. This committee was composed of capable people. But it was severely restricted by time and by the Governor's mandate and therefore did only a very limited, although creditable, job.

I believe that information such as the following is essential for the General Assembly, and the Governor, to make intelligent decisions about taxation, spending, and the like:

1. Reform spending. We need an evaluation of our present programs and expenditures to tell us how we are doing and how we can do better.
2. Collection. We need an evaluation of our revenue-collection process to tell us whether we are collecting efficiently.
3. Revenue projection. We need an educated look, based upon such factors as population increase and economic growth, at our revenues in the next 10 years.
4. Revenue structure. We need an evaluation of our present tax structure, where it is fair and unfair, where we have reached the limit and where we can increase if necessary.
5. Comparisons. We need updated comparisons on other states and their experience.
6. Federal grants. We need a determination of the impact of federal grants on our state finances.
7. Borrowing and debt. We need an evaluation of state borrowing policies and state debt and their effect upon our budget and credit.
8. Capital Investment Fund. We need suggestions on how to best utilize this large source of windfall revenue.

These are the types of information we need, and I feel it should come from economists, labor leaders, leaders of commerce, and so forth, not high school mathematics teachers. In order to provide a mechanism to obtain this and other related information, I propose the creation of a 15 member committee of outstanding and qualified citizens. Such a committee would be given a free hand to delve into these matters without restriction and would be asked to report back to the Governor and the General Assembly.

I propose in this joint resolution, that the Speaker of the House and the President Pro Tem of the Senate each name four members and that the Governor name five, one of them the chairman. The chairman of the House Revenue and Taxation and Senate Finance committees would be automatic appointments. The Committee would be as closely balanced politically as possible.

Basically, this committee's function would be to provide information and make recommendations on such questions as whether taxes will have to be increased, whether our debt policies must be changed, whether we can become more efficient and avoid increased taxes while still improving our programs, and so forth.

It could be that with sufficient economic growth in the state, and with reform spending and better collections, a major revenue increase would not be necessary. But we will never know until we have the basic information. Neither will the governor.

This resolution would give the committee one year from the date of its organization. This should allow a much more comprehensive job than the two-month study of 1965.

Some of the information may exist today. Some may be in the preparation stage already. But even when this is the case, the committee can pull it all together and get an overall look.

Several of us have discussed this matter for a long time. We have finally decided it is time to act and therefore this resolution is presented. I hope it will go to the committee briefly and then receive approval from both sides of the aisle.

Due to objection from the floor, **HJR 3** was placed in the Revenue & Taxation Committee.

HB 164 — An Act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of the Civic Association of Belvedere and vicinity from assessment and taxation. Introduced by Rep. Frederick. Referred to the Committee on Government Operations.

HB 165 — An Act to amend Chapter 33, Title 16, Delaware Code, relating to sanitary containers and any meat or flesh of any animal or fowl used for food. Introduced by Reps. Cicione, Hart, Benson, Cashman, Frederick, Brown. Referred to the Committee on Miscellaneous.

The following bills were assigned to committee:

SB 39 — An Act to permit Hartly School No. 96 to transfer certain funds from its Local Debt Service Account to its Local Current Expense Account. Introduced by Senator Cook. Referred to the Committee on Education.

SB 101 — An Act amending Title 10, Delaware Code, Chapter 39, by the addition thereto of Section 3924 relating to the liability of an occupier of land to guests on the land without payment. Introduced by Senators Isaacs, Grier and Cook. Referred to the Committee on Judiciary.

Mr. Pagano gave a report on a conference held with neighboring state, May 7 - 9th, on Air Pollution.

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

HB 136 with HA 1 — An Act to amend Section 543 (f), Title 4, Delaware Code, relating to the grounds for refusal of license for sale of alcoholic beverages.

Dr. Sebrell asked that a portion of a letter from the Delaware Alcoholic Beverage Control Commission be read.
Delaware Alcoholic Beverage Control Commission

May 4, 1967

From: Howard M. Handelman
Chairman

The present House Bill No. 136 is not objectionable in its present form. However, for the purpose of removing any ambiguity regarding the aforementioned current practice of the Commission, we would prefer the amendment to read as follows:-

Section 1. Section 543 (f), Chapter 4, Delaware Code, is amended by striking from subsection (2) the words "any application on behalf of" as they appear in the first line and the words "for a period of six months" as they appear in the last line.

Dr. Sebrell moved that **HA 1** to **HB 136** be adopted by voice vote. Motion carried.

Roll call on **HB 136 with HA 1** revealed:

YEAS — Benson, Brown, Burton, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Gooding, Gray, Harrington, Hart, Heckert, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Zimmerman, Mr. Speaker Hering — 24.

NAYS — Cashman, Frederick — 2.

ABSENT — Bartleson, Fonville, Hammond, Shockley, Stabler — 5.

PRESENT — Blendt, Hale, Leshner, Phillips — 4.

HB 136 with **HA 1** having received the constitutional majority was declared passed the House.

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

HB 18 — An Act to amend Chapter 313, Volume 53, Laws of Delaware, by authorizing equipment and related facilities, or provide funds for the purchase of such equipment by soil and water conservation districts, within and without PL 566 watersheds for soil and water conservation construction, management and maintenance operations. Roll Call revealed:

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

NAYS — None.

ABSENT — Bartleson, Fonville, Hammond, Shockley, Stabler — 5.

HB 18 having received the constitutional majority was declared passed by the House.

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

HJR 2 — In reference to commemorating the Golden Anniversary of the Inter-State Milk Producers' Cooperative and the issuing of said Proclamation by the Governor. Roll Call revealed:

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

NAYS — None.

ABSENT — Bartleson, Hammond, Pagano, Shockley, Stabler — 5.

HJR 2 having received the constitutional majority was adopted by the House.

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

SB 55 — An Act to require the State Highway Department to install a traffic light control for the Odessa Fire Company, Inc., at Odessa, New Castle County, Delaware. Introduced by Senator Isaacs.

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

NAYS — None.

ABSENT — Cashman, Hammond, Murphy, Shockley, Stabler — 5.

SB 55 having received the constitutional majority was declared passed by the House.

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

SB 4 — An Act agreeing to a proposed amendment to Article V, Section 2, of the Constitution of the State of Delaware relating to Elections by amending the residence requirements to allow certain voters recently moving into or within the State or Election Districts to vote. Introduced by Senator Dineen. Roll Call revealed:

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

NAYS — None.

ABSENT — Hammond, Shockley, Stabler — 3.

SB 4 having received the constitutional majority was declared passed by the House.

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

SB 57 — Amending Title 15, Delaware Code, by adding Chapter 44 entitled "Regulation and voting for Presidential Electors only, by United State citizens who fail to fulfill certain residence requirements". Introduced by Senator Manning. Roll Call revealed:

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

NAYS — None.

ABSENT — Hammond, Shockley, Stabler — 3.

SB 57 having received the constitutional majority was declared passed by the House .

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

HB 100 — An Act proposing an amendment to Section 11, Article 4 of the constitution relating to jurisdiction of the Supreme Court in Criminal Cases.

Privilege of the floor was granted Mr. F. L. Peter Stone, House Attorney, to answer questions on the bill. Roll Call revealed:

YEAS — Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Mr. Speaker Hering — 25.

NAYS — Fonville — 1.

NOT VOTING — Blendt — 1.

ABSENT — Hammond, Shockley, Stabler — 3.

PRESENT — Bartleson, Gooding, Harrington, Phillips, Zimmerman — 5.

HB 100 having received the constitutional majority was declared passed by the House.

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

HB 122 — An Act to repeal Chapter 5, Title 30, Delaware Code, relating to Collector of State Revenue. Roll Call revealed:

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

NAYS — None.

ABSENT — Castle, Gooding, Hammond, Heckert, Shockley, Stabler — 6.

HB 122 having received the constitutional majority was declared passed by the House.

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

SB 95 — An Act appropriating monies to the State Development Department to insure appropriate representation of the State of Delaware in the Miss America Pageant. Introduced by Senators Bookhammer and Dineen. Roll Call revealed:

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

NAYS — None.

ABSENT — Castle, Gooding, Hammond, Heckert, Shockley, Stabler — 6.

SB 95 having received the constitutional majority was declared passed by the House.

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

HB 43 — An Act to provide for payments to persons who served in the Armed Forces of the United States during the period beginning July 1, 1967, and to designated beneficiaries of such persons; to recreate and reestablish the Delaware Veterans' Military Pay Commission to carry out certain provisions of this act; to authorize the selection of Assistants of said Commission; to provide for a review of decisions affecting claims made under the act; to make appropriations and to authorize the issuance of bonds and bond anticipation notes of the State of Delaware to carry out the provisions of this act; to accept federal supplementary funds for said purpose; and to prescribe penalties for violation of the provisions of this act.

HA 1 and **HA 2** to **HB 43** — Introduced by Mr. Slawik. Placed with bill.

Mr. Hale motioned to return **HB 43** with **HA 1** and **HA 2** to committee. Roll Call to return to committee revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gray, Hale, Hart, Heckert, Leshner, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Mr. Speaker Hering — 21.

NAYS — Blendt, Ferguson, Gooding, McMahon, Phillips, Slawik, Zimmerman — 7.

NOT VOTING — Eskridge — 1.

ABSENT — Hammond, Shockley, Stabler — 3.

PRESENT — Fonville, Harrington, Murphy — 3.

HB 43 with **HA 1** and **HA 2** returned to committee.

Mr. Phillips moved to lift **HB 63** from the table. On further motion of Mr. Phillips Roll Call on **HB 63** was tabled. Motion carried.

Mr. Hale moved to adjourn. Motion carried. House adjourned at 5:12 P.M.

23RD LEGISLATIVE DAY

The Speaker called the House to order at 2:15 P.M. on May 22, 1967.

There was a prayer by the Chaplain Reverend William H. Miller.

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

The Roll Call revealed all members present as follows:

Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 35.

The Speaker asked if there were any additions or corrections to the Minutes of May 18, 1967. There being none, the Minutes were approved as posted.

A messenger from the Senate delivered **SB 60, 61** and **89** having passed the Senate and asking concurrence of the House; also, informed the House that the Senate had passed **HB 74** and **HB 99**.

The following was reported out of committee: House Administration: **SB 81**, 6 favorable.

The following bills were introduced and assigned to committees:

HB 166 — An Act to amend Section 122, Title 16, Delaware Code, relating to the powers and duties of the State Board of Health by adding the responsibility to regulate fluoridation of water supplies. Introduced by Reps. Heckert, Benson, Hart, Cicione, Leshner, Pagano, Evans, Slawik and Bartleson. Referred to the Committee on Health and Welfare.

HB 167 — An Act to amend Subchapter X, Chapter 41, Title 21, Delaware Code, relating to illegal parking by providing that a summons may be attached to an unattended vehicle in lieu of arrest of its operator and making vehicle owner prima facie liable for such parking violation in the absence of the operator. Introduced by Reps. Leshner, Heckert, Bartleson and Castle. Referred to the Committee on Highways and Public Safety.

HB 168 — An Act to reincorporate the Village of Arden. Introduced by Rep. Heckert. Referred to the Committee on Government Operations.

HB 169 — An Act making a supplementary appropriation to the State Board of Education for the Milton School District. Introduced by Reps. Burton, Dodge, Gray, Quillen and Brown. Referred to the Committee on Education.

Mr. Hale moved to recess. Motion carried. House recessed at 2:24 P.M.

The House reconvened at 4:37 P.M.

The following bills were introduced and assigned to committees:

SB 60 — An Act to amend an act being Chapter 42, Volume 53, Laws of Delaware, to permit the setting aside of a portion of the net receipts of the municipal light and power plant as a reserve. Introduced by Senators Grier and Steen. Referred to the Committee on Government Operations.

SB 61 — An Act to amend an act being Chapter 42, Volume 53, Laws of Delaware, as amended, entitled "An Act amending, revising and consolidating the Charter of the City of Seaford". To prohibit the voting of owners of exempt property at a special election on annexation and changing the

hours of holding a special election on annexation. Introduced by Senators Grier and Steen. Referred to the committee on Elections.

SB 89 — An Act to amend Section 4703, Title 7, Delaware Code, relating to powers and duties of the State Park Commission. Introduced by Senator Dineen. Referred to the Committee on Public Buildings and Lands.

HB 170 — An Act amending Title 6, Delaware Code of 1953, by protecting the public welfare, entitled all individuals to full and equal rights and access to real property offered to the public for sale, lease or rent, making it unlawful for any person to deny or refuse the same to any individual on account of race, creed, color or national origin or to publish any communication to that effect, empowering and directing the State Human Relations Commission to administer effectuation thereof and providing criminal penalties for the violations thereof. Introduced by Reps. Evans, Shockley, Hammond, Murphy, Fonville and Brown. Referred to the Committee on Revised Statutes.

A messenger from the Senate delivered **SCR 16**.

SCR 16 — Providing for a Joint Session of the Senate and the House of Representatives.

Mr. Hale asked if the Leader of the Minority Party knew to what purpose the Governor wanted to speak to both Houses. Mr. Zimmerman said he did not know. Mr. Hale, for courtesy due the Governor of the State, moved to adopt **SCR 16** by voice vote. Motion carried.

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

HS 1 for HB 29 — An Act transferring money from the Capital Investment Fund to be used for the expansion of Legislative Hall. Roll Call revealed:

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

NAYS — Quillen, Sebrell — 2.

HS 1 for HB 29 having received the constitutional majority was declared passed by the House.

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

HB 134 — An Act ratifying and authorizing the expenditures of certain school construction funds made by local school districts prior to June 30, 1964 and waiving certain

provisions of Title 29, Delaware Code, for the purpose of allowing payment by Kenton School for roof repairs.

Mr. F. L. Peter Stone, House Attorney was granted privilege of the floor to explain the bill. After some discussion, **HB 134** was deferred.

Mr. Benson desired to pass over **SB 29**.

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

HB 153 — An Act agreeing to a proposed amendment to Article VIII of the Constitution of the State of Delaware by imposing a limitation on the borrowing power of the State. Roll Call revealed:

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

NAYS — None.

ABSENT — Leshar — 1.

PRESENT — Hammond — 1.

HB 153 having received the constitutional majority was declared passed by the House.

Mr. Cicione asked to withdraw **HS 1** with **HA 1** and **HA 2** for **HB 7** until next legislative day.

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

SB 102 — An Act to amend Sections 8131, 8132, 8133, 8134, 8136, 8138, Title 9, Delaware Code, relating to exemptions from taxation on real property of residents of this State of the age of sixty-five or more years having an income not in excess of \$3,000.00 per year. Roll Call revealed:

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

NAYS — None.

ABSENT — Leshar — 1.

SB 102 having received the constitutional majority was declared passed by the House.

Mr. Murphy introduced **HA 1** to **HB 170** which was placed with bill in Revised Statutes Committee.

Mr. Hale moved to adjourn until 1:30 P.M., May 23, 1967. Motion prevailed. The House adjourned at 5:19 P.M.

24TH LEGISLATIVE DAY

The Speaker called the House to order at 1:37 P.M., on May 23, 1967.

There was a prayer by the Chaplain Reverend William H. Miller.

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

The Roll Call revealed:

Members present: Bartleson, Benson, Brown, Burton, Castle, Cicione, Dodge, Eskridge, Ferguson, Gooding, Gray, Hale, Hammond, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

Members absent: Blendt, Cashman, Evans, Fonville, Frederick, Heckert — 6.

The Speaker asked if there were any additions or corrections to the Minutes of the previous legislative day, May 22, 1967. There being none, the Minutes were approved as posted.

Mr. Hale announced Republican caucus following the Governor's message.

Mr. Speaker recessed the House at 1:40 P.M. to convene with the Senate in Joint Session.

In accordance with SCR 16, the House met with the Senate at 1:55 P.M.

Joint Session in the Senate Chamber.

JOINT SESSION

Senator Cook moved that the House and Senate convene in Joint Session. Motion prevailed.

Senator Cook moved that the President of the Senate preside over the Joint Session. Motion prevailed.

Senator Cook moved that the Chief Clerk of the House and the Secretary of the Senate act as Secretaries for the Joint Session. Motion prevailed.

Senator Cook moved that the President appoint a committee to escort the Governor to the Senate Chamber. The following committee was appointed to escort the Governor: Representative Gooding and Senator Manning.

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

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

The Governor addressed the members of the General Assembly.

The Governor's Message to the House and Senate in Joint Session, May 23, 1967, 2:00 P.M.

The Governor said he had no prepared talk but wanted to speak to us as good substantial citizens. Last year he recommended to the Budget—raise in salaries which were not granted. So he prepared a bill to include salaries above the budget figures. The Legislature passed the bill. This year, he made further recommendations which were not granted.

Now, two of our top men have left their positions. The salaries being contributive factors in their leaving, the Superintendent of Schools and the State Planner. There are some School Districts paying \$25,000 — the Superintendent gets \$20,000. The Superintendent of Wilmington Schools gets \$27,000.

We will be hard pressed to get a Superintendent of Schools like Mr. Gousha.

Mr. Bivens was a dedicated and able man. The Governor recommended a \$1,000 increase for him—which was denied.

"If we want to bask in the Sunshine of Greatness—this State cannot be small—cannot belittle," the Governor said.

Recently in Washington, the Governor talked to the President of Washington & Lee University over a cup of coffee. He asked him if he knew any man he could recommend for our Superintendent of Schools. He knew of two such men—one from Pittsburgh—one from Richmond. One makes \$30,000 a year—one makes \$40,000 a year.

The Governor also talked to the President of the University of Tennessee. He said the same thing. He proposed a range of \$25,000 to \$30,000. So Governor Terry proposes salaries of minimum and maximum figures as follows:—

Superintendent of the State Board of Education, Executive Secretary of the State Board of Health, and the Commissioner of Mental Health—a range of \$24,000 to \$30,000. Director of Planning Department, Budget Director and Director of the State Board of Welfare—a range of \$17,500 to \$25,000. Director of Water & Air Resources and Director of Personnel—\$17,500 to \$22,500. The State Archives Director—\$12,000 to \$16,000.

"We must do something now—we cannot wait," the Governor said. The Governor cannot talk to people for these jobs until he has a salary to offer. He has a bill which will be distributed today.

Mr. Bivens leaves July 15th, Mr. Gousha leaves July 1st.

The Governor then quoted from an Editorial from the *Journal Every Evening* of May 22, 1967, as regards to "Line Item". He took personal affront to the editorial.

The Governor asked us to join with him and help raise these salaries . . . since House Bill 137 was defeated in the Senate. He is requesting a group to have lunch with him

on Friday, May 26th at 1:00 P.M. in the Governor's suite to try to reach an agreement on a bill.

The following were invited:—

President Pro Tem of the Senate.

Majority and Minority Leaders in the Senate.

Majority and Minority Whips in the Senate.

The Chairman of the Senate Finance Committee.

Speaker of the House.

Majority and Minority Leaders in the House.

Majority and Minority Whips in the House.

Finance Chairman.

The Governor hopes they can work out a budget to be proud of.

The previously named committee escorted the Governor from the Chamber.

Senator Cook moved that the Chief Clerk of the House and the Secretary of the Senate compare their Journals.

The President thanked the Speaker and the House Members for coming to the Senate.

Senator Cook moved to adjourn the Joint Session. The House left the Senate Chamber at 2:22 P.M.

The House reconvened at 3:37 P.M.

The following asked to be marked present: Messrs. Frederick, Riddagh, Cashman, Heckert, Evans and Fonville.

The following was reported out of committee: Revised Statutes: **HB 170**, 1 favorable, 4 on merits.

The following bills were introduced:

HB 171 — An Act to amend Section 4178 (c), Title 21, Delaware Code, relating to penalties for certain motor vehicle regulations. Introduced by Rep. Brown. Referred to the Committee on Highways and Public Safety.

HB 172 — An Act to amend Section 4185, Title 21, Delaware Code, relating to penalties for certain fire regulations. Introduced by Rep. Brown. Referred to the Committee on Highways and Public Safety.

HB 173 — An Act to amend Section 361 (c), Title 8, Delaware Code, relating to annual corporate report fees. Introduced by Reps. Pleasanton, Quillen, Gray, Riddagh and Sebrell. Referred to the Committee on Revenue and Taxation.

HA 2 to HB 170 — Introduced by Rep. Sebrell. Placed with bill in Revised Statutes Committee.

HS 1 for HB 88 — Introduced by Rep. Hale. Placed with bill in Highways and Public Safety Committee.

HA 1 to HB 134 — Introduced by Rep. Riddagh. Placed with bill in Appropriations Committee.

On motion of Mrs. Gooding the following was brought before the House for a final reading and consideration:

HB 150 — An Act to permit the Board of School Trustees of the Richardson Park School District No. 20 to transfer certain funds from its local debt service account to its local construction account.

Privilege of the floor was granted Mr. Leon Elder, Principal of Richardson Park School District. Roll Call revealed:

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

ABSENT — Blendt, Zimmerman — 2.

HB 150 having received the constitutional majority was declared passed by the House.

Mr. Cicione moved to defer consideration on **HS 1** for **HB 7** with **HA 1** and **HA 2** until the fall. Motion prevailed.

Mr. Hale motioned for a recess. House recessed at 3:50 P.M.

The House reconvened at 4:15 P.M.

The following was reported out of committee: Revenue and Taxation: **HJR 3**, 4 favorable, 2 on merits.

The following was introduced:

HA 1 to **HB 134** — Introduced by Rep. Riddagh. On motion of Mr. Riddagh **HA 1** to **HB 134** was adopted by voice vote.

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

HB 134 with **HA 1** — An Act ratifying and authorizing the expenditures of certain school construction funds made by local school districts prior to June 30, 1964 and waiving certain provisions of Title 29, Delaware Code for the purpose of allowing payment by Kenton School for roof repairs. Roll Call revealed:

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

ABSENT — Blendt, Dodge, Zimmerman — 3.

HB 134 with **HA 1** having received the constitutional majority was declared passed by the House.

Mr. Hale moved to adjourn until 1:00 P.M., Wednesday, May 24, 1967. House adjourned at 4:22 P.M.

25TH LEGISLATIVE DAY

The Speaker called the House to order at 1:38 P.M., on May 24, 1967.

There was a prayer by the Chaplain Reverend William H. Miller.

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

The Roll Call revealed members present:

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

Absent: Ferguson — 1.

The Speaker asked if there were any additions or corrections to the Minutes of May 23, 1967. There being none, the Minutes were approved as posted.

Mr. Speaker granted WHY? permission to take pictures, there being no objection.

The following bills were reported out of committee: Government Operations: **HB 164**, 4 favorable, 2 on merits; **SB 88**, 5 favorable.

The following new bills were introduced and assigned to committee:

HB 174 — An Act making a supplementary appropriation to the State Park Commission for the fiscal year beginning July 1, 1967 and ending June 30, 1968. Introduced by Reps. Frederick, Cashman and Dodge. Referred to the Committee on Public Buildings and Lands.

HB 175 — An Act to amend Section 6601, Title 16, Delaware Code, relating to composition of the State Fire Prevention Commission. Introduced by Rep. Brown. Referred to the Committee on Revised Statutes.

HB 176 — An Act to exempt members of volunteer fire companies and ambulances and rescue squads from civil liability under certain conditions. Introduced by Rep. Brown. Referred to the Committee on Revised Statutes.

HB 177 — An Act to amend Section 644, Title 11, Delaware Code, by including the removal of shopping cart from a mercantile establishment within the crime of shoplifting. Introduced by Reps. Heckert, Quillen, Dodge, Phillips, Cicione. Referred to the Committee on Judiciary.

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

HB 170 with **HA 1** and **HA 2** — An Act amending Title 6, Delaware Code of 1953, by protecting the public welfare, entitling all individuals to full and equal rights and access to

real property offered to the public for sale, lease or rent, making it unlawful for any person to deny or refuse the same to any individual on account of race, creed, color or national origin or to publish any communication to that effect, empowering and directing the State Human Relations Commission to administer effectuation thereof and providing criminal penalties for the violation thereof.

Dr. Sebrell having introduced **HA 2**, after consideration, asked that **HA 2** be stricken. Motion granted. Mr. Murphy moved consideration of **HA 1**. Mr. Shockley spoke against **HA 1** — wanting **HB 170**, with no amendments, and asked for a roll call vote. Mr. Evans spoke for **HB 170** with **HA 1**.

Mr. Ferguson asked to be marked present.

Mr. Hale spoke for **HA 1** and asked if Mr. Shockley would consider withdrawing his motion.

Mr. Blake Wilson was granted privilege of the floor on motion of Mr. Shockley — Spokesman for the NAACP — objecting to **HA 1** practically and morally.

Mr. Fonville said we must start somewhere — so leave in **HA 1**. Mr. Max Bell, Attorney for the Human Relations Commission, was granted privilege of the floor and spoke in defense of **HA 1**. Mr. Hale moved **HA 1** be adopted.

Roll Call on **HA 1** to **HB 170** revealed:

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

NAYS — Burton, Evans, Hammond, Shockley, Slawik — 5.

HA 1 to **HB 170** adopted by roll call vote.

Mr. Evans spoke and asked for passage of **HB 170** by roll call vote. Messrs. Cashman, Hart and Slawik spoke for the bill. Roll Call motion by Mr. Hale. Roll Call revealed:

YEAS — Bartleson, Brown, Cashman, Castle, Cicone, Evans, Fonville, Frederick, Hale, Hammond, Hart, McMahon, Murphy, Pagano, Phillips, Riddagh, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 21.

NAYS — Benson, Blendt, Burton, Dodge, Eskridge, Ferguson, Gooding, Gray, Harrington, Heckert, Leshner, Pleasanton, Quillen — 13.

NOT VOTING — Sebrell — 1.

HB 170 with **HA 1** having received the constitutional majority was declared passed by the House.

Mr. Hale motioned to recess at 2:21 P.M.

The House reconvened at 3:47 P.M.

The following bills were reported out of committee: Government Operations: **HB 142**, 1 favorable, 3 on merits; **HB 168**, 3 favorable, 2 on merits; **HB 158**, 3 favorable, 2 on merits; **HB 71**, 5 favorable; **HB 125**, 5 favorable; **HB 162**, 5 favorable; **SB 101**, 3 favorable, 2 on merits; Revenue & Taxation: **HS 1** for **HB 135**, 4 favorable, 1 on merits, 1 unfavorable; **SB 24**, 6 favorable; Appropriations: **HB 75**, 4 favorable, 3 on merits.

The following amendments were introduced:

HA 1 to **HB 152** — Introduced by Rep. Benson. Placed with bill in Judiciary Committee.

HA 1 to **HB 65** — Introduced by Rep. Benson. Placed with bill in Highways & Public Safety Committee.

Mr. Hale motioned to adjourn at 1:30 P.M., Thursday, May 25, 1967 at 3:54 P.M. Motion carried.

26TH LEGISLATIVE DAY

The Speaker called the House to order at 2:50 P.M. on May 25, 1967.

There was a prayer by the Chaplain Reverend William H. Miller.

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

The Roll Call revealed members present:

Bartleson, Benson, Blendt, Brown, Burton, Castle, Cicone, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Ridgagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Her-
ing — 32.

Members absent: Cashman, McMahon, Shockley — 3.

The Speaker asked if there were any additions or corrections to the Minutes of May 24, 1967. There being none, the Minutes were approved as posted.

Communications: Memorandum No. 8 from the Governor's Office.

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the dates indicated:

May 18, 1967 —

SCR 8 (Commendation of those involved in 250th Dover Day Celebration).

May 25, 1967 —

HB 54 (Compact for Education Amendment).

HB 74 (\$3,246.10 payment to Saddler Plumbing of Seaford by Mental Health).

HB 99 (\$3,000 Supplementary Appropriation to Criminal Law Revision Committee).

HB 112 (Title and Liens of Motor Vehicles pertaining to Uniform Commercial Code).

The following bills were reported out of committee: Education: **HB 169**, 6 favorable; **SS 1** for **SB 28**, 6 favorable.

The following bills were introduced and assigned to committee:

HB 178 — An Act to amend Chapter 96, Title 9, Delaware Code, relating to fees of the Recorder of Deeds for Kent County. Introduced by Reps. Sebrell, Quillen, and Riddagh. Referred to the Committee on Government Operations.

A messenger from the Senate delivered **SCR 17** for concurrence of the House and **HB 84** having passed the Senate.

HB 179 — An Act to amend Section 5530, Title 29, Delaware Code, relating to pension credits for state employees. Introduced by Reps. Sebrell, Quillen and Hammond. Referred to the Committee on Revenue and Taxation.

HR 42 — Expressing the best wishes and hearty welcome of the House of Representatives of the 124th General Assembly to Cub Scout Pack No. 58 of Brookland Terrace.

WHEREAS, the members of the House of Representatives of the 124th General Assembly have learned that today, May 25, 1967, Cub Scout Pack No. 58 of Brookland Terrace is visiting the General Assembly; and

WHEREAS, the members of the House wish to express their best wishes and hearty welcome to Cub Scout Pack No. 58.

NOW THEREFORE:

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the best wishes and hearty welcome of the House are extended to Cub Scout Pack No. 58 of Brookland Terrace.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered upon the Journal of the House and a copy delivered to Cub Scout Pack No. 58.

Introduced by Reps. Gooding, Slawik and Frederick. Mrs. Gooding moved the resolution be adopted by voice vote. Motion carried. Mr. Speaker welcomed the Scouts and thanked them for coming and told them to return at any time.

The following were introduced:

HA 1 to **SS 1** for **SB 28** — Placed with bill in Education Committee.

HA 2 to HB 27 — Introduced by Rep. Blendt. Placed with bill in Appropriations Committee.

Mr. Hale moved to recess to the call of the chair. Motion carried. House recessed at 3:02 P.M.

The House reconvened at 4:18 P.M.

The following bills were introduced and assigned to committees:

HB 180 — An Act to amend Title 9, of the Delaware Code relating to "Home Rule" Legislation for Kent County. Introduced by Reps. Sebrell, Quillen and Riddagh. Referred to the Committee on Government Operations.

HB 181 — An Act to require the State Highway Department to install a traffic light control for the Claymont Fire Company at its substation at Marsh and Naaman's Roads, New Castle County, Delaware. Introduced by Reps. Heckert, Brown and Leshner. Referred to the Committee on Highways and Public Safety.

HA 1 to HB 176 — Introduced by Rep. Brown. Placed with bill in Revised Statutes Committee.

HR 43 — Authorizing payment for services rendered by the Legislative Staff of the House of Representatives of the 124th General Assembly. Introduced by Rep. Sebrell. Dr. Sebrell moved that **HR 43** be adopted by voice vote. Motion carried.

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

HJR 3 — Establishing a committee to make a thorough, unrestricted, long-range investigation into state finances. Introduced by Reps. Hart, Quillen, Murphy, Benson, Dodge and Hering.

Roll Call revealed:

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

NAYS — None.

ABSENT — Cashman, McMahon, Shockley — 3.

HJR 3 having received the constitutional majority was declared adopted by the House.

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

SB 81 — An Act to amend Chapter 336, Volume 55, Laws of Delaware, entitled, "An Act making appropriations to the amount of \$136,838,199.00 for the expenses of the State Government for the fiscal year ending June 30, 1967", and making a supplementary appropriation therefore in the amount of \$20,500.00.

Roll Call revealed:

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

NAYS — None.

ABSENT — Cashman, McMahon, Shockley — 3.

SB 81 having received the constitutional majority was declared passed by the House.

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

SB 47 — An Act to amend Chapter 277, Volume 49, Laws of Delaware, entitled "An Act to reincorporate the Town of Laurel", as amended, by increasing the salaries of the Mayor, the Members of the Town Council of the Town of Laurel, and providing an effective date therefor. Introduced by Senators Steen and Grier. Roll Call revealed:

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

ABSENT — Cashman, McMahon, Shockley — 3.

SB 47 having received the constitutional majority was declared passed by the House.

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

HB 34 — An Act to amend Chapter 5, Section 511, Title 31, Delaware Code, relating to welfare payments to non-residents.

Mr. Evans asked for privilege of the floor for Mr. Roland Miller, Director of the Department of Public Welfare; and Father Reese, Executive Director of the Catholic Welfare League. Mr. Miller explained the procedure and value of reciprocal welfare agreements with other states. There was much discussion. Father Reese explained the burden to the private agencies, church groups and others resulting from the lack of funds for reciprocal agreements for the DPW. Mr. Hammond moved to defer the bill. Mr. Benson moved for a roll call vote on deferment of the bill. Roll Call revealed:

YEAS — Benson, Blendt, Burton, Dodge, Eskridge, Gray, Heckert, Pleasanton, Riddagh, Sebrell — 10.

NAYS — Bartleson, Brown, Castle, Cicione, Evans, Fonville, Frederick, Gooding, Hale, Hammond, Hart, Leshner, Murphy, Pagano, Slawik, Zimmerman, Mr. Speaker Hering — 17.

NOT VOTING — Ferguson — 1.

ABSENT — Cashman, Harrington, McMahon, Quillen, Shockley, Stabler — 6.

PRESENT — Phillips — 1.

Deferment on **HB 34** was thereby defeated.

Mr. Benson moved for roll call to pass **HB 34**. Roll Call tabled, on motion of Mr. Benson.

Mr. Hale moved to recess until Wednesday, May 31, 1967. Motion prevailed. The House recessed at 5:52 P.M.

The Speaker called the House to order at 1:45 P.M. Mr. Hale moved to adjourn thereby ending the 26th Legislative Day.

27TH LEGISLATIVE DAY

The Speaker called the House to order at 1:46 P.M., on Wednesday, May 31, 1967.

There was a prayer by the Chaplain Reverend Addison Smith.

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

The Roll Call revealed members present:

Benson, Blendt, Brown, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Phillips, Pleasanton, Quillen, Rid-dagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Her-ing — 26.

Members absent: Bartleson, Burton, Cashman, Ferguson, Gray, Hammond, McMahon, Pagano, Shockley — 9.

The Speaker asked if there were any additions or cor-rections to the Minutes of May 25, 1967. There being none, the Minutes were approved as posted.

Communications: Letter to Speaker from Mr. Zimmer-man appointing Mr. Peter Walsh as Minority Attorney to the House.

May 31, 1967

Speaker of the House:

Pursuant to House Resolution No. 38 I have today ap-pointed Peter Walsh as a Minority Attorney to serve the members of the House of Representatives.

Jacob W. Zimmerman

House Minority Leader

Memorandum No. 9 from the Governor's Office.

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the date indicated:

May 26, 1967 —

SB 71 (School District Allotments).

The following were introduced:

HA 1 to HS 1 for HB 135 — Introduced by Mr. Pagano. Placed with bill.

HR 44 — Relating to an appropriation to Capitol Office Equipment Co. in payment for supplies furnished to the 124th General Assembly of the State of Delaware.

Mr. Hale moved so much be considered the reading of the Resolution. Mr. Zimmerman claimed a point of order in that the Resolution should not be read in the absence of the sponsor. (Dr. Sebrell was absent from the Chamber.) Mr. Speaker put **HR 44** aside until Dr. Sebrell was present.

HB 182 — An Act to amend Section 705, Title 19, Delaware Code, relating to use of polygraph, Lie Detector of similar tests by law enforcement agencies. Introduced by Reps. Slawik, Gooding, and Ferguson. Referred to the Committee on Judiciary.

HB 183 — An Act to amend Title 6, Delaware Code, relating to retail installment contracts and accounts, by providing remedies available to a holder of a defaulted contract consistent with the Delaware Uniform Commercial Code. Introduced by Reps. Stabler and Zimmerman. Referred to the Committee on Judiciary.

HB 184 — An Act to amend Title 5, Delaware Code, relating to Corporation Law for State Banks and Trust Companies, by lengthening the period of extension of certificate of authority to open a branch office. Introduced by Reps. Stabler and Castle. Referred to the Committee on Banking and Insurance.

HB 185 — An Act proposing an amendment to Article 4, Section 2, of the Constitution of the State of Delaware relating to active judicial duty by retired judges. Introduced by Reps. Stabler, Castle and Shockley. Referred to the Committee on Judiciary.

HB 186 — An Act to aid Veterans' Organizations by making an appropriation therefor. Introduced by Rep. Bartleson. Referred to the Committee on Appropriations.

HB 187 — An Act to aid organizations maintaining residential facilities by making appropriations thereto. Introduced by Rep. Bartleson. Referred to the Committee on Appropriations.

HB 188 — An Act relating to education of the citizens of Delaware by making an appropriation to certain organizations engaged in educating the people of this state. Introduced by Rep. Bartleson. Referred to the Committee on Appropriations.

HB 189 — An Act to amend Title 14, Delaware Code, relating to education by providing for the education and training of children of certain deceased Military Veterans. Introduced by Rep. Bartleson. Referred to the Committee on Education.

HB 190 — An Act to amend Chapter 56, Title 29, Delaware Code, to provide increased pensions for judges and to provide for active duty assignment of retired judges. Introduced by Reps. Stabler and Shockley. Referred to the Committee on Judiciary.

Mr. Hale moved to recess at 2:00 P.M. Motion carried.

The House reconvened at 3:34 P.M.

Mr. Zimmerman introduced Mr. Peter Walsh, House Attorney for the Minority.

A messenger from the Senate delivered **Senate Bills 84, 100, 130** and **SS 1** for **SB 99** having passed the Senate and asking concurrence of the House.

The following were reported out of committee: Revenue and Taxation: **HB 37**, 5 favorable; Appropriations: **SB 62**, 4 favorable, 3 on merits.

Mrs. Heckert moved to strike **HA 1** to **SS 1** for **SB 28**. Motion carried.

The following were introduced and assigned to committee:

HA 2 to **SS 1** for **SB 28** — Introduced by Rep. Heckert. Placed with bill.

HB 191 — An Act to aid certain Fire Companies which are organized to extinguish fires or maintain ambulances or rescue trucks, by making appropriations for them. Introduced by Reps. Brown, Quillen, Hart, Leshner, Cicione, Heckert and Zimmerman. Referred to the Committee on Appropriations.

HB 192 — An Act to amend Section 102, Title 7, Delaware Code, relating to geographical distribution of Board of Game and Fish Commissioners. Introduced by Rep. Blendt. Referred to the Committee on Fish, Oyster and Game.

HB 193 — An Act to amend Chapter 5, Title 28, Delaware Code, relating to Harness Racing. Introduced by Reps. Harrington, Phillips, Benson, Riddagh, Quillen, Murphy, Pleasanton, Burton, Zimmerman, Slawik and Ferguson. Referred to the Committee on Revenue and Taxation.

HB 194 — An Act to amend Section 4322, Title 11, Delaware Code, relating to the protection of pre-sentence reports. Introduced by Rep. Zimmerman. Referred to the Committee on Judiciary.

SB 84 — An Act amending Section 1301, Chapter 13, Title 19, Delaware Code, relating to the definition of public employee for the purpose of determining the right to organize. Introduced by Reps. Cook and Manning. Referred to the Committee on Labor.

SB 100 — An Act to amend Chapter 27, Title 11, Delaware Code, by providing for statewide jurisdiction of Justice of the Peace Courts. Introduced by Senators Grier and Steen. Referred to the Committee on Judiciary.

SB 130 — An Act to amend Chapter 91, of Title 14, Delaware Code, by empowering the Board of Trustees of the Delaware Institute of Technology to enter into contracts with the University of Delaware and other institutions for the establishment of a two year college parallel program. Introduced by Senators Dineen and Conner. Referred to the Committee on Education.

SS 1 for SB 99 — An Act to amend Title 10, Delaware Code, by changing the jurisdiction of the Family Courts with respect to Motor Vehicle Violations. Introduced by Senator Steen. Referred to the Committee on Judiciary.

Mr. Benson moved that **HB 14** be stricken. Motion carried. Mr. Benson moved that **HB 92** be stricken. Motion carried.

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

HB 158 — An Act to amend Chapter 158, Volume 36, Laws of Delaware, as amended, relating to City of Dover municipal improvements and procedures for levying special assessments therefor.

A letter from the City Manager of Dover, Mr. F. P. Neylan was read approving and supporting the bill.

May 24, 1967

Members of State Legislature
Legislative Hall
Dover, Delaware
Gentlemen:

House Bill No. 158, an amendment to the Charter of The City of Dover, Delaware, has been introduced in the General Assembly at the request of the Mayor and Council of The City of Dover.

The provisions art in accordance with changes approved by the Mayor and Council.

Your support and approval of the measure will be greatly appreciated.

Very truly yours,
F. P. Neylan
City Manager

fpn/ndc

Roll call revealed:

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

NAYS — None.

ABSENT — Cashman, Hammond, McMahon, Pagano, Pleasanton, Shockley — 6.

HB 158 having received the constitutional majority was declared passed the House.

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

HB 142 — An Act to amend Title 29, Delaware Code, relating to State Government by adding a new subchapter to provide for the receipt of Federal Aid by the agencies of the State. Privilege of the floor was granted Mr. Maurice Hartnett, Director of the Legislative Reference Bureau. After some discussion, Mr. Zimmerman deferred the bill until first on agenda June 1, 1967, thereby allowing time for preparation of an amendment.

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

HB 71 — An Act to amend Section 4322, Title 11, Delaware Code, relating to the protection of records of the Department of Correction.

Mr. Zimmerman requested a deferral. Mr. Hale deferred **HB 71** for further investigation from Commission.

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

HB 62 — An Act to amend Section 8705, Title 10, Delaware Code, relating to fees and costs to be charged by the Prothonotary by providing that the Superior Court shall decide whether the fee for filing an affidavit of acknowledgement of parentage with certification shall be charged.

Privilege of the floor was granted Mr. Sigler.

Roll Call revealed:

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

NAYS — None.

ABSENT — Cashman, Hammond, McMahon, Pagano, Pleasanton, Shockley — 6.

HB 62 having received the constitutional majority was declared passed by the House.

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

HB 70 with **HA 1** — An Act to amend Chapter 65, Title 11, Delaware Code, relating to the Department of Correction by changing the qualifications of the Director of Field Services, District Directors, and Probation and Parole Counselors and Field Counsellors of the Department of Correction.

Mr. Slawik moved to adopt **HA 1** by voice vote. Motion carried. **HA 1** adopted by voice vote.

Roll call on **HB 70** with **HA 1** revealed:

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

NAYS — None.

ABSENT — Cashman, Hammond, McMahon, Pagano, Pleasanton, Shockley — 6.

HB 70 with **HA 1** having received the constitutional majority was declared passed by the House.

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

SB 24 — An Act to amend Chapter 11, Title 30, Delaware Code to grant relief to members of the Armed Forces of the United States and the wives by excluding certain income and providing for extension of time in which to file returns. Introduced by Senator Steele. Roll Call revealed:

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

NAYS — None.

ABSENT — Cashman, Hammond, McMahon, Pagano, Pleasanton, Shockley — 6.

SB 24 having received the constitutional majority was declared passed by the House.

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

HB 164 — An Act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of the Civic Association of Belvedere and vicinity from assessment and taxation.

Mr. Zimmerman suggested the possibility of setting a policy for properties exempt from taxes.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cicione, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Phillips, Riddagh, Sebrell, Slawik — 22.

NAYS — Eskridge, Zimmerman — 2.

NOT VOTING — Castle, Dodge, Quillen, Stabler, Mr. Speaker Hering — 5.

ABSENT — Cashman, Hammond, McMahon, Pagano, Pleasanton, Shockley — 6.

HB 164 having received the constitutional majority was declared passed by the House.

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

HB 125 — An Act to amend Section 1902, Title 11, Delaware Code, by permitting the questioning and detaining of suspects found in a public place. Roll Call revealed:

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

NAYS — None.

ABSENT — Cashman, Ferguson, Hammond, McMahon, Pagano, Pleasanton, Shockley — 7.

HB 125 having received the constitutional majority was declared passed by the House.

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

HB 162 — An Act to amend Title 11, Chapter 19, Subchapter 11, Delaware Code, relative to fresh pursuit in felonies, misdemeanors, and violations of Motor Vehicle Law. Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Cicione, Dodge, Eskridge, Ferguson, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 22.

NAYS — Evans, Quillen, Zimmerman — 3.

NOT VOTING — Phillips — 1.

ABSENT — Cashman, Hammond, McMahon, Pagano, Pleasanton, Shockley — 6.

PRESENT — Blendt, Fonville, Slawik — 3.

HB 162 having received the constitutional majority was declared passed by the House.

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

SS 1 for SB 28 with HA 2 — An Act to amend Section 1401, Title 14, Delaware Code, entitled "Procedures for termination of services of professional employees" by providing for inclusion of school nurses within the definition of the word teacher.

Mrs. Heckert moved to adopt **HA 2** by voice vote. Motion carried. **HA 2** adopted by voice vote. In considering **SS 1 for SB 28 with HA 2**, there arose a question of wording in the amendment. Mrs. Heckert moved to defer until such time as the wording could be made clear in a new amendment. Motion carried.

On motion of Mr. Frederick **HB 85** was stricken.

Mr. Hale asked for distribution of **HA 1** to **HB 71**, prepared by Mr. Zimmerman.

Mr. Zimmerman moved to adopt **HA 1** to **HB 71** by voice vote. On objection from Mr. Stabler, the amendment was deferred by Mr. Zimmerman. Mr. Hale deferred **HB 71** with **HA 1**.

Mr. Hale announced committee meetings and moved to adjourn until 2:00 P.M., Thursday, June 1, 1967. House adjourned at 5:05 P.M.

28TH LEGISLATIVE DAY

The Speaker called the House to order at 3:11 P.M., on Thursday, June 1, 1967.

There was a prayer by the Chaplain Reverend Addison Smith.

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

The Roll Call revealed members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Heckert, Leshner, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

Members absent: Ferguson, Hammond, Hart, McMahon, Murphy, Pagano — 6.

The Speaker asked if there were any additions or corrections to the minutes of May 31, 1967. There being none, the minutes were approved as posted.

The following were reported out of committee: Miscellaneous: **HB 165**, 5 favorable, 1 on merits; **HB 143**, 5 favorable, 1 on merits; **HB 108**, 3 favorable, 3 on merits; Education **HB 189**, 5 favorable; **SB 130**, 5 favorable.

The following prefiled bills and resolutions were introduced:

HB 195 — An Act providing for the Joinder of this State in the Pest Control Compact and for related purposes. Introduced by Reps. Gray, Quillen, Leshner, Zimmerman and Blendt. Referred to the Committee on Agriculture.

HS 1 for **HB 72** — Referred to the Committee on Education.

HR 44 — Relating to an Appropriation to Capitol Office Equipment Co. in payment for supplies furnished to the 124th General Assembly of the State of Delaware. Introduced by Rep. Sebrell. Adopted by voice vote.

HR 45 — Relating to an Appropriation to IBM Corporation in payment for an IBM Executive Electric Typewriter. Introduced by Rep. Sebrell. Adopted by voice vote.

HR 46 — Making an Appropriation to various companies for supplies rendered the 124th General Assembly of the State of Delaware. Introduced by Rep. Sebrell. Adopted by voice vote.

HA 3 to SS 1 for SB 28 — Introduced by Rep. Heckert. Placed with bill.

Mr. Ferguson asked to be marked present.

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

HB 142 — An Act to amend Title 29, Delaware Code, relating to State Government by adding a new subchapter to provide for the receipt of Federal Aid by the Agencies of the State.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cicione, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Heckert, Leshner, Phillips, Pleasanton, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 26.

NAYS — Castle, Dodge, Quillen — 3.

ABSENT — Cashman, Hammond, Hart, McMahon, Murphy, Pagano — 6.

HB 142 having received the constitutional majority was declared passed by the House.

Mr. Hale moved to recess at 3:26 P.M. Motion carried.

The House reconvened at 4:57 P.M.

The following bill was reported out of committee: Education: **SB 51** with **SA 1**, 4 favorable.

The following amendment was introduced:

HA 1 to HB 75 — Introduced by Mr. Evans. Placed with bill.

A messenger from the Senate delivered the following: **SB 35**, **SB 117**, **SB 119** and **SS 1** to **SB 70** having passed the Senate and asking concurrence of the House; also, **HB 33** and **HB 76** having passed the Senate.

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

SB 29 — An Act to amend Section 131, Title 23, Delaware Code, relating to pilotage rates. Introduced by Senators Cook and Bookhammer. Roll Call revealed:

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

NAYS — None.

ABSENT — Blendt, Cashman, Hammond, Hart, McMahon, Pagano — 6.

SB 29 having received the constitutional majority was declared passed by the House.

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

HB 168 — An Act to reincorporate the Village of Arden. Roll Call revealed:

YEAS — Bartleson, Benson, Burton, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Mrs. Gooding, Gray, Hale, Harrington, Mrs. Heckert, Leshner, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 26.

NAYS — None.

ABSENT — Blendt, Cashman, Castle, Hammond, Hart, McMahon, Murphy, Pagano, Slawik — 9.

HB 168 having received the constitutional majority was declared passed by the House.

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

SB 62 — An Act making a Supplementary Appropriation to the State Highway Department. Introduced by Senator Cook. Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Mrs. Gooding, Gray, Hale, Harrington, Mrs. Heckert, Leshner, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 26.

NAYS — None.

ABSENT — Blendt, Cashman, Ferguson, Hammond, Hart, McMahon, Murphy, Pagano, Slawik — 9.

SB 62 having received the constitutional majority was declared passed by the House.

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

HB 75 — An Act making a Supplementary Appropriation to the Department of Public Welfare for the fiscal year ending June 30, 1967. Mr. Evans moved to adopt **HA 1** to **HB 75** by voice vote. Motion carried. Mr. Evans then asked for the privilege of the floor for Mr. Ronald E. Miller, Executive Director of the State Department of Public Welfare. Roll Call on **HB 75** with **HA 1** revealed:

YEAS — Bartleson, Brown, Cashman, Castle, Cicione, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Heckert, Murphy, Phillips, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 20.

NAYS — Benson, Burton, Dodge, Gray, Harrington, Leshner, Pleasanton, Quillen, Riddagh, Sebrell — 10.

ABSENT — Blendt, Hammond, Hart, McMahon, Pagano — 5.

HB 75 with **HA 1** having received the constitutional majority was declared passed by the House.

On motion of Mrs. Heckert, **SS 1** for **SB 28** having had its final reading was placed before the House for consideration as amended with **HA 3**. Mrs. Heckert moved to adopt **HA 3**, which strikes **HA 2**, by voice vote. Motion carried. Roll Call on **SS 1** for **SB 28** with **HA 3** revealed:

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

NAYS — None.

ABSENT — Blendt, Hammond, Hart, McMahon, Murphy, Pagano — 6.

SS 1 for **SB 28** with **HA 3** having received the constitutional majority was declared passed by the House.

Mr. Zimmerman moved to withdraw **HA 1** to **HB 71**. Motion prevailed.

On motion of Mr. Hale, **HB 71** having had its final reading, was placed before the House for consideration. Roll Call revealed:

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

NAYS — None.

ABSENT — Blendt, Hammond, Hart, Leshner, McMahon, Pagano — 6.

HB 71 having received the constitutional majority was declared passed the House.

Mr. Hale asked for the agenda and moved to adjourn until 1:30 P.M., June 5th. The House adjourned 5:28 P.M.

29TH LEGISLATIVE DAY

The Acting Speaker, Mr. Benson, called the House to order at 1:47 P.M., on Monday, June 5, 1967.

There was a prayer by the Chaplain Reverend Addison Smith.

The Acting Speaker, Mr. Benson, led those present in a Salute of the Flag.

The Roll Call revealed members present: Bartleson, Benson, Brown, Burton, Cashman, Cicione, Evans, Fonville, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler — 22.

Members absent: Blendt, Castle, Dodge, Eskridge, Ferguson, Gooding, Hammond, Harrington, McMahon, Phillips, Shockley, Zimmerman, Mr. Speaker Hering — 13.

The Acting Speaker asked if there were any additions or corrections to the minutes of May 31, 1967. There being none, the Minutes were approved as posted.

Communications: Letter from Mr. Hering.

Members of the House:

Because of an obligation in Wilmington at noon, Monday, June 5th, I will be unable to preside until approximately 2:30 P.M. I therefore request that Representative David S. Benson act as a presiding officer in my absence.

Very truly,

George C. Hering

Memorandum No. 10 from the Governor's Office.

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the dates indicated:

June 1, 1967 — **SB 95** — (\$1,000 Miss America Pageant to Development Dept.).

June 2, 1967 — **HB 84** — (Maximum vehicle load weights).

The following bills were introduced and assigned to committee:

HB 196 — An Act creating a "Kent County Governmental Study Commission" and authorizing funds for a study of the County's needs. Introduced by Rep. Zimmerman. Referred to the Committee on Government Operations.

HB 197 — An Act to amend Section 4702, Title 29, Delaware Code, to make the Coroner of each county a voting member of the Board of Post Mortem Examiners. Introduced by Reps. Hart, Gray and Sebrell. Referred to the Committee on Revised Statutes.

SB 35 — An Act to amend Section 5401, Title 7, Delaware Code, relating to the creation and composition of the Delaware Archeological Board. Introduced by Senator Foltz. Referred to the Committee on Revised Statutes.

SS 1 for SB 70 — Introduced by Senators Carney and Manning. Referred to the Committee on Appropriations.

SB 117 — An Act to amend Chapter 387, Volume 55, Laws of Delaware, entitled "An Act appropriating moneys to the State Soil Conservation Commission for the construction, improvement and protection of ditches in the several coun-

ties", and providing for the use of appropriated moneys. Introduced by Senator Carney. Referred to the Committee on Appropriations.

SB 119 — An Act to amend an Act entitled "An Act revising the prior charter of the City of Rehoboth Beach and establishing a new charter therefor and prescribing the power and duties of the Commissioners of Rehoboth Beach" being Chapter 197, Volume 54, Laws of Delaware, as amended, changing the corporate name establishing a procedure for annexation, deleting the restriction against compensation for Commissioners, clarifying the qualifications for Commissioner, defining the word "Freeholder", permitting certain leaseholders to nominate persons for elective office, providing a registration procedure for voters, changing the time of reorganization, providing for regular meeting of commissioners, providing powers and duties of City Manager, establishing procedure for removal of City Manager and employees of the city, providing for payment of Accountants, establishing indefinite terms of office for certain appointive offices, establishing the Police Department under the direction of the City Manager, changing the date when assessment is delivered to Commissioners, changing date for fixing the budget, providing for taxing improvements on certain leased land, providing for a first lien on improvements located on certain leased land, permitting the sale of improvements located in certain leased land for nonpayment of taxes, authorizing the establishment of a pension plan or a health and welfare plan for city employees, defining the word "Owner" in connection with paving, guttering, curbing and streets, authorizing awarding of contracts under certain conditions without competitive bidding, and defining the word "User" in connection with the Public Water System and Public Sewer System. Introduced by Senators Bookhammer and Steen. Referred to the Committee on Government Operations.

SB 127 — An Act to amend Title 9, Delaware Code, Section 9507, by providing increased allowances for the burial of persons found dead and for which it is incumbent on the County to bury the body. Introduced by Senator Foltz. Referred to the Committee on Government Operations.

Mr. Hale moved to recess to the call of the chair. Motion carried. House recessed at 2:03 P.M.

The House reconvened at 4:03 P.M., Mr. Speaker in the Chair.

The following Representatives asked to be marked present: Castle, Eskridge, Gooding, Harrington, McMahon, Murphy, Phillips, Shockley and Zimmerman.

A messenger from the Senate delivered **SB 50**, **SB 90**, **SB 123** with **SA 1**, **SB 143** with **SA 1** and **SA 2** and **SB 16**

having passed the Senate and asking concurrence of the House; also, **HB 170** with **HA 1** and **SA 2** having lost in the Senate.

The following bills were reported out of committee: Highways and Public Safety: **HS 1** for **HB 88**, 5 favorable; **HB 181**, 4 favorable, 1 on merits; **HB 167**, 5 favorable.

The following bills were introduced and assigned to committee:

HB 198 — An Act to establish the Wilmington Public School Study Commission and making an appropriation therefor for the comprehensive review and study of public education in the City of Wilmington in order to prepare a report containing recommendations for improvement thereof. Introduced by Reps. Evans and Fonville. Referred to the Committee on Education.

SB 16 — An Act making a supplementary appropriation to the Delaware Commission of Shell Fisheries. Introduced by Senator Cook. Referred to the Committee on Fish, Oyster and Game.

SB 50 — An Act to amend Chapter 167, Volume 55, Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and to issue bonds and notes therefor and appropriating the money borrowed to various agencies of the State. Introduced by Senator Dineen. Referred to the Committee on Public Buildings and Lands.

SB 90 — An Act to amend Chapter 384, Volume 54, Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and for improvements to the Public School System for the State and to issue bonds and notes therefor and appropriating the money borrowed to various agencies of the State. Introduced by Senator Dineen. Referred to the Committee on Public Buildings and Lands.

SB 143 with **SA 1** and **SA 2** — An Act to amend Section 4703 (a), Chapter 47, Title 7, Delaware Code, by adding thereto a new Sub-Paragraph authorizing the State Park Commission, with the approval of the State Planning Office, to grant certain easements over and under land administered by it and to fix and charge fees therefor. Introduced by Senators Bookhammer and Cook. Referred to the Committee on Public Buildings and Lands.

SB 123 — An Act to amend Chapter 1, of Title 8, of the Delaware Code, entitled "General Corporation Law of the State of Delaware", by a general revision of that Chapter to be effected by repealing the present Chapter in its entirety

and substituting therefor a new Chapter. Introduced by Senators Cook and duPont. Referred to the Committee on Commerce and Corporations.

HB 199 — An Act to amend Chapter 113, Volume 32, Laws of Delaware, as amended, entitled "An Act providing for a Police Pension Fund: For members of the Police Force of the City of Wilmington", by providing accelerated benefits for retired Wilmington Police Officers. Introduced by Reps. Castle and Brown. Referred to the Committee on Revised Statutes.

Representatives Ferguson and Hammond asked to be marked present.

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

HB 37 — An Act to amend Title 30, Delaware Code, relating to State Taxes by repealing Section 1195 thereof. Roll Call revealed:

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

NAYS — None.

ABSENT — Blendt, Dodge — 2.

HB 37 having received the constitutional majority was declared passed by the House.

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

SB 130 — An Act to amend Chapter 91, of Title 14, Delaware Code, by empowering the Board of Trustees of the Delaware Institute of Technology to enter into contracts with the University of Delaware or other institutions for the establishment of a two year college parallel program. Introduced by Senators Dineen and Conner. Mr. E. Hall Downes was granted privilege of the floor to answer questions on the bill. Roll Call revealed:

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

NAYS — Bartleson, Quillen — 2.

NOT VOTING — Hammond — 1.

ABSENT — Blendt, Dodge — 2.

SB 130 having received the constitutional majority was declared passed by the House.

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

HB 108 with HA 1 — An Act to amend Chapter 76, Title 29, Delaware Code, establishing a general regulation that the results of research projects, surveys and similar endeavors involving use of state funds or personnel be made public.

Mrs. Heckert explained that **HA 1** corrected any attempts in breech of confidentiality and moved for adoption of **HA 1** by voice vote. Motion carried. **HA 1** to **HB 108** adopted by voice vote. Roll Call on **HB 108 with HA 1** revealed:

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

NAYS — Hammond — 1.

ABSENT — Blendt, Dodge — 2.

HB 108 with HA 1 having received the constitutional majority was declared passed by the House.

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

HB 143 — An Act to amend Subchapter XXIII, Chapter 3, Title 11, Delaware Code, so as to prevent and punish the desecration, mutilation or improper use of the flag of the United States of America, and of this State, and of any flag, standard, color, ensign or shield authorized by law. Roll Call revealed:

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

NAYS — None.

ABSENT — Blendt, Dodge — 2.

HB 143 having received the constitutional majority was declared passed by the House.

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

HB 165 — An Act to amend Chapter 33, Title 16, Delaware Code, relating to sanitary containers and any meat or flesh of any animal or fowl used for food. Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton,

Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

NAYS — None.

ABSENT — Blendt, Dodge — 2.

HB 165 having received the constitutional majority was declared passed by the House.

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

HS 1 for HB 135 with HA 1 and HA 2 — An Act to amend Title 9, Chapter 81, Delaware Code by providing for the taxation by New Castle County of certain mobile homes and by modifying Section 2, Chapter 275, Volume 55, Laws of Delaware, by the addition thereto of Section 1939, excluding New Castle County from its provision. Mr. Pagano moved for adoption of **HA 1 to HB 135** by voice vote. Mr. Benson questioned the validity of **HS 1 for HB 135** since the Title of **HS 1** differed from that of **HB 135**. Mr. Hale moved to defer **HS 1 for HB 135**. **HS 1 for HB 135 with HA 1 and HA 2** deferred.

Mr. Hale moved to adjourn until Thursday, June 8th at 1:30 P.M. House adjourned at 5:00 P.M.

30TH LEGISLATIVE DAY

The Speaker called the House to order at 1:50 P.M., on Thursday, June 8, 1967.

There was a prayer by the Chaplain Reverend Addison Smith.

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

The Roll Call revealed 28 members present, 7 absent.

Members present: Bartleson, Benson, Brown, Burton, Castle, Cicone, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Slawik, Stabler, Mr. Speaker Hering — 28.

Members absent: Blendt, Cashman, Ferguson, Pleasanton, Sebrell, Shockley, Zimmerman — 7.

The Speaker asked if there were any additions or corrections to the minutes of the 29th day. There being none, the minutes were approved as posted.

Communications: Memorandum No. 11 from the Governor's Office.

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the dates indicated:

June 5, 1967 —

SB 55 — (Odessa Traffic light).

June 8, 1967 —

HB 33 — (Christiana Fire Company).

HB 76 — (New Castle County library).

SB 47 — (Town of Laurel Charter amendment relating to salaries).

SB 81 — (\$20,500 supplemental appropriation to Legislative Council).

SB 102 — (Real property taxation exemption for elderly persons).

On May 2, 1967, **Senate Bill No. 5**, a Constitutional amendment dealing with compensation of the members of the General Assembly, passed the House, completing the second leg necessary for adoption.

On May 18, 1967, **Senate Bill No. 4**, a Constitutional amendment dealing with residence requirements for voters, passed the House, completing the second leg necessary for adoption.

The following bill was reported out of committee: Government Operations: **HB 180**, 4 favorable, 1 unfavorable.

The following were introduced:

HA 1 to HB 2 — Introduced by Rep. Stabler. Placed with bill.

HR 47 — Appropriating money out of the General Fund of the State Treasury to pay certain expenses of the present session of the 124th General Assembly. Introduced by Rep. Hale. Adopted by voice vote.

HB 200 — An Act making a supplementary appropriation to the Delaware State Development Department for Flags. Introduced by Reps. Cicione, Slawik and Quillen. Referred to the Committee on Miscellaneous.

HB 201 — An Act to amend Section 8301, Title 11, Delaware Code, to increase the number of State Police. Introduced by Reps. Benson, Hale, Cashman, Riddagh, Quillen, Murphy and Sebrell. Referred to the Committee on Highways and Public Safety.

HB 202 — An Act to amend Title 15, Delaware Code, effecting a general revision of the Election Laws of the State of Delaware by amending Chapters 1, 3, 11, 13, 15, 17, 20, 45, 47, 49, 50 and 55, relating to the Department of Elections, State Election Commissioner, Voter Registration and the provisions dealing with general elections. Introduced by Reps. Castle, Heckert, Riddagh and Pagano. Referred to the Committee on Elections.

HB 203 — An Act to amend Title 9, Chapter 81, Delaware Code by providing for the taxation by New Castle County of certain Mobile Homes and by modifying Section 2, Chapter 275, Volume 55, Laws of Delaware, by the addition thereto of Section 1939, excluding New Castle County from its provision. Introduced by Rep. Pagano. Referred to the Committee on Revenue and Taxation.

HB 204 — An Act to amend Chapter 13, Title 14, Delaware Code, relating to state-supported salary schedules for school employees. Introduced by Reps. Hale, Gooding, Heckert, Hart and Dodge. Referred to the Committee on Education.

HB 205 — An Act to amend Chapter 39, Title 12, Delaware Code, in respect to expenditures of income and principal of a minor's estate. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HB 206 — An Act to amend Title 17, Delaware Code, relating to the regulation of junkyards, requiring the screening of certain junkyards, authorizing the removal of certain junkyards, providing authority to purchase or condemn junkyards in certain situations and providing penalties for the violation of this act. Introduced by Reps. Heckert, McMahon, Gooding, Leshner, Eskridge, Pagano and Hart. Referred to the Committee on Miscellaneous.

Mr. Hale announced committee meetings.

Mr. Cashman asked to be marked present.

Mr. Hale moved to recess to the call of the chair at 2:10 P.M.

The House reconvened at 4:15 P.M.

The following representatives asked to be marked present:

- Messrs. Ferguson, Pleasanton and Zimmerman.

The Speaker welcomed the Delaware State Education Association.

The following resolution was introduced:

HR 48 — Relative to the Death of Austin D. Smith.

WHEREAS, members of the House of Representatives of the 124th General Assembly of the State of Delaware have learned with regret of the passing of Austin D. Smith of Dover; and

WHEREAS, Mr. Smith served his county and his state with great distinction and in many varied capacities including those of Sheriff of Kent County and President of the Delaware Game and Fish Commission; and

WHEREAS, Mr. Smith was honored among sportsmen and had been named both Delaware Sportsman and Delaware Conservationist of the year; and

WHEREAS, throughout his life he labored on behalf of the principles of sound conservation, gun safety and good sportsmanship; and

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

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members give expression of the grief they have experienced at the passing of Austin D. Smith; and

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

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

The following bills were introduced and assigned to committee:

HB 207 — An Act to amend Section 5501, Title 29, Delaware Code, relating to State Employees' Pension Plan and covered employment qualifications. Introduced by Reps. Hale, Murphy and Hart. Referred to the Committee on Revised Statutes.

HB 208 — An Act to amend Subchapter IV, Chapter 17, Title 24, Delaware Code, relating to certificates and state licenses issued to Osteopathic Physicians. Introduced by Rep. Brown. Referred to the Committee on Revised Statutes.

HB 209 — An Act to amend Sections 1305 (a), 1308, 1309 (a), 1311 (a), 1314 (a) (b) (c) and 1322 (a), Chapter 13, Title 14, Delaware Code, relating to Senate supported salary schedules for school employees and making a supplementary appropriation to the State Board of Education. Introduced by Reps. Hart, Heckert, Hale, Quillen, Dodge, Blendt, Pagano, Cicione, and Burton. Referred to the Committee on Education.

HB 210 — An Act to amend Section 1401, Title 14, Delaware Code, entitled "Procedures for termination of services of professional employees" by providing for inclusion of certified and senior secretaries within the definition of the word teacher. Introduced by Reps. Gooding, Phillips and Heckert. Referred to the Committee on Education.

HB 211 — An Act to amend Section 132 (c) (8), Title 17, Delaware Code, relating to grants by the State Highway Department of franchises and licenses to use State Highways.

Introduced by Reps. Ferguson, Zimmerman and McMahon. Referred to the Committee on Highways and Public Safety.

HCR 17 — Relating to the establishment of a Committee to review real estate exemption laws and to report its findings to the 124th General Assembly.

WHEREAS, it is clear that many areas of real property exemption from state, county and municipal taxation already abound in the laws of the State of Delaware; and

WHEREAS, there is an obvious need for study and reappraisal of the myriad Delaware statutes providing real estate tax exemption to various organizations and corporations;

NOW THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 124th General Assembly, the Senate concurring therein, that a moratorium be declared on any further legislation providing additional tax exemption for real estate to any now taxed organization or corporation, until such time as a study of this problem has been completed and the General Assembly can form a coherent, cohesive, and consistent legislative policy with regard to such real estate exemptions; and

BE IT FURTHER RESOLVED, that the Speaker of the House of Representatives and the President Pro Tempore of the Senate respectively appoint three members from each of the representative Houses to a committee which shall undertake a review of the laws of the State dealing with such real estate exemptions, with instruction that such committee report its findings and conclusions and any suggestions for legislation to the respective Houses of the General Assembly on or before February 1, 1968; and

BE IT FURTHER RESOLVED, that the moratorium on certain legislation declared by this Resolution shall be in effect until such time as the House of Representatives and the Senate have received the report of the study committee appointed pursuant hereto.

Introduced by Reps. Hering and Zimmerman. Referred to the Committee on Revenue and Taxation.

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

HB 21 with **HA 1** — An Act to amend Chapter 51, Title 29, Delaware, by authorizing the State Treasurer to make certain pay roll deductions.

Mr. Riddagh moved to adopt **HA 1** to **HB 21** by voice vote. Motion carried. Mrs. Gooding asked for privilege of the floor for Mr. Charles Harris. Permission granted.

Roll Call revealed:

YEAS — Bartleson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Ferguson, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy,

Pagano, Phillips, Pleasanton, Quillen, Riddagh, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Benson — 1.

ABSENT — Blendt, Evans, Fonville, Hammond, Sebrell, Shockley — 6.

HB 21 with **HA 1** having received the constitutional majority was declared passed by the House.

Mr. Hale announced that **HA 1** to **HB 88** be stricken due to a flaw in the title. Motion carried.

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

HB 181 — An Act to require the State Highway Department to install a traffic light control for the Claymont Fire Company at its substation at Marsh and Naaman's Roads, New Castle County, Delaware. Roll Call revealed:

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

NAYS — None.

ABSENT — Blendt, Evans, Fonville, Hammond, Sebrell, Shockley — 6.

HB 181 having received the constitutional majority was declared passed by the House.

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

HB 167 — An Act to amend Subchapter X, Chapter 41, Title 21, Delaware Code, relating to illegal parking by providing that a summons may be attached to an unattended vehicle in lieu of arrest of its operator and making the vehicle owner prima facie liable for such parking violation in the absence of the operator. Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Ferguson, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Slawik, Stabler, Mr. Speaker Hering — 28.

NAYS — Zimmerman — 1.

ABSENT — Blendt, Evans, Fonville, Hammond, Sebrell, Shockley — 6.

HB 167 having received the constitutional majority was declared passed by the House.

A messenger from the Senate delivered the following: **SB 69**, **SB 116**, **SB 126**, **SB 131**, **SB 147** having passed the Senate and asking concurrence of the House; and **HB 1**, **HS 1** for **HB 29**, **HS 1** for **HB 30**, **HB 51**, **HB 86**, **HB 134**, **HJR 2**, **HB 111** with **SA 1** having passed the Senate.

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

HB 149 — An Act to amend Chapter 17, Title 3, Delaware Code relating to the commercial feeds.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicone, Dodge, Eskridge, Ferguson, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Slawik, Zimmerman, Mr. Speaker Hering — 28.

NAYS — None.

ABSENT — Blendt, Evans, Fonville, Hammond, Sebrell, Shockley, Stabler — 7.

HB 149 having received the constitutional majority was declared passed the House.

The following bills were introduced and assigned to committee:

HB 212 — An Act to amend Section 4, of Article V, of the Constitution of the State of Delaware, as amended, relating to registration of voters. Introduced by Rep. Castle. Referred to the Committee on Elections.

SB 69 — An Act to amend Section 1108 (b), Title 17, Delaware Code, relating to outdoor advertising signs. Introduced by Senator Cook. Referred to the Committee on Highways and Public Safety.

SB 116 — An Act to amend Section 6536, Title 11, Delaware Code, relating to medical care in the Department of Correction. Introduced by Senator Manning. Referred to the Committee on Judiciary.

SB 126 — An Act to amend Chapter 41, Title 21, Delaware Code, in respect to the non-assessment of the costs for stopping, standing and parking violations. Introduced by Senator Moore. Referred to the Committee on Highways and Public Safety.

SB 131 — An Act to amend Chapter 43, Title 14, Delaware Code, in respect to the composition of the Education Television Board. Introduced by Senators Dineen and Conner. Referred to the Committee on Education.

SB 147 — An Act to amend Chapter 59, Title 7, Delaware Code, relating to written agreements between the owner of lands and hunters granting permission to hunt on the lands of the owner and providing a penalty for the violation thereof. Introduced by Senator Isaacs. Referred to the Committee on Fish, Oyster and Game.

SA 1 to HB 111 — Introduced by Senator Steen. Referred to the Committee on Judiciary.

The following bills were reported out of committee: Health and Welfare, **HB 166**, 6 favorable; Revenue and Taxation: **HB 203**, 1 favorable, 3 on merits; Agriculture and Forestry: **HB 195**, 5 favorable; Commerce and Corporations: **SB 123** with **HA 1**, 3 favorable, 2 on merits; Public Buildings and Lands: **SB 50**, 6 favorable; Judiciary: **HB 152** with **HA 1**, 3 favorable, 1 on merits; **HB 182**, 3 favorable, 1 on merits; **HB 190**, 1 favorable, 3 on merits; **HB 90**, 3 favorable, 1 on merits; **SB 100**, 3 favorable, 1 on merits; **HB 185**, 4 favorable; **HB 183**, 4 favorable; Miscellaneous: **HB 200**, 6 favorable; Appropriations: **SB 83**, 7 favorable, 1 on merits; **HB 97**, 4 favorable, 3 on merits; Government Operations: **SB 88**, 5 favorable.

Mr. Hale moved to adjourn until Monday, June 12th at 1:30 P.M. The House adjourned at 5:12 P.M.

31ST LEGISLATIVE DAY

The Speaker called the House to order at 1:57 P.M., on Monday, June 12, 1967.

There was a prayer by the Chaplain Reverend Addison Smith.

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

The Roll Call revealed 32 members present, 3 absent.

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

Members absent: Ferguson, Hammond, Slawik — 3.

The Speaker asked if there were any additions or corrections to the minutes of the 30th Legislative Day. There being none, the minutes were approved as posted.

Communications: Memorandum No. 12 from the Governor's Office.

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the date indicated:

June 8, 1967 —

SB 29 — (Pilotage rates).

SB 62 — (\$114,307.05 supplementary appropriation for snow removal to State Highway Dept.).

On June 12, 1967, the Governor returned **Senate Bill No. 57** to the Senate without his approval.

The following bills were reported out of committee: Education: **HB 38**, 5 favorable, 1 on merits; **HB 204**, 5 favorable, 1 on merits; **SB 131**, 5 favorable, 1 on merits; Judiciary: **SA 1** to **HB 111**, 1 favorable, 3 on merits.

A messenger from the Senate delivered the following having passed the Senate: **SB 66**, **SB 46**, **SB 75**, **SB 134**, **SB 159** and **SB 166** and asking concurrence of the House; also, **HB 47**, **HB 137** with **HA 1** and **SA 1**.

The following Amendments and Bills were introduced and assigned to committee:

HA 1 to **HB 180** — Introduced by Rep. Sebrell. Placed with bill.

HA 1 to **SB 51** — Introduced by Rep. Heckert. Placed with bill.

HA 1 to **HB 154** — Introduced by Rep. Hale. Placed with bill.

HB 213 — An Act to amend Section 9203, Title 10, Delaware Code, relating to political affiliation of Justices of the Peace. Introduced by Reps. Benson and Pagano. Referred to the Committee on Judiciary.

HB 214 — An Act relating to licenses and regulation of Clinical Laboratories and Clinical Laboratory Personnel. Introduced by Rep. Sebrell. Referred to the Committee on Health and Welfare.

HB 215 — An Act to amend Title 17, Delaware Code, Chapter 5, by the addition thereto Section 519, providing that persons responsible for damage to public roads, causeways, bridges, highways, or turnpikes report said damage to the State Highway Department. Introduced by Rep. Pagano. Referred to the Committee on Highways and Public Safety.

HB 216 — An Act to amend Subchapter 1, Chapter 42, Title 21, Delaware Code, relating to copies of accident reports supplied by the State Highway Department. Introduced by Reps. Cicione, Pagano, Gooding and Ferguson. Referred to the Committee on Highways and Public Safety.

HB 217 — An Act making a supplementary appropriation to the Department of Public Welfare for the Fiscal Year ending June 30, 1968. Introduced by Reps. Evans, Fonville and Shockley. Referred to the Committee on Health and Welfare.

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

SA 1 to **HB 137** — An Act making a supplementary appropriation to the Governor for the use of the Delaware Arts Council. Introduced by Senator duPont.

Mr. Hale explained **Senate Amendment No. 1**, and moved for roll call vote. Mr. Zimmerman asked for Journal of June 8, 1967, to include Speaker's ruling on Senate Amendments to House Bills on whether or not to go to committee.

Mr. Hale moved to recess to call of the chair. Motion carried. The House recessed at 2:12 P.M.

The House reconvened at 3:08 P.M.

Mr. Slawik asked to be marked present.

Mr. Hale moved for roll call vote on **HB 137** as amended. Mr. Slawik asked for time for his fellow Democrats to reach the Chamber.

Roll Call on **HB 137** with **HA 1** and **SA 1** revealed:

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

NAYS — Blendt, Eskridge, Gooding, Harrington, McMahon, Phillips, Shockley, Slawik, Zimmerman — 9.

ABSENT — Ferguson, Fonville, Hammond, Murphy — 4.

HB 137 with **HA 1** and **SA 1** having received a constitutional majority was declared passed by the House.

The following bills were introduced and assigned to committee:

HB 218 — An Act to establish a Central Case Registry to improve state services to individuals and families in the fields of health, education and welfare and to provide appropriations for the operation thereof. Introduced by Reps. Zimmerman, Stabler, McMahon and Hale. Referred to the Committee on Government Operations.

HB 219 — An Act to amend Title 21, Section 701, Delaware Code, empowering specified law enforcement officers to make arrests without warrants for violation of the Motor Vehicle Code in certain radar, aircraft and accident cases. Introduced by Reps. Hale, Ferguson, Heckert, Blendt and Dodge. Referred to the Committee on Highways and Public Safety.

HB 220 — An Act to amend Title 16, Delaware Code, with respect to approval of construction and reconstruction of buildings to be used for public eating places. Introduced by Rep. Pagano. Referred to the Committee on Health and Welfare.

SB 46 — An Act to amend Chapter 11, Title 30, Delaware Code, so as to define additional terms relating to Capital Gains and Losses and to provide for a 50% deduction for Capital Gains from Gross Income. Introduced by Senators Bookhammer, Steen and duPont. Referred to the Committee on Revenue and Taxation.

SB 66 — An Act to authorize the State Highway Department to extend sidewalks adjacent to Middleboro Road, Maintenance Road 334. Introduced by Senator Carney. Referred to the Committee on Appropriations.

SB 75 — An Act to amend Chapter 11, Title 30, Delaware Code, in respect to personal exemptions and credits for dependent for State Taxes. Introduced by Senators Steen, Bookhammer, Foltz and Isaacs. Referred to the Committee on Revenue and Taxation.

SB 134 — An Act to amend Chapter 27, Title 18, Delaware Code, by adding thereto new sections relating to municipal governments joining with the municipal governments establishing and funding police pension plans, restricting municipal governments in the manner in which police pension monies from the State Treasurer are used, prescribing certain requirements for Police Pension Plans for which such monies will be used, and providing for forfeiture of such monies for non-compliance. Introduced by Senators Bookhammer and Steen. Referred to the Committee on Government Operations.

SB 159 — An Act to amend Chapter 171, Volume 54, Laws of Delaware, entitled "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 contribution from certain School Districts, and the City of Wilmington, defining School Districts; authorizing the issuance of bonds of certain School Districts and the City of Wilmington for the purpose of raising money to make such contributions; and authorizing the acceptance of federal funds for building purposes and creating Local School Building Commissions" by extending the date for the reversion of School Construction Funds by certain School Districts and making such amendment retroactive. Introduced by Senators Dineen, Steen and Robbins. Referred to the Committee on Education.

SB 166 — An Act to amend Section 1401, Title 14, Delaware Code, entitled "Procedures for their termination of services of professional employees" by providing for inclusion of Certified School Nurses within the definition of the word teacher. Introduced by Senator Foltz. Referred to the Committee on Education.

HB 221 — An Act to amend Title 30, Delaware Code, with respect to permits for public eating places. Introduced by Rep. Pagano. Referred to the Committee on Health and Welfare.

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

HB 180 — An Act to amend Title 9, of the Delaware Code relating to "Home Rule" Legislation for Kent County.

HA 1 to **HB 180** — Introduced by Reps. Sebrell, Quillen and Riddagh. Adopted by voice vote. Mr. Slawik asked for privilege of the floor for Mr. Alfred Hidgecock, Public Relations Man for Kent County Levy Court. Mr. Roger Kelsey, House Attorney, answered.

HA 2 to **HB 180** — Introduced by Rep. Zimmerman. Mr. Zimmerman moved to adopt by voice vote. Dr. Sebrell moved to table **HA 2** to **HB 180**. Motion carried. **HA 2** tabled. Dr. Sebrell moved for roll call vote on **HB 180** with **HA 1**. Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Mr. Speaker Hering — 25.

NAYS — Eskridge, Gooding, Slawik, Zimmerman — 4.

NOT VOTING — Phillips — 1.

ABSENT — Ferguson, Hammond, McMahon — 3.

PRESENT — Blendt, Harrington — 2.

HB 180 with **HA 1** having received the constitutional majority was declared passed by the House.

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

SB 51 with **SA 1** and **HA 1** — An Act to amend Chapter 171, Volume 54, Laws of Delaware, entitled "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." Introduced by Senators Dineen and Steen.

Mrs. Heckert moved to adopt **HA 1** by voice vote. Mrs. Heckert explained that a three-quarters vote was necessary; and, **HA 1** cancels the defect in **SA 1**. Motion carried. Roll Call on **SB 51** as amended revealed:

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

ABSENT — Ferguson, Hammond — 2.

SB 51 with **SA 1** and **HA 1** having received the constitutional majority of three-quarters vote was declared passed by the House.

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

HB 166 — An Act to amend Section 122, Title 16, Delaware Code, relating to the powers and duties of the State Board of Health by adding the responsibility to regulate fluoridation of water supplies.

A letter from Dr. Floyd Hudson regarding Flouridation was read.

June 6, 1967

The Honorable Clarice U. Heckert
Representative, State of Delaware
Legislative Hall
Dover, Delaware 19901

My dear Mrs. Heckert:

I would like to express for you and the Members of the Health and Welfare Committee of the House my personal opinion on HB No. 166 which amends Section 122, Title 16, and adds the responsibility to regulate fluoridation of water supplies to the powers and duties of the State Board of Health. This Bill, if enacted, should enable the State Board of Health to extend the fluoridation process to those public water supplies which serve significant numbers of children. The State Board of Health has for many years been on record as favoring fluoridation to reduce the dental caries problem in the children of our State. Fluoridation is a well established and proven procedure and will reduce dental caries by approximately two-thirds in those children to whom it is furnished. Controls to assure proper fluoridation techniques in public water supplies have already been established by the State Board of Health.

If I can be of any further assistance, please let me know.

Respectfully yours,
Floyd I. Hudson, M.D.
Executive Secretary

FIH:dd

Roll Call revealed:

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

NAYS — Riddagh — 1.

ABSENT — Ferguson, Hammond — 2.

HB 166 having received a constitutional majority was declared passed by the House.

HR 49 — Expressing the best wishes of the House of Representatives of the 124th General Assembly to Representative Mario A. Pagano on his becoming a grandfather.

WHEREAS, the members of the House of Representatives of the 124th General Assembly have learned that yesterday, June 11, 1967, the daughter of Representative Mario A. Pagano gave birth to a child, making Representative Pagano a Grandfather for the first time, and

WHEREAS, the members of the House wish to express their congratulations and best wishes to Representative Pagano,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the congratulations and best wishes of the members of the House be and they hereby are extended to Representative Mario A. Pagano upon his becoming a Grandfather.

BE IT FURTHER RESOLVED that a copy of this resolution be entered upon the Journal of the House and a copy delivered to Representative Pagano.

Introduced by Rep. Frederick and others. Adopted by voice vote.

The following bill was introduced:

HB 222 — An Act to provide for payments to persons who served in the Armed Forces of the U.S. during the period beginning July 1, 1954, and ending December 31, 1967, and to designated beneficiaries of such persons to recreate and reestablish the Delaware Veterans' Military Pay Commission to carry out certain provisions of this act; to authorize the selection of assistants to said Commission; to provide for a review of decisions affecting claims made under the Act; to make appropriations and authorize the issuance of Bonds and Anticipation Notes of the State of Delaware to carry out the provisions of the Act; to accept Federal Supplementary Funds for said purpose; and to prescribe penalties for violations of the provisions of this Act.

Introduced by Reps. Slawik, Shockley, Leshner, Phillips, Gooding, Blendt, McMahon, Harrington, Brown, Evans, Eskridge, Zimmerman, Cicione. Referred to the Committee on Revised Statutes.

Mr. Slawik moved **HB 43** be stricken. Motion carried.

The following Representatives were added as co-sponsors to **HB 209**: Reps. Blendt, Pagano and Cicione per request of Rep. Hart.

Mrs. Heckert asked the following names be added as co-sponsors to **HB 38**: Rep. Slawik and Zimmerman.

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

SB 88 — An Act to increase the salary of the Superintendent of the Public Building Commission for the City of Wilmington and for New Castle County. Roll Call revealed:

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

ABSENT — Ferguson, Hammond — 2.

SB 88 having received a constitutional majority was declared passed by the House.

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

HB 195 — An Act providing for the Joinder of this State in the Pest Control Compact and for related purposes. Roll Call revealed:

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

ABSENT — Ferguson, Hammond — 2.

HB 195 having received a constitutional majority was declared passed the House.

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

SB 123 with SA 1 — An Act to amend Chapter 1, of Title 8, of the Delaware Code, entitled "General Corporation Law of the State of Delaware," by a general revision of that chapter to be effected by repealing the present chapter in its entirety and substituting therefor a new chapter. Roll Call revealed:

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

ABSENT — Ferguson, Hammond — 2.

SB 123 with SA 1 having received a constitutional majority was declared passed by the House.

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

SB 50 — An Act to amend Chapter 167, Volume 55, Laws of Delaware, entitled, "An Act authorizing the State of Delaware to borrow money to be used for capital improvements and to issue bonds and notes therefor and appropriating the money borrowed to various agencies of the State. Roll Call revealed:

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

ABSENT — Ferguson, Hammond — 2.

SB 50 having received a constitutional majority was declared passed by the House.

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

HB 200 — An Act making a supplementary appropriation to the Delaware State Development Department for Flags. Roll Call revealed:

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

ABSENT — Ferguson, Hammond — 2.

HB 200 having received a constitutional majority was declared passed by the House.

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

SB 83 — An Act to amend Chapter 365, Volume 55, Laws of Delaware, relating to an appropriation to the State Highway Department for the purpose of constructing a sidewalk from Millsboro School No. 23 to Millsboro School No. 204. Roll Call revealed:

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

ABSENT — Ferguson, Hammond, Stabler — 3.

SB 83 having received a constitutional majority was declared passed by the House.

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

HB 152 — An Act to amend Section 813, Title 11, Delaware Code, relating to assault on police officers.

Mr. Benson moved for adoption of **HA 1** to **HB 152**. **HA 1** adopted by voice vote. Roll Call on **HB 152** as amended revealed:

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

NAYS — Shockley, Zimmerman — 2.

ABSENT — Ferguson, Hammond, Slawik — 3.

PRESENT — Gooding — 1.

HB 152 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 203 — An Act to amend Title 9, Chapter 81, Delaware Code by providing for the taxation by New Castle County of certain Mobile Homes and by modifying Section 2, Chapter 275, Volume 55, Laws of Delaware, of the addition thereto of Section 1939, extending New Castle County from its provisions. Roll Call revealed:

YEAS — Bartleson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddag, Sebrell, Stabler, Mr. Speaker Hering — 21.

NAYS — Benson, Blendt, Eskridge, Gooding, McMahon, Shockley, Slawik, Zimmerman — 8.

ABSENT — Ferguson, Hammond — 2.

PRESENT — Fonville, Gray, Harrington, Phillips — 4.

HB 203 having received a constitutional majority was declared passed by the House.

Mr. Bartleson spoke on passage of **HB 137**.

Statement by Rep. T. Lees Bartleson, R-Lindamere, Chairman of the Joint Legislative Finance Committee.

It has been the position of the Republican legislators from the start of the budget discussion that we would always be willing to consider a later, supplemental amendment to the budget bill.

Now that **HB 137**, as amended, has been passed by both houses of the General Assembly, I would like to state this position once again.

We realize that no budget is ever perfect. Every budget requires some changes after it is approved. And while many of us think that **HB 137** as amended is a good bill, we also want to repeat our willingness to consider later legislation in this area.

In the last several years, it has been the policy of this body to approve a budget as recommended by the Joint Finance Committee and then consider an omnibus bill to supplement it. Also, we all know the large number of supplemental appropriations we are asked to consider every year.

This is our policy this year, and I hope that the governor will see fit to sign HB 137 as amended into law. This will provide funds for the state to carry on, and other items can be discussed and voted upon as time goes by.

Mr. Hale moved to recess until Monday, June 19, 1967. Motion carried. The House recessed at 4:53 P.M.

The Speaker called the House to order at 1:45 P.M. Mr. Hale moved to adjourn until 1:46 P.M. Motion carried.

32ND LEGISLATIVE DAY

The Speaker called the House to order at 1:46 P.M., on Monday, June 19, 1967.

There was a prayer by the Chaplain Rev. John A. Irwin.

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

The Roll Call revealed 31 members present, 4 absent.

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

Members absent: Evans, Fonville, Hammond, Murphy — 4.

The Speaker asked if there were any additions or corrections to the minutes of June 12, 1967. Approval of the Minutes was postponed until after recess.

Communications: Memorandums from the Governor's Office.

MEMORANDUM No. 13

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the date indicated:

June 15, 1967 —

SB 50 — (Extension of time of Capital Bond Act, Chapter 167, Vol. 55, Laws of Delaware).

MEMORANDUM No. 14

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the date indicated:

June 16, 1967 —

SB 24 — (Exclusion of income by members of the Armed Forces).

On June 5, 1967, House Bill No. 1, a Constitutional Amendment dealing with transportation of students of non-public schools, passed the Senate, completing the second leg necessary for adoption.

Prefiled Bills and Amendments:

HA 1 to HB 169 — Introduced by Rep. Burton. Placed with Bill.

HB 223 — An Act making a Supplementary Appropriation to the State Highway Department for the purpose of providing the Matching Funds for the Federal Highway Beautification Department. Introduced by Reps. Leshner, Bartleson and Heckert. Referred to the Committee on Highways and Public Safety.

HB 224 — An Act making a Supplementary Appropriation to the State Board of Agriculture. Introduced by Rep. Pleasanton. Referred to the Committee on Agriculture.

HA 1 to HB 209 — Introduced by Rep. Hart. Placed with Bill. (Education). Mr. Hart asked that Mr. Burton be added as co-sponsor.

Mr. Hale moved to recess to the Call of the Chair. Motion carried.

House recessed at 1:52 P.M. and reconvened at 3:08 P.M.

The Speaker welcomed the boys of Boys' State.

The Minutes were approved as posted.

The following bills were reported out of committee: Revenue & Taxation: **HCR 17**, 5 favorable; **HB 154** with **HA 1**, 5 favorable; Highways & Public Safety: **HB 216**, 6 favorable; Appropriations: **SS 1** for **SB 70**, 7 favorable; **SB 87**, 5 favorable, 2 on merits; **SB 117**, 7 favorable; Education: **SB 159**, 6 favorable; **SB 166**, 6 favorable; Health & Welfare: **SB 64**, 1 favorable, 3 on merits; **SB 63**, 1 favorable, 3 on merits; Government Operations: **SB 119**, 2 favorable, 3 merits.

A Messenger from the Senate delivered **Senate Bills 157, 160, 167, 168, 155** with **SA 1**, **128** with **SA 2**, **125, 96, 79** with **SA 1**, **SS 1** for **SB 138**, and wished the concurrence of the

House; and **House Bills 64, 79, 109, 136, 150 and 158** having passed the Senate; and **HB 123** with **HA 1**, having lost in the Senate.

The following bills were introduced and assigned to committee:

HA 1 to HB 171 — Introduced by Rep. Brown. Placed with Bill.

HB 225 — An Act to amend Chapter 39, Title 12, Delaware Code, so as to permit the Orphan's Court to determine what duties to assign to the guardian of a minor. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HB 226 — An Act to amend Title 30, Delaware Code, relating to a tax on hotel, motel and tourist home accommodations. Introduced by Reps. Murphy, Hart, Sebrell, Leshner, Stabler, Pagano, Cicione, Pleasanton, Quillen. Referred to the Committee on Revenue & Taxation.

HB 227 — An Act to amend Section 902, Chapter 9, Title 19, Delaware Code, relating to minimum wage by adding certain provisions dealing with employees who customarily receive gratuities. Introduced by Reps. Cicione, McMahon, Gooding, Slawik, Cashman, Brown, Pagano, Frederick. Referred to the Committee on Labor.

HB 228 — An Act to amend Chapter 66, Title 16, Delaware Code, relating to the State Fire Commission by requiring Fire Insurance Companies to file certain reports. Introduced by Rep. Brown. Referred to the Committee on Banking and Insurance.

SB 79 with SA 1 — An Act amending Chapter 3, Title 11, Delaware Code, relating to trespass. Introduced by Sen. Isaacs. Referred to the Committee on Judiciary.

SB 96 — An Act to Repeal 29, Delaware Code, Chapter 34, entitled "New Castle Historic Buildings Commission," and to amend Subchapter III of 29 Delaware Code, Chapter 33, entitled "Public Archives Commission", transferring the property, powers and duties of the New Castle Historic Buildings Commission to the Public Archives Commission. Introduced by Sen. McCullough. Referred to the Committee on Public Buildings & Lands.

SB 125 — An Act authorizing the Levy Court of Sussex County to issue bonds on the full faith and credit of the County not exceeding \$2,500,000.00 to provide funds for the construction of a New Court House and/or an Addition to the existing Court House and equipment to be used therein, Providing for the power of condemnation and method of repayment of said bonds. Introduced by Sen. Steen. Referred to the Committee on Public Buildings and Lands.

SB 128 with SA 2 — An Act to amend Title 31, Delaware Code, entitled "Welfare" by changing the definition of Medical Care and by providing for a Medical Advisory Committee. Introduced by Sen. Dineen. Referred to the committee on Health and Welfare.

SS 1 for SB 138 — An Act transferring money from the Capital Investment Fund for the purpose of enabling the Public Archives Commission to accept title to restore, control and have custody of Prince George's Chapel. Introduced by Sen. Dineen. Referred to the Committee on Public Buildings and Lands..

SB 155 with SA 1 — An Act to amend Chapter 19, Title 14, Delaware Code, in respect to tax on mobile homes. Introduced by Sen. Robbins. Referred to the committee on Revenue & Taxation.

SB 157 — An Act to amend Title 16, Delaware Code, to provide for the development, establishment and enforcement of standards for the construction, maintenance and operation of Hospitals and the Licensing thereof. Introduced by Sen. Manning. Referred to the Committee on Health & Welfare.

SB 160 — An Act providing that an appropriation previously made to the Public Archives Commission shall not revert to the General Fund until June 30, 1969. Introduced by Sen. Dineen. Referred to the committee on Public Buildings & Lands.

SB 167 — An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures for the Construction of a new State Correction Institution and to issue bonds and notes therefor and Appropriating the money borrowed to the State Board of Corrections. Introduced by Sen. Cook. Referred to the committee on Public Buildings & Lands.

SB 168 — An Act permitting Millsboro School, District no. 23, to transfer surplus funds from a Debt Service Local Funds Account to the Millsboro Construction Fund Account. Introduced by Sen. Steen. Referred to the Committee on Education.

Messrs. Fonville and Murphy asked to be marked present.

Mr. Brown asked **HB 157** be stricken.

Mr. Pagano asked **HB 52, 59, and HS 1** for **HB 135** be stricken.

Mr. Benson asked **HB 73** be stricken.

Mr. Cashman asked **HB 159** be stricken.

Mr. Evans asked to be marked present.

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

HB 101 — An Act to amend Chapter 17, Title 16, Delaware Code, relating to refuse and garbage.

Roll Call revealed:

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

ABSENT — Hammond — 1.

HB 101 having received the constitutional majority was declared passed by the House.

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

HB 97 — An Act making a supplementary appropriation to the Governor for the Governor's Goals Committee.

Roll Call revealed:

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

ABSENT — Hammond — 1.

HB 97 having received the constitutional majority was declared passed by the House.

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

HB 2 with **HA 1** — An Act to amend Chapters 9 and 11, Title 10, and Chapter 3, Title 31, Delaware Code, relating to the definition of dependent children.

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

Roll Call on **HB 2** as amended revealed:

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

ABSENT — Hammond — 1.

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

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

HB 182 — An Act to amend Section 705, Title 19, Delaware Code, relating to use of polygraph, Lie Detector or similar tests by Law Enforcement Agencies.

Roll Call revealed:

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

NOT VOTING — Cicione — 1.

ABSENT — Hammond — 1.

HB 182 having received the constitutional majority was declared passed by the House.

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

HB 183 — An Act to amend Title 6, Delaware Code, relating to retail installment contracts and accounts, by providing remedies available to a holder of a defaulted contract consistent with the Delaware Uniform Commercial Code.

Roll Call revealed:

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

ABSENT — Hammond — 1.

HB 183 having received the constitutional majority was declared passed by the House.

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

HB 185 — An Act proposing an amendment to Article 4, Section 2, of the Constitution of the State of Delaware relating to active judicial duty by retired judges.

Roll Call revealed:

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

ABSENT — Hammond — 1.

HB 185 having received the constitutional majority was declared passed by the House.

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

HB 184 — An Act to amend Title 5, Delaware Code, relating to Corporation Law for State Banks and Trust Companies, by lengthening the period of extension of certificate of authority to open a branch office.

Roll Call revealed:

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

ABSENT — Blendt, Hammond — 2.

HB 184 having received the constitutional majority was declared passed by the House.

Mr. Zimmerman asked that consideration of **HB 111** be deferred until the next Legislative Day.

Mr. Hart asked deferral of **HB 197**.

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

SB 131 — An Act to amend Chapter 43, Title 14, Delaware Code, in respect to the composition of the Educational Television Board.

Roll Call revealed:

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

ABSENT — Bartleson, Blendt, Hammond — 3.

SB 131 having received the constitutional majority was declared passed by the House.

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

HB 169 with **HA 1** — An Act making a supplementary appropriation to the State Board of Education for the Milton School District.

Mr. Burton moved to adopt **HA 1** by voice vote, explaining that **HA 1** corrects a chapter number referred to in the Bill. **HA 1** adopted by voice vote.

Roll Call on **HB 169** with **HA 1** revealed:

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

ABSENT — Hammond — 1.

HB 169 with **HA 1** having received the constitutional majority was declared passed by the House.

Mr. Castle announced an Elections Committee Meeting on June 20, 1967 to consider **HB 202** and **HB 212**.

Mr. Hale asked that a Resolution be introduced.

HR 50 — Expressing the best wishes and a hearty welcome by the members of the House of Representatives of the 124th General Assembly to Boys' State of 1967.

WHEREAS, the membership of Boys' State of 1967 has convened in Dover this day, June 19, 1967; and

WHEREAS, members of the House of Representatives of the 124th General Assembly wish to express to these outstanding young citizens of the State of Delaware their best wishes and a hearty welcome to Legislative Hall; and

WHEREAS, members of the House of Representatives also wish to commend the American Legion of Delaware which is sponsoring this worthy event.

NOW THEREFORE, BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that best wishes and a hearty welcome be and the same hereby are extended to the members of Boys' State of 1967 and, in addition, a commendation be extended to the sponsors of this event, the American Legion of Delaware.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered upon the Journal of the House and a copy delivered to the presiding officer of Boys' State of 1967, and an additional copy sent to the Commander of the American Legion of Delaware.

Introduced by Reps. Hale, Dodge, Zimmerman, Slawik.

HR 50 was adopted by voice vote.

Mr. Hale moved to adjourn to the Call of the Chair. House adjourned 4:17 P.M.

33RD LEGISLATIVE DAY

The Speaker called the House to order at 1:52 P.M., on Tuesday, June 20, 1967.

There was a prayer by the Chaplain Rev. John A. Irwin.

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

The Roll Call revealed 33 members present, 2 absent.

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

Absent: Hammond, Slawik — 2.

The minutes of the 32nd Legislative Day were approved as posted.

There were no communications.

The Speaker is losing his voice so will appoint Acting Speaker after recess.

The following bill was reported out of committee: Labor: **HB 45**, 3 favorable, 3 on merit.

The following bills were introduced and assigned to committee:

HA 1 to **HB 172** — Introduced by Rep. Brown. Placed with bill.

HA 1 to **HB 191** — Introduced by Rep. Brown. Placed with bill.

HB 229 — An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures and to issue bonds and notes therefor and appropriating the monies to the State Board of Education. Introduced by Rep. Hale. Referred to the Committee on Education.

HB 230 — An Act making a supplementary appropriation to the Department of Public Welfare. Introduced by Rep. Evans. Referred to the Committee on Appropriations.

HB 231 — An Act to amend Sections 9204, Title 10, Delaware Code, relating to increase in number of Justice of the Peace Courts in New Castle County, increase in number of Justices of the Peace in Sussex County. Introduced by Rep. Murphy. Referred to the Committee on Judiciary.

HB 232 — An Act to amend Section 4111, Title 9, Delaware Code, relating to limitation on Kent County Levy Court borrowing power. Introduced by Rep. Sebrell. Referred to the Committee on Government Operations.

HCR 18 — Calling upon the 90th Congress of the United States to broaden and strengthen the Social Security System. Introduced by Rep. Cashman. Referred to the Committee on Revenue & Taxation.

HCR 19 — Introduced by Rep. Hale. Mr. Hale moved for adoption by voice vote. Motion carried.

Mr. Slawik asked to be marked present.

Mr. Hale moved to recess at 2:02 P.M. Motion carried.

The House reconvened at 4:06 P.M.

Mr. Benson took the Chair as Acting Speaker.

A messenger from the Senate delivered **Senate Bill 174**, having passed the Senate and requesting the concurrence of the House.

The following bills were reported out of committee: Fish, Oyster & Game: **HB 128**, 5 favorable; Government Operations: **SB 60**, 3 favorable, 2 on merit; Elections: **SB 52**, 4 favorable, 2 on merit; Elections: **HB 113**, 4 favorable; Elections: **HB 58**, 4 favorable, 2 on merit; Labor: **HB 227**, 3 favorable, 3 on merit; Agriculture & Forestry: **HB 224**, 6 favorable.

Mr. Sebrell moved that **HB 95** be stricken. Motion carried.

The following Amendments, Bills, and Resolutions were introduced and assigned to committee:

HA 1 to HB 111 with SA 1 — Introduced by Rep. Zimmerman and Rep. Stabler. Placed with bill.

HB 233 — An Act to amend Chapter 22, Volume 55, Laws of Delaware, relating to use of monies from the Capital Investment Fund for Mosquito Control and Spraying. Introduced by Rep. Sebrell. Referred to the Committee on Agriculture.

HB 234 — An Act to amend Chapter 41, Title 7, Delaware Code, relating to drainage organizations by eliminating certain limitations and requirements. Introduced by Rep. Blendt. Referred to the Committee on Agriculture.

HR 51 — Relative to the Death of Former State Representative Norman H. Scott. Introduced by Rep. Gray. Mr. Gray moved for roll call.

Roll Call revealed:

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

ABSENT — Hammond — 1.

Mr. Eskridge moved that **HR 51** and the Roll Call be sent to Mr. Scott's son. Motion carried.

Mr. Slawik introduced a Resolution from the floor. Before the Resolution was read in, it was discovered that it was improperly prepared, having a House Resolution backer and a House Concurrent Resolution title on the legislature. After some discussion, Mr. Sebrell moved that the Resolution, which had temporarily been given the number "**HR 52**", be tabled. Motion carried.

Mr. Slawik asked that a newspaper editorial be read into the record. The Reading Clerk read the editorial.

Mr. Acting Speaker Benson asked that, if there were no objections, **WHYY** would be permitted to take pictures during the session. Permission granted.

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

HB 111 with SA 1 — An Act to amend Title 11, Delaware Code, relating to crimes, by providing penalties for fraudulent practices under the Uniform Commercial Code. Mr. Zimmerman then asked that **HA 1 to HB 111 with SA 1** be read in. Mr. Zimmerman moved to adopt **HA 1** by voice vote. Motion carried.

Roll Call revealed:

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

ABSENT — Hammond, Harrington — 2.

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

HB 38 — An Act to amend Chapter 25, Title 14, Delaware Code, entitled "High Schools", by adding a new section relating to Driver Education.

Roll Call revealed:

YEAS — Benson, Cashman, Cicione, Evans, Ferguson, Fonville, Gooding, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Shockley, Slawik, Zimmerman — 18.

NAYS — Pleasanton, Quillen, Riddagh, Sebrell — 4.

NOT VOTING — Bartleson, Blendt, Brown, Burton, Dodge, Eskridge, Frederick, Gray, Harrington, Stabler, Mr. Speaker Hering — 11.

ABSENT — Castle, Hammond — 2.

Mr. Cashman moved that **HCR 16** be stricken. Motion carried.

Mr. Sebrell moved that **HB 95** be stricken. Motion carried.

Mr. Hale moved the House adjourn. Motion carried.
House adjourned at 4:48 P.M.

34TH LEGISLATIVE DAY

The Speaker called the House to order at 2:04 P.M., on Wednesday, June 21, 1967.

There was a prayer by the Chaplain Rev. John A. Irwin.

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

The Roll Call revealed 28 members present, 7 absent.

Members present: Benson, Blendt, Brown, Burton, Castle, Cicione, Dodge, Eskridge, Ferguson, Fonville, Frederick, Mrs. Gooding, Gray, Hale, Harrington, Mrs. Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Mr. Speaker Hering — 28.

Absent: Bartleson, Cashman, Evans, Hammond, Hart, Phillips, Zimmerman — 7.

Minutes of June 20, 1967 approved as posted.

Communications — None.

The following bills were reported out of committee: Highways and Public Safety, **HB 171** with **HA 1**, 6 favorable; Government Operations, **HB 232**, 4 favorable, 1 on merits;

Revenue and Taxation, **HCR 18**, 2 on merits, 3 unfavorable; Elections, **SB 12**, 4 on merits.

The following bills, amendments and resolutions were introduced and assigned:

SB 174 — Amending Title 15, Delaware Code, by adding Chapter 44, entitled "Registration and voting for Presidential Electors only, by United States citizens who fail to fulfill certain residence requirements." Introduced by Senators Manning and Dineen. Referred to Committee on Elections.

HA 1 to **HB 45**, introduced by Rep. Cashman. Placed with bill.

HA 1 to **HB 229**, introduced by Rep. Hale. Placed with bill.

HB 235 — An Act proposing an amendment to Article 4 of the Constitution of the State of Delaware relating to the creation of a court on the Judiciary. Introduced by Reps. Stabler and Castle. Referred to Judiciary Committee.

HB 236 — An Act amending § 108, Title 1, Delaware Code, to provide for the distribution of copies of the Delaware Code Annotated to school libraries. Introduced by Rep. Phillips. Referred to Education Committee.

HCR 20 — Relating to hearings and investigation of the Delaware Commission of Shell Fisheries. Introduced by Rep. Slawik. Mr. Sebrell, a member of the Shell Fisheries Commission was appointed and after discussion they decided on closed hearings. Minutes are taken and may appear. Most witnesses do not want open hearings. Mr. Sebrell moved to table **HCR 20**. Mr. Slawik requested a roll call vote.

Reps. Hart, Evans, Cashman, Phillips, Bartleson asked to be marked present.

Roll Call on **HCR 20** revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cicione, Dodge, Frederick, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 19.

NAYS — Cashman, Castle, Eskridge, Evans, Ferguson, Fonville, Gooding, McMahon, Pagano, Phillips, Shockley, Slawik — 12.

ABSENT — Blendt, Gray, Hammond, Zimmerman — 4.

HCR 20 tabled.

Mr. Hale moved to recess to the Call of the Chair. Motion carried. House recessed at 2:21 P.M.

The House reconvened at 3:30 P.M.

The following were reported out of committee: Insurance and Banking: **HB 141**, 4 on merits; **HB 228**, 4 favorable; Agriculture and Forestry: **HB 233**, 3 favorable, 2 on merits; Appropriations: **HB 186**, 8 favorable; **HB 187**, 8 favorable;

HB 188, 8 favorable; Judiciary: **HB 231**, 1 favorable, 4 on merits; **HB 225**, 5 favorable; **HB 81**, 5 favorable; **HB 205**, 5 favorable; **HB 35**, 3 favorable, 1 on merits; **HB 36**, 3 favorable, 1 unfavorable, 1 on merits; **HB 177**, 2 on merits, 3 unfavorable; Revised Statutes: **HB 199**, 1 favorable, 4 on merits; Education: **HB 229**, 5 favorable, 1 on merits; Miscellaneous: **HB 206**, 6 on merits; Health and Welfare: **HB 220**, 6 favorable; **HB 221**, 6 favorable; Revised Statutes: **SB 35**, 5 favorable; Judiciary: **SB 38**, 1 favorable, 3 on merits; **SB 116**, 5 favorable.

A messenger from the Senate delivered **SB 164** with **SA 1**, **SB 148**, and **SB 190**.

The following bills were introduced and assigned to committee:

HB 237 — An Act to amend Title 29, Sections 5921 and 5954, Delaware Code, relating to a Merit System of Personnel Administration of the employees of the State. Introduced by Mr. Frederick. Referred to Committee on Revised Statutes.

HB 238 — An Act to amend Section 9615, Title 9, Delaware Code, relating to the delivery of records of Public Archives Commission. Introduced by Mr. Dodge. Referred to Committee on Government Operations.

SB 148 — An Act to permit the Levy Court of Sussex County to adopt planning and zoning regulations. Introduced by Sen. Bookhammer. Referred to Committee on Government Operations.

SB 164 with **SA 1** — An Act to amend Title 31, Section 4319, Delaware Code, relating to payments by housing authorities to cities or counties for services in lieu of taxes, and to declare valid and legal and to approve agreements and payments to public bodies in the State and the undertakings of such housing authorities and all proceedings, acts, and things undertaken or done with reference thereto. Introduced by Sen. Dineen. Referred to Committee on Government Operations.

SB 190 — An Act to amend Title 9, Delaware Code, by adding a Chapter 69 thereto providing for zoning in Sussex County. Introduced by Sen. Bookhammer. Referred to Committee on Government Operations.

Mr. Burton commented on his attendance at the Interstate Cooperation Committee Conference in Stowe, Vermont, June 13 through 16.

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

HB 154 with **HA 1** — An Act to amend Chapter 27, Title 29, Delaware Code, relating to the State Treasurer by providing for the refunding of improperly collected fees.

Roll Call revealed:

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

ABSENT: Cashman, Hammond, Zimmerman — 3.

HB 154 with **HA 1** having received a constitutional majority was declared passed by the House.

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

SB 101 — An Act amending Title 10, Delaware Code, Chapter 39, by the addition thereto of Section 3924 relating to the liability of an occupier of land to guests on the land without payment.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Hale, Hart, Heckert, Lesh, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Mr. Speaker Hering — 26.

NAYS — Fonville, Harrington, Phillips, Slawik — 4.

ABSENT — Cashman, Hammond, Zimmerman — 3.

PRESENT — Gooding, Gray — 2.

SB 101 having received a constitutional majority was declared passed by the House.

Mr. Evans spoke on behalf of the Health & Welfare Committee supporting the articles the newspapers are issuing relating to deplorable conditions existing in Delaware, i.e., housing, water, etc.

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

SB 159 — An Act to amend Chapter 171, Volume 54, Laws of Delaware, entitled "An Act to provide for the enlargement and improvement of the system of free public schools of Delaware, appropriating money for said purpose, authorizing the financing of such enlargement and improvement by the issuance of bonds and bond anticipation notes of the State and by contributions from certain school districts and the City of Wilmington; defining school districts; authorizing the issuance of bonds of certain school districts and the City of Wilmington for the purpose of raising money to make such contributions; and authorizing the acceptance of federal funds for building purposes and creating local school building commissions" by extending the date for the reversion of school construction funds by certain school districts and making such amendment retroactive.

Roll Call revealed:

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

ABSENT — Cashman, Hammond, Zimmerman — 3.

SB 159 having received a constitutional majority was declared passed by the House.

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

SB 166 — An Act to amend Section 1401, Title 14, Delaware Code, entitled "Procedures for the termination of services of professional employees" by providing for inclusion of certified school nurses within the definition of the word Teacher.

The Roll Call revealed:

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

ABSENT — Cashman, Hammond, Zimmerman — 3.

SB 166 having received a constitutional majority was declared passed by the House.

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

SB 100 — An Act to amend Chapter 27, Title 11, Delaware Code, by providing for statewide jurisdiction of Justice of the Peace Courts. Two-thirds vote required.

The Roll Call revealed:

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

ABSENT — Hammond, Zimmerman — 2.

SB 100 having received a two-thirds majority was declared passed by the House.

A messenger from the Senate delivered **SB 196**.

SB 196 — An Act to amend an Act entitled "An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1968" being House Bill No. 137 of the 124th General Assembly and also known as the 1968 Budget Appropriation Bill. Introduced by Senators

duPont and Cook. Referred to the Committee on Appropriations.

Mr. Hale moved for a 5 minute recess. House recessed at 4:22 P.M.

House reconvened at 4:32 P.M.

The following was reported out of committee:

Appropriations: **SB 196**, 4 favorable, 5 on merits.

Mr. Hale deferred consideration of **HB 204** to the next Legislative Day.

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

SB 119 — An Act to amend an Act entitled "An Act revising the prior charter of the City of Rehoboth Beach and establishing a new charter therefor and prescribing the power and duties of the Commissioners of Rehoboth" being Chapter 197, Volume 54, Laws of Delaware, as amended, changing the corporate name, establishing a procedure for annexation, deleting the restriction against compensation for Commissioners, clarifying the qualifications for Commissioners, defining the word "Freeholder", permitting certain leaseholders to nominate persons for elective office, providing a registration procedure for voters, changing the time or reorganization, providing for regular meetings of Commissioners, providing powers and duties of City Manager, establishing procedure for removal of City Manager and employees of the city, providing for payment of accountants, establishing indefinite terms of office for certain appointive offices, establishing the Police Department under the direction of the City Manager, changing the date when assessment is delivered to commissions, changing date for taxing improvements on certain leased land, providing for a first lien on improvements located on certain leased land, permitting the sale of improvements located in certain leased land for nonpayment of taxes, authorizing the establishment of a pension plan or a health and Welfare plan for City employees, defining the word "Owner" in connection with paving, guttering, curbing and streets, authorizing awarding of contracts under certain conditions without competitive bidding, and defining the word "User" in connection with the public water system and public sewer system.

The Roll Call revealed:

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

ABSENT — Hammond, Zimmerman — 2.

SB 119 having received a constitutional majority was declared passed by the House.

Mr. Hale moved that due to the urgency of **SB 196** it be placed at the top of the Agenda. Motion carried.

Mr. Hale moved to recess until 1:30 PM., Monday, June 26, 1967. House recessed at 4:46 P.M.

35TH LEGISLATIVE DAY

The Speaker called the House to order at 2:02 P.M., on Monday, June 26, 1967.

There was a prayer by the Chaplain Reverend John A. Irwin.

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

The Roll Call revealed 25 members present, 10 absent.

Members present: Bartleson, Benson, Brown, Burton, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Sebrell, Slawik, Zimmerman, Mr. Speaker Hering — 25.

Members absent: Blendt, Cashman, Hammond, Harrington, Hart, Heckert, Pleasanton, Riddagh, Shockley, Stabler — 10.

The minutes of the previous legislative day were approved as posted.

Mr. Speaker announced to the House that "after 12:00 noon, the Governor had asked for a Joint Session at 2:00 P.M., to speak about the transportation bill and executive pay raise bill. Since the Governor has already spoken on these subjects and the House has an extremely heavy agenda for today; therefore, the leaders decided to decline the Joint Session. With more notice, perhaps, it could have been worked out. While the House has great respect for the Governor, the leaders had to choose in favor of getting on with the agenda."

Mr. Zimmerman said that, as a leader, he was not consulted nor did he take any part of or agree with the decision.

The following prefiled bills were introduced:

HB 329 — An Act to amend Section 9605, Title 9, Delaware Code, relating to the recordation of instruments in Sussex County by providing for recordation by microfilming methods. Introduced by Reps. Dodge, Phillips, Harrington, Eskridge, Burton and Gray. Referred to the Committee on Government Operations.

HB 240 — An Act to amend Chapter 3, Title 18, Delaware Code, relating to civil liability insurance for school employees. Introduced by Reps. Burton, Gray, Dodge and Murphy. Referred to the Committee on Education.

HB 241 — An Act to amend § 4301, Title 21, Delaware Code, relating to motor vehicle tires and the quality of same. Introduced by Reps. Ferguson and Blendt. Referred to the Committee on Highways and Public Safety.

HB 242 — An Act to amend Chapter 41, Title 7, Delaware Code, relating to drainage organizations, by eliminating Boards of Ditch Commissioners and by striking from various sections of said Chapter 41, the phrase, "Board of Tax Ditch Commissioners" and related phrases indicating the several boards, and substituting therefor, in such places, the phrase, "State Drainage Engineer", and by authorizing Boards of Viewers to be used by the Superior Court of the State of Delaware. Introduced by Reps. Blendt and Gray. Referred to the Committee on Revised Statutes.

HB 243 — An Act to amend Section 9618, Title 9, Delaware Code, relating to fees charged by the Recorder of Deeds in Sussex County. Introduced by Reps. Dodge, Gray, Phillips, Eskridge and Burton. Referred to the Committee on Government Operations.

A Messenger from the Senate delivered **SCR 18**.

SCR 18 — Providing for a Joint Session of the Senate and the House of Representatives. Introduced by Senator Cook. Mr. Hale made a motion to table. Motion carried. **SCR 18** tabled by voice vote.

The following Representatives asked to be marked present: Harrington, Shockley, Hammond, Stabler, Heckert, Cashman, Hart, Pleasanton and Riddagh.

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

SB 196 — An Act to amend an Act entitled "An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1968" being House Bill No. 137 of the 124th General Assembly and also known as the 1968 Budget Appropriation Bill. Introduced by Senators duPont and Cook.

Roll Call revealed:

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

NAYS — Benson, Quillen, Riddagh — 3.

ABSENT — Blendt — 1.

SB 196 having received a constitutional majority was declared passed by the House.

Representative Blendt asked to be marked present.

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

HB 204 — An Act to amend Chapter 13, Title 14, Delaware Code, relating to state-supported salary schedules for school employees.

Roll Call revealed:

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

ABSENT — Benson — 1.

HB 204 having received a constitutional majority was declared passed by the House.

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

HB 216 — An Act to amend Subchapter I, Chapter 42, Title 21, Delaware Code, relating to copies of accident reports supplied by the State Highway Department.

Roll Call revealed:

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

ABSENT — Benson, Cashman — 2.

HB 216 having received a constitutional majority was declared passed by the House.

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

SS 1 for SB 70 — An Act to amend Section 3923, Title 7, Delaware Code, relating to use of appropriated moneys in New Castle County by the Delaware Soil and Water Conservation Commission of New Castle Soil and Water Conservation Districts by expanding the uses for which moneys may be spent. Introduced by Senators Carney and Manning. Mr. Bartleson moved to defer. **SS 1 for SB 70** deferred by roll call vote.

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

SB 87 — An Act making an appropriation in the amount of \$42,282.00 to the State Board of Education for certain improvements and repairs to school buildings in Middletown School District No. 60. Introduced by Senator Isaacs.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 26.

ABSENT — Benson, Ferguson, Gooding, Hammond, McMahon, Phillips, Shockley, Slawik, Zimmerman — 9.

SB 87 having received a constitutional majority was declared passed by the House.

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

SB 117 — An Act to amend Chapter 387, Volume 55, Laws of Delaware, entitled "An Act appropriating moneys to the State Soil Conservation Commission for the construction, improvement and protection of ditches in the several counties", and providing for the use of appropriated moneys. Introduced by Senator Carney.

Motion to defer by Mr. Bartleson. Motion carried.

Mr. Ferguson moved to recess to listen to the Governor addressing Senate. Motion defeated.

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

SB 60 — An Act to amend an Act being Chapter 42, Volume 53, Laws of Delaware, to permit the setting aside of a portion of the net receipts of the Municipal light and power plant as a reserve. Introduced by Senators Grier and Steen.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 26.

ABSENT — Benson, Ferguson, Gooding, Hammond, McMahon, Phillips, Shockley, Slawik, Zimmerman — 9.

SB 60 having received a constitutional majority was declared passed by the House.

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

HB 45 — An Act to amend § 902 (a), Title 19, Delaware Code, relating to minimum wage rate.

HA 1 introduced by Mr. Cashman. Mr. Cashman moved to adopt **HA 1** to **HB 45** by voice vote. Motion carried.

Roll Call on **HB 45** with **HA 1** revealed:

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

Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 26.

ABSENT — Benson, Ferguson, Gooding, Hammond, McMahon, Phillips, Shockley, Slawik, Zimmerman — 9.

HB 45 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 227 — An Act to amend Section 902, Chapter 9, Title 19, Delaware Code, relating to minimum wage by adding certain provisions dealing with employees who customarily receive gratuities.

Mr. Stabler moved to defer to consult with attorney. Possible conflict with **HB 45** noted by Mr. Speaker. Deferred until later in day.

Mr. Hale took the Chair as Acting Speaker.

Mr. Hering introduced the following Resolution:

HCR 17 — Relating to the establishment of a committee to review Real Estate Exemption Laws and to report its findings to the 124th General Assembly.

Mr. Hering moved so much be considered a final reading. Motion carried.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Frederick, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Mr. Speaker Hering — 24.

NAYS — None.

NOT VOTING — Shockley — 1.

ABSENT — Benson, Cicione, Ferguson, Gooding, Hammond, McMahon, Phillips, Slawik, Stabler, Zimmerman — 10.

HCR 17 having received a constitutional majority was declared passed by the House.

Mr. Hering returned to the rostrum.

A Messenger from the Senate delivered the following: **SB 129** and **SS 1** for **SB 92**.

On motion of Mr. Evans the following was introduced and placed before the House for consideration:

SB 63 — An Act to amend Title 31, Delaware Code, entitled "Welfare", to provide for the furnishing of medical care to the indigent and medically indigent. Introduced by Senator Carney.

Mr. Hale spoke against the bill. Privilege of the floor was granted Dr. A. W. Bradley, Chiropractor, who spoke for the bill. Mr. Slawik had a letter in favor of the bill.

Roll Call revealed:

YEAS — Brown, Burton, Cashman, Eskridge, Evans, Ferguson, Fonville, Hale, Murphy, Pagano, Riddagh, Sebrell, Slawik — 13.

NAYS — Bartleson, Castle, Dodge, Frederick, Gooding, Gray, Harrington, Hart, Heckert, Leshner, McMahon, Pleasanton, Quillen, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 17.

NOT VOTING — Cicione, Hammond — 2.

ABSENT — Benson — 1.

PRESENT — Blendt, Phillips — 2.

SB 63 lost. Motion to table roll call by Mr. Fonville was overruled by the Speaker.

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

SB 64 — An Act to amend Chapter 7, Title 24, Delaware Code, relating to the eligibility of Chiropractic Physicians for compensation from Insurance Group Hospital Services and related plans. Introduced by Senator Carney.

Privilege of the floor was granted Mr. Edward J. Dugan, Assistant Manager of Blue Cross, Blue Shield, who spoke against the bill. Dr. A. W. Bradley was granted privilege of the floor and spoke for the bill.

Roll Call revealed:

YEAS — Burton, Cashman, Eskridge, Evans, Ferguson, Fonville, Murphy, Pagano, Riddagh, Sebrell, Slawik — 11.

NAYS — Bartleson, Blendt, Castle, Dodge, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Pleasanton, Quillen, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 19.

NOT VOTING — Brown, Cicione — 2.

ABSENT — Benson, Harrington — 2.

PRESENT — Phillips — 1.

SB 64 not having received a constitutional majority was declared lost.

WHYY was granted permission to film silently in the House Chamber.

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

HB 224 — An Act making a supplementary appropriation to the State Board of Agriculture.

Roll Call revealed:

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

NOT VOTING — Harrington, Leshner — 2.

ABSENT — Benson — 1.

PRESENT — Fonville — 1.

HB 224 having received a constitutional majority was declared passed by the House.

Mr. Zimmerman made a motion to recess at 3:47 P.M. Motion carried. The House recessed to the call of the chair.

The House reconvened at 5:00 P.M.

The following bills were reported out of committee: **HB 213**, 4 favorable, 1 on merits; **HB 202**, 4 favorable; Education: **HB 209**, 5 favorable; **HB 236**, 4 favorable, 1 unfavorable; Highways and Public Safety: **HB 223**, 6 favorable; **HB 201**, 6 favorable; **HB 211**, 6 favorable; Government Operations: **HB 178**, 4 favorable; **HB 238**, 4 favorable; **HB 243**, 4 favorable; **HB 239**, 4 favorable; Health and Welfare: **HB 217**, 1 favorable, 3 on merits; Public Buildings and Lands: **HB 174**, 4 favorable; **SB 90**, 2 favorable, 3 on merits; **SB 167**, 3 favorable, 2 on merits; **SB 160**, 5 favorable; **SB 125**, 5 favorable; **SB 96**, 5 favorable; Government Operations: **SB 134**, 4 favorable; **SB 148**, 4 favorable; **SB 190**, 4 favorable; Elections: **SB 61**, 2 favorable, 3 on merits; **SB 174**, 5 favorable.

The following prefiled bills, resolutions and amendments were introduced:

HB 244 — An Act to amend Section 122, Title 16, Delaware Code, relating to State Board of Health by granting the power to regulate Medical Examinations for food handlers. Introduced by Rep. Pagano. Referred to the Committee on Health and Welfare.

HB 245 — An Act to amend Chapter 113, Volume 32, Laws of Delaware, as amended, entitled "An Act providing for a Police Pension Fund for members of the Police Force of the City of Wilmington," and the amendments thereto, by permitting Daniel Pennell, a member of the Wilmington Bureau of Police, to become eligible for pension benefits as provided for members of the Police Bureau of the Department of Public Safety of the City of Wilmington. Introduced by Reps. Castle and Ferguson. Referred to the Committee on Revised Statutes.

HB 246 — An Act to provide for payments to persons who served or will serve in the Armed Forces of the United States during the period beginning August 5, 1964, and ending with the cessation of hostilities in the Viet Nam conflict, and to designated beneficiaries of such persons; Veterans' Military Pay Commission to carry out certain provisions of this Act; to authorize the selection of Assistants to said Commission; to provide for a review of decisions affecting claims made under the act; to make appropriations and to authorize the issuance of Bonds and Bond Anticipation Notes of the State

of Delaware to carry out the provisions of this Act; to accept Federal Supplementary Funds for said purpose; and to prescribe penalties for violations of the provisions of this Act. Introduced by Reps. Slawik, Fonville, Hammond, Phillips, Gooding, McMahon, Shockley, Eskridge, Ferguson, Cashman, Sebrell, Pagano, Heckert, Burton and Dodge. Referred to the Miscellaneous Committee.

HB 247 — An Act to amend Title 14, Chapter 29, Delaware Code, relating to transportation of pupils in nonpublic, nonprofit elementary and high schools and, appropriating funds therefor. Introduced by Reps. Cashman, Slawik, Cicone, Pagano, Heckert, McMahon, Zimmerman and Evans. Referred to the Committee on Appropriations.

HB 248 — An Act to amend Section 1703, Title 14, Delaware Code, relating to Vocational-Technical Education for pupils fourteen years of age or older. Introduced by Reps. Heckert, Hart, Sebrell, Gray, Evans, McMahon and Gooding. Referred to the Committee on Education.

HB 249 — An Act to amend Section 1325, Title 14, Delaware Code, relating to sabbatical leave and collection of forfeited leave salary of school employees. Introduced by Reps. Heckert, Hart, Sebrell, Evans and McMahon. Referred to the Committee on Education.

HA 2 to **HB 229** — Introduced by Rep. Hale. On motion of Mr. Hale **HA 2** was stricken.

HA 1 to **HB 228** — Introduced by Rep. Brown. Placed with bill.

HA 1 to **SB 128** — Introduced by Rep. Stabler. Placed with bill.

HA 2 to **HB 209** — Introduced by Rep. Hart. Placed with bill. Mr. Hart moved to strike **HA 1** to **HB 209**. Motion carried.

SB 129 — An Act to appropriate funds to the Delaware Institute of Technology Board of Trustees. Introduced by Senators Dineen, Isaacs, Carney, Steen and Grier. Referred to the Committee on Public Buildings and Lands.

SS 1 for **SB 92** — Introduced by Senator Isaacs. Referred to the Committee on Revised Statutes.

The following was reported out of committee: Public Buildings and Lands: **SB 143** with **SA 1** and **SA 2**, 3 favorable, 2 on merits.

Add — Mr. Zimmerman as Co-sponsor to **HB 235**. Mr. Cicone as Co-sponsor to **HB 177**.

The following were introduced:

HA 1 to **HB 202** — Introduced by Rep. Castle. Placed with bill.

SB 65 — An Act to amend Title 11, Delaware Code, relating to crimes by providing for the mental examination of certain persons accused of crime. Introduced by Senators Carney and Connor. Referred to the Committee on Judiciary.

SB 173 — An Act to amend Chapter II, Title 30, Delaware Code, in respect to Personal Exemptions and Credits for dependents for State Taxes if totally and permanently disabled and providing for a definition of totally and permanently disabled. Introduced by Senator Steen. Referred to the Committee on Revenue and Taxation.

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

HB 232 — An Act to amend Section 4111, Title 9, Delaware Code, relating to limitation on Kent County Levy Court borrowing power.

Privilege of the floor was granted Mr. Hedgecock.

Roll Call revealed:

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

ABSENT — Benson — 1.

HB 232 having received a constitutional majority was declared passed by the House.

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

HB 233 — An Act to amend Chapter 22, Volume 55, Laws of Delaware, relating to use of monies from the Capital Investment Fund for Mosquito Control and Spraying.

Roll Call revealed:

YEAS — Brown, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Harrington, McMahon, Murphy, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 23.

NAYS — Burton, Hale, Hammond, Hart, Leshner — 5.

NOT VOTING — Pagano, Stabler — 2.

ABSENT — Benson, Cicione — 2.

PRESENT — Bartleson, Blendt, Heckert — 3.

HB 233 having received a constitutional majority was declared passed by the House.

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

SB 58 — An Act to repeal Section 5301, Chapter 53, Title 15, Delaware Code, relating to calling out the National Guard. Introduced by Senator Manning.

Roll Call revealed:

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

ABSENT — Benson, Pagano — 2.

SB 58 having received a constitutional majority was declared passed by the House.

HCR 18 — Calling upon the 90th Congress of the United States to broaden and strengthen the Social Security System. Introduced by Rep. Cashman.

Mr. Cashman moved so much be considered a final reading. Motion carried.

Roll Call revealed:

YEAS — Blendt, Brown, Burton, Cashman, Cicione, Evans, Fonville, Gooding, Gray, Hammond, McMahon, Sebrell, Shockley, Slawik, Zimmerman — 15.

NAYS — Eskridge, Frederick, Hale, Harrington, Hart, Heckert, Leshner, Pleasanton, Quillen, Riddagh, Stabler — 11.

NOT VOTING — Bartleson, Castle, Dodge, Ferguson, Murphy, Pagano, Mr. Speaker Hering — 7.

ABSENT — Benson — 1.

PRESENT — Phillips — 1.

HCR 18 not having received a constitutional majority was declared lost.

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

HB 186 — An Act to aid Veterans' Organizations by making an appropriation therefor.

Roll Call revealed:

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

ABSENT — Benson, Hammond — 2.

HB 186 having received a constitutional majority was declared passed by the House.

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

HB 187 — An Act to aid organizations maintaining residential facilities by making appropriations thereto.

Roll Call revealed:

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

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

ABSENT — Benson, Hammond — 2.

HB 187 having received a constitutional majority was declared passed by the House.

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

HB 188 — An Act relating to education of the citizens of Delaware by making an appropriation to certain organizations engaged in educating the people of this State.

Deferred because of a typographical error.

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

HB 205 — An Act to amend Chapter 39, Title 12, Delaware Code, in respect to expenditures of income and principal of a minor's estate.

Roll Call revealed:

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

ABSENT — Benson, Ferguson, Hammond — 3.

HB 205 having received a constitutional majority was declared passed by the House.

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

HB 225 — An Act to amend Chapter 39, Title 12, Delaware Code, so as to permit the Orphan's Court to determine what duties to assign to the guardian of a minor.

Roll Call revealed:

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

ABSENT — Benson — 1.

HB 225 having received a constitutional majority was declared passed by the House.

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

SB 116 — An Act to amend Section 6536, Title II, Delaware Code, relating to medical care in the Department of Correction. Introduced by Senator Manning.

Roll Call revealed:

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

ABSENT — Benson — 1.

PRESENT — Fonville — 1.

SB 116 having received a constitutional majority was declared passed by the House.

Mr. Speaker had a letter read in to Governor Terry and Senator McCullough regarding **HS 1** for **HB 29**.

June 26, 1967

The Honorable Charles L. Terry, Jr.
Governor of the State of Delaware
Legislative Hall
Dover, Delaware

The Honorable Calvin R. McCullough
President Pro Tempore
Legislative Hall
Dover, Delaware

Dear Governor Terry and Mr. President Pro Tempore;

RE: House Substitute No. 1
for House Bill No. 29

I am advised that Governor Terry signed June 21, House Substitute No. 1 for House Bill No. 29, which creates the Legislative Building Commission, whose prime purpose it is to construct and equip the addition to Legislative Hall.

By virtue of Mr. Phillips and Mr. Bartleson being members of the Operations Committee during the last session which studied this problem and gave rise to the recommendations contained in this bill, it is my desire to appoint them to the Legislative Building Commission. I wish to join them as a third member of this committee from the House.

I look forward to hearing of your respective selections so that the committee may proceed promptly with its responsibilities.

Respectfully yours,
George C. Hering, III

cc. The Honorable Calvin R. McCullough
The Honorable W. Harrison Phillips
The Honorable T. Lees Bartleson

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

HB 129 — An Act to amend Section 503 (d), Title 31, Delaware Code, relating to eligibility for welfare assistance.

Letter read in from Mrs. Elizabeth L. Wilson.

726 W. 9th St.
Wilmington, Del.
April 28, 1967

Mr. George R. Quillen

My Dear Sir:

I have read your article in today's Morning News, and I do agree with you. If you could hear some of the statements these women say on the streets it makes one ashamed and care what their children, even in this neighborhood it is awful. To think some are getting around \$200.00 a month and won't work. If its necessary to help them, make them work. I work at 72 years of age and do hope to continue. Now keep on with your idea. I am

Yours truly,
/s/ Mrs. E. Wilson

Roll Call revealed:

YEAS — Burton, Dodge, Gray, Pleasanton, Quillen, Rid-dagh, Sebrell — 7.

NAYS — Bartleson, Blendt, Brown, Cashman, Castle, Cicione, Eskridge, Evans, Fonville, Gooding, Hale, Hammond, Hart, Leshar, McMahon, Murphy, Phillips, Shockley, Slawik, Stabler, Zimmerman — 21.

NOT VOTING — Frederick, Heckert, Pagano, Mr. Speaker Hering — 4.

ABSENT — Benson, Harrington — 2.

PRESENT — Ferguson — 1.

HB 129 not having received a constitutional majority was declared lost.

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

HB 228 with HA 1 — An Act to amend Chapter 66, Title 16, Delaware Code, relating to the State Fire Commission by requiring Fire Insurance Companies to file certain reports.

HA 1 adopted by voice vote.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Hart, Heckert, Leshar, McMahon, Pagano, Phillips, Pleasanton, Quillen, Rid-dagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Benson, Harrington, Murphy — 3.

HB 228 with HA 1 having received a constitutional majority was declared passed by the House.

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

HB 191 with HA 1 — An Act to aid certain Fire Companies which are organized to extinguish fires or maintain ambulances or rescue trucks, by making appropriations for them.

HA 1 adopted by voice vote.

Roll Call revealed:

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

ABSENT — Benson, Harrington — 2.

HB 191 with HA 1 having received a constitutional majority was declared passed by the House.

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

HB 171 with HA 1 — An Act to amend Section 4178 (c), Title 21, Delaware Code, relating to penalties for certain motor vehicle regulations.

HA 1 adopted by voice vote.

Roll Call revealed:

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

NOT VOTING — Eskridge — 1.

ABSENT — Benson, Harrington — 2.

HB 171 with HA 1 having received a constitutional majority was declared passed by the House.

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

HB 172 with HA 1 — An Act to amend Section 4185, Title 21, Delaware Code, relating to penalties for certain fire regulations.

HA 1 was adopted by voice vote.

Roll Call revealed:

YEAS — Bartleson, Brown, Burton, Cashman, Dodge, Evans, Ferguson, Frederick, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Phillips, Pleasanton, Riddagh, Slawik — 19.

NAYS — Shockley — 1.

NOT VOTING — Blendt, Castle, Cicione, Eskridge, Gooding, Hammond, Pagano, Quillen, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 12.

PRESENT — Fonville — 1.

HB 172 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 220 — An Act to amend Title 16, Delaware Code, with respect to approval of construction and reconstruction of buildings to be used for public eating places.

Roll Call revealed:

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

NAYS — Quillen — 1.

ABSENT — Benson, Harrington, Stabler — 3.

HB 220 having received a constitutional majority was declared passed by the House.

The following bill was reported out of committee: Public Buildings and Lands: **SS 1** for **SB 138**, 5 favorable.

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

HB 206 — An Act to amend Title 17, Delaware Code, relating to the regulation of junkyards, requiring the screening of certain junkyards, authorizing the removal of certain junkyards, providing authority to purchase or condemn junkyards in certain situations and providing penalties for the violation of this act.

Roll Call revealed:

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

ABSENT — Benson, Harrington — 2.

HB 206 having received a constitutional majority was declared passed by the House.

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

HB 177 — An Act to amend Section 644, Title 11, Delaware Code, by including the removal of shopping carts from a mercantile establishment within the crime of shoplifting.

Roll Call revealed:

YEAS — Blendt, Burton, Cicione, Dodge, Eskridge, Hale, Hart, Heckert, McMahon, Phillips, Quillen, Riddagh — 12.

NAYS — Cashman, Castle, Evans, Frederick, Hammond, Leshner, Murphy, Pagano, Pleasanton, Sebrell, Shockley, Slawik, Zimmerman — 13.

NOT VOTING — Brown, Ferguson, Gray, Stabler, Mr. Speaker Hering — 5.

ABSENT — Bartleson, Benson, Gooding, Harrington — 4.

PRESENT — Fonville — 1.

HB 177 not having received a constitutional majority was declared lost.

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

HB 229 — An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures and to issue bonds and notes therefor and appropriating the monies to the State Board of Education.

On motion of Mr. Hale the Debt Statement was read.

HA 1 to HB 229 — Introduced by Mr. Hale. **HA 1** adopted by voice vote.

HA 2 to HB 229 — Introduced by Mr. Hale. On motion of Mr. Hale **HA 2** was stricken. Motion carried.

HA 3 to HB 229 — Introduced by Mr. Sebrell. Adopted by voice vote.

HB 229 with **HA 1** and **HA 3** — Roll Call revealed:

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

NAYS — Cashman, Eskridge, Ferguson, Frederick, Hammond, McMahon, Phillips, Shockley, Slawik, Zimmerman — 10.

ABSENT — Benson, Harrington — 2.

PRESENT — Gooding — 1.

HB 229 with **HA 1** and **HA 3** not having received a constitutional majority was declared lost.

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

HB 227 — An Act to amend Section 902, Chapter 9, Title 19, Delaware Code, relating to minimum wage by adding certain provisions dealing with employees who customarily receive gratuities.

On motion of Mr. Cicione the roll call on **HB 227** was tabled.

Mr. Hale moved to adjourn to 12:30 P.M., Tuesday, June 27, 1967. Motion carried. House adjourned at 7:53 P.M.

36TH LEGISLATIVE DAY

The Speaker called the House to order at 1:04 P.M., June 27, 1967.

There was a prayer by the Chaplain Reverend John Irwin.

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

The Roll Call revealed 30 members present, 5 absent.

Members present: Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Mrs. Gooding, Gray, Hale, Harrington, Hart, Lesh-er, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Mr. Speaker Hering — 30.

Absent: Blendt, Ferguson, Hammond, Mrs. Heckert, Zimmerman — 5.

The minutes of the previous legislative day were approved as posted.

Mr. Hale announced that he had called on Legislative Hall of N. C. with the Lt. Governor. Six million dollars was spent on it. He suggested members go to see it in Raleigh, N. C.

The following bills were introduced and assigned to committee:

HB 250 — An Act authorizing the transfer of certain school construction funds for Conrad School District No. 131 to the Maintenance and Repair Fund of Conrad School District No. 131. Introduced by Reps. Cicione, Gooding, Frederick. Referred to the Committee on Education.

HB 251 — An Act to amend Section 4705, Title 7, Delaware Code, relating to the enforcement of State Park Commissions Regulations. Introduced by Rep. Dodge. Referred to the Committee on Public Buildings and Lands.

HB 252 — An Act to amend Chapter 42, Title 9, Delaware Code, relating to indigent sick. Introduced by Rep. Sebrell. Referred to the Committee on Government Operations.

HB 253 — An Act to amend Section 4703, Title 7, Delaware Code, relating to the powers and duties of the State Park Commission by providing for law enforcement personnel. Introduced by Rep. Dodge. Referred to the Committee on Public Buildings and Lands.

HB 254 — An Act to amend Chapter 212, Volume 25, Laws of Delaware, as amended, relating to creation of a Vice President of the Commissioners of Bethany Beach; repeal of certain real estate exemptions from municipal taxation; increase of the amount which may be raised from taxation of real estate; and licensure of business and occupations. Introduced by Rep. Dodge. Referred to the Committee on Government Operations.

HB 255 — An Act amending Chapters 13, 15, 16 and 17 of Title 10, and Chapter 53 of Title 11, Delaware Code of 1953, relating to the Judges, Jurisdiction, Powers and Procedures of the Courts of Common Pleas for New Castle, Kent and Sussex Counties and the Municipal Court for the City of

Wilmington and providing for the transfer of certain cases to and from Superior Court. Introduced by Reps. Castle, Stabler, Zimmerman. Referred to the Committee on Judiciary.

HA 1 to SB 117 — Introduced by Rep. Bartleson. Placed with Bill.

HA 1 to HB 237 — Introduced by Rep. Frederick. Placed with Bill.

HA 1 to SS 1 for SB 70 — Introduced by Rep. Bartleson. Placed with Bill.

HA 1 to HB 188 — Introduced by Rep. Bartleson. Placed with Bill.

HA 1 to SB 73 — Introduced by Rep. Leshner. Placed with Bill.

HR 52 — Relative to the Birthday of Representative Norman A. Eskridge.

WHEREAS, it has come to the attention of the House of Representatives that June 27 is the birthday of Representative Norman A. Eskridge, member of the House of Representatives; and

WHEREAS, the members of the House wish by suitable means to extend their greetings to Representative Norman A. Eskridge on this occasion.

NOW THEREFORE,

BE IT RESOLVED that the House congratulate Representative Norman A. Eskridge on the occasion of his birthday and extend to him the best wishes of its members for many happy returns of the day; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the Chief Clerk to Representative Norman A. Eskridge; and

BE IT FURTHER RESOLVED that this Resolution be spread upon the Journal of the House for this session.

Introduced by Reps. Slawik, Gooding, Zimmerman, Hale, Cicione. Adopted by voice vote. Mr. Hart led singing of Happy Birthday to Mr. Eskridge.

HR 53 — Authorizing the payment of certain expenses relating to a bronze plaque for the House of Representatives of the General Assembly. Introduced by Rep. Pleasanton. Adopted by voice vote.

HB 256 — An Act to authorize the Levy Court of Kent County to appropriate money to the Kent County Volunteer Firemen's Association for the maintenance of radio equipment. Introduced by Reps. Zimmerman, Brown, Sebrell, Pleasanton, Quillen, Riddagh. Referred to the Committee on Government Operations.

The following asked to be marked present: Reps. Heckert, Frederick, Zimmerman.

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

HB 188 — An Act relating to education of the citizens of Delaware by making an appropriation to certain organizations engaged in educating the people of this state.

HA 1 to HB 188 — Introduced by Rep. Bartleson. Adopted by voice vote. Roll Call revealed:

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

ABSENT — Blendt, Cashman, Ferguson, Hammond — 4.

HB 188 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 113 — An Act proposing an amendment to Article 3, Section 21, of the Delaware Constitution by changing the term of Office of the Auditor of Accounts and State Treasurer from two to four years and providing for the time of the election of the Attorney General, Insurance Commissioner, State Treasurer and Auditor of Accounts.

Roll Call revealed:

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

NAYS — Gooding — 1.

ABSENT — Blendt, Cashman, Ferguson, Hammond — 4.

PRESENT — Slawik — 1.

HB 113 having received a constitutional majority was declared passed by the House.

Mr. Fonville suggested setting up code of ethics re piracy of bills.

The following asked to be marked present: Ferguson, Hammond.

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

SB 35 — An Act to Amend Section 5401, Title 7, Delaware Code, relating to the creation and composition of the Delaware Archeological Board.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Lesh-

er, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Blendt, Fonville, Stabler — 3.

SB 35 having received a constitutional majority was declared passed by the House.

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

HB 202 — An Act to amend Title 15, Delaware Code, effecting a general revision of the Election Laws of the State of Delaware by amending Chapters 1, 3, 11, 13, 15, 17, 20, 45, 47, 49, 50 and 55, relating to the Departments of Elections, State Election Commissioner, Voter Registration, and the provisions dealing with General Elections.

HB 202 with **HA 1** and 2. Introduced by Mr. Castle. Adopted by voice vote.

Bill deferred until typographical error corrected in **HA 1**.

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

HB 239 — An Act to amend Section 9605, Title 9, Delaware Code, relating to the recordation of instruments in Sussex County by providing for recordation by microfilming methods.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridgt, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 35.

HB 239 having received a constitutional majority was declared passed by the House.

Mr. Blendt asked to be marked present.

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

HB 243 — An Act to amend Section 9618, Title 9, Delaware Code, relating to fees charged by the Recorder of Deeds in Sussex County.

Roll Call revealed:

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

ABSENT — Cashman, Heckert — 2.

HB 243 having received a constitutional majority was declared passed by the House.

WHYY — granted permission to work in the Chamber.

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

HB 238 — An Act to amend Section 9615, Title 9, Delaware Code, relating to the delivery of records of Public Archives Commission.

Roll Call revealed:

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

ABSENT — Heckert, Quillen — 2.

HB 238 having received a constitutional majority was declared passed by the House.

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

HB 178 — An Act to amend Chapter 96, Title 9, Delaware Code, relating to fees of the Recorder of Deeds for Kent County.

Roll Call revealed:

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

ABSENT — Heckert — 1.

HB 178 having received a constitutional majority was declared passed by the House.

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

HB 174 An Act making a supplementary appropriation to the State Park Commission for the Fiscal Year beginning July 1, 1967 and ending June 30, 1968.

Roll Call revealed:

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

NAYS — Pleasanton, Sebrell — 2.

ABSENT — Cicione, Ferguson — 2.

HB 174 having received a constitutional majority was declared passed by the House.

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

HB 223 — An Act making a Supplementary Appropriation to the State Highway Department for the purpose of providing the Matching State Funds for the Federal Highway Beautification Program.

(Letter read from Mr. Ernest W. Davidson from Highway Commission in favor of bill).

Roll Call revealed:

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

NAYS — Quillen — 1.

NOT VOTING — Hammond — 1.

HB 223 having received a constitutional majority was declared passed by the House.

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

HB 236 — An Act amending Section 108, Title 1, Delaware Code, to provide for the distribution of copies of the Delaware Annotated to School Libraries.

Roll Call revealed:

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

ABSENT — Bartleson — 1.

HB 236 having received a constitutional majority was declared passed by the House.

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

HB 212 — An Act to amend Section 4, of Article V of the Constitution of the State of Delaware, as amended, relating to registration of voters.

Two-thirds vote required.

Not having received the required two-thirds vote, on motion of Mr. Castle the roll call was tabled.

Mr. Hale moved to recess to Call of Chair. Motion carried. House recessed at 2:39 P.M.

House reconvened at 8:41 P.M.

The following prefiled Bills and Resolutions were introduced:

HR — Authorizing Payment of amount due various companies for supplies and services furnished the 124th General Assembly. Introduced by Mr. Sebrell. Adopted by voice vote.

HR 55 — Appropriating money out of the General Fund of the State Treasury to pay certain expenses of the present session of the 124th General Assembly. Introduced by Mr. Sebrell. Adopted by voice vote.

HCR 21 — Making an appropriation to pay the staff of the joint fish, oyster and game committee of the 124th General Assembly. Introduced by Mr. Pleasanton. Adopted by voice vote.

HA 1 to SB 172 — Introduced by Rep. Benson. Placed with Bill.

HA 1 to HB 173 — Introduced by Rep. Riddagh. Placed with Bill.

HA 3 to HB 202 — Introduced by Rep. Castle. Placed with Bill.

HS 1 for HB 189 — Introduced by Mr. Bartleson.

HB 257 — An Act to amend Section 503, Title 31, Delaware Code, in order to increase the amounts of welfare assistance and to provide an appropriation therefor to the Department of Public Welfare. Introduced by Reps. Evans, Shockley, Frederick, Brown, Cashman, McMahon, Foniville, Slawik, Hammond. Referred to the Committee on Appropriations.

HB 258 — An Act to amend §2124 and 2152, Title 21, Delaware Code, relating to license plates for transporters of motor vehicles and trailer units and the fees payable for such plates. Introduced by Reps. Slawik, Cashman. Referred to the Committee on Highways & Public Safety.

HB 259 — An Act proposing an amendment to Section 14, Article 2, of the Constitution of the State of Delaware relating to dual office holding by members of the General Assembly. Introduced by Reps. Castle, Frederick, Evans. Referred to the Committee on Revised Statutes.

HB 260 — An Act making a supplementary appropriation for the expenses of the Board of Game and Fish Commissioners of the State of Delaware for the fiscal year ending June 30, 1968. Introduced by Reps. Pleasanton, Sebrell, Quillen, Zimmerman. Referred to the Committee on Fish, Oyster and Game.

HB 261 — An Act to amend Section 2832, Title 31, Delaware Code, by providing that the State of Delaware shall pay the cost of the operation and maintenance of the Delaware Home and Hospital for the chronically ill and the care and support of its inmates. Introduced by Reps. Riddagh, Pleasanton, Quillen, Murphy, Dodge, Pagano, Brown, Castle, Sebrell. Referred to the Committee on Government Operations.

HB 262 — An Act to amend §2305, Title 7, Delaware Code, relating to the catching of crabs by use of pots. Introduced by Rep. Blendt (by request) Ferguson. Referred to the Committee on Fish, Oyster and Game.

HB 263 — An Act making a Supplementary appropriation to the Conrad School District No. 131 for certain maintenance and repair purposes. Introduced by Reps. Cicione, Frederick, Gooding. Referred to the Committee on Education.

HB 264 — An Act to amend Section 1, Article VIII of the Constitution of the State of Delaware, relating to the exemption from taxation of real property. Introduced by Rep. Slawik. Referred to the Committee on Revenue & Taxation.

HB 265 — An Act to amend Sections 9203 and 9204, Title 10, Delaware Code, relating to increase in number of Justice of the Peace Courts in New Castle County. Introduced by Rep. Murphy. Referred to the Committee on Judiciary.

HB 266 — An Act to amend Chapter 118, Volume 33, Laws of Delaware, as amended, entitled "An Act providing for a Firemen's Pension Fund for Members of the Bureau of Fire of the City of Wilmington", by providing accelerated benefits for retired Wilmington Firemen. Introduced by Reps. Brown, Fonville. Referred to the Committee on Revised Statutes.

HR 56 — Making allowance to the Legislative Staff of the House of Representatives of the 124th General Assembly for the Purchase of dinners necessitated by evening session of the House of Representatives. Introduced by Rep. Hale.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Shockley, Mr. Speaker Hering — 26.

NAYS — Eskridge, Ferguson, Zimmerman — 3.

NOT VOTING — Frederick, Sebrell, Stabler — 3.

ABSENT — Fonville, Hammond — 2.

PRESENT — Slawik — 1.

HR 56 having received a constitutional majority was adopted.

HB 267 — An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and to issue bonds and notes therefor and appropriating the moneys to various agencies of the State. Introduced by Reps. Zimmerman, Sebrell, Heckert, Hammond, Shockley, Phillips, Harrington, Eskridge, Ferguson, Fonville, Slawik, McMahon, Gooding, Blendt. Referred to the Committee on Appropriations.

HB 268 — An Act to amend Title 5, Delaware Code, by adding thereto Chapter 22, requiring the disclosure of finance charges in connection with expansion of credit. Introduced by Reps. Pagano, Cashman. Referred to the Committee on Revised Statutes.

HA 3 to HB 209 — Introduced by Rep. Hart. Placed with Bill.

HB 269 — An Act to amend Delaware Code, Title 14, Chapter 1, Subchapter II, by adding a new Section relating to driver education instruction in nonpublic schools, and making an appropriation to carry out the purposes of this act. Introduced by Reps. Murphy, Benson, Hale, Hart, Heckert, Slawik, McMahon, Ferguson, Gooding, Zimmerman. Referred to the Committee on Education.

HA 2 to HB 209 — Introduced by Rep. Hart. On further motion of Rep. Hart **HA 2 to HB 209** was stricken. Motion carried.

HB 250 — Introduced by Rep. Cicione. On further motion of Rep. Cicione **HB 250** was stricken. Motion carried.

HB 267 — An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and to issue bonds and notes therefor and appropriating the moneys to various agencies of the State. Introduced by Rep. Zimmerman. Mr. Zimmerman asked if debt statement was in possession of Chief Clerk. Reply was "yes" debt statement with Bill. Dated 6-27-67.

HB 268 — Add Rep. Cashman as co-sponsor.

HB 269 — Add Rep. Cicione as co-sponsor.

The following Bills were introduced and assigned to Committee:

SB 59 — An Act to amend Chapter 7, Title 14, Delaware Code, relating to the Authority of administrators and teachers. Introduced by Sen. Manning. Referred to the Committee on Education.

SB 150 with SA 3, 4, 5 — An Act relating to the Compensation of certain key Executives of the State Government. Introduced by Sen. Cook. Referred to the Committee on Revised Statutes.

SB 152 — An Act to amend Chapter 45, Title 21, Delaware Code relating to the length of vehicles and length of piling and pole trailers. Introduced by Sen. Cook. Referred to the Committee on Highways and Public Safety.

SB 162 — An Act to amend chapter 45, Title 21, Delaware Code relating to the length of auto transporters. Introduced by Sen. Cook. Referred to the Committee on Highways & Public Safety.

SB 208 — An Act to Amend Title 14, Chapter 19, Delaware Code in respect to authorizing school districts to borrow money in anticipation of taxes. Introduced by Sen. Foltz. Referred to the Committee on Education.

SB 172 — An Act to Amend Titles 9, 10 and 12, Delaware Code, by increasing the salary of the Clerk of the Peace, Recorder of Deeds, Prothonotary, Register in Chancery and Clerk of the Orphans' Court, Register of Wills, Comptroller and Receiver of Taxes and County Treasurer in and for New Castle County. Introduced by Sen. Schlör. Referred to the Committee on Revised Statutes.

SB 205 with SA 1 — An Act to amend Title 14, of the Delaware Code by providing for raising and collection of Revenue for County Vocational-Technical High Schools and County Vocational-Technical Centers. Introduced by Sen. Dineen. Referred to the Committee on Education.

SB 6 with SA 1 — An Act to amend Section 1306 and Section 1321 of Chapter 13, Title 14, Delaware Code, relating to State supported salary schedules for school employees and making a supplementary appropriation to the State Board of Education. Introduced by Sen. Dineen. Referred to the Committee on Education.

SCR 19 — Requesting the personnel department to classify each line-item salaried position which appears in the budget act of 1967 and to submit a report to each member of the General Assembly by February 1, 1968. Introduced by Sen. Manning. Referred to the Committee on Appropriations. Read in its entirety.

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

HB 202 — An Act to amend Title 15, Delaware Code, effecting a general revision of the Election Laws of the State of Delaware by amending Chapters 1, 3, 11, 13, 15, 17, 20, 45, 47, 49, 50 and 55, relating to the Departments of Elections, State Election Commissioner, Voter Registration, and the provisions dealing with General Elections.

HA 3 to HB 202 — Introduced by Rep. Castle. Adopted by voice vote.

HA 1 to HB 202 — On motion of Mr. Castle **HA 1 to HB 202** was stricken.

HA 4 to HB 202 — Introduced by Rep. Zimmerman. Read in its entirety. Moved to adopt by voice vote. Motion carried.

HA 5 — Introduced by Rep. Slawik. Rep. Murphy moved to table **HA 5**. Motion withdrawn. Rep. Slawik moved to adopt **HA 5** by voice vote. Motion carried.

HA 6 — Introduced by Rep. Zimmerman. Rep. Castle moved to table **HA 6**. Motion to table carried.

Roll Call on **HB 202** with **HA 2, 3, 4 & 5** revealed:

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

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

HB 202 with **HA 2, 3, 4 & 5** having received a constitutional majority was declared passed by the House.

Rep. Fonville moved to recess 5 minutes. Granted.

House recessed at 10:28 P.M. Reconvened at 10:43 P.M.

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

HB 212 — An Act to amend Section 4, of Article V of the Constitution of the State of Delaware, as amended, relating to registration of voters.

Mr. Castle moved to table the roll call. Motion carried.

Mr. Castle commented on the problem of transportation needing study, money, equipment, organization of public transportation problems. Committee appointed but never met. Study is not for delay.

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

HCR 21 — Making an appropriation to pay the staff of the Joint Fish, Oyster and Game Committee of the 124th General Assembly.

Mr. Pleasanton moved for Roll Call.

Roll Call on **HCR 21** revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 24.

NAYS — Shockley, Slawik, Zimmerman — 3.

NOT VOTING — Blendt, Eskridge, Ferguson — 3.

ABSENT — Fonville, Hammond — 2.

PRESENT — Gooding, McMahon, Phillips — 3.

HCR 21 having received a constitutional majority was adopted.

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

SB 125 — An Act Authorizing the Levy Court of Sussex County to issue Bonds on the Full Faith and Credit of the County not exceeding \$2,500,000.00 to provide funds for the Construction of a new Court House and/or an addition to the existing Court House and equipment to be used therein, providing for the power of condemnation and method of repayment of said Bonds.

Roll Call revealed:

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

ABSENT — Fonville, Hammond — 2.

SB 125 having received a constitutional majority was declared passed by the House.

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

SB 160 — An Act providing that an appropriation previously made to the public Archives Commission shall not revert to the General Fund until June 30, 1969.

Mr. Stabler moved to defer until sponsor can explain. Motion carried. **SB 160** deferred.

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

SB 167 — An Act Authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures for the Construction of a New State Correction Institution and to Issue Bonds and Notes therefor and appropriating the money borrowed to the State Board of Corrections.

Roll Call revealed:

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

ABSENT — Castle, Fonville, Hammond — 3.

SB 167 having received a constitutional majority was declared passed by the House.

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

SB 90 — An Act to Amend Chapter 384, Volume 54, Laws of Delaware, entitled "An Act Authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and for improvements to the Public School System of the State and to issue Bonds and Notes therefor and Appropriating the money borrowed to various Agencies of the State.

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

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

SB 190 — An Act to amend Title 9, Delaware Code by adding a chapter 69 thereto providing for Zoning in Sussex County.

Roll Call revealed:

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

ABSENT — Castle, Fonville, Hammond — 3.

SB 190 having received a constitutional majority was declared passed by the House.

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

SB 148 — An Act to permit the Levy Court of Sussex County to adopt Planning and Zoning Regulations. Introduced by Senators Bookhammer, Grier and Steen.

Roll Call revealed:

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

ABSENT — Castle, Fonville, Hammond — 3.

SB 148 having received a constitutional majority was declared passed by the House.

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

SB 134 — An Act to amend Chapter 27, Title 18, Delaware Code, by adding thereto new sections relating to Municipal Governments joining with the Municipal Governments in establishing and funding Police Pension Plans, restricting Municipal Governments in the manner in which Police Pension monies from the State Treasurer are used, prescribing certain requirements for Police Pension Plans for which such monies will be used, and providing for forfeiture of such monies for non-compliance. Introduced by Senators Bookhammer and Steen.

On motion of Mr. Riddagh, Mr. James Chamberlain, Chief of Police of Bethany Beach was granted privilege of the floor and spoke for **SB 134**.

Mr. Cicione moved to table **SB 134** — not seconded.

Mr. Zimmerman moved to recess at 11:35 P.M. Motion carried.

The House reconvened at 11:48 P.M.

Mr. Cicione moved to withdraw table motion and asked sponsor of **SB 134** to defer.

Mr. Riddagh asked deferrment of **SB 134**. Motion carried.

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

SB 143 with SA 1 and SA 2 — An Act to amend Section 4703 (a), Chapter 47, Title 7, Delaware Code, by adding thereto a new Sub-paragraph authorizing the State Park Commission, with the approval of the State Planning Office, to grant certain easements over or under land administered by it and to fix and charge fees therefor. Introduced by Senators Bookhammer and Cook.

Mr. Frederick read into record letters from the Delaware State Planner's Office, Delaware State Development Dept., and State of Delaware Air and Water Resources Commission.

DELAWARE STATE PLANNING OFFICE

45 The Green
Dover, Delaware

May 23, 1967

The Honorable Eugene Bookhammer
Delaware General Assembly
Lewes, Delaware 19958

Re: Senate Bill No. 143

Dear Senator Bookhammer:

The State Planning Office has no objection to Senate Bill No. 143 regarding the rights of the State Park Commission to grant easements for utility lines. I believe this bill will give the Park Commission flexibility to make such judgments in light of the growing population needs in the State of Delaware.

The State Planning Office appreciates the right of review which is indicated in this bill, but believes that the revenues obtained from such easements might better revert to the General Fund from which all capital improvements originate.

Yours truly,
Rudolph F. Jass
Assistant Director

RFJ/mem

DELAWARE STATE DEVELOPMENT DEPARTMENT
Dover, Delaware

May 24, 1967

The Honorable Eugene D. Bookhammer
Hering Creek Road
R. D.

Lewes, Delaware 19958

Dear Senator Bookhammer:

The Delaware State Development Department supports the State Park Commission's request for legislation authorizing

them the power to grant easements over public lands which it administers for the purpose of transmission lines such as telephone and telegraph lines, electric power lines and water and sewage pipelines and appurtenances.

Our department believes that such legislation is in the best interest of the State of Delaware and provides for the necessary Park utility requirements to be needed in the future.

Kindest personal regards.

Cordially,
Samuel L. Shipley
Director
SLS:cfw

State of Delaware
WATER AND AIR RESOURCES COMMISSION
Dover, Delaware 19901
May 24, 1967

The Honorable Eugene D. Bookhammer
Legislative Hall
Dover, Delaware 19901
Dear Senator Bookhammer:

We have reviewed the proposed legislation authorizing the State Park Commission to grant certain easements over or under land administered by the Commission. We feel that the full potential of many of our desirable industrial sites cannot be realized unless State agencies have the authority to grant easements on the property controlled by their respective agencies for access to the sites.

We support this bill since it would add flexibility to the operation of the State Park Commission.

Sincerely,
John C. Bryson
Executive Director

JCB:mkd

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Frederick, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagan, Phillips, Riddagh, Shockley, Slawik, Stabler, Mr. Speaker Hering — 25.

NAYS — Ferguson, Pleasanton, Quillen, Sebrell, Zimmerman — 5.

ABSENT — Eskridge, Evans, Fonville, Gooding, Hammond — 5.

SB 143 with SA 1 and SA 2 having received a constitutional majority was declared passed by the House.

The following bills were reported out of committee:
Health & Welfare: HB 244, 2 favorable, 4 on merits; Appro-

priations: **HB 50**, 1 favorable, 6 on merits; **HB 230**, 5 on merits; **SB 9**, 3 favorable, 6 on merits; **SB 66**, 2 favorable, 7 on merits; **HB 267**, 6 on merits; Agriculture & Forestry: **HB 234**, 5 favorable; Public Buildings and Lands: **HB 251**, 5 favorable; **HB 253**, 6 favorable; **SB 129**, 3 favorable, 3 on merits; Government Operations: **HB 256**, 5 favorable; **HB 252**, 1 favorable, 3 on merits; **HB 254**, 2 favorable, 2 on merits; **HB 261**, 3 favorable, 1 on merits; Revised Statutes: **HB 245**, 1 favorable, 4 on merits; Education: **HB 248**, 6 favorable; **SB 208**, 2 favorable, 2 on merits; **SB 6** with **SA 1**, 4 favorable; **HB 269**, 4 favorable; **HB 269**, 4 favorable; Judiciary: **SB 65**, 6 on merits; **HB 265**, 1 favorable, 3 on merits, 1 unfavorable; Fish, Oyster and Game: **HB 260**, 5 favorable; Revenue & Taxation: **HB 173**, 3 on merits, 1 unfavorable; House Administration: **SB 13**, 5 favorable.

Mr. Hale moved to adjourn at 12:10 A.M., to Wednesday, June 28th. Motion carried.

37TH LEGISLATIVE DAY

The Speaker called the House to order at 1:14 P.M., on Wednesday, June 28, 1967.

There was a prayer by the Chaplain Reverend John A. Irwin.

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

The roll call revealed 30 members present, 5 absent.

Members present: Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evens, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagah, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

Absent: Blendt, Eskridge, Fonville, McMahon, Shockley — 5.

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

Communications: Memorandum No. 17 from the Governor's Office.

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the dates indicated:

June 26, 1967 —

HB 47 — (Horse Racing-Financial Statement).

June 28, 1967 —

SB 51 with **SA 1** and **HA 1** — (Extension of time for Construction of Bond Act Chapter 171, Volume 54).

SB 83 — (Millsboro sidewalk-extension of time).

SB 131 — (Educational T.V. Board composition).

SB 196 — (Omnibus Amendment to 1967-1968 Budget Bill).

HB 64 — (Extension of time to use Mosquito Control monies).

HB 79 — (Salary increases for Mayor & Council of Delmar).

HB 137 with **HA 1** and **SA 1** — (1967-1968 Budget Bill).

HB 150 — (Local Debt Service Transfer Richardson Park School Dist.).

HB 158 — (Municipal Lien Docket - Dover).

The following bills were introduced:

SCR 20 — Making payment to the National Conference of State Legislative Leaders for membership dues for the State of Delaware. Introduced by Senator Steen.

On motion of Mr. Hale **SCR 20** was adopted by voice vote.

SB 200 — An Act to amend Chapter 19, Title 14, Delaware Code, relative to payment of collected School Taxes. Introduced by Senator McCullough.

HB 270 — An Act making an appropriation for the rescue trucks of the Slaughter Beach Memorial Volunteer Fire Company. Introduced by Reps. Harrington and Brown. Referred to the Committee on Appropriations.

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

SS 1 for **SB 70** with **HA 1** — An Act to amend Section 3923, Title 7, Delaware Code relating to use of appropriated moneys in New Castle County by the Delaware Soil and Water Conservation Commission of New Castle Soil and Water Conservation Districts by expanding the uses for which moneys may be spent. Introduced by Senators Carney and Manning.

Mr. Bartleson moved to adopt **HA 1** by voice vote. Motion carried.

Roll Call on **SS 1** for **SB 70** with **HA 1** revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicone, Dodge, Evans, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Blendt, Eskridge, Fonville, McMahon, Shockley, Slawik — 6.

SS 1 for **SB 70** with **HA 1** having received a constitutional majority was declared passed by the House.

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

SB 117 with **HA 1** — An Act to amend Chapter 387, Volume 55, Laws of Delaware, entitled "An Act appropriating moneys to the State Soil Conservation Commission for the construction, improvement and protection of ditches in the several counties", and providing for the use of appropriated moneys.

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

Roll Call on **SB 117** with **HA 1** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Castle, Cicione, Dodge, Evans, Ferguson, Frederick, Gooding, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 27.

NAYS — Cashman — 1.

NOT VOTING — Hammond — 1.

ABSENT — Eskridge, Fonville, Gray, McMahon, Shockley, Slawik — 6.

SB 117 with **HA 1** having received a constitutional majority was declared passed by the House.

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

SB 174 — Amending Title 15, Delaware Code by adding Chapter 44, entitled "Registration and Voting for Presidential Electors only, by United States Citizens who fail to fulfill certain residence requirements."

Roll Call revealed:

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

ABSENT — Eskridge, Fonville, Gray, McMahon, Shockley, Zimmerman — 6.

SB 174 having received a constitutional majority was declared passed by the House.

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

HB 173 — An Act to amend Section 361 (a), Title 8, Delaware Code, relating to annual corporate report fees.

HA 1 to **HB 173** introduced by Mr. Riddagh. **HA 1** adopted by voice vote.

Roll Call on **HB 173** with **HA 1** tabled by motion of Mr. Pleasanton.

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

HB 209 with **HA 3** — An Act to amend Sections 1305 (a), 1308, 1309 (a), 1311 (a), 1314 (a), (b) (c) and 1322 (a), Chapter 13, Title 14, Delaware Code, relating to Senate supported Salary Schedules for school employees and making a supplementary appropriation to the State Board of Education.

Mr. Hart moved to adopt **HA 3** by voice vote. Motion carried.

On motion of Mr. Hart **HA 2** was stricken.

Roll Call on **HB 209** with **HA 3** revealed:

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

NOT VOTING — Pleasanton — 1.

ABSENT — Eskridge, Fonville, McMahon, Shockley — 4.

HB 209 with **HA 3** having received a constitutional majority was declared passed by the House.

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

HB 201 — An Act to amend Section 8301, Title 11, Delaware Code, to increase the number of State Police.

Roll Call revealed:

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

ABSENT — Eskridge, Fonville, Hammond, McMahon, Shockley — 5.

HB 201 having received a constitutional majority was declared passed by the House.

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

SB 208 — An Act to amend Title 14, Chapter 19, Delaware Code in respect to authorizing School Districts to borrow money in anticipation of taxes. Introduced by Senator Foltz.

Roll Call revealed:

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

NOT VOTING — Quillen — 1.

ABSENT — Eskridge, Fonville, Gray, McMahon, Shockley — 5.

SB 208 having received a constitutional majority was declared passed by the House.

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

HB 234 — An Act to amend Chapter 41, Title 7, Delaware Code, relating to drainage organizations by eliminating certain limitations and requirements.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Castle, Cicione, Dodge, Eavns, Ferguson, Frederick, Gooding, Hale, Hammond, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NOT VOTING — Burton — 1.

ABSENT — Eskridge, Fonville, Gray, McMahon, Shockley — 5.

HB 234 having received a constitutional majority was declared passed by the House.

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

HB 267 — An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and to issue bonds and notes therefor and appropriating the moneys to various agencies of the State.

HA 1 to **HB 267** introduced by Mr. Frederick. On motion of Mr. Frederick **HA 1** was adopted.

Debt statement accompanied bill and was read in — dated June 28, 1967.

HA 2 to **HB 267** introduced by Mrs. Heckert. On further motion of Mrs. Heckert **HA 2** was withdrawn.

Roll Call on **HB 267** with **HA 1** revealed:

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

NAYS — Pleasanton, Quillen — 2.

ABSENT — Eskridge, Fonville, McMahon, Shockley — 4.

HB 267 with **HA 1** having received a constitutional majority was declared passed by the House.

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

SB 6 with SA 1 — An Act to amend Section 1306 and Section 1321 of Chapter 13, Title 14, Delaware Code, relating to State supported salary schedules for school employees and making a supplementary appropriation to the State Board of Education. Introduced by Senators Dineen and Isaacs.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Frederick, Gooding, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Eskridge, Fonville, Gray, Hammond, Pleasanton, Shockley, Slawik — 7.

SB 6 with SA 1 having received a constitutional majority was declared passed by the House.

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

SB 9 — An Act making an Appropriation to the Board of Public Education in the City of Wilmington for the purpose of constructing sidewalk curbs in the Wilmington School District. Introduced by Senators Dineen and Holloway.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Burton, Cicione, Evans, Ferguson, Gooding, Gray, Harrington, McMahon, Murphy, Phillips, Pleasanton, Zimmerman — 15.

NAYS — Benson, Cashman, Dodge, Hale, Heckert, Leshner, Quillen, Riddagh, Sebrell — 9.

NOT VOTING — Castle, Frederick, Hart, Pagano, Stabler, Mr. Speaker Hering — 6.

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

SB 9 not having received a constitutional majority was declared lost.

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

SB 66 — An Act to authorize the State Highway Department to extend sidewalks adjacent to Middleboro Road, Maintenance Road 334. Introduced by Senator Carney.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Cicione, Dodge, Evans, Ferguson, Gooding, Gray, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Stabler, Zimmerman — 23.

NAYS — Hale, Riddagh, Sebrell — 3.

NOT VOTING — Burton, Castle, Frederick, Mr. Speaker Hering — 4.

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

SB 66 having received a constitutional majority was declared passed by the House.

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

HB 50 — An Act making a Supplementary appropriation to the State Highway Department for construction of sidewalks in Laurel.

On motion of Mr. Phillips roll call was tabled.

Mr. Hale moved to recess at 3:00 P.M. Motion carried.

The House reconvened at 3:24 P.M.

The following bill was reported out of committee: Appropriations: **HB 270**, 7 favorable.

The following bills were introduced:

HB 271 — An Act making a supplementary appropriation to the Governor for the use of Delaware Arts Council. Introduced by Rep. Bartleson. Referred to the Committee on Appropriations.

HA 1 to HB 251 — Introduced by Rep. Dodge, Placed with bill.

HA 1 to SB 168 — Introduced by Reps. Heckert and Gray. Placed with bill.

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

HB 244 — An Act to amend Section 122, Title 16, Delaware Code, relating to State Board of Health by granting the power to regulate Medical Examinations for food handlers.

On motion of Mr. Pagano roll call was tabled.

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

HB 221 — An Act to amend Title 30, Delaware Code, with respect to permits for public eating places.

On further motion of Mr. Pagano **HB 221** was deferred.

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

HB 216 — An Act to amend Section 2832, Title 31, Delaware Code, by providing that the State of Delaware shall pay the cost of the operation and maintenance of the Delaware Home and Hospital for the chronically ill and the care and support of its inmates.

Roll Call revealed:

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

NAYS — Bartleson, Gooding, Leshner, Zimmerman — 4.

ABSENT — Eskridge, Ferguson, Fonville, Hammond, McMahon, Shockley, Slawik — 7.

PRESENT — Phillips — 1.

HB 261 having received a constitutional majority was declared passed by the House.

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

HB 251 — An Act to amend Section 4705, Title 7, Delaware Code, relating to the enforcement of State Park Commissions regulations.

On motion of Mr. Dodge **HA 1** to **HB 251** was adopted by voice vote.

Roll Call on **HB 251** with **HA 1** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederisk, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Eskridge, Ferguson, Fonville, Hammond, McMahon, Shockley, Slawik — 7.

HB 251 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 253 — An Act to amend Section 4703, Title 7, Delaware Code, relating to the powers and duties of the State Park Commission by providing for law enforcement personnel.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 27.

ABSENT — Eskridge, Evans, Ferguson, Fonville, Hammond, McMahon, Shockley, Slawik — 8.

HB 253 having received a constitutional majority was declared passed by the House.

The following bill was introduced:

HB 272 — An Act making an appropriation to the State Board of Education for the purpose of purchasing, installing and equipping portable classroom units along with other equipment as requested by the State Board of Education. Introduced by Rep. Gray. Referred to the Committee on Appropriations.

Mr. Hale moved to adjourn at 3:54 P.M. Motion carried.

38TH LEGISLATIVE DAY

The Speaker called the House to order at 1:35 P.M., on Friday, June 30, 1967.

There was a prayer by the Chaplain Reverend John A. Irwin.

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

The Roll Call revealed 33 members present, 2 absent.

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

Absent: Hammond, Slawik — 2.

The Speaker asked if there were any additions or corrections to the Minutes of June 28, 1967. There being none, the Minutes were approved as posted.

The following bills were reported out of committee: Education: **SB 168**, 3 favorable, 3 on merits; **SB 205**, 2 favorable, 2 on merits; Appropriations: **HB 272**, 4 favorable, 4 on merits; Revised Statutes: **HB 242**, 2 favorable, 4 on merits; **HB 266**, 1 favorable, 5 on merits.

The following amendments, resolutions and bills were introduced and assigned to committee:

HA 1 to **SB 134** — Introduced by Rep. Cicione. Placed with bill.

HA 1 to **HS 1** for **HB 189** — Introduced by Rep. Bartleson. Placed with bill.

HR 57 — In reference to the use of tranquilizer guns in the capture of straying dogs and other animals by the Board of Game and Fish Commissioners. Introduced by Rep. Blendt. Adopted by voice vote.

HR 58 — In Reference to the recognition of Albert J. Lebo, Jr., and James W. Shipe, III, as Majority and Minority Leaders of the House of Representatives of the American Legion Boys State. Introduced by Rep. Ferguson. Adopted by voice vote.

HR 59 — Authorizing payment for services rendered by the Legislative Staff of the House of Representatives of the 124th General Assembly. Introduced by Rep. Sebrell. Adopted by voice vote.

HR 60 — Expressing the Best Wishes and a Hearty Welcome by the Members of the House of Representatives of the 124th General Assembly to Girls' State of 1967. Adopted by voice vote.

HB 273 — An Act making a supplementary appropriation for the expenses of the Board of Game and Fish Commissioners of the State of Delaware for the fiscal year ending June 30, 1968. Introduced by Reps. Pleasanton, Blendt, Sebrell, Burton and Dodge. Referred to the Committee on Fish, Oyster and Game.

HB 274 — An Act to amend Chapter 11, Title 19, Delaware Code, relating to wage payment and collection. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HJR 4 — Relative to the Federal Court decision of January 10, 1967, ruling unconstitutional the apportionment of the Delaware General Assembly under Senate Bill 332 and Senate Bill 336. Introduced by Reps. Gooding, Zimmerman and Slawik.

Mr. Hale moved that **HJR 4** be referred to committee. Motion carried. **HJR 4** was referred to the Committee on Government Operations.

Messrs. Slawik and Hammond asked to be marked present.

HA 1 to HB 50 — Introduced by Rep. Phillips. Adopted by voice vote.

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

HB 50 with HA 1 — An Act making a supplementary appropriation to the State Highway Department for construction for sidewalks in Laurel.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Dodge, Eskridge, Evans, Ferguson, Fonville, Gooding, Gray, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Phillips, Pleasanton, Shockley, Slawik, Stabler, Zimmerman — 24.

NAYS — Hale, Quillen, Riddagh, Sebrell — 4.

NOT VOTING — Burton, Castle, Frederick, Hart, Pagano, Mr. Speaker Hering — 6.

ABSENT — Cicione — 1.

HB 50 with HA 1 having received a constitutional majority was declared passed by the House.

Mr. Frederick moved to lift the roll call on **SB 90**. After several members changed their previous votes, Mr. Eskridge moved for a new roll call.

Roll Call on **SB 90** revealed:

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

ABSENT — Cicione — 1.

SB 90 having received a constitutional majority was declared passed by the House.

Mr. Shockley moved that **SB 9** be restored to the calendar. Motion carried.

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

SB 61 — An Act to amend an Act being Chapter 42, Volume 53, Laws of Delaware, as amended, entitled "An Act amending revising and consolidating the Charter of the City of Seaford". To prohibit the voting of owners of exempt property at a Special Election on Annexation and changing the hours of holding a special election on annexation. Introduced by Senators Grier and Steen.

Roll Call revealed:

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

ABSENT — Quillen — 1.

SB 61 having received a constitutional majority was declared passed by the House.

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

SS 1 for SB 138 — An Act transferring money from the Capital Investment Fund for the purpose of enabling the Public Archives Commission to accept title to restore, control and have custody of Prince George's Chapel. Introduced by Senators Steen, Grier and Bookhammer.

Roll Call revealed:

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

NAYS — Cicione — 1.

SS 1 for SB 138 having received a constitutional majority was declared passed by the House.

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

HB 221 — An Act to amend Title 30, Delaware Code, with respect to permits for Public Eating Places.

Roll Call revealed:

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

NAYS — Zimmerman — 1.

NOT VOTING — Hammond — 1.

HB 221 having received a constitutional majority was declared passed by the House.

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

HB 219 — An Act to amend Title 21, Section 701, Delaware Code, empowering specified law enforcement officers to make arrests without warrants for violation of the Motor Vehicle Code in certain radar, aircraft and accident cases.

Mr. Hale requested privilege of the floor for the House Attorney, Peter Stone.

Mr. Stone explained, legally, **HB 219**. Mr. Leshner read a letter he had received from Colonel Eugene B. Ellis, Supt. State Police Division, supporting the bill.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Burton, Cashman, Castle, Dodge, Eskridge, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler — 30.

NAYS — Evans, Fonville, Zimmerman — 5.

NOT VOTING — Brown, Mr. Speaker Hering — 2.

HB 219 having received a constitutional majority was declared passed by the House.

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

HS 1 for HB 189 — An Act to amend Title 14, Delaware Code, relating to education by providing for the education and training of children of certain deceased Military Veterans.

Mr. Bartleson introduced **HA 1 to HB 189** and moved for adoption. Motion carried.

Roll Call on **HS 1 for HB 189** with **HA 1** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 35.

HS 1 for HB 189 with **HA 1** having received a three-quarters vote was declared passed by the House.

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

SB 160 — An Act providing that an appropriation previously made to the Public Archives Commission shall not revert to the General Fund until June 30, 1969.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 35.

SB 160 having received a constitutional majority was declared passed by the House.

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

HB 265 — An Act to amend Sections 9203 and 9204, Title 10, Delaware Code, relating to increase in number of Justice of the Peace Courts in New Castle County.

Roll Call revealed:

YEAS — Blendt, Brown, Burton, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hart, Murphy, Pagano, Phillips, Pleasanton, Riddagh, Sebrell, Slawik — 21.

NAYS — Bartleson, Eskridge, Leshner, McMahon, Quillen, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 9.

NOT VOTING — Benson, Castle, Hammond, Harrington, Heckert — 5.

HB 265 having received a constitutional majority was declared passed by the House.

A messenger from the Senate delivered **HB 238**, **HCR 17**, **HB 191** having passed the Senate and **SS 1** for **SB 193** for concurrence.

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

HB 252 — An Act to amend Chapter 42, Title 9, Delaware Code, relating to indigent sick.

Roll Call revealed:

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

NOT VOTING — Blendt — 1.

HB 252 having received a constitutional majority was declared passed by the House.

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

HB 211 — An Act to amend Section 132 (c) (8), Title 17, Delaware Code, relating to grants by the State Highway Department of franchises and licenses to use State Highways.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 36.

HB 211 having received a constitutional majority was declared passed by the House.

Mr. Hale moved to recess to the call of the chair. House recess at 3:21 P.M.

The House reconvened at 4:48 P.M.

The following resolutions and amendments were introduced:

HR 61 — A Resolution urging State Agencies to submit agency initiated legislation earlier in the year. Introduced by Reps. Hale, Shockley, Heckert, Benson, Eskridge, Phillips, Slawik, Blendt, Bartleson, Zimmerman, Gooding, McMahon, Ferguson, Hammond and Fonville. Adopted by voice vote.

HR 62 — A Resolution expressing the intent of the House of Representatives to reconvene after July 15 for the sole purpose of considering Senate-passed Legislation. Introduced by Reps. Hale, Ferguson, Hammond, McMahon, Fonville, Shockley, Bartleson, Heckert, Benson, Phillips and Eskridge. Adopted by voice vote.

HA 2 to SB 134 — Introduced by Rep. Zimmerman. Placed with bill.

On motion of Mr. Cicione **HA 1 to SB 134** was stricken.

On motion of Mr. Pleasanton roll call on **HB 173** with **HA 1** was lifted. Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gray, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Zimmerman — 18.

NAYS — Blendt, Ferguson, Gooding, Hale, Hammond, Harrington, Hart, Phillips, Slawik, Stabler — 10.

NOT VOTING — Burton, Heckert, Mr. Speaker Hering — 3.

ABSENT — Eskridge, Fonville, McMahon, Shockley — 4.

HB 173 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 248 — An Act to amend Section 1703, Title 14, Delaware Code, relating to Vocational-Technical Education for pupils fourteen years of age or older.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Cicione, Dodge, Eskridge, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Blendt, Castle, Evans, Fonville, Hammond — 5.

HB 248 having received a constitutional majority was declared passed by the House.

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

SB 129 — An Act to appropriate funds to the Delaware Institute of Technology Board of Trustees. Introduced by Senators Dineen, Isaacs, Carney, Steen and Grier.

Roll Call revealed:

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

ABSENT — Blendt, Evans, Fonville, Hammond — 4.

SB 129 having received a constitutional majority was declared passed by the House.

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

HB 260 — An Act making a supplementary appropriation for the expenses of the Board of Game and Fish Commissioners of the State of Delaware for the Fiscal Year ending June 30, 1968.

Roll Call revealed:

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

ABSENT — Blendt, Evans, Fonville, Hammond — 4.

HB 260 having received a constitutional majority was declared passed by the House.

Mr. Speaker recognized Dr. Richard P. Gousha, State Superintendent of Public Instruction and Secretary to State Board of Education, and thanked him for the fine job he had done in the Delaware schools and wished him well in his new pursuit. Dr. Gousha thanked the Speaker and House Members.

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

SB 13 — An Act relating to printing and distribution of session laws.

Roll Call revealed:

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

ABSENT — Blendt, Evans, Fonville, Hale, Hammond — 5.

SB 13 having received a constitutional majority was declared passed by the House.

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

HB 254 — An Act to amend Chapter 212, Volume 25, Laws of Delaware, as amended, relating to creation of a Vice President of the Commissioners of Bethany Beach, repeal of certain real estate exemptions from municipal taxation; increase of the amount which may be raised from taxation of real estate; and licensure of business and occupations.

Roll Call revealed:

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

ABSENT — Blendt, Evans, Fonville, Hammond — 4.

HB 254 having received a constitutional majority was declared passed by the House.

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

HB 269 — An Act to amend Delaware Code, Title 14, Chapter 1, Subchapter II, by adding a new Section relating to driver education instruction in nonpublic schools, and making an appropriation to carry out the purposes of this act.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Eskridge, Ferguson, Frederick, Gooding, Hale, Har-

rington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 25.

NAYS — Dodge, Pleasanton, Quillen — 3.

ABSENT — Blendt, Evans, Fonville, Hammond — 4.

NOT VOTING — Burton, Gray, Riddagh — 3.

HB 269 having received a constitutional majority was declared passed by the House.

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

HB 270 — An Act making an appropriation for the Rescue Trucks of the Slaughter Beach Memorial Volunteer Fire Company.

Roll Call revealed:

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

ABSENT — Blendt, Evans, Fonville, Hammond — 4.

HB 270 having received a constitutional majority was declared passed by the House.

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

HB 256 — An Act to authorize the Levy Court of Kent County to appropriate money to the Kent County Volunteer Firemen's Association for the maintenance of radio equipment.

Roll Call revealed:

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

ABSENT — Blendt, Evans, Fonville, Hammond — 4.

HB 256 having received a constitutional majority was declared passed by the House.

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

SB 134 with **HA 2** — An Act to amend Chapter 27, Title 18, Delaware Code, by adding thereto new sections relating to Municipal Governments joining with the municipal governments in establishing and funding Police Pension Plans, restricting Municipal Governments in the manner in which Police Pension monies from the State Treasurer are used, pre-

scribing certain requirements for Police Pension Plans for which such monies will be used, and providing for forfeiture of such monies for non-compliance. Introduced by Senators Bookhammer and Steen.

Mr. Zimmerman asked that Mr. Cicione be added as sponsor of **HA 2**. Mr. Cashman moved to defer **SB 134** with **HA 2**. Motion carried.

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

HB 245 — An Act to amend Chapter 113, Volume 32, Laws of Delaware, as amended, entitled "An Act providing for a Police Pension Fund for members of the Police Force of the City of Wilmington," and the amendments thereto, by permitting Daniel Pennell, a member of the Wilmington Bureau of Police, to become eligible for pension benefits as provided for members of the Police Bureau of the Department of Public Safety of the City of Wilmington.

Mr. Castle asked for privilege of the floor for Captain McDonald of the Wilmington Police and Trustee of Wilmington Police Pension. Captain McDonald spoke for passage of **HB 245**. Sergeant David Pennell, also of the Wilmington Police, was recognized.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Eskridge, Ferguson, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Shockley — 1.

ABSENT — Blendt, Evans, Fonville, Hammond — 4.

NOT VOTING — Dodge, Leshner — 2.

HB 245 having received a constitutional majority was declared passed by the House.

The following bill was introduced:

HB 275 — An Act to provide for payments to persons who served or will serve in the Armed Forces of the United States during the period beginning August 5, 1964, and ending with the cessation of hostilities in the Vietnam Conflict, and to designated beneficiaries of such persons; to recreate and reestablish the Delaware Veterans' Military Pay Commission to carry out certain provisions of this act; to authorize the selection of assistants to said Commission to provide for a review of decisions affecting claims made under the act; to make appropriations and to authorize the issuance of Bonds and Bond Anticipation Notes of the State of Delaware to carry out the provisions of this act; to accept Federal Supplementary Funds for said purpose; and to prescribe penalties for

violations of the provisions of this act. Introduced by Reps. Slawik, Zimmerman, Harrington, Brown, Murphy, Pagano, Quillen, Cicione, Fonville, Hammond, Phillips, Gooding, McMahon, Shockley, Eskridge, Ferguson, Cashman, Sebrell, Heckert, Burton and Dodge.

Debt Statement accompanied **HB 275** (dated 6-30-67). Mr. Slawik said **HB 275** was the same as **HB 246** and asked that the same sponsors be added and any others who wished. **HB 275** assigned to the Committee on Miscellaneous.

Mr. Slawik motioned that **HB 246** be stricken. Motion carried.

The following bill was reported out of committee: Judiciary: **SB 79** with **SA 1, 5** on merits.

Mr. Hale moved to recess. Motion carried. The House recessed at 6:04 P.M.

39TH LEGISLATIVE DAY

The Speaker called the House to order at 1:59 P.M., on Monday, July 17, 1967.

There was a prayer by the Chaplain Reverend Gerald Henderson.

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

The Roll Call revealed 34 members present, 1 absent.

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

Absent: Hart — 1.

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

The Speaker called the Members attention to the new microphones which had been installed. The gentleman who installed the new system, explained how it worked. There was a rising vote of thanks to Dr. Sebrell.

Communications: Memorandums from the Governor's Office Nos. 18, 19, 20, 21 and 22.

MEMORANDUM NO. 18

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the date indicated:

July 3, 1967 —

SB 123 with **SA 1** — (Corporation Law)

SB 160 -- (Buck's Tavern appropriation - Public Archives)

On June 30, 1967, House Bill No. 134 with House Amendment No. 1 became law without approval of the Governor in accordance with Section 18, Article III, as amended, of the Constitution of the State of Delaware.

MEMORANDUM NO. 19

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the date indicated.

July 5, 1967 —

HB 21 with **HA 1** — (Pay roll deductions by State Treasurer)

SB 35 — (Delaware Archaeological Board)

SB 58 — (Calling out of National Guard)

SB 60 — (Seaford Reserve Fund)

SB 87 — (Middletown School District repairs appropriation)

SB 100 — (Justice of Peace statewide jurisdiction)

SB 101 — (Occupier of land liability to guests without payment)

SB 116 — (Medical care - Dept. of Correction)

SB 119 — (Rehoboth Beach Charter amendments)

SS 1 for **SB 138** — (Prince George's Chapel appropriations)

SB 159 — (Extension of time for Dover and Millsboro School Districts)

SB 166 — (Certified School Nurses)

MEMORANDUM NO. 20

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the date indicated:

July 10, 1967 —

SB 129 — (Delaware Institute of Technology appropriation)

SB 208 — (Local School districts power to borrow money)

MEMORANDUM NO. 21

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

FROM: Theodore F. Sandstrom

The Governor signed the following legislation on the dates indicated:

July 11, 1967 —

HB 260 — (\$56,000 Game & Fish Appropriation)

July 12, 1967 —

SB 167 — (Dept. of Correction \$1,300,000 Bond Act)

July 13, 1967 —

HB 149 — (Commercial Feeds)

HB 195 — (Pest Control Compact)

HB 224 — (\$10,000 Hog Cholera Fund)

HB 18 — (Soil & Water Commission authorization to purchase equipment)

HB 169 with **HA 1** — (Milton School District appropriation)

HB 171 with **HA 1** — (Motor Vehicle Regulations Penalties)

HB 172 with **HA 1** — (Fire Regulations Penalties)

HB 181 — (Claymont Fire Co. Traffic signal)

HB 186 — (Veterans Organizations Grants-in-Aid)

HB 187 — (Grants-in-Aid to Palmer Home, Layton Home, Prisoners Aid Society)

HB 188 with **HA 1** — (Grants-in-Aid to Educational Organizations, WHY-TV, State Fair, Safety Council)

HS 1 for **HB 189** with **HA 1** — (Children of veterans appropriation)

HB 191 with **HA 1** — (Grants-in-Aid to Fire Companies)

HB 228 with **HA 1** — (Fire Insurance Companies Reports)

HB 232 — (Kent County Levy Court borrowing power)

HB 236 — (Delaware Code for school libraries)

HB 251 with **HA 1** — (State Park Commission Regulations)

HB 253 — (State Park Commission Law Enforcement Personnel)

HB 256 — (Kent County Volunteer Firemen's Association)

HB 270 — (Slaughter Beach Volunteer Fire Co. appropriation)

SB 13 — (Session Laws)

SB 61 — (Seaford Charter)

SB 66 — (Middleboro Road sidewalk)

SS 1 for SB 70 with HA 1 — (Use of moneys by Soil & Water Comm.)

SB 90 — (Extension of construction time of Bond Act, Ch. 384, Vol. 54)

SB 125 — (\$2,500,000 Sussex County Levy Court Bond Act)

SB 148 — (Sussex County Planning & Zoning)

SB 174 — (Voting registration qualifications)

SB 190 — (Sussex County Zoning)

ERRATUM: Change date of approval of S.B. 24 from June 16, 1967, as found on Memorandum No. 14 to June 19, 1967.

MEMORANDUM NO. 22

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

FROM: Theodore F. Sandstrom, Administrative Assistant

The Governor signed the following legislation on the date indicated:

July 17, 1967 —

HB 238 — (Records to Public Archives Commission)

HB 239 — (Sussex County recording of instruments)

HB 243 — (Recorder of Deeds fees - Sussex County)

On July 17, 1967, the Governor returned House Bill No. 22 with House Amendments Nos. 3 and 4 to the House without his approval.

On July 17, 1967, the Governor returned House Bill No. 173 with House Amendment No. 1 to the House without his approval.

On July 17, 1967, the Governor returned House Bill No. 261 to the House without his approval.

The following bill was introduced:

HB 276 — An Act to aid certain organizations which maintain emergency vehicles by making appropriations therefor. Introduced by Reps. Bartleson, Sebrell, Dodge, Pleasanton, Burton and Riddagh. Referred to the Committee on Appropriations.

A Messenger from the Senate delivered the following Bills and Resolutions having been passed by the Senate:

HB 200 with SA 1 — An Act making a supplementary appropriation to the Delaware State Development Department for Flags.

HB 204 with SA 1 — An Act to amend Chapter 13, Title 14, Delaware Code, relating to state-supported salary schedules for school employees.

HB 267 with HA 1 and SA 1, 2 & 3 — An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and to issue bonds and notes therefor and appropriating the moneys to various agencies of the State.

SB 25 — An Act to amend Chapter 5, Title 18, Delaware Code, relating to cancellation of automobile liability insurance policies. Introduced by Sen. Schlör. Referred to the Committee on Insurance and Banking.

SB 153 — An Act to appropriate moneys to certain Hospitals and the Department of Public Welfare for certain Health Services. Introduced by Sen. Dineen and Bookhammer. Referred to the Committee on Appropriations.

SB 177 — An Act to Amend Chapter 83, Title 11, of the Delaware Code, by amending Section 8327 thereof so as to remove the existing limitations on pension benefits to be received by retired members of the Delaware State police. Introduced by Sen. Isaacs and Manning. Referred to the Committee on Revised Statutes.

SB 188 — An Act to amend Chapter 69, Title 29, Delaware Code relating to procurement of library books by school librarians. Introduced by Sen. Conner. Referred to the Committee on Education.

SB 192 — An Act to amend Title 14, Section 1912, Delaware Code, relating to school capitation taxes. Introduced by Sen. Isaac. Referred to the Committee on Education.

SB 194 with SA 1 — An Act making an appropriation to the State Board of Education for the purpose of purchasing, installing and equipping portable classroom units along with other equipment as requested by the State Board of Education. Introduced by Sen. Robbins. Referred to the Committee on Education.

SB 201 with SA 1 & 2 — An Act to amend Title 28 of the Delaware Code, by adding thereto a new chapter providing for the granting of licenses to conduct Horse Racing meets in Kent County during either daylight or Evening hours, or both, on a track no less than five-eighths of a mile in circumference, providing for the payment of taxes thereon, providing certain regulatory provisions and penalties therefor, authorizing wagering or betting by pari-mutual machines or totalizators, and placing the issuance and control of such licenses within the authority and jurisdiction of the Delaware Racing Commission. Introduced by Sen. Foltz and Cook. Referred to the Committee on Revised Statutes.

SB 202 — An Act to require the State Highway Department to install a traffic light control for the Wilmington Manor Fire Company, Inc., at State Road, New Castle County, Delaware. Introduced by Sen. Carney. Referred to the Committee on Highways & Public Safety.

SB 203 — An Act to amend Chapter 197, Volume 54, Laws of Delaware, as amended, entitled "An Act Revising the Prior Charter of the City of Rehoboth Beach and establishing a new charter therefor and prescribing the powers and duties of the Commissioners of Rehoboth Beach" to provide for the appointment of an alderman and an Assistant Alderman, establishing his qualifications and jurisdiction and providing for removal. Introduced by Sen. Bookhammer. Referred to the Committee on Government Operations.

SB 207 with SA 1 — An Act to amend Title 19, Delaware Code, relating to unemployment Compensation, by charging certain of the Administrative provisions thereof and creating a special administration Fund. Introduced by Sen. Dineen. Referred to the Committee on Labor.

SB 209 — An Act making an appropriation to the State Board of Education for the purpose of purchasing, installing, and equipping two portable classroom units along with other equipment for the Middletown School District No. 60. Introduced by Sen. Isaacs. Referred to the Committee on Education.

SB 210 — An Act to amend and Act Entitled "An Act making appropriations for the expense of the State Government for the Fiscal Year Ending June 30, 1968" Being House Bill No. 137, As Amended, of the 124th General Assembly and also known as the 1968 Budget Appropriation Bill. Introduced by Sen. Manning, Carney. Referred to the Committee on Appropriations.

SB 213 — An Act making an appropriation to the State Board of Education for the Purpose of purchasing, installing and equipping one portable classroom unit along with other equipment for the Kenton School District No. 9. Introduced by Sen. Cook. Referred to the Committee on Education.

SB 218 — An Act directing and empowering the State Park Commission to alter the contract for the Construction of Delaware Seashore State Park at Indian River Inlet so as to provide a Channel in Indian River Inlet. Introduced by Sen. Cook and Keenan. Referred to the Committee on Public Buildings and Lands.

SB 219 — An Act to amend an Act Entitled "An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1968" being House Bill No. 137 of the 124th General Assembly and also known as the 1968 Budget Appropriation Bill. Introduced by Sen. Dineen. Referred to the Committee on Appropriations.

SB 220 — An Act making an appropriation to the State Board of Education for the Purpose of paying off past due bills incurred by school districts which are no longer in existence. Introduced by Sen. Dineen. Referred to the Committee on Education.

SCR 21 — Applying to the Congress to call a Convention for the purpose of proposing an amendment to the Constitution of the United States. Introduced by Sen. Cook. Referred to the Committee on Judiciary.

SCR 22 — Expressing the Appreciation of the Senate and the House of Representatives of the 124th General Assembly of the State of Delaware to the Delaware River Pilot's Association for the Outing Afforded the Members of the General Assembly and their Guests. Introduced by Sen. Isaacs.

Mr. Hale moved so much be considered the reading of **SCR 22**. Motion carried. **SCR 22** was adopted by voice vote.

Mr. Hale moved to recess at 2:45 P.M. to the Call of the Chair. Motion carried.

The House reconvened at 6:43 P.M.

The following bills were reported out of committee: Revised Statutes: **SB 150**, 1 favorable, 5 on merits; **SB 177**, 6 favorable; **SB 201**, 5 favorable, 1 on merits; Education: **SB 188**, 5 favorable; **SB 192**, 2 favorable, 3 on merits; **SB 220**, 4 favorable, 1 on merits; Highways and Public Safety: **SB 162**, 6 favorable; **SB 152**, 6 favorable; **SB 202**, 6 favorable; Government Operations: **SB 164** with **SA 1**, 4 favorable, 1 on merits; **SB 203**, 4 favorable; Appropriations: **SB 153**, 4 favorable, 5 on merits; **SB 210**, 4 favorable, 5 on merits; **SB 219**, 3 favorable, 5 on merits, 1 unfavorable; **HB 276**, 6 favorable, 1 on merits; Public Buildings and Lands: **SB 218**, 3 favorable, 2 unfavorable.

The following Amendments, Resolutions and Bills were introduced:

HA 1 to **HB 258** — Introduced by Rep. Slawik. Placed with Bill.

HA 1 to **SB 150** — Introduced by Rep. Benson. Placed with Bill.

HA 1 to **SB 205** — Introduced by Rep. Sebrell. Placed with Bill.

HR 63 — Expressing the Regrets of the House of Representatives of the 124th General Assembly on the Death of Francis A. Dolan, Former Chairman of the Democratic Party for New Castle County.

WHEREAS, Francis A. Dolan, found in peaceful death Thursday, July 13, 1967, was placed to his well-earned rest on Monday, July 17; and

WHEREAS, Francis A. Dolan devoted practically all his adult life to the political arena and to the service of both his party and the citizens of this State, and brought to that arena a rare quality of dedication, service and integrity.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware, that the members hereby give expression of the regret and sorrow they experience at the passing of Francis A. Dolan.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House and a copy be presented to the bereaved family.

Introduced by Reps. Slawik, Gooding, McMahon, Bartleson, Phillips, Fonville, Zimmerman, Cashman and Ferguson. Adopted by voice vote.

HR 64 — Relating to the calling of the roll in reverse alphabetical order. Introduced by Rep. Slawik. Mr. Eskridge moved **HR 64** be tabled. Motion carried.

HR 65 — Relating to an appropriation to audio-video systems, LTD, in payment for the supply and installation of the public address and recording system in the House Chamber. Introduced by Rep. Sebrell. Adopted by voice vote.

HB 277 — An Act making a supplementary appropriation to the State Board of Education to correct the salary provided for Attendance Officers. Introduced by Rep. Heckert. Referred to the Committee on Education.

HB 278 — An Act relating to the Insurance Study and Revision Committee established by Chapter 306, Volume 55, Laws of Delaware, as amended by Chapter 356, Volume 55, Laws of Delaware, continuing the life of said Committee and making a supplementary appropriation therefor. Introduced by Rep. Dodge. Referred to the Committee on Banking and Insurance.

HB 279 — An Act to amend Chapter 49, Title 29, Delaware Code, relating to planning by providing for advance land acquisition for capital improvements and making an appropriation therefore from the Capital Investment Fund. Introduced by Rep. Hale and Zimmerman. Referred to the Committee on Public Buildings & Lands.

HB 280 — An Act to amend an act entitled "An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1968" being Chapter 40, Volume 56, Laws of Delaware, as amended. Introduced by Rep. Sebrell. Referred to the Committee on House Administration.

HCR 22 — Relating to a feasibility study of the construction of a bridge on the Nanticoke River at Woodland. Introduced by Rep. Phillips. Adopted by voice vote.

The following messages from the Governor were read:
To the House of Representatives of the 124th
General Assembly of the State of Delaware:

On July 6, 1967, I received House Bill No. 261, entitled:
"An Act to Amend Section 2832, Title 31, Delaware Code,
By Providing that the State of Delaware Shall Pay the Cost

of the Operation and Maintenance of the Delaware Home and Hospital for the Chronically Ill and the Care and Support of its Inmates."

I respectfully return House Bill 261 without my approval for the reason that it is not accompanied by a revenue raising measure to pay for the increased cost to the State if enacted into law.

Undoubtedly House Bill 173 as amended was designed to provide the source of funds from which this increased cost could be met. However, that bill received my disapproval. It is necessary, therefore, to reject House Bill No. 261 since it reached my desk without any companion revenue raising bill.

Let me make it perfectly clear that I have no objection to the State assuming the responsibility of the cost of the operation and maintenance of the Home and Hospital at Smyrna.

Respectfully submitted,
Charles L. Terry, Jr.
Governor

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

On July 6, 1967, I received House Bill No. 22 with House Amendments 3 and 4, entitled:

"An Act to Amend Sections 2151, Title 21, Delaware Code, Relating to Motor Vehicle Registration Fees."

I respectfully return House Bill No. 22, as amended by House Amendment No. 3 and House Amendment No. 4 without my approval.

It is evident that a reduction in automobile registration fees is something that is generally favored not only by most members of the General Assembly, but also by me.

On at least three different occasions, I have voiced my approval of a general reduction in registration fees through a return to the method of classification by weight as was effective in Delaware until the law was changed two years ago. It is my view that the state can return to the old weight classification, so that cars under 4,000 pounds would be licensed for \$15 and cars over 4,000 pounds at a rate of \$21, thus effecting a straight \$5 across the board increase.

While even such a minor reduction in revenue has serious overtones, it is within the budgetary projections I have made over the next two years and can be absorbed especially since we have had a phenomenal growth in total motor vehicle registrations.

House Bill 22 as amended, however, appears to have serious defects that do not, in my judgment, reflect the true intent of members of the General Assembly. Two of them are as follows:

1. House Bill 22 as amended would lower the registration rate for all buses to \$24. Many such vehicles now pay substantially more than that without complaint. Delaware now licenses a total of 1,179 buses which pay a total of \$230,627.20 in registration fees. Under House Bill 22, they would pay only \$26,520, meaning a reduction of state revenue of \$204,107.20 which is unnecessary and, in my opinion, not intended by members of the General Assembly.

2. It is the opinion of attorneys working with me that in Section 4 of House Bill 22 as amended, the General Assembly has eliminated the station wagon registration altogether, which would mean that new tags and new numbers would have to be issued for every station wagon in the state to replace the PC tag under which they are now licensed.

Furthermore, House Bill 22 as amended has shortcomings in two other respects.

1. It would increase the cost of registering trucks in the state. This is a questionable change at this time because Delaware now registers a substantial number of out-of-state trucks which produce a considerable income for our general fund. There is belief on the part of experts in the trucking industry that to disturb the current rate would cause some firms to look to other states for the licensing of their truck fleets, and Delaware would bear the loss in revenue.

2. House Bill 22 as amended provides no appropriation for the Motor Vehicle Department. It is the estimate of the Commissioner that to administer the act he would need at least 15 additional employees and an increased appropriation of \$60,600. If Delaware is to go to a complicated weight formula for the registration of its motor vehicles, we would want it administered fairly and impartially. This could not be done within the current employee and budgetary limitations of the Motor Vehicle Commissioner.

For these reasons, I am returning House Bill 22 with House Amendments 3 and 4 without my approval. I hope members of the House will support the legislation being introduced today, I referred to earlier, so that the matter can be settled once and for all. It should be obvious to anyone having knowledge of the defects in House Bill 22 that I am compelled to return it without my signature.

Respectfully submitted,
Charles L. Terry, Jr.
Governor

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

On July 6, 1967, I received House Bill No. 173 as amended by House Amendment No. 1, entitled:

"An Act to Amend Section 361 (a), Title 8, Delaware Code, Relating to Annual Corporate Report Fees."

I respectfully return House Bill No. 173, as amended by House Amendment No. 1 to the House of Representatives without my approval because it is unconstitutional.

Examination of this measure disclosed the absence of an enacting clause requiring the concurrence of two-thirds of the members of each House of the General Assembly as required by Article IX, §1 of the Constitution of Delaware. Moreover, the bill did not receive the affirmative vote of more than a simple majority in each House.

In support of my conclusion is the attached Opinion of the Justices of the Supreme Court in response to my letter of July 5, 1967.

I am compelled, therefore, because of the failure of this bill to satisfy the constitutional requirement, to disapprove it.

Respectfully submitted,

Charles L. Terry, Jr.

Governor

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Enclosure

THE SUPREME COURT OF THE STATE OF DELAWARE
Opinion of the Justices of the Supreme Court in Response to

a Question Propounded by the Governor of Delaware.

To His Excellency Charles L. Terry, Jr.

Governor of Delaware.

Reference is made to your letter of July 5, 1967 addressed to the Chief Justice requesting the opinion of the members of the Supreme Court upon the constitutional enactment of House Bill No. 173, as amended by House Amendment No. 1, of the 125th General Assembly.

The precise question upon which you have requested our opinion reads as follows:

"Has House Bill No. 173 as amended by House Amendment No. 1 been constitutionally enacted by the General Assembly of the State of Delaware?"

You have submitted to us a copy of House Bill No. 137 as amended. This bill is an amendment of 8 Del.C., § 361(a) and, as such, an amendment of the General Corporation Law of the State. Art. IX, §1 of the Constitution provides:

"No General Incorporation Law, nor any special act of incorporation, shall be enacted without the concurrence of two-thirds of all the members elected to each House of the General Assembly."

The State of Delaware is committed to the rule of law known as the Enrolled Bill Doctrine, the effect of which is to prevent a court, in the consideration of the constitutionality of the enactment of any piece of legislation, from going back of the enrolled bill and considering any matter which took place in the General Assembly prior to the final passage of the bill. *State v. Schorr*, 11 Terry 365, 131 A.2d 158. As a

matter of fact, the application of the doctrine is constitutionally required in this State. This results from an amendment to Art. II, §10 of the Constitution adopted to invalidate the decision in *Rash v. Allen*, 1 Boyce 444, 76 A. 730, which had adopted the Journal Entry Doctrine as opposed to the Enrolled Bill Doctrine.

We understand that this bill, while it has passed both Houses of the General Assembly, has not as yet received your approval. Nevertheless, we will consider the question as though it had in fact received your approval. This assumption requires the application of the Enrolled Bill Doctrine.

The actual draft of the bill submitted to you for approval or disapproval recites in the enacting clause as follows:

"Be it enacted by the General Assembly of the State of Delaware."

By long-established custom, the General Assembly has invariably included in the enacting clauses of proposed legislation a statement to the effect that the bill has received the concurrence of a constitutionally required majority when such a requirement exists. A presumption, therefore, arises from the failure to recite such a concurrence that the bill did not receive more than a simple majority of each House. The application of the Enrolled Bill Doctrine requires the application of such presumption in this case.

We understand the fact to be that House Bill No. 173 did not receive the affirmative vote of more than a simple majority in each House; but such information may not be considered in view of the prohibition required by the Enrolled Bill Doctrine against going behind the face of the bill, itself. The fact must be presumed, however, in view of the failure to recite in the enacting clause the concurrence of more than a simple majority of members, that House Bill No. 173 received only a simple majority concurrence.

The point, therefore, becomes whether or not an amendment of the General Corporation Law of the State may be made by the affirmative vote of a bare majority of the members of both Houses of the General Assembly, or whether, to make such an amendment, a larger majority of all members of each House is required.

Article IX, § 1 of the Constitution prohibits the enactment of any General Incorporation Law or any special act of incorporation without the concurrence of two-thirds of all of the members elected to each House of the General Assembly. House Bill No. 173 as amended is, of course, a purported amendment of the General Corporation Law of the State.

The same constitutional requirement as to affirmative vote in the General Assembly for passage of a General Corporation Law is likewise required for amendment of that law. *State v. Emerson*, 1 Terry 328, 10 A.2d 515.

It follows, therefore, that in the absence of the concurrence of two-thirds of the members of each House of the General Assembly, House Bill No. 173, as amended, has failed to receive the constitutionally required majority and, therefore, is an invalid enactment by the General Assembly.

The answer to the question stated above is, therefore, in the negative.

Respectfully submitted,
s/ Daniel F. Wolcott

Chief Justice

s/ James B. Carey

Associate Justice

s/ Daniel L. Herrmann

Associate Justice

July 7, 1967

The following Bill was reported out of Committee: Banking & Insurance: **HB 278**, 4 favorable.

The following were introduced:

HB 281 — An Act to amend Section 2151, Title 21, Delaware Code, relating to Motor Vehicle Registration Fees. Introduced by Reps. Cashman, Zimmerman, Dodge, Hart, Ridaugh, Pagano, Gray, Cicione, Quillen, Burton, Sebrell, Pleasanton, Murphy, Evans, Castle. Referred to the Committee on Highways & Public Safety.

HB 282 — An Act to amend §2151, Title 21, Delaware Code, relating to Motor Vehicle Registration Fees. Introduced by Reps. Zimmerman, Eskridge, Gooding, Harrington, Ferguson, Fonville, Hammond, McMahon, Shockley, Blendt, Phillips, Slawik. Referred to the Committee on Highways & Public Safety.

Mr. Hale moved to recess for 5 minutes at 7:23 P.M.

Reconvened at 7:52 P.M.

The following Bill was reported out of Committee: Highways & Public Safety: **HB 281**, 1 favorable, 2 on merits, 1 unfavorable.

Mr. Hale moved to adjourn at 7:55 P.M. Motion carried.

40TH LEGISLATIVE DAY

The Speaker called the House to order at 2:07 P.M., on Tuesday, July 18, 1967.

There was a prayer by the Chaplain Rev. Gerald Henderson.

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

The Roll Call revealed 33 members present, 2 absent.

Present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McHahon, Murphy, Pagano, Phillips, Plea-

santon, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering.

Absent: Hart, Shockley.

The Speaker asked if there were any additions or corrections to the Minutes of July 17, 1967. There being none, the Minutes were approved as posted.

Mr. Zimmerman requested and was granted privilege of the floor. He spoke on the weakness of **HB 281**, and also of those of the Republican Party in general.

Mr. Cashman remarked on the assets of **HB 281**.

The following Bills were introduced and assigned to committee:

HB 283 — An Act to provide for the comprehensive regulation of community antenna television systems. Introduced by Reps. Zimmerman and Phillips. Referred to the Committee on Government Operations.

HB 284 — An Act to amend Title 16, §6606(a), Delaware Code, relating to the salary of the State Fire Marshal and appropriating money therefor. Introduced by Rep. Brown. Referred to the Committee on Revised Statutes.

The following Resolution was introduced:

HR 66 — Relative to the Birthday of Representative Reese Hammond.

WHEREAS, it has come to the attention of the House of Representatives that July 18 is the birthday of Representative Reese Hammond, member of the House of Representatives; and

WHEREAS, the members of the House wish by suitable means to extend their greetings to Representative Reese Hammond on this occasion.

NOW THEREFORE,

BE IT RESOLVED that the House congratulate Representative Reese Hammond on the occasion of his birthday and extend to him the best wishes of its members for many happy returns of the day; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the Chief Clerk to Representative Reese Hammond; and

BE IT FURTHER RESOLVED that this Resolution be spread upon the Journal of the House for this session.

Roll Call revealed:

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

ABSENT — Hart, Shockley — 2.

Having received a constitutional majority **HR 66** was adopted.

The following amendments were introduced:

HA 3 to HB 267. Introduced by Rep. Bartleson. Placed with Bill.

HA 4 to HB 267. Introduced by Rep. Sebrell. Placed with Bill.

HA 5 to HB 267. Introduced by Rep. Heckert. Placed with Bill.

Mr. Speaker announced that in compliance with **HCR 17** he was appointing Mrs. Gooding, Mr. Quillen and Mr. Frederick to the Committee to investigate tax exempt organizations or corporations with regard to such real estate exemptions. These nominations will be submitted to the President Pro Tem of the Senate. Mr. Speaker reminded the House Members that the date for reporting the findings of this Committee was February 1, 1968.

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

HB 200 with SA 1 — An Act making a supplementary appropriation to the Delaware State Development Department for Flags.

Roll Call revealed:

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

ABSENT — Evans, Hart, Shockley — 3.

HB 200 with SA 1 having received a constitutional majority was declared passed by the House.

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

HB 204 with SA 1 — An Act to amend Chapter 13, Title 14, Delaware Code, relating to state-supported salary schedules for school employees.

Roll Call revealed:

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

ABSENT — Hart, Shockley — 2.

HB 204 with SA 1 having received a constitutional majority was declared passed by the House.

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

SB 201 with SA 1 & SA 2 — An Act to amend Section 8301, Title 11, Delaware Code, to increase the number of State Police.

Mr. Slawik asked for deferment until his amendment was prepared. Mr. Benson deferred. Mr. Slawik's amendment was not forthcoming.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Ciccione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gray, Hammond, Harrington, Heckert, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 27.

NAYS — Cashman, Hale — 2.

NOT VOTING — Blendt, Leshner — 2.

ABSENT — Hart, Shockley — 2.

PRESENT — Gooding, Phillips — 2.

SB 201 with SA 1 & SA 2 having received a constitutional majority was declared passed by the House.

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

SB 150 with SA 3, 4 & 5 and with **HA 1, 2, 3** and **4** — An Act Relating to the Compensation of Certain Key Executives of the State Government.

HA 1 — Introduced by Mr. Benson. Adopted by voice vote.

HA 2 — Introduced by Mr. Benson. Defeated.

HA 3 — Introduced by Mr. Slawik. Adopted by voice vote.

HA 4 — Introduced by Mr. Zimmerman. Tabled.

Mr. Hale motioned to temporarily table **SB 150** as amended. Motion carried.

When considered later Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Ciccione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Heckert, Leshner, Murphy, Pagano, Quillen, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 22.

NAYS — Blendt, Cashman, Eskridge, Ferguson, Hammond, McMahon, Riddagh — 7.

NOT VOTING — Phillips, Pleasanton — 2.

ABSENT — Harrington, Hart — 2.

PRESENT — Fonville — 1.

SB 150 with SA 3, 4 & 5 and with **HA 1** and **3**, having received a constitutional majority was declared passed by the House.

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

SB 177 — An Act to Amend Chapter 83, Title 11, of the Delaware Code, by Amending Section 8327 thereof so as to Remove the Existing Limitations on Pension Benefits to be

Received by Retired Members of the Delaware State Police.

Roll Call revealed:

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

NOT VOTING — Ferguson — 1.

ABSENT — Hart, Shockley — 2.

SB 177 having received a constitutional majority was declared passed by the House.

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

SB 188 — An Act to Amend Chapter 69, Title 29, Delaware Code Relating to Procurement of Library Books by School Librarians.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Gooding, Gray, Hale, Heckert, Leshner, McMahon, Murphy, Pleasanton, Quillen, Stabler, Mr. Speaker Hering — 22.

NAYS — Eskridge, Riddagh, Sebrell, Zimmerman — 4.

NOT VOTING — Ferguson, Frederick, Hammond, Harrington, Pagano, Phillips — 6.

ABSENT — Hart, Shockley, Slawik — 3.

SB 188 having received a constitutional majority was declared passed by the House.

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

HB 281 — An Act to amend Section 2151, Title 21, Delaware Code, relating to Motor Vehicle Registration Fees.

Mr. Ferguson moved to table **HB 281**. Motion defeated. Mr. Ferguson moved to defer **HB 281**. Roll Call to defer revealed:

YEAS — Bartleson, Blendt, Eskridge, Ferguson, Fonville, Hammond, Harrington, Leshner, McMahon, Phillips, Slawik, Zimmerman — 12.

NAYS — Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gray, Hale, Heckert, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 20.

ABSENT — Gooding, Hart, Shockley — 3.

Motion to defer was defeated.

Roll Call on **HB 281** revealed:

YEAS — Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gray, Hale, Heckert, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 20.

NAYS — Blendt, Eskridge, Ferguson, Fonville, Hammond, Harrington, Leshner, McMahon, Phillips, Slawik, Zimmerman — 11.

NOT VOTING — Bartleson — 1.

ABSENT — Gooding, Hart, Shockley — 3.

HB 281 having received a constitutional majority was declared passed by the House.

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

SB 220 — An Act Making an Appropriation to the State Board of Education for the Purpose of Paying off Past Due Bills Incurred by School Districts which are no longer in Existence.

Roll Call revealed:

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

ABSENT — Ferguson, Hart, Shockley, Slawik — 4.

SB 220 having received a constitutional majority was declared passed by the House.

Dr. Sebrell asked for the privilege of the Floor. Privilege granted. He said **SB 205** should be a House Bill rather than Senate. Mr. Speaker ruled a temporary deferment for the House Attorney, Mr. Peter Stone, to be consulted and recessed the House at 3:25 P.M.

House reconvened at 3:55 P.M.

The following Bill was reported out of Committee: Miscellaneous: **HB 257**, 4 favorable, 1 on merit.

The following Amendments were introduced:

HA 1 to SB 194 — Mrs. Heckert, placed with bill.

HA 6 to HB 267 — Mr. Murphy, placed with bill.

Mr. Stone was granted privilege of the Floor and gave his opinion that **SB 205** could properly be introduced by the Senate.

Mr. Kelsey, House Attorney, was granted privilege of the Floor and gave his opinion that **SB 205** should be House oriented rather than Senate. Dr. Sebrell moved to defer Bill.

Mr. Slawik moved that the motion to defer be tabled by Roll Call.

Roll Call to defer **SB 205** with **SA 1** revealed:

YEAS — Brown, Burton, Cashman, Eskridge, Harrington, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell — 12.

NAYS — Bartleson, Benson, Blendt, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray,

Hale, Hammond, Heckert, Leshar, McMahon, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 21.

ABSENT — Hart, Shockley — 2.

Motion to defer **SB 205** with **SA 1** was defeated.

Mrs. Heckert requested privilege of the Floor for Mr. Thomas Inter, Dean of Technical Directors of Vocational Education.

Dr. Sebrell moved to adopt **HA 1** to **SB 205**. Mr. Slawik moved to table **HA 1** to **SB 205**. Motion carried.

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

SB 205 with **SA 1** — An Act to Amend Title 14 of the Delaware Code by Providing for Raising and Collection of Revenue for County Vocational-Technical High Schools and County Vocational-Technical Centers.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Heckert, Leshar, McMahon, Phillips, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 23.

NAYS — Cashman, Eskridge, Harrington, Murphy, Pleasanton, Quillen, Riddagh, Sebrell — 8.

NOT VOTING — Pagano — 1.

ABSENT — Hammond, Hart, Shockley — 3.

SB 205 with **SA 1** having received a constitutional majority was declared passed by the House.

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

HA 1 to **SB 168** was adopted by voice vote.

SB 168 with **HA 1** — An Act Permitting Millsboro School, District No. 23, to transfer surplus funds from a debt service local funds Account to the Millsboro Construction Fund Account.

Roll Call revealed:

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

ABSENT — Hammond, Hart, Leshar, Shockley, Slawik — 5.

SB 168 with **HA 1** having received a constitutional majority was declared passed by the House.

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

SB 164 with **SA 1** — An Act to amend title 31, section 4319, Delaware Code, relating to payments by Housing Authorities to Cities or Counties for services in lieu of Taxes, and to declare valid and legal and to approve agreements and

payments to public bodies in the state and the undertakings of such Housing Authorities and all proceedings, acts, and things undertaken or done with reference thereto.

Mr. Riddagh asked for the privilege of the Floor for Judge Thomas Herlihy, Judge of Municipal Court of Wilmington and Attorney for the Housing Authority. Judge Herlihy spoke in favor of **SB 164**.

Roll Call Revealed:

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

ABSENT — Hart, Sebrell, Shockley — 3.

SB 164 with **SA 1** having received a constitutional majority was declared passed by the House.

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

SB 153 — An Act to appropriate moneys to certain hospitals and the department of public welfare for certain Health Services.

Roll Call revealed:

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

ABSENT — Hart, Sebrell, Shockley — 3.

SB 153 having received a three-quarter majority was declared passed by the House.

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

SB 210 — An Act to amend an Act entitled "An Act Making Appropriations for the Expense of the State Government for the fiscal year ending June 30, 1968" being House Bill No. 137, as amended, of the 124th General Assembly and also known as the 1968 budget Appropriation Bill.

Roll Call revealed:

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

ABSENT — Hart, Zimmerman, Shockley — 3.

SB 210 having received a constitutional majority was declared passed by the House.

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

SB 219 — An Act to amend an Act entitled "An Act making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1968" being House Bill No. 137 of the 124th General Assembly and also Known as the 1968 Budget Appropriation Bill.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Cashman, Castle, Cicione, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Pagano, Phillips, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 26.

NAYS — Pleasanton, Quillen, Riddagh, Sebrell — 4.

NOT VOTING — Burton, Dodge — 2.

ABSENT — Benson, Hart, Shockley — 3.

SB 219 having received a constitutional majority was declared passed by the House.

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

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

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cicione, Dodge, Eskridge, Ferguson, Gray, Hale, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 23.

NAYS — Cashman, Evans, Fonville, Frederick, Hammond, Quillen, Zimmerman — 7.

NOT VOTING — Gooding, Slawik — 2.

ABSENT — Castle, Hart, Shockley — 3.

SB 203 not having received a three-quarter majority was declared lost in the House.

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

SB 202 — An Act to require the State Highway Department to Install a Traffic Light Control for the Wilmington Manor Fire Co., at State Road, New Castle County, Delaware.

Roll Call revealed:

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington,

Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Mr. Speaker Hering — 30.

ABSENT — Bartleson, Hart, Shockley, Stabler, Zimmerman — 5.

SB 202 having received a constitutional majority was declared passed by the House.

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

SB 162 — An Act to Amend Chapter 45, Title 21, Delaware Code Relating to the Length of Auto Transporters.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gray, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 28.

NAYS — Hammond — 1.

ABSENT — Blendt, Gooding, Hale, Hart, Shockley, Zimmerman — 6.

SB 162 having received a constitutional majority was declared passed by the House.

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

SB 152 — An Act to amend chapter 45, Title 21, Delaware Code relating to the length of piling and pole trailers.

Roll Call revealed:

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

NOT VOTING — Hammond — 1.

ABSENT — Gooding, Harrington, Hart, Shockley — 4.

SB 152 having received a constitutional majority was declared passed by the House.

Mr. Benson moved to restore **SB 203** to Calendar. Motion carried.

Mr. Slawik asked that Mr. Cicione be added as sponsor of **HB 275**.

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

HB 276 — An Act to aid certain organizations which maintain emergency vehicles by making appropriations therefor.

Roll Call revealed:

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

ton, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Harrington, Hart, Shockley — 3.

HB 276 having received the three-quarter majority needed was declared passed by the House.

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

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

Roll Call tabled on motion of Mr. Frederick.

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

HB 278 — An Act relating to the Insurance Study and Revision Committee established by Chapter 306, Volume 55, Laws of Delaware, as amended by Chapter 356, Volume 55, Laws of Delaware, continuing the life of said Committee and making a supplementary appropriation therefor.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicone, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler — 31.

NAYS — Zimmerman — 1.

NOT VOTING — Mr. Speaker Hering — 1.

ABSENT — Hart, Shockley — 2.

HB 278 having received a constitutional majority was declared passed by the House.

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

HB 267 with **HA 1**, & **SA 1, 2, 3** — An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and to issue bonds and notes therefor and appropriating the moneys to various agencies of the State.

Roll Call revealed:

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

NAYS — Castle — 1.

NOT VOTING — Frederick, Murphy — 2.

HB 267 with **HA 1**, & **SA 1, 2, 3** having received a constitutional majority was declared passed by the House.

The following bills were introduced:

HB 285 — An Act to amend Title 3, Delaware Code, entitled Agriculture by providing for inspection of livestock and poultry slaughtered or processed; meat products, condemnation and destruction of carcasses and products unfit for human food; regulation of sanitation of establishments; regulation of marking and labeling of carcasses and products thereof; providing penalties; and making a supplementary appropriation therefor. Introduced by Reps. Cicione, Pagano, Gooding. Referred to the Committee on Miscellaneous.

HR 67 — Relating to adoption of Permanent Rules of the House of Representatives of the 124th General Assembly. Introduced by Mr. Hering. Mr. Hale moved so much be considered reading of **HR 67**. Mr. Hering suggested that **HR 67** be studied over the summer recess and he will welcome suggestions.

HR 68 — Making an Appropriation to pay the staff of the Joint Fish, Oyster and Game Committee of the 124th General Assembly. Introduced by Mr. Dodge. Mr. Dodge moved so much be considered final reading. Further moved **HR 68** be adopted by voice vote. Motion carried.

HR 69 — Authorizing payment for services rendered by the Legislative Staff of the House of Representatives of the 124th General Assembly. Introduced by Rep. Sebrell. Rep. Sebrell moved so much be considered reading and moved **HR 69** be adopted by voice vote. Motion carried.

The following was reported of of Committee: Education:
HB 277, 4 favorable.

Mr. Cicione requested privilege of the floor. He moved to suspend rules and bring up **HB 275** for final reading and consideration. Mr. Eskridge moved to defer action to wait for debt statement.

Roll Call to suspend rules revealed:

YEAS — Blendt, Cashman, Cicione, Eskridge, Evans, Ferguson, Fonville, Gooding, Gray, Hammond, Harrington, McMahon, Murphy, Phillips, Quillen, Riddagh, Slawik, Zimmerman — 18.

NAYS — Bartleson, Benson, Brown, Burton, Castle, Dodge, Frederick, Hale, Heckert, Leshner, Pagano, Pleasanton, Sebrell, Mr. Speaker — 14.

ABSENT — Hart, Shockley, Stabler — 3.

Rules were suspended.

HB 275 with SA 1, SA 2 & SA 3 — An Act to provide for payments to persons who served or will serve in the Armed Forces of the United States during the period beginning August 5, 1964, and ending with the cessation of hostilities in the Vietnam Conflict, and to designated beneficiaries of such persons; to recreate and reestablish the Delaware Veterans' Military Pay Commission to carry out certain provisions of

this act; to authorize the selection of assistants to said Commission, to provide for a review of decisions affecting claims made under the act; to make appropriations and to authorize the issuance of Bonds and Bond Anticipation Notes of the State of Delaware to carry out the provisions of this act; to accept federal supplementary funds for said purpose; and to prescribe penalties for violations of the provisions of this act.

Roll Call revealed:

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

ABSENT — Evans, Hart, Shockley, Stabler — 4.

HB 275 having received a constitutional majority was declared passed by the House.

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

SB 192 — An Act to amend title 14, Section 1912, Delaware Code, relating to school capitation taxes.

Roll Call revealed:

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

ABSENT — Evans, Hart, Shockley, Stabler, Zimmerman — 5.

SB 192 having received a constitutional majority was declared passed by the House.

Mr. Hale moved to recess at 7:54 P.M. Motion carried.

41ST LEGISLATIVE DAY

The Speaker called the House to order at 10:20 A.M., on Friday, August 4, 1967.

There was a prayer by Representative Everette Hale.

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

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicone, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 35.

Rep. Hale moved the House recess for a Joint Session in the Senate Chamber to hear an address by the Governor and reconvene in the House at 1:30 P.M. Motion carried. House recessed at 10:25 A.M.

JOINT SESSION

The Sergeant-at-Arms announced the Speaker and Members of the House of Representatives. Lieutenant Governor Tribbett invited the Speaker of the House to a seat on the rostrum.

The House and Senate met in the Senate Chamber for Joint Session at 10:36 A.M. Senator Cook moved that the House and Senate convene in Joint Session. Motion prevailed.

Senator Cook moved that the President of the Senate preside over the Joint Session. Motion prevailed. Senator Cook moved that the Secretary of the Senate and the Assistant Chief Clerk of the House act as Secretaries of the Joint Session. Motion carried.

The Chair appointed the following committee to escort the Governor to the Senate Chamber: Senator Manning and Representative Gooding. The Sergeant-at-Arms admitted the Governor and the duly appointed Committee to the Senate Chamber.

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

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

Thank you for convening here today.

I apologize for the necessity asking you to come, but in my opinion and in the self-evident point of view of thousands of Delawareans the necessity exists.

I have endeavored to schedule your session today so as to interfere with your week end plans as little as possible.

Last Friday night the City of Wilmington was shaken by a series of incidents with which we are all familiar.

Thanks to the good work of the City administration, and of Wilmington and State Police the ill effects of that outbreak were held to a minimum.

No one was seriously injured and the wanton looting that was characteristic of mob behavior in many other cities of the Nation did not develop in strength.

Since Friday night we have enjoyed a breathing spell in Delaware, and there have been no serious incidents. But the potentiality of trouble and the rumors of violence hang over our heads as ugly threats which we cannot in conscience ignore.

The decent, respectable people of Delaware—white and Negro alike, I am not referring to race in these remarks—must have reasonable assurance that they may conduct their affairs during the day and rest secure in their homes at night without having to live with the underlying fear that accompanies civil disorder and lawless disregard of the rights and property of others.

Because of the threats, the rumors, the information reaching me—both rumored and reliable—I have believed it necessary during the past week to keep the State Guard under alerted conditions and to keep more men on duty than would normally be necessary.

There are some who say that the situation has eased entirely and that we can afford to relax. Those people can afford the luxury of relaxation but the people who live where the threat exists and the people who have the responsibility for maintaining law and order—such as the Governor, the Attorney General and members of the General Assembly—cannot ignore nor overlook any possible threat of violence or disorder.

We must be prepared to cope with it and that constitutes the reason I have asked you to come to Dover today.

Shortly there will be submitted for your examination and consideration three bills which I believe will give the Governor, Attorney General, police and judiciary powers that they need if we are to contain violence before it has an opportunity to break out in an uncontrollable surge, such as happened in Newark, Detroit, Plainfield, Milwaukee and numerous other communities.

The bills would:

—Give the Governor authority to declare a state of emergency.

—Outlaw possession and use of firebombs and Molotov cocktails, instruments of destruction that serve no useful purpose.

Provide a mandatory three year jail sentence without probation or parole for those convicted of malicious destruction of property during the state of emergency.

Give the Governor authority to impose curfews and related regulatory protections either on a statewide basis or in specific areas of the State.

The measures are, in my estimation, a minimum of what is needed to deal with the critical situation that exists and that may continue to exist for sometime to come. We must be prepared to deal effectively with force against the laws of this state and the safety of our citizens.

The Director of the Legislative Reference Bureau is on hand to explain any of its provisions that might be under question. He will be glad to meet with Legislators on the floor of their respective Houses or in caucuses with either or both of the political parties represented in the Legislature.

August 4, 1967

Address by the Honorable Charles L. Terry, Jr.
to a Joint Session of the 124th General Assembly

The previously named Committee escorted the Governor from the Chamber. Senator Cook moved that the Secretary

of the Senate and the Assistant Chief Clerk of the House compare their respective Journals.

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

Senator Cook moved the two Houses now separate to re-convene in their respective chambers. Motion prevailed. Joint Session adjourned at 10:55 A.M.

The House reconvened at 2:56 P.M.

Mr. Speaker Hering asked if there were any additions or corrections to the Minutes of the previous legislative day (July 18, 1967). There being none, the Minutes were approved as posted.

The following resolution was introduced:

HJR 5 — Establishing a Committee to make an Immediate, Vigorous, and Comprehensive Examination of the Basic Underlying Problems Causing Civil Unrest.

WHEREAS, recent events in certain areas of the State illustrate the potential for wide spread civil disorder; and

WHEREAS, action to be taken today will strengthen the criminal statutes to help deter such disorders but do not eliminate the basic causes of such; and

WHEREAS, there exists within certain communities of the State wide spread unemployment, poverty and lack of adequate housing, recreation and educational opportunities; and

WHEREAS, positive and constructive proposals to solve these problems are necessary and of prime importance to the welfare of all citizens;

NOW THEREFORE, BE IT RESOLVED that the Governor of the State of Delaware is hereby empowered and requested to appoint immediately a committee which shall include representatives of business, local government, religious and educational groups and organized laobr, plus individuals from the neighborhoods most directly involved. This Committee shall also include two members of the House of Representatives as appointed by the Speaker of the House and two members of the Senate as appointed by the President Pro Tem of the Senate; and

BE IT FURTHER RESOLVED that the Committee shall immediately undertake a vigorous and comprehensive examination of the basic underlying problems causing the civil unrest and report back to the Governor and the General Assembly within sixty (60) days of its formation with recommendations for action that the State Government can take to solve these problems; and

BE IT FURTHER RESOLVED that the sum of \$10,000 be appropriated from the General Fund to the Governor for the use of this Committee in carrying out its responsibilities.

Introduced by Reps. Hering, Zimmerman and Evans. Mr. Hale moved for suspension of rules to act on **HJR 5**. Rules suspended by voice vote. Roll Call was then taken and revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 35.

NAYS — None.

HJR 5 was thereby adopted by the House.

Mr. Hale moved to recess to the Call of the Chair. House recessed at 3:27 P.M.

House reconvened at 3:53 P.M.

The following communications from the Governors' office were read in:

MEMORANDUM NO. 23

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

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

July 20, 1967 —

HB 211 — (License to use State Highways).

SB 143 with **SA 1** and **2** — (Easements - State Park Commission).

On July 20, 1967, the Governor returned House Bill No. 209 with House Amendment No. 3 to the House without his approval.

On July 21, 1967, the Governor returned Senate Bill No. 6 with Senate Amendment No. 1 to the Senate without his approval.

MEMORANDUM NO. 24

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

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

August 2, 1967 —

HB 180 with **HA 1** — (Kent County Home Rule).

HB 200 with **SA 1** — (\$2,500 flag appropriation to Development Department).

SB 152 — (Lengths of vehicles and pole trailers).

SB 153 — (Hospitals grant-in-aid).

SB 162 — (Length of automobile transporters).

SB 164 with **SA 1** — (Housing authorities payments to cities and counties).

SB 192 — (School capitation taxes).

SB 202 — (Wilmington Manor traffic light).

SB 205 with **SA 1** — (County Vocational-Technical tax bill).

SB 210 — (Soil and Water appropriation of \$40,000 for New Castle Division).

SB 219 — (Amendment to Budget Bill for Child Welfare Services).

SB 220 — (\$908.39 appropriation to State Board of Education for past due bills).

A messenger from the Senate delivered **SB 224** and **225** and requested concurrence of the House.

The following bill was introduced:

SB 224 — An Act to amend Title 11, Delaware Code, relating to Crimes by imposing Criminal Penalties for Riots. Introduced by Sen. Cook. Rep. Hale moved to suspend rules in order to act on **SB 224**. Motion carried.

HA 1 to **SB 224** was introduced by Reps. Stabler, Frederick and Castle. On motion of Mr. Hale, **HA 1** to **SB 224** was tabled by voice vote. On further motion of Mr. Hale Roll Call was taken on **SB 224**, which revealed:

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

PRESENT — Evans — 1.

SB 224 having received a constitutional majority was declared passed by the House.

Messenger from the Senate delivered **SB 226** and requested concurrence of the House.

SB 225 — An Act to Amend Title 11, Delaware Code, relating to Crimes, by imposing criminal penalties for the manufacture, transfer, use, possession or transportation of Molotov Cocktails or other explosive devices. Introduced by Sen. Cook. Rep. Hale moved that the rules be suspended for the purpose of considering **SB 225**. Motion carried.

On further motion of Mr. Hale, Roll Call was taken on **SB 225**, which revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phil-

lips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 35.

NAYS — None.

SB 225 having received a constitutional majority was declared passed by the House.

SB 226 — An Act to amend Part II, Title 20, Delaware Code, relating to Civil Defense by conferring on the Governor additional powers to regulate and restrict activities of persons during a state of emergency proclaimed by him, and to provide criminal penalties for violation of emergency directives of the Governor or for the commission of other acts during the state of emergency. Introduced by Sen. Cook. Rep. Hale moved to suspend rules in order to act on **SB 226**. Motion carried.

HA 1 to **SB 226** was introduced by Reps. Stabler, Frederick, Castle. On motion by Rep. Hale, **HA 1** to **SB 226** was tabled by voice vote.

Telegram from James F. Nestor, dated August 4, 1967, was read in and made a part of the Journal.

Speaker of the House, George C. Hering, III
State House, Dover, Del.

Recent civil disorders in many cities throughout the country have gained marked public attention in Delaware. The General Assembly has been called into special session on August 4 to consider means of coping with the problem of potential mass crime and violence in our state.

Correctional Council of Delaware wishes to commend Gov. Charles L. Terry, Jr., for his forthright plans to prevent and contain such potential disorders in Delaware.

It is recommended that the General Assembly give close attention to the governor's recommendations. Civil disorder, looting and violence cannot be tolerated. Respect for law and order must be preserved. Particular attention must be given to existing statutes and proposed changes in our Criminal Code to ensure adequate protection of the public from crime, both now and in the future.

What we say does not imply support for a mandatory sentence, which does not allow for consideration of the extent of participation in the crime or the individual characteristics of the offended.

We urge that parole eligibility not be removed from sentences given to participants in riots if they occur. Such unthinking and irresponsible behavior cannot be corrected by the rioters being isolated from virtually all responsibility in our prisons and then returned to society without the guidance and restraints which good parole provides. Parole, when properly administered, has proven to be one of the best means of turning irresponsible offenders into responsible and law-abiding citizens.