

WHEREAS, there is considerable legal opinion that the decision is erroneous in all or part, and

WHEREAS, it is in the best interest of the State of Delaware, and its people that the provisions of the Constitutional of the State of Delaware be upheld or amended only by the elected Representatives of the people,

NOW, THEREFORE

BE IT RESOLVED by the Senate of the 122nd General Assembly that a Reapportionment Legal Review Committee is hereby created to consist of three Senators, to be appointed by the President of the Senate, to serve during the 122nd General Assembly, and that the Committee is hereby authorized an empowere d to expend such sums, not in excess of \$200,000, as may be necessary to retain counsel and expert witnesses, or to defray other expenses, including travel, secretarial, and printing in prosecuting a judicial review or appeal of the decision.

AND BE IT FURTHER RESOLVED, that warrants for the payment of expenditures authorized herein shall be paid by the State Treasurer upon presentment of vouchers signed by the Chairman of the Committee.

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—11.

NAYS—Messrs. DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin—4.

ABSENT—Messrs. Johnson, McCullough—2.

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

On motion of Mr. Tull **HB 161** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 161—"An Act to Amend Section 2101, Title 24, Delaware Code, Relating to Optometry".

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

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

NAYS—None.

NOT VOTING—Mrs. Manning—1.

ABSENT—Messrs. Johnson, McCullough—2.

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

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

SB 123—"An Act to Amend Chapter 237, Volume 51, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Bridgeville' Relating to Traffic Violations", by Mr. Hoey; to Corporations—Municipal.

SJR 3—"Providing for the Withdrawal from the Southern Regional Education Compact", by Mr. Hoey; to Miscellaneous.

Pres. Pro Tem Steen moved to suspend Rule 9 to act upon **SJR 3**. Motion prevailed.

On motion of Pres. Pro Tem Steen **SJR 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SJR 3—"Providing for the Withdrawal from the Southern Regional Education Compact".

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

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

NAYS—None.

ABSENT—Messrs. Johnson, McCullough—2.

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

Pres. Pro Tem Steen introduced **SA 1** to **HB 135** and moved for its adoption. Motion prevailed.

On motion of Mr. Hoey **HB 135** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 135 with **SA 1**—"An Act Making a Supplemental Appropriation in the Fiscal Year Ending June 30, 1963 to Honor an Obligation Incurred in the Fiscal Year Ending June 30, 1962".

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

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

NAYS—None.

ABSENT—Messrs. Johnson, McCullough—2.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 4:25.

The Senate met at the expiration of the recess at 5:05, Lt. Gov. Lammot presiding.

Committee reports submitted were as follows:

SB 112—Finance, 1 favorable, 3 on merits, by Mr. Hoey;
HB 200—Finance, 4 on merits, by Mr. Hoey; **HB 95**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **SB 101**—Revised Statutes, 4 on merits, by Mr. Cook; **SB 108**—Revised Statutes, 4 favorable, by Mr. Cook.

Mr. Hoey introduced the following resolution which upon further motion was adopted by voice vote: **SR 47**—"In Reference to Election of Officers".

WHEREAS, Lemuel Hitchens, Jr., who was previously elected to the office of Sergeant-at-Arms, has now submitted his resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Lemuel Hitchens, Jr. be and he is hereby discharged from the office of Sergeant-at-Arms.

BE IT FURTHER RESOLVED that James Mills, Sr. be and he is hereby elected to the office of Sergeant-at-Arms to serve during the pleasure of the Senate:

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

SR 48—"Relating to Amount Due the Harrington Journal for Expenses Incurred by the 122nd General Assembly", by Mr. Hoey; adopted by voice vote.

SB 124—"An Act Making a Supplementary Appropriation to the State Board of Education to the School Districts of the State", by Mr. Isaacs; to Finance.

The following communication was read:

April 29, 1963

To the Members of the Senate:

According to the provisions of Senate Resolution No. 41, I hereby appoint:

Walter J. Hoey, Chairman

Leon Donovan

George Robbins

Walton Simpson

J. Donald Isaacs

CURTIS W. STEEN
 President Pro Tem

The Senate received the following Memorandum No. 6A from the Governor:

MEMORANDUM NO. 6A
(Replaces Memorandum No. 6)

April 22, 1963

TO: Secretary of the Senate

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

April 18, 1963—**HB 172**

April 19, 1963—**SS 1** for **SB 1**; **HB 7** with **HA 2**

On motion of Mr. Donovan the Senate adjourned at 5:15 P.M. to Tuesday, April 30, 1963, at 1:00 P.M.

38th LEGISLATIVE DAY

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

Prayer by the Chaplain, Rev. Spencer Quick.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Tull, Wilgus, Pres. Pro Tem Steen—12.

Members Absent—Messrs. Cook, Isaacs, McCullough, Robbins, Simpson—5.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:32.

The Senate met at the expiration of the recess at 3:20, Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Messrs. Cook, Robbins, Isaacs.

Mr. Johnson introduced **SB 125** entitled "An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to Minquas Fire Co., No. 1, for the Maintenance of A Rescue Squad", which was assigned to the Committee on Finance.

The House informed the Senate that it had passed **HB 169** and **HS 1** for **HB 208** and requested the concurrence of the Senate; and that it had passed **SS 1** for **SB 18** and **SB 60** and was returning same to the Senate.

Mr. Price, Chairman of the Committee on Temperance,

reported the following bill from committee: **HB 110**, 5 on merits.

Mrs. Manning moved to suspend rules to act on **SB 125**.

On motion of Mrs. Manning to suspend Rule 9 to act on **SB 125** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, Tull, Wilgus, Pres. Pro Tem Steen—9.

NAYS—Messrs. Cook, Donovan, Johnson, Price, Robbins—5.

ABSENT—Messrs. Isaacs, McCullough, Simpson—3.

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

Mrs. Manning then moved to place **SB 125** before the Senate for action. The chair denied the motion.

On motion of Mr. Hoey **HB 200** with title as follows was taken up consideration and read a second time by title in order to pass the Senate:

HB 200—"An Act to Amend Chapter 407, Volume 53, Laws of Delaware, Relating to the Provision of Benefits to the Surviving Spouse of Persons Elected to any State or County Office and Making a Supplementary Appropriation to the State Treasurer".

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

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

NAYS—None.

ABSENT—Messrs. McCullough, Simpson—2.

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

Mrs. Lord requested that the printing committee speedily supply Mason's Manual to the Senate.

On motion of Pres. Pro Tem Steen **SB 101** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 101—"An Act to Amend Section 513, Title 7, Delaware Code, Relating to Compensation to Persons Authorized to Sell Hunting, Trapping and Fishing Licenses".

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

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

NAYS—None.

ABSENT—Messrs. McCullough, Simpson—2.

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

On motion of Mr. Cook **HB 165** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 165—"An Act to Amend Section 8002 (b) Title 9, Delaware Code, so as to Limit the Tax Rate for New Castle County to Forty-five Cents (\$.45) on Each One Hundred Dollars (\$100.) of Assessed Valuation".

Mr. Cook requested the privilege of the floor for the New Castle County Comptroller, Mr. William Smith, to explain **HB 165**. After fifty minutes of discussion of the bill, Mr. Cook moved to defer the bill till Monday, May 6. Motion prevailed. Mr. Isaacs moved to hold a public hearing. Mr. Cook replied that the Revised Statutes Committee would decide about that.

Mr. McCullough asked to be marked present.

On motion of Mr. Hoey **SB 112** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 112—"An Act Making a Supplementary Appropriation to the Public Archives Commission for the Fiscal Year Ending June 30, 1963 for Salaries and Wages of Employees".

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

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

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Johnson, Simpson—2.

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

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

SB 126—"An Act Making a Supplementary Appropriation to the State Highway Department for the Construction

of a Spillway at Collins Pond in Sussex County, for the Fiscal Year Ending June 30, 1964", by Mr. Hoey and Mrs. Lord; to Finance.

SB 127—"An Act to Amend Sections 8103 and 8105, Title 9, Delaware Code, Relating to Exemptions from Taxation of Certain Property Owned by Governmental, Religious or Educational Agencies", by Mr. Hoey and Mrs. Lord; to Revised Statutes.

SB 128—"An Act Making a Supplementary Appropriation to the State Highway Department for Construction of a Boardwalk at Oak Orchard", by Mr. Wilgus; to Finance.

Committee Reports Submitted were as follows:

SB 77—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **SB 79**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **HB 162**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **HCR 6**—Rules, 2 favorable, 2 on merits, by Mr. Cook.

A communication from the Governor, depicting his official estimate of revenue for the fiscal year ending June 30, 1964, was read.

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

April 30, 1963

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

Enclosed herewith is my official estimate of revenue for the fiscal year ending June 30, 1964. The breakdown of this \$102 million estimate is attached.

I further estimate that, based upon my estimate of revenue for the current fiscal year, anticipated reversions of \$1,500,00, and supplementary appropriations enacted to date, the cash balance at the end of this fiscal year will be approximately \$8,554,955.

The total of the cash balance carried forward to fiscal 1964 and the revenue anticipated during fiscal 1964 is \$110,554,955.

The total appropriations required for Automatic Appropriations, House Bill No. 166, and the various routine Grant-in-Aid measures of Fiscal 1964, less anticipated reversions of \$1,500,000, is \$105,812,078. Further, as I have frequently expressed in the past, it is my view that a cash balance of \$5 million at the end of Fiscal 1964 is required for the sound fiscal operation of our State.

Respectfully submitted,
ELBERT N. CARVEL
Governor

Attachment

GOVERNOR'S OFFICE

April 26, 1963

**Revised Estimate of Revenue For Fiscal Year
Ending June 30, 1963**

Income Tax and Penalties	\$ 37,000,000
Franchise Tax and Penalties	14,000,000
Motor Fuel Tax (net)	11,700,000
Corporation Income Tax	8,300,000
Motor Vehicle Registration	4,400,000
Pari-Mutuel and Admissions	5,100,000
Alcoholic Beverage Taxes	2,150,000
Cigarette Taxes	3,700,000
Inheritance and Estate	4,650,000
Insurance Taxes	1,650,000
Mercantile Licenses	1,800,000
All Other Taxes and Fees	6,300,000
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TOTAL, FISCAL 1963	\$100,750,000
CASH BALANCE, JULY 1, 1962	5,435,000
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TOTAL AVAILABLE	\$106,185,000

**Estimate of Expenditures For Fiscal Year
Ending June 30, 1963**

Automatic Appropriations (tax refunds, etc.)	\$ 4,200,000
Budget Act for Fiscal 1963	91,718,398
Grants-in-Aid (hospitals, fire companies, etc.)	1,215,450
All Other Supplementals	1,996,197
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GROSS APPROPRIATED	\$99,130,045
Less Anticipated Reversions	1,500,000
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ESTIMATE OF ACTUAL EXPENDITURES	\$97,630,045

Anticipated Cash Balance, June 30, 1963: \$8,544,955

**Estimate of Revenue for Fiscal Year
Ending June 30, 1964**

Income Tax and Penalties	\$ 39,300,000
Franchise Tax and Penalties	14,500,000
Motor Fuel Tax (net)	12,800,000
Corporation Income Tax	8,600,000
Motor Vehicle Registration	4,500,000
Pari-Mutuel and Admissions	4,500,000
Alcoholic Beverage Taxes	2,300,000
Cigarette Taxes	4,000,000
Inheritance and Estate	1,500,000
Insurance Taxes	1,700,000
Mercantile Licenses	1,900,000
All Other Taxes and Fees	6,400,000
TOTAL, FISCAL 1964	\$102,000,000
ANTICIPATED CASH BALANCE	8,554,955
TOTAL AVAILABLE	\$110,554,955

**Estimate of Expenditures for Fiscal Year
Ending June 30, 1964**

Automatic Appropriations (tax refunds, etc.) ..	\$ 4,250,000
Budget Act, HB No. 166	101,797,128
Grants-in-Aid (hospitals, fire companies, etc.) ...	1,264,950
GROSS RECOMMENDED APPROPRIATION	\$107,312,078
Less Anticipated Reversions	1,500,000
ESTIMATE OF ACTUAL EXPENDITURE	\$105,812,078
RECOMMENDED MINIMUM CASH BALANCE	5,000,000
TOTAL REQUIRED FOR FISCAL 1964	\$110,812,078

Mr. Cook, Chairman of the Revised Statutes Committee, reported the following bill from committee: **HB 6** with **HA 1**, 3 favorable, 1 on merits.

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

HS 1 for **HB 208**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations upon Taxing

Power, by Exempting Lands and Improvements of the Diamond State Grange No. 2 from Assessment and Taxation"; to Revised Statutes.

HB 169—"An Act to Amend Chapter 17, Title 7, Delaware Code, by Defining the Immediate Control of a Dog Owner"; to Revised Statutes.

On motion of Mr. Isaacs **SR 49** with title as follows was taken up for consideration in order to pass the Senate:

SR 49—"Authorizing the Payment of Certain Expenses for the Purchase and Installation of a Voice Reinforcement and Taping System for the Senate of the 122nd General Assembly".

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

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

NAYS—Messrs. Donovan, Robbins, Pres. Pro Tem Steen—3.

ABSENT—Messrs. Johnson, McCullough, Simpson—3.

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

On motion of Mr. Donovan **HCR 3** was taken up for consideration and read a second time by title in order to pass the Senate:

On motion of Mrs. Manning to table roll call on **HCR 3** the yeas and nays were ordered which being taken were as follows:

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

NAYS—Messrs. Donovan, Hoey—2.

ABSENT—Messrs. Johnson, McCullough, Simpson—3.

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

On motion of Mr. Robbins **SB 108** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 108—"An Act to Amend Section 8323, Title 11, Delaware Code, Relating to Pensions for State Police".

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

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

NAYS—None.

ABSENT—Messrs. Johnson, McCullough, Simpson—3.

NOT VOTING—Mrs. Manning—1.

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

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HB 6** with **HA 1**.

On motion of Mr. Cook **HB 6** and **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 6 with **HA 1**—"An Act to Amend Title 29, Delaware Code, Entitled 'State Government', by Providing for a Budget Director, Transferring Certain Functions Thereto, Transferring Certain Other Functions Among Existing State Agencies".

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

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

NAYS—None.

ABSENT—Messrs. Hoey, Johnson, McCullough, Simpson—4.

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

On motion of Mr. Donovan the Senate adjourned at 5:35 P.M. to Wednesday, May 1, 1963, at 1:00 P.M.

39th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:32 P.M. on Wednesday, May 1, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. Spencer Quick.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Tull, Wilgus—10.

Members Absent—Messrs. Bookhammer, Cook, Isaacs, Johnson, McCullough, Simpson, Pres. Pro Tem Steen—7.

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

Mrs. Manning introduced **SB 129**, entitled "An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to Minquas Fire Co., No. 1, for the Maintenance of a Rescue Squad", moved for suspension of all rules, or Rule 9, to immediately act upon the bill.

On motion of Mrs. Manning to suspend Rule 9 for **SB 129** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, Tull, Wilgus—6.

NAYS—Messrs. Donovan, Price—2.

ABSENT—Messrs. Bookhammer, Cook, Hoey, Isaacs, Johnson, McCullough, Robbins, Simpson, Pres. Pro Tem Steen—9.

So the motion was decided in the affirmative and Rule 9 was suspended.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:40 P.M.

The Senate met at the expiration of the recess at 3:00 P.M., Lt. Gov. Lammot presiding.

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

In observance of Law Day, U.S.A., the Honorable Sydney Balick addressed the Senate for 15 minutes.

On Mrs. Manning's suggestion to resume action on suspension of Rule 9 for **SB 129**. The Chair ruled that as only eight Senators were seated at time of roll call, the motion had not prevailed.

Mrs. Manning then moved to again suspend Rule 9 to act immediately on **SB 129**.

On motion of Mrs. Manning to suspend Rule 9 to immediately act on **SB 129** roll call follows:

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

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Wilgus—8.

NAYS—Messrs. Donovan, Price, Robbins, Tull—4.

NOT VOTING—Messrs. Cook, Hoey, Johnson—3.

ABSENT—Messrs. McCullough, Pres. Pro Tem Steen—2.

So the question was decided in the affirmative and the motion prevailed.

On motion of Mrs. Manning **SB 129** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 129—"An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to Minquas Fire Co., No. 1, for the Maintenance of a Rescue Squad".

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

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Wilgus—8.

NAYS—Messrs. Donovan, Price, Robbins, Tull—4.

NOT VOTING—Messrs. Cook, Hoey, Johnson—3.

ABSENT—Messrs. McCullough, Pres. Pro Tem Steen—2.

On motion of Mrs. Manning the bill was roll call tabled.

On motion of Mrs. Manning to table **SB 129** the roll call follows:

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

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

NAYS—Messrs. Donovan, Johnson, Price, Robbins, Tull.

NOT VOTING—Mr. Hoey.

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

So the question was decided in the affirmative and the motion prevailed.

Mr. Johnson moved to suspend Rule 9 to act upon **SB 125**. Motion prevailed.

On motion of Mr. Johnson **SB 125** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 125—"An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to Minquas Fire Co., No. 1, for the Maintenance of a Rescue Squad".

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

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Robbins—1.

ABSENT—Messrs. Cook, McCullough, Tull—3.

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

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

SB 130—"An Act Amending Chapter 61, entitled 'General Fund', of Title 29, Delaware Code, by Adding Thereto a New Section Relating to a Restriction upon the State's Borrowing Money and Pledging Credit", by Mr. DuPont; to Revised Statutes.

SB 131—"An Act Proposing an Amendment to Article VIII of the Constitution of the State of Delaware Relating to Revenue and Taxation and the State's Borrowing Money and Pledging Credit", by Mr. DuPont; to Revised Statutes.

Lt. Gov. Eugene Lamnot appointed the following to the Reapportionment Legal Review Committee according to **SR 46**: Messrs. Walter J. Hoey, chairman; George Robbins, and Walton Simpson.

Mr. Johnson moved to resume roll call on **HCR 3**.

On motion of Mr. Donovan **HCR 3** (roll call table April 30, 1963) with title as follows was taken up consideration and read a second time by title in order to pass the Senate:

HCR 3—"Relative to the Proposed Amendment to the Constitution of the United States Relating to the Qualifications of Electors".

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

YEAS—Messrs. Bookhammer, DuPont, Johnson, (Mrs.) (Lord), (Mrs.) Manning, Martin, McCullough, Price, Tull, Pres. Pro Tem Steen—10.

NAYS—Messrs. Donovan, Hoey, Isaacs, Wilgus—4.

NOT VOTING—Mr. Robbins—1.

ABSENT—Messrs. Cook, Simpson—2.

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

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

SB 132—"An Act to Amend Section 4111, Title 9, Delaware Code, Relating to the Limitation of Borrowing Power of the Levy Court of Kent County", by Messrs. Cook and Price.

Mr. Cook moved to suspend Rule 9 in order to act upon **SB 132**. Motion lost and **SB 132** was placed in the Miscellaneous Committee.

On motion of Mr. Cook to suspend Rule 9 to act upon **SB 132** the roll call was as follows:

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

YEAS—Messrs. Cook, Johnson, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—7.

NAYS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—9.

NOT VOTING—Mr. Martin—1.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 3:45 P.M.

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

Committee reports submitted were as follows:

HB 22 with **HA 1, 2 and 3**—Miscellaneous, 2 on merits, 1 unfavorable, by Mr. Donovan; **HCR 8**—Miscellaneous, 3 on merits, by Mr. Donovan; **SB 113**—Corporations—Municipal, 5 on merits, by Mr. Price; **SB 120**—Corporations—Municipal, 5 on merits, by Mr. Price; **SB 121**—Corporations—Municipal, 5 on merits, by Mr. Price; **SB 123**—Corporations—Municipal, 5 on merits, by Mr. Price; **HB 112**—Finance, 4 on merits, by Mr. Hoey; **SB 106**—Finance, 4 on merits, by Mr. Hoey; **SB 126**—Finance, 4 on merits, by Mr. Hoey.

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

SB 133—"An Act Making a Supplementary Appropriation to the Sussex County Department of Elections to Pay Expenses of Creating Additional Election Districts in the Seventh Representative District of Sussex County for the Fiscal Year Ending June 30, 1964", by Pres. Pro Tem Steen; to Finance.

SB 134—"An Act to Amend Section 4111, Title 9, Delaware Code, Relating to the Limitation of Borrowing Power of the Levy Court of Kent County", by Messrs. Cook, Simpson and Price. Rules suspended by motion of Mr. Cook.

On motion Mr. Cook **SB 134** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

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

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Johnson, McCullough—2.

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

On motion of Mr. Cook **HB 162** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 162—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to Authority of the Public Service Commission over Motor Carriers of Freight, Property and/or Commodities for Hire".

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

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

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Johnson, McCullough—2.

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

On motion of Mr. Hoey **SR 50** as follows was taken up for consideration and read in its entirety in order to pass the Senate:

SR 50—"Relating to the Request of Attorney General David P. Buckson for Information from the Senate Investigating Committee".

WHEREAS members of the Senate in performing the duties of their office have in the past and may hereafter acquire information indicative of unusual irregularities among State agencies;

WHEREAS it is not only the right but the duty of the Senate to investigate any unusual circumstances found to exist in any State agency with the view of enacting appropriate and corrective legislation;

WHEREAS by Senate Resolution No. 41 a committee was provided to investigate any State agency where there was reason to believe improper conduct, illegal action or unusual irregularities existed;

WHEREAS it is not the intent or desire of the investigating committee to prosecute or persecute any individual or any State agency;

WHEREAS the Attorney General has investigating powers and the duty to prosecute when warranted;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that information acquired by the investigating committee shall be retained by it unless the information obtained or acquired is the type which the committee believes warrants the attention of the Attorney General in which event the committee shall forward such information for appropriate action by the Attorney General.

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

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

NAYS—Mrs. Lord, Mrs. Manning—2.

NOT VOTING—Mr. DuPont—1.

ABSENT—Messrs. Johnson, McCullough—2.

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

Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote: **SR 51**—"In Reference to Election of Officers".

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that Agnes G. Hurley be and she is hereby elected to the office of Secretary effective April 22, 1963, to serve during the pleasure of the Senate.

On motion of Mr. Donovan the Senate adjourned at 5:10 P.M. to Thursday, May 2, 1963, at 1:00 P.M.

40th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, May 2, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. Spencer Quick.

By roll call the following Senators were present:

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

Members Absent—Messrs. Bookhammer, Isaacs, McCullough—3.

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

On motion of Mr. Johnson **SB 54** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 54—"An Act to Amend Title 15, Delaware Code, by Transferring the Functions Presently Performed by the Clerk of the Peace in Each County in General Elections to the Department of Elections for Each County".

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

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

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

ABSENT—Messrs. Bookhammer, Isaacs, McCullough—3.

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

On motion of Mr. Johnson **SB 55** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 55—"An Act to Amend Title 15, Delaware Code, by Providing that the Department of Elections Shall Designate the Election Officer Who Shall Serve as Inspector of Elections and Providing Compensation to Said Inspector for Attending Instruction Sessions".

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

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

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

ABSENT—Messrs. Bookhammer, Isaacs, McCullough—3.

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

On motion of Mr. Johnson **SB 56** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 56—"An Act to Amend Title 15, Section 1511A of the Delaware Code, Changing the Compensation for Delivery of Registration Records to the Department of Elections".

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

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

NAYS—None.

ABSENT—Messrs. Bookhammer, Isaacs, McCullough—3.

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

Mr. Hoey requested **SB 126** be placed before the Senate for action.

Mr. Simpson moved to defer action on **SB 126**. Motion prevailed.

Mr. Bookhammer asked to be marked present.

On motion of Mr. Cook **HB 95** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 95—"An Act to Amend Chapter 1, Title 13, Delaware Code, by Removing the Restrictions Upon the Marriage of Epileptics".

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

NAYS—None.

ABSENT—Messrs. Isaacs, McCullough—2.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:50.

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

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

The President presented and had read to the Senate a communication from the Governor stating that the Governor in accordance with Article 4, Section 3 of the Constitution of the State of Delaware, was notifying the Senate of his intention to submit names to fill vacancies in the judiciary of Delaware.

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

May 2, 1963

The Honorable Eugene Lammot
President of the Delaware State Senate
Legislative Hall
Dover, Delaware
Dear Mr. President:

In accordance with Article 4, Section 3 of the Delaware Constitution, I am by this letter informing you as President of the Delaware Senate of my intention to submit names to fill vacancies soon to occur on the Supreme Court of the State of Delaware.

It is my intention to name Associate Justice Charles L. Terry, Jr. as Chief Justice of the Supreme Court for a term of 12 years.

It is my intention to name Associate Justice Daniel F. Wolcott as an Associate Justice of the Supreme Court for a term of 12 years.

If Associate Justice Charles L. Terry, Jr. is confirmed as Chief Justice it is my intention to name Associate Judge James B. Carey of the Superior Court as an Associate Justice of the Supreme Court for a term of 12 years.

If Associate Judge James B. Carey is confirmed as Associate Justice of the Supreme Court, it is my intention to name John J. McNeilly of Rehoboth as Associate Judge of the Superior Court for Sussex County for a term of 12 years.

Respectfully submitted,
ELBERT N. CARVEL
Governor

On motion of Mr. Hoey **SCR 17** as follows was taken up for consideration and read in its entirety in order to pass the Senate:

SCR 17—"Endorsing Governor Elbert N. Carvel's Opposition to the Present Plans of the U.S. Department of the Interior for the Acquisition of Land for the Proposed Primehook Refuge".

WHEREAS, the U.S. Department of the Interior has in recent months indicated its plans to acquire certain land in Primehook Neck for a wildlife refuge; and

WHEREAS, a great number of citizens of Sussex County have expressed strong opposition to the proposed methods of acquiring the property for the Primehook Refuge; and

WHEREAS, the Honorable Elbert N. Carvel, Governor of this State, by letter dated March 13, 1963 to the Secretary of the Interior expressed unequivocally his opposition to the continuation of present plans to acquire the lands for the Primehook Refuge; and

WHEREAS, the members of the 122nd General Assembly wish to endorse the position of the Governor in opposing the proposed method of acquisition of the lands for the Primehook Refuge;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein, that it fully endorses the position of Governor Elbert N. Carvel in opposing the continuation of plans by the U.S. Department of the Interior to acquire land at Primehook Neck for a wildlife refuge.

BE IT FURTHER RESOLVED that the text of this resolution be made a part of the Journal of the Proceedings of the Senate and the House of Representatives of the 122nd General Assembly of the State of Delaware.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to President John F. Kennedy, Honorable John J. Williams, Honorable J. Caleb Boggs, Honorable Harris B. McDowell, Jr., Governor Elbert N. Carvel, Honorable Stewart Udall, Secretary of the Interior and the Board of Game and Fish Commissioners.

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

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

NAYS—None.

NOT VOTING—Messrs. DuPont, (Mrs.) Lord, (Mrs.) Manning, McCullough—4.

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

The Senate received the Governor's Memorandum No. 7 from F. Earl McGinnes:

MEMORANDUM NO. 7

May 1, 1963

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

On date indicated, the Governor approved the following legislation:

April 29, 1963 — **SB 8**; **SB 74**; **SB 75** with **SA 1**; **HB 98**.

May 1, 1963 — **HB 147**; **HB 161**; **HB 166** with **HA 1**.

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

SB 135—"An Act Making a Supplementary Appropriation to the State Board of Education for Educational Purposes at the Florence Crittenton Home for the Fiscal Year Ending June 30, 1964", by Mrs. Lord and Mr. McCullough; to Finance.

SB 136—"An Act to Amend Title 14, Section 324, Delaware Code, by Providing for a School Board When a Consolidating School District Offers Education Less Than Grades 1 Through 12", by Mr. Hoey; to Education.

SB 137—"An Act to Amend Chapter 7, Title 24, Delaware Code, Entitled Chiropractic", by Mr. McCullough; to Revised Statutes.

SB 138—"An Act to Appropriate Funds to the State Board of Education for the Purpose of Establishing Tuition Loans to Teachers Desirous of Attending Graduate or Undergraduate Classes in Order to be of Maximum Efficiency as a Teacher in the Public Schools of the State", by Mr. McCullough; to Finance.

SB 139—"An Act Making a Supplementary Appropriation to the State Highway Department for the Construction of a Spillway at Collins Pond in Sussex County, for the Fiscal Year Ending June 30, 1964", by Mr. McCullough; to Finance.

SB 140—"An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Vera G. Davis to the General Fund of the State of Delaware", by Mr. Robbins; to Finance.

Committee reports submitted were as follows:

SB 83—Public Health, 5 on merits, by Mr. Price; **SB 117**—Revised Statutes, 5 favorable, by Mr. Cook; **SB 119**—Buildings and Highways, 2 favorable, 2 on merits, by Mr. Steen; **SB 133**—Finance, 4 on merits, by Mr. Hoey; **HB 164**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **HB 116**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **HB 75** with **HA 1**—Finance, 2 favorable, 2 on merits, by Mr. Hoey.

Mr. Robbins introduced **SCR 18**—"Making Appropriations to Various Companies for Supplies and Services Rendered the 122nd General Assembly of the State of Delaware", which on further motion was adopted by voice vote.

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

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

On motion of Mr. Robbins to suspend Rule 9 to act upon **SB 141** on Monday, May 6, the roll call was as follows:

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

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

NAYS—Messrs. DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Wilgus—6.

ABSENT—Mr. Johnson—1.

On motion of Mr. Donovan the Senate adjourned at 4:55 P.M. to Monday, May 6, 1963, at 1:00 P.M.

41st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, May 6, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. George W. Bishop.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—13.

Members Absent—Messrs. Cook, Isaacs, Johnson, Wilgus—4.

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

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

The Senate met at the expiration of the recess at 3:20 P.M., Lt. Gov. Lamnot presiding.

The following Senators asked to be marked present: Messrs. Isaacs and Wilgus.

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

SR 142—"An Act to Amend Section 102, Title 7, Delaware Code, Increasing the Number of Members on the Board of Game and Fish Commissioners, Providing for Their Appointment and Term", by Mr. Donovan; to Revised Statutes.

SB 143—"An Act to Amend Section 5107, Title 31, Delaware Code, Relating to Payment of Accounts of Youth Services Commission", by Mr. Tull; to Revised Statutes.

The House informed the Senate that it had passed **HB 25**, **HB 83**, **HB 84**, **HB 85** **HS 1** with **HA 1** and **2** for **HB 65**, **HB 158**, **HB 186**, **HB 231**, **HS 1** for **HB 159**, **HB 91** with **HA 1** and **HS 1** for **HB 207** and desired the concurrence of the Senate; also that it had passed **HCR 12** and desired concurrence of the Senate; also that it had passed and was returning **SB 2** and **SB 92**.

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

HS 1 for **HB 65**—"An Act to Amend Title 10, Delaware Code, Relating to the Number, Method of Appointment, Terms and Qualifications of the Judges of the Family Court for New Castle County"; to Judiciary.

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

HB 191 with **HA 1**—"An Act to Amend Chapter 1 and 5 of Title 8, Delaware Code, Relating to Corporations"; to Corporations—Private.

HB 25—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware"; to Finance.

HB 186—"An Act Making a Supplementary Appropriation to the Commission on Modernization of State Laws for Preparing for Enactment the Uniform Commercial Code"; to Finance.

HB 231—"An Act Authorizing and Directing the Levy Court of Kent County to Reimburse Charles E. Emery and Irene G. Emery Property and School Taxes Paid in Error"; to Claims.

HB 83—"An Act to Aid Certain Organizations Which Maintain an Ambulance in the Public Service, by Appropriating Moneys for Maintenance of the Ambulances"; to Finance.

HB 84—"An Act Appropriating Certain Moneys to the Delaware State Fair Inc. for Prizes"; to Finance.

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

HB 158—"An Act Making a Supplementary Appropriation to the State Board of Trustees of the Delaware State

Hospital at Farnhurst to be Used for Mental Health Planning"; to Finance.

HS 1 for HB 159—"An Act to Amend Chapter 31, Title 19, Delaware Code, Relating to Compensation of Members of the Employment Security Commission"; to Labor.

On motion of Mr. Donovan **HCR 12**, entitled "Relative to the Observance of Law Day", was taken up for consideration and read by title in order to pass the Senate. Adopted by voice vote.

On motion of Mr. Donovan the Senate adjourned at 3:30 P.M. to Tuesday, May 7, 1963, at 1:00 P.M.

42nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, May 7, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. George W. Bishop.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, Hoey, Martin, Price, Robbins, Tull, Wilgus—8.

Members Absent—Messrs. Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Simpson, Pres. Pro Tem Steen—9.

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

The Senate met at the expiration of the recess at 3:40, Lt. Gov. Lammot presiding.

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

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

Members Absent—Mr. Isaacs—1.

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

On motion of Mr. McCullough **HB 111** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 111 with HA 1—"An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for Vocational Education".

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

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

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Mr. Isaacs.—1.

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

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

SB 144—"An Act to Amend Section 1701, Title 7, Delaware Code, Relating to Dog License and Fees", by Pres. Pro Tem Steen; to Revised Statutes.

SB 145—"An Act Making a Supplementary Appropriation to the Frankford School No. 206 for the Installation of a Water Line for School Service", by Pres. Pro Tem Steen; to Buildings and Highways.

SB 146—"An Act to Amend Chapters 1 and 3 of Title 26, Delaware Code, Relating to Authority of the Public Service Commission over Railroads", by Pres. Pro Tem Steen; to Revised Statutes.

SA 1 to SB 48—by Pres. Pro Tem Steen; placed with bill in Finance.

Mr. Robbins introduced the following resolution which upon further motion was adopted by voice vote: **SB 52**—"In Reference to Election of Officers".

WHEREAS, Rev. Spencer R. Quick, who was previously elected to the office of Chaplain, has now submitted his resignation from said office,

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

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Rev. Spencer R. Quick and John Cannon be and they are hereby discharged from said offices.

BE IT FURTHER RESOLVED that Rev. George W. Bishop be and he is hereby elected to the office of Chaplain and Ruth Cannon be and she is hereby elected to the office of Mail Clerk to serve during the pleasure of the Senate.

The President administered the oath of office of the Senate employee to the Rev. George W. Bishop and to Ruth Cannon.

Mr. McCullough introduced **SA 1** to **SB 141** and moved for its adoption.

Pres. Pro Tem Steen moved to defer **SA 1** to **SB 141**. Roll call follows:

On motion of Pres. Pro Tem Steen to defer **SA 1** to **SB 141** the yeas and nays were ordered which being taken were as follows:

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

NAYS—Messrs. Martin, McCullough, Robbins, Tull—4.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mr. Isaacs—1.

So the question was decided in the affirmative and the motion prevailed.

On motion of Mr. Robbins **SA 1** to **SB 141** was taken up for consideration.

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

YEAS—Messrs. Bookhammer, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—10.

NAYS—None.

NOT VOTING—Messrs. Cook, Donovan, DuPont, Hoey, (Mrs.) Manning, Pres. Pro Tem Steen—6.

ABSENT—Mr. Isaacs—1.

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

On motion of Mr. Robbins the Senate recessed for 15 minutes at 4:10.

The Senate met at the expiration of the recess at 4:45 P.M., Lt. Gov. Lamnot presiding.

Mrs. Manning moved to defer **SB 141** with **SA 1**. Roll call follows:

On motion of Mrs. Manning to defer **SB 141** with **SA 1** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—6.

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

ABSENT—Messrs. Cook, Isaacs—2.

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

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

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

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

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

NAYS—Mr. Bookhammer.

NOT VOTING—Messrs. DuPont, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus.

ABSENT—Mr. Isaacs.

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

Committee reports submitted were as follows:

HB 152—Corporations—Municipal, 3 favorable, 2 on merits, by Mr. Price; **HS 1** to **HB 159**—Labor, 3 favorable, 2 on merits, by Mr. Martin.

On request of Mr. Cook **HCR 6** was placed before the Senate for action. Mr. Cook moved for its adoption and it was adopted by voice vote. **HCR 6**—"Adopting Permanent Joint Rules for the 122nd General Assembly".

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

Joint Rule 3.

Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary shall upon its final passage in both Houses be delivered by the Chief Clerk of the House and/or the Secretary of the Senate, as the case may be, in which such bill or resolution

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

Joint Rule 7.

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

On motion of Pres. Pro Tem Steen **SB 117** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 117—"An Act to Amend Chapter 43, Title 29, Delaware Code, Relating to Notaries Public"

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

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

NAYS—None.

ABSENT—Messrs. Isaacs, Robbins—2.

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

On motion of Mr. Donovan the Senate adjourned at 4:55 P.M. to Wednesday, May 8, 1963, at 1:00 P.M.

43rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, May 8, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaipain, Rev. George W. Bishop.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, Robbins, Simpson, Tull, Wilgus—9.

Members Absent—Messrs. Cook, Donovan, Hoey, Isaacs, Johnson, McCullough, Price, Pres. Pro Tem Steen—8.

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

On motion of Mr. Robbins the Senate recessed upon call of the Chair at 1:37.

The Senate met at the expiration of the recess at 3:32 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Messrs. McCullough, Hoey, Pres. Pro Tem Steen, Cook, and Price.

The House informed the Senate that it had passed **HB 249** with **HA 1**, **HB 80** with **HA 1**, **HB 239**, **HB 218** and **HB 115** and desired the concurrence of the Senate; and that it had passed **SB 11** with **HA 1** and was returning it to the Senate.

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

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

HB 115—"An Act Making an Appropriation to the State Soil Conservation Commission for the Purchase of Heavy Earth-Moving Machinery and Other Equipment Needed in the Soil Conservation Work of the State, Making Provision for the Re-Payment Thereof, and Designating the Boards

of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery"; to Finance.

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

HB 239—"Relating to Salaries of Certain Public Officials by Raising Certain Salaries and Making Appropriations Therefore"; to Finance.

HB 249 with **HA 1**—"An Act to Amend Section 324, Delaware Code, by Providing for a School Board When a Consolidating School District Offers Education Less Than Grades 1 Through 12"; to Education.

Mr. Steen, Chairman of the Committee on Buildings and Highways, reported **SB 145** from committee as follows: 2 favorable, 1 on merits.

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

SB 147—"An Act to Amend Title 27 of the Delaware Code Relating to Religious Societies and Corporations to Eliminate the Limitation on the Maximum Number of Trustees", by Mrs. Lord and Mr. Martin; to Revised Statutes.

On motion of Mrs. Manning **SB 77** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 77—"An Act to Amend Section 8103, Title 9, Delaware Code, Relating to Exemptions from Taxation of Certain Property Owned by Governmental, Religious, Educational or Charitable Agencies".

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

YEAS—Messrs. Bookhammer, DuPont, (Mrs.) Manning, Wilgus—4.

NAYS—Messrs. Cook, Hoey, (Mrs.) Lord, Martin, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—9.

ABSENT—Messrs. Donovan, Isaacs, Johnson, McCullough—4.

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

The House informed the Senate that it had passed **HB 108**, **HB 125** with **HA 1** and **HB 268** and desired the concurrence of the Senate.

On motion of Mr. Cook **HS 1** for **HB 164** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for HB 164—"An Act to Amend Title 29, Section 6702, Delaware Code, Relating to Contracts for Supplies or Work".

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

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

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, Johnson, McCullough—4.

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

Mrs. Manning requested the Chair to instigate an inquiry into the effectiveness of legislation passed by the 121st General Assembly to avoid termination of school bus owner's contracts. The Chair instructed the Secretary of the Senate to investigate and report to him.

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

HB 108—"An Act Appropriating Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in Kent County"; to Finance.

HB 125 with HA 1—"An Act Appropriating Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County"; to Finance.

HB 268—"An Act Appropriating Moneys to the State Soil Conservation Commission for the Construction, Improvement and Protection of Ditches in New Castle County"; to Finance.

Mr. Cook announced that a public hearing on **HB 165** would begin in the Senate Chamber at 2:00 P.M. Thursday, May 9, 1963 and requested that all members of the Revised Statutes Committee be present.

On motion of Mr. Hoey the Senate adjourned at 3:55 P.M. to Thursday, May 9, 1963, at 1:00 P.M.

44th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, May 9, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. George W. Bishop.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—8.

Members Absent—Messrs. Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough—9.

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

The Senate met at the expiration of the recess at 4:30 P.M., Lt. Gov. Lamot presiding.

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

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

Members Absent—Messrs. Donovan, Hoey, McCullough—3.

The Secretary proceeded to read the Journal of the previous days session when Pres. Pro Tem Steen moved that so much be considered the reading of the Journal and the Journal be approved as read.

The House informed the Senate that it had passed **HB 94** and **HB 250** and requested the concurrence of the Senate.

Mr. Hoey asked to be marked present.

On motion of Pres. Pro Tem Steen **SB 145** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 145—"An Act Making a Supplementary Appropriation to the Frankford School No. 206 for the Installation of a Water Line for School Service".

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

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

NAYS—None.

ABSENT—Messrs. Bookhammer, Donovan, McCullough, Simpson, Tull—5.

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

Mr. Hoey, Chairman of the Finance Committee, reported **HB 124** from committee as follows: 3 on merits.

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

HB 94—"An Act to Amend Chapter 9, Title 7, Delaware Code, by Adding a New Section 813 to Provide a Bounty for Killing of Wood Chucks or Ground Hogs Within the Boundaries of the State of Delaware"; to Fish, Oyster and Game.

HB 250—"An Act to Amend Chapter 118, Volume 33, Laws of Delaware, as Amended by Chapter 180, Volume 49, Laws of Delaware, Entitled 'An Act Providing for a Firemen's Pension Fund for Members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington' by Providing for a Base Monthly Minimum Pension Payment"; to Corporations—Municipal.

The House informed the Senate that it had passed **SCR 18** and was returning it to the Senate.

On motion of Mr. Cook **HB 116** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 116—"An Act to Authorize the Levy Court of Kent County to Appropriate Money to the Kent County Volunteer Firemen's Association".

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

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

NAYS—None.

NOT VOTING—Messrs. Hoey, Isaacs.

ABSENT—Messrs. Bookhammer, Donovan, Johnson, McCullough, Simpson, Tull.

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

On motion of Mr. Robbins **SB 106** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 106—"An Act Making an Appropriation to the State Highway Department for the Construction of a Bridge, Dam and Water Control Structure at Andrews Lake in Kent County".

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

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

NAYS—None.

ABSENT—Messrs. Bookhammer, Donovan, Johnson, McCullough, Simpson, Tull—6.

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

On motion of Mr. Hoey **HB 75** with **HA 1** and **2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 75 with **HA 1** and **2**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making a Supplementary Appropriation to the State Board of Education".

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

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

ABSENT—Messrs. Bookhammer, Donovan, Johnson, McCullough, Simpson, Tull—6.

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

On motion of Pres. Pro Tem Steen the Senate adjourned at 5:00 P.M. to Monday, May 13, 1963, at 1:00 P.M.

45th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, May 13, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. George W. Bishop.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, McCullough, Price, Robbins, Wilgus—5.

Members Absent—Messrs. Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Tull, Pres. Pro Tem Steen—12.

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

The Senate met at the expiration of the recess at 5:08 P.M., Lt. Gov. Lamnot presiding.

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

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

Members Absent—Mr. Johnson—1.

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

Mr. Isaacs introduced **SR 53**, entitled "Authorizing the Payment of Certain Expenses for the Purchase and Installation of a Voice Reinforcement and Taping System for the Senate of the 122nd General Assembly", which upon further motion was adopted by voice vote.

Mr. Wilgus introduced the following resolution which upon further motion was adopted by voice vote: **SR 54**—"In Reference to Election of Officers".

WHEREAS, Taylor M. Dickerson, who was previously elected to the office of Minority Clerk, has now submitted his resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Taylor M. Dickerson be and he is hereby discharged from the office of Minority Clerk.

BE IT FURTHER RESOLVED that Roland L. Derrickson be and he is hereby elected to the office of Minority Clerk to serve during the pleasure of the Senate.

Mr. Cook introduced the following resolution which upon further motion was adopted by voice vote: **SR 55**—"Requesting the State Board of Education to Supply the Senate of the 122nd General Assembly with Certain Information".

WHEREAS, House Bill No. 224 would provide funds for school construction, and

WHEREAS, the Senate of the 122nd General Assembly desires information as to the proposed use of said funds,

NOW THEREFORE:

BE IT RESOLVED, that the Senate of the 122nd General Assembly requests that the State Board of Education furnish each member of the Senate with a complete list of the proposed buildings to be constructed with funds provided by House Bill No. 224, the location of the buildings and detailed information concerning the contents of the buildings.

SB 11 with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 11 with **HA 1**—"An Act to Amend Section 1106 and 1502, Title 10, Delaware Code, Relating to Salary of the Judges of the Family Court of Kent and Sussex Counties and the Judge of the Court of Common Pleas of Kent County".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Martin, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—11.

NAYS—Messrs. DuPont, Wilgus—2.

NOT VOTING—Mmes. Lord, Manning—2.

ABSENT—Messrs. Johnson, McCullough—2.

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

Mr. McCullough, Chairman of the Education Committee, reported **SB 23** with **SA 1** from committee as follows: 4 favorable, 1 on merits.

Mr. McCullough presented **SA 2** to **SB 23** to be placed with the bill.

On motion of Mr. Donovan the Senate adjourned at 5:24 P.M., to Tuesday, May 14, 1963, at 1:00 P.M.

46th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, May 14, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. George W. Bishop.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, DuPont, (Mrs.) Manning, McCullough, Price, Tull, Wilgus—8.

Members Absent—Messrs. Bookhammer, Hoey, Isaacs, Johnson, (Mrs.) Lord, Martin, Robbins, Simpson, Pres. Pro Tem Steen—9.

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

The Senate met at the expiration of the recess at 4:45 P.M., Lt. Gov. Lammot presiding.

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

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

Members Absent—Mr. Bookhammer—1.

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

Mr. Wilgus presented for reading before the Senate a communication relative to voting district division.

Mr. Hoey introduced **SA 1** to **HB 110** and moved for its adoption. Motion carried by voice.

On motion of Mr. Price **HB 110** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 110 with **SA 1**—"An Act to Amend Title 4, Delaware Code, Relating to the Sale of Alcoholic Liquors by Restricting the Number of Licenses in a Given Area".

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

YEAS—Messrs. DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Tull, Wilgus—10.

NAYS—Messrs. Cook, Donovan, Hoey, Simpson, Pres. Pro Tem Steen—5.

NOT VOTING—Mr. Robbins—1.

ABSENT—Mr. Bookhammer—1.

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

Mr. Tull introduced the following resolution which upon further motion was adopted by voice vote: **SR 56**—"In Reference to Election of Officers".

WHEREAS, George Bryan, who was previously elected to the office of Messenger, has now submitted his resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that George Bryan be and he is hereby discharged from said office.

BE IT FURTHER RESOLVED that Bonard Layton be and he is hereby elected to the office of Messenger to serve during the pleasure of the Senate.

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

SR 57—"Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly", by Mr. Robbins; adopted by voice vote.

SR 58—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 122nd General Assembly"; adopted by voice vote.

Mr. McCullough introduced **SA 2** to **SB 23** and moved for its adoption. Motion carried by voice.

Mr. McCullough moved for adoption of **SA 1** to **SB 23**. Motion carried by voice.

On motion of Mr. McCullough **SB 23** with **SA 1** and **2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 23 with **SA 1** and **2**—"An Act to Amend Title 14, Delaware Code, Relating to Education, by Providing Scholarships for Students Pursuing Courses of Higher Education Not Available in State Institutions".

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

YEAS—Messrs. Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—14.

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Bookhammer, Pres. Pro Tem Steen—2.

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

Mr. Cook, Chairman of the Revised Statutes Committee, reported the following bills from committee: **SB 146**, 1 favorable, 3 on merits; **SB 69**, 4 favorable; **SB 137**, 4 favorable; **SB 144**, 4 on merits; **SB 116**, 4 on merits; **SB 90**, 4 favorable; **HB 143**, 4 on merits; **HB 33** with **HA 1** and **2**, 2 on merits, 2 unfavorable; **HB 174** with **HA 1**, 4 on merits.

Other committee reports submitted were as follows:

SB 76—Judiciary, 2 favorable, 2 on merits, by Mr. Cook; **HB 123** with **HA 1** and **2**—Corporations—Municipal, 1 favorable, 3 on merits; **HB 239**—Finance, 5 on merits, by Mr. Hoey; **HS 1** for **HB 65** with **HA 1** and **2**—Judiciary, 2 favorable, 2 on merits.

On motion of Mr. Hoey **HB 112** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 112—"An Act Making a Supplementary Appropriation to the State Board of Education for the Fiscal Year Ending June 30, 1963, for the Additional Cost of Transporting School Children".

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

YEAS—Messrs. Cook, Donovan, DuPont Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—15.

NAYS—None.

ABSENT—Messrs. Bookhammer, Pres. Pro Tem Steen—2.

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

On motion of Mr. Martin **HS 1** for **HB 159** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Cook the bill was deferred.

On motion of Mr. Price **HB 152** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 152—"An Act to Amend Chapter 297, Volume 50, Laws of Delaware, Entitled, 'An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington', by Changing the Amount Authorized to be Withheld by the City Treasurer from the Salary of Each Member".

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

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

NAYS—None.

ABSENT—Mr. Bookhammer—1.

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

On motion of Mr. Donovan the Senate adjourned at 4:45 P.M. to Wednesday, May 15, 1963, at 1:00 P.M.

47th LEGISLATIVE DAY

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

Prayer by the Chaplain, Rev. George W. Bishop.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, Johnson, (Mrs.) Lord, Martin, Price, Tull, Wilgus, Pres. Pro Tem Steen—10.

Members Absent—Messrs. DuPont, Hoey, Isaacs, (Mrs.) Manning, McCullough, Robbins, Simpson—7.

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

Mr. Johnson introduced the following resolution which upon further motion was adopted by voice vote: **SR 59**—“In Reference to Election of Officers”.

WHEREAS, Dorothy Branner, who was previously elected to the office of Messenger, has now submitted her resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Dorothy Branner be and she is hereby discharged from the office of Messenger.

BE IT FURTHER RESOLVED that Agnes Thompson be and she is hereby elected to the office of Messenger to serve during the pleasure of the Senate.

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

HB 247—“An Act to Amend Section 1307, Title 14, Delaware Code, Relating to Salary Schedule for Principals Subordinate to a Chief School Officer, and Making a Supplementary Appropriation for the Fiscal Year Ending June 30, 1964”; to Education.

HB 96 with **HA 1**—“An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection with the Holding of Boys' State and Girls' State”; to Finance.

HB 46 with **HA 1**—“An Act to Provide, in the Event of Attack Upon the United States, for the Continuity of the Executive Functions of the Government of the State and the Governments of Political Subdivision of the State by Providing for Emergency Interim Succession to Executive Of-

fices of the State and its Political Subdivisions; and by Authorizing Political Subdivisions to Enact Resolutions and Ordinances Relating to the Subject"; to Revised Statutes.

HB 180—"An Act to Amend Section 9305, Title 9, Delaware Code, Relating to Duties and Powers of County Comptrollers"; to Revised Statutes.

HB 204 with **HA 1**—"An Act to Appropriate the Sum of \$150,000.00 to the Delaware Commission of Shell Fisheries for Cleaning and Replenishing Oyster Beds in the Delaware Bay"; to Finance.

HB 227—"An Act to Amend Chapter 274, Volume 53, Laws of Delaware, Entitled 'An Act Making Supplementary Appropriations to the State Planning Office for Operations for the Fiscal Year Ending June 30, 1962 and for the Undertaking of a Development Plan for the State';" to Finance.

The House informed the Senate that it had passed **HB 53** with **HA 1**, **HB 270** with **HA 1** and **HB 45** and desired the concurrence of the Senate; also that it had passed **SB 10**, **SB 134** and **SCR 17** and was returning same to the Senate.

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

HB 270 with **HA 1**—"A Supplementary Appropriation Act to Re-Imburse Certain Trucking Companies for Filing Fees Paid to the Public Service Commission Under a Provision of the Delaware Code Now Rescinded"; to Finance.

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

Mr. Donovan, Chairman of the Miscellaneous Committee, reported **HB 50** from committee as follows: 3 on merits.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:42 P.M.

The Senate met at the expiration of the recess at 3:15 P.M., Lt. Gov. Lamnot presiding.

The following Senators asked to be marked present: Messrs. Simpson, Hoey, Isaacs, Robbins, (Mrs.) Manning, DuPont, and McCullough.

Mr. Martin asked privilege of the floor for Mr. Vavalone to explain **HB 159**.

On motion of Mr. Martin **HS 1** for **HB 159** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for HB 159—"An Act to Amend Chapter 31, Title 19, Delaware Code, Relating to Compensation of Members of the Employment Security Commission".

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

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

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

ABSENT—Mr. Bookhammer—1.

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

Mr. Hoey moved that **SB 73** be deferred.

After some discussion on Mr. Hoey's motion to defer **SB 73**, the motion carried by voice vote and the bill was deferred.

On motion of Mr. Price **HB 123** was taken up for consideration.

On motion of Pres. Pro Tem Steen to defer **HB 123** at this time, the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—11.

NAYS—Mmes. Lord, Manning—2.

NOT VOTING—Messrs. DuPont, Isaacs—2.

ABSENT—Messrs. Hoey, Johnson—2.

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

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

On motion of Mr. Cook **SB 69** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 69—"An Act to Amend Chapter 81, Title 9, Delaware Code, Entitled Limitations Upon Taxing Power, by Adding Thereto a New Subchapter Concerning Exemptions from Taxation on Real Property of Citizens and Residents of this State of the Age of 65 or More Years Having an Income Not in Excess of \$3,000 per Year".

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

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

NAYS—None.

NOT VOTING—Mr. Robbins—1.

ABSENT—Mr. Wilgus—1.

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

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

SB 148—"A Private Act for the Relief of Martha A. Spicer, Widow of Minos R. Spicer, Deceased", by Pres. Pro Tem Steen and Mr. Tull; to Claims.

SB 149—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Kappa Alpha Educational Foundation, Inc. from Assessment and Taxation", by Mr. McCullough; to Revised Statutes.

Committee reports submitted were as follows:

SB 114—Buildings and Highways, 3 favorable, 2 on merits, by Mr. Steen; **SB 105**—Judiciary, 5 favorable, by Mr. Cook; **SB 143**—Revised Statutes, 3 favorable, 1 on merits, by Mr. Cook; **SB 147**—Revised Statutes, 4 on merits, by Mr. Cook; **HB 216**—Revised Statutes, 4 on merits, by Mr. Cook; **HB 191** with **HA 1**—Corporations—Private, 4 on merits, by Mr. McCullough.

Mr. Cook moved that **SB 58** be taken up for consideration and be deferred.

Mr. Price moved to defer till Monday, May 20. Motion carried.

On motion of Mr. Donovan the Senate adjourned at 5:00 P.M. to Thursday, May 16, 1963, at 1:00 P.M.

48th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:45 P.M. on Thursday, May 16, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. George W. Bishop.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, Robbins, Tull, Wilgus—12.

Members Absent—Messrs. Isaacs, Johnson, McCullough, Simpson, Pres. Pro Tem Steen—5.

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

The House informed the Senate that it had passed **HB 45** and requested the concurrence of the Senate; also that it had passed **SB 108** and was returning same to the Senate.

Messrs. Pres. Pro Tem Steen, McCullough and Simpson asked to be marked present.

The Chair presented the following House Bill, which was given first and second reading and referred to the Revised Statutes committee: **HB 45**—"An Act to Amend Subchapter II, Title 20, Delaware Code, Relating to Military".

On motion of Pres. Pro Tem Steen the Senate recessed for 5 minutes at 1:50.

The Senate met at the expiration of the recess at 1:53 P.M., Lt. Gov. Lammot presiding.

A messenger from the Governor delivered to the Senate the following message:

GOVERNOR'S MESSAGE

May 16, 1963

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

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

Charles L. Terry, Jr., 448 North State Street, Dover, Delaware—to be Chief Justice of the Supreme Court of the State of Delaware for a term of twelve years from date of confirmation by the Senate, to succeed Clarence A. Southerland;

Daniel F. Wolcott, 4th and Delaware Street, New Castle, Delaware—to be an Associate Justice of the Supreme Court of the State of Delaware for a term of twelve years from date of confirmation by the Senate (reappointment).

Respectfully submitted,
ELBERT N. CARVEL
Governor

At 2:00 P.M. Mr. Tull moved that the Senate convene in Executive Session. Motion prevailed and the Senate went into Executive Session.

At 2:08 P.M., having confirmed the nominations presented in the foregoing message, the Senate returned to regular session.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 2:08.

The Senate met at the expiration of the recess at 2:35 P.M., Lt. Gov. Lamot presiding.

The following Senators asked to be marked present: Messrs. Isaacs and Johnson.

At 2:36 P.M., a messenger from the Governor delivered to the Senate the following message:

GOVERNOR'S MESSAGE

May 16, 1963

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

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

James B. Carey, Georgetown, Delaware—to be an Associate Justice of the Supreme Court of the State of Delaware for a term of twelve years from date of confirmation by the Senate, succeeding Charles L. Terry, Jr.

Respectfully submitted,
ELBERT N. CARVEL
Governor

At 2:37 P.M. Mr. Tull moved that the Senate convene in Executive Session. Motion prevailed and the Senate went into Executive Session.

At 2:40 P.M., having confirmed the nomination presented in the foregoing message, the Senate returned to regular session.

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

SB 150—"An Act to Amend Section 102, Title 7, Delaware Code, Increasing the Number of Members on the Board of Game and Fish Commissioners, Providing for Their Appointment and Term", by Mr. Donovan; to Miscellaneous.

SB 151—"An Act to Authorize the Levy Court of Kent County to Appropriate Money to the Kent County Volunteer Firemen's Association", by Mr. Cook.

Mr. Cook moved to suspend rules to act immediately on **SB 151**. Motion prevailed.

On motion of Mr. Cook **SB 151** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 151—"An Act to Authorize the Levy Court of Kent County to Appropriate Money to the Kent County Volunteer Firemen's Association".

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

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

NAYS—None.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 2:45.

The Senate met at the expiration of the recess at 2:48 P.M., Lt. Gov. Lammot presiding.

A messenger from the Governor delivered to the Senate the following message:

GOVERNOR'S MESSAGE

May 16, 1963

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

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

John J. McNeilly, Rehoboth Beach, Delaware—to be an Associate Judge of the Superior Court for the State of Delaware and Sussex County for a term of twelve years from date of confirmation by the Senate, succeeding James B. Carey.

Respectfully submitted,
ELBERT N. CARVEL
Governor

At 3:00 P.M. Mr. Tull moved that the Senate convene in Executive Session. Motion prevailed and the Senate went into Executive Session.

At 3:02 P.M. the Senate, having confirmed the nomination presented in the foregoing message, returned to regular session.

On motion of Mr. Martin **SB 90** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 90—"An Act to Amend Section 1562, Chapter 15, Title 9, Delaware Code, Relating to Appropriations to the New Castle County Library, Wilmington Institute by the Levy Court of New Castle County".

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

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

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, Simpson—3.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 3:05.

The Senate met at the expiration of the recess at 4:15 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Donovan the Senate adjourned at 4:16 P.M. to Monday, May 20, 1963, at 1:00 P.M.

49th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, May 20, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. George W. Bishop.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—10.

Members Absent—Messrs. Cook, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough—7.

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

At 1:35 P.M. the House informed the Senate that it had passed **HB 181** and **HB 271** and desired the concurrence of the Senate and that it had passed **SB 43** and was returning same to the Senate.

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

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

HB 271—"An Act Making a Supplementary Appropriation to the State Board of Agriculture for the Year Ending June 30, 1964"; to Finance.

Mr. Martin asked to be marked present.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:36.

The Senate met at the expiration of the recess at 4:08 P.M., Lt. Gov. Lamot presiding.

The following Senators asked to be marked present: Messrs. Cook, (Mrs.) Lord, Isaacs, and (Mrs.) Manning.

Mr. Cook, Chairman of the Revised Statutes Committee, reported the following bills from committee as follows: **SB 111**, 2 favorable, 3 on merits; **SB 142**, 2 favorable, 2 on merits.

Mr. Cook announced his intention to again call up the Highway Bond Bill for action by the Senate. He suggested that any Senator desirous of amending the bill should have his amendments prepared and ready.

Mr. Price announced that a hearing is to be held on Wednesday, May 22 at 2:30 by the committee on Corporations—Municipal concerning **HB 250**.

On motion of Mr. Cook **HB 33** as Amended with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 33 (as amended) — "An Act to Amend Chapter 4, Title 24, Delaware Code, Relating to Barbers. Be it Enacted by the General Assembly of the State of Delaware".

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

YEAS—Mr. Bookhammer—1.

NAYS—Messrs. Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Simpson, Tull—10.

NOT VOTING—Messrs. Donovan, Robbins, Wilgus, Pres. Pro Tem Steen—4.

ABSENT—Messrs. Johnson, McCullough—2.

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

Mr. McCullough asked to be marked present.

Mrs. Manning introduced **SA 1** to **HB 239** and moved for its adoption.

On motion of Mrs. Manning **SA 1** to **HB 239** was taken up for consideration.

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

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

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

ABSENT—Mr. Johnson—1.

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

On motion of Mr. Hoey **HB 239** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Hoey the bill was deferred.

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

SB 152—"An Act to Amend Chapter 70, Title 6, Delaware Code, by Including Non-Agricultural Areas of Cyclical Employment in the Coverage of the Act, Allowing a Cash Deposit in Lieu of Bond Purchase by a Leasing or Other Assisted Person, Authorizing the Industrial Building Commission to Participate in Non-Building Capital Goods Financing, Increasing the Maximum Project Guananty From \$2,000,000 to \$3,000,000, and by Altering the Pledge of the Credit of the State", by Messrs. Pres. Pro Tem Steen, Cook and DuPont; to Buildings and Highways.

SB 153—"An Act Making a Supplementary Appropriation to New Castle Historic Building Commission", by Mr. McCullough; to Finance.

On motion of Mr. Cook **SB 83** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 83—"An Act to Amend § 6102, Title 16, Delaware Code, Relating to the Compact Administration of the Interstate Compact on Mental Health".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Hoey, Isaacs, Johnson—3.

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

Committee reports submitted were as follows:

HB 204 as Amended—Finance, 4 on merits, by Mr. Hoey;
SB 152—Buildings and Highways, 3 favorable, 1 on merits, by Mr. Steen.

Mr. Cook asked that **HB 216** be placed before the Senate for action.

On motion of Mr. Isaacs to defer **HB 216** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Wilgus—6.

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

ABSENT—Mr. Johnson—1.

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

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

HB 216—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Nur Temple Holding Co., from Assessment and Taxation".

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

YEAS—Messrs. Bookhammer, Donovan, Martin, McCullough, Pres. Pro Tem Steen—5.

NAYS—Messrs. Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus—11.

ABSENT—Mr. Johnson—1.

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

On motion of Mr. McCullough **HB 191** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 191 with **HA 1**—"An Act to Amend Chapter I and 5 of Title 8, Delaware Code, Relating to Corporations".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Martin, McCullough, Price, Robbins, Simpson, Wilgus—11.

NAYS—Mr. Isaacs—1.

NOT VOTING—Mmes. Lord, Manning—2.

ABSENT—Messrs. Johnson, Tull, Pres. Pro Tem Steen—3.

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

Mr. Cook, Chairman of the Revised Statutes Committee, reported on **SB 127** from committee as follows: 3 favorable, 1 on merits.

On motion of Mr. Donovan the Senate adjourned at 5:20 P.M. to Tuesday, May 21, 1963, at 1:00 P.M.

50th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, May 21, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. George W. Bishop.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, Johnson, (Mrs.) Lord, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—10.

Members Absent—Messrs. Cook, DuPont, Hoey, Isaacs, (Mrs.) Manning, Martin, Simpson—7.

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

Mr. DuPont asked to be marked present.

On motion of Pres. Pro Tem Steen **SB 144** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 144—"An Act to Amend Section 1701, Title 7, Delaware Code, Relating to Dog License and Fees".

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

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

NAYS—None.

ABSENT—Messrs. Cook, Hoey, Isaacs, (Mrs.) Manning, Martin, Simpson—6.

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

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 1:40.

The Senate met at the expiration of the recess at 3:13 P.M., Lt. Gov. Lammot presiding.

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

Mr. Isaacs moved to restore **HB 191** to the Senate Calendar. Motion prevailed by voice.

Mr. Tull moved to restore **HB 216** to the Calendar. Motion prevailed by roll call vote.

Mrs. Manning asked to be marked present.

On motion of Mr. Tull to restore **HB 216** to the Calendar, the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Donovan, Johnson, Martin, McCullough, Robbins, Tull, Wilgus—7.

NAYS—Messrs. Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Simpson—5.

NOT VOTING—Mr. Bookhammer—1.

ABSENT—Messrs. Cook, DuPont, Hoey, Pres. Pro Tem Steen—4.

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

On motion of Mr. McCullough **SB 137** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 137—"An Act to Amend Chapter 7, Title 24, Delaware Code, Entitled Chiropractic".

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

YEAS—Messrs. Cook, Donovan, Isaacs, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Tull—10.

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

NOT VOTING—Pres. Pro Tem Steen—1.

ABSENT—Mr. Hoey—1.

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

The House informed the Senate that it had passed **HB 211**, **HB 282**, **HB 287** and **HCR 15** and desired the concurrence of the Senate.

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

SB 154—"An Act to Repeal Section 9302, Title 10, Delaware Code, Entitled Limitations on Jurisdiction and Venue in New Castle County", by Mr. Johnson; to Judiciary.

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

HB 211—"An Act Amending § 7704, Title 11, Delaware Code, Relating to Parole Officers"; to Judiciary.

HB 287—"An Act to Amend Chapter 192, Volume 36, Laws of Delaware, Entitled 'An Act to Re-Incorporate the Town of Smyrna';" to Corporations—Municipal.

HB 282—"An Act to Amend Section 2, Article 16 of the Constitution of the State of Delaware"; to Revised Statutes.

The Chair presented the following House Concurrent Resolution which was adopted by voice vote: "That the Two Houses Meet in Joint Session to Hear the Message of the Governor".

BE IT RESOLVED, by the House of Representatives of the 122nd General Assembly, the Senate concurring therein, that the two Houses of the General Assembly meet in Joint Session in the House chambers at 2 o'clock P.M. on the 22nd day of May, A.D. 1963, or as soon thereafter as is convenient, for the purpose of receiving from the Governor of the State of Delaware, any communication that he may present, or any message that he may choose to deliver.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 3:28.

The Senate met at the expiration of the recess at 4:25 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Price **SB 105** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 105—"An Act Authorizing and Directing the Levy Court of Kent County to Reimburse C. J. Langenfelter & Sons, Inc. for County and School Taxes Heretofore Paid in Error".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Mc-

Cullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Hoey—1.

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

Committee reports submitted were as follows:

SB 102—Elections, 4 favorable, 1 on merits, by Mr. Johnson; **SB 148**—Claims, 5 on merits, by Mr. Robbins; **HB 187**—Miscellaneous, 1 favorable, 3 on merits, by Mr. Donovan; **HB 250**—Corporations—Municipal, 2 favorable, 2 on merits, by Mr. Price; **HB 287**—Corporations—Municipal, 3 favorable, 2 on merits, by Mr. Price.

On motion of Mr. McCullough **HB 191** with **HA 1** with title as follows was taken up for consideration.

Mr. Simpson moved to defer the bill to Thursday, May 22, 1963.

On motion of Mr. Simpson the bill was deferred.

Mr. Cook moved to restore **HB 33** to the Calendar. Motion prevailed.

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

SR 60—"Requesting the Members of the State Highway Department to Attend the Meeting of the Senate on Wednesday, May 22, 1963", by Mrs. Manning.

On motion of Mr. McCullough the Senate recessed for 5 minutes at 4:40.

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

Mr. Hoey asked to be marked present.

Pres. Pro Tem Steen moved to table **SR 60**.

On motion of Pres. Pro Tem Steen to table **SR 60** the yeas and nays were ordered which being taken were as follows:

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

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

So the question was decided in the affirmative and the resolution was tabled.

On motion of Mr. Donovan **SB 142** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 142—"An Act to Amend Section 102, Title 7, Delaware Code, Increasing the Number of Members on the Board of Game and Fish Commissioners, Providing for Their Appointment and Term".

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

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

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

NOT VOTING—Mr. Isaacs—1.

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

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

SB 155—"An Act to Amend Section 2105, Title 7, Delaware Code, Providing for Fees on Oysters Taken From Delaware Bay", by Mr. Bookhammer; to Fish, Oyster and Game.

On motion of Mr. Hoey **HB 204** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 204 with **HA 1**—"An Act to Appropriate the Sum of \$150,000.00 to the Delaware Commission of Shell Fisheries for Cleaning and Replenishing Oyster Beds in the Delaware Bay".

Mr. Bookhammer proposed **SA 1** to **HB 204** which was only discussed and not placed on record.

Mr. Cook moved to defer **HB 204**. Motion prevailed.

On motion of Mr. Donovan the Senate adjourned at 5:25 P.M. to Wednesday, May 22, 1963, at 1:00 P.M.

51st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, May 22, 1963, Lt. Gov. Lamot presiding. Prayer by the Chaplain, Rev. Robert L. Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, Martin, Price, Robbins, Wilgus, Pres. Pro Tem Steen—7.

Members Absent—Messrs. Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Simpson, Tull—17.

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

At 2:00 P.M. the Senate, according to **HCR 15**, met with the House in the House chambers in Joint Session to hear the following message:

MESSAGE

by

THE HONORABLE ELBERT N. CARVEL

Governor of Delaware

to the

**FIRST REGULAR SESSION OF THE
ONE HUNDRED TWENTY-SECOND
GENERAL ASSEMBLY**

of the

STATE OF DELAWARE

Urging the Adoption of Legislation

to

Provide for a New Correctional and Rehabilitation Program
for Delaware

DOVER

May 22, 1963

GOVERNOR'S MESSAGE

Mr. President

Mr. Speaker

Members of the 122nd General Assembly

Fellow Delawareans:

Although I feel strongly about the importance of rehabilitation in all of its forms, I confess to you immediately that I am no professional and have developed my beliefs only through experience in government and observations as a private citizen.

As Lieutenant Governor from 1945 to 1949, I was President of the Delaware Board of Pardons and had the opportunity of reviewing a small number of cases with the other members. If mitigating circumstances existed it was our custom to reduce the terms of the applicant so that he might be subject to immediate parole and be returned to society where he might have the opportunity to re-establish himself with the aid of the Parole Board and its one parole officer.

During my term as Lieutenant Governor we must have reduced the terms of at least 25 applicants, and I do not recall any cases where these applicants were given an opportunity to reform and make a contribution to society that they ever failed to do so.

When I became Governor in 1949 I was privileged to be associated with a dedicated person in the correctional field who was our only parole officer. His name was Percival Roberts of Blackbird. Mr. Roberts was a member of the Society of Friends and he continually impressed me as being a man of great breadth of human understanding and a true friend of man. I encouraged Mr. Roberts to attend symposia and conventions on corrections, parole and probation.

On many occasions Mr. Roberts and I would talk about the fact that our penal institutions should really be used for the purpose of rehabilitating its occupants and teaching them how to make their contribution to society instead of their being a responsibility and drag upon society. We both agreed that the great majority of the people in our penal institutions were there just because they had not been given the proper training, and lacked the vision and understanding of what a good citizen should be. For the most part they did not understand the advantages that resulted from being a good citizen. We both agreed that some place along the line society had fallen down in educating a small portion of its people, and therefore the next best thing to do was to rehabilitate where, in the first place, it had failed. This concept back in 1951 seemed revolutionary, and yet it seemed as if fundamentally it was the right thing to do.

One of the most successful programs in the State of Delaware is our program for Vocational Rehabilitation. Ever since its inception in the middle '30's the State of Delaware has rehabilitated more handicapped people per capita than any other state in the union. The plan of the Vocational Rehabilitation Division is to enroll a handicapped person in the program (either mentally or physically handicapped), train him to overcome his handicap, provide the necessary appliances such as artificial limbs, arms, teeth, glasses, or other similar devices which modern science has developed, and change this person's status from that of being a burden on society to that of being a wage-earning, income-taxpaying member of society. This program has thrilled and inspired the people of Delaware, and they are proud of the part which they have had to play in helping one of their fellow citizens to raise his sights and regain his self-respect.

We live in a complicated, fast-moving society today. There are many people in our Delaware correctional institutions today who are the victims of the social problems which are generated by this 20th Century civilization. These people are casualties in almost the same sense as those who are physically handicapped, and are clients for vocational rehabilitation. It should be the policy of this State to provide retraining and rehabilitation for all citizens of our State,

especially those who do not have the opportunities to make the adjustments which we who are more fortunate can make, have made, and continue to make. Just as it has been good business for us to rehabilitate 500 of our citizens every year who were handicapped and have helped them to become wage-earning, tax-paying citizens who are making a contribution to the progress of our State and Nation — so it should be a good business to rehabilitate hundreds of those who are incarcerated in our correctional institutions and help them to also become wage-earning, tax-paying citizens who can likewise make their contribution to the progress of our State and Nation.

We are spending about \$2 million dollars on our present correctional program in Delaware today, and unless we change our methods, it is estimated that we will be spending many more millions, because as the population of the State increases, so will the population of our institutions increase under our present system.

I am satisfied that if we provide a sound program to re-train and rehabilitate, we can cut the population of our correctional institutions in half. This will save Delaware substantial amounts in many ways: first, it will save us money in running the institution; secondly, it will save us substantial sums in our welfare program, because when the wage earner is incarcerated arrangements usually must be made to support his family, and this usually becomes the responsibility of the State Department of Welfare. The most important way in which Delaware benefits, however, is that this system would help to build self-respecting, wage-earning citizens who could be making their contribution to our economy — thus strengthening society as a whole. And just to think that, once this system is established, all these benefits come to us at less cost than we are paying to run our present obsolete and antiquated system.

Although I am pleased with the progress which we have made during the past two years under the leadership of the present Delaware correctional system, the program for correctional reform which is being presented here today under bipartisan co-sponsorship will give us the tools to be just as outstanding in correctional reform throughout the Nation as we have been in vocational rehabilitation.

Early in 1961, Mr. Herbert Cobin and Mrs. Mildred Tunnell, outstanding leaders of our State, visited me in Dover and talked about the opportunities which would be ours if such a program were instituted. Mr. Cobin had served for a number of years as President of the Prisoners Aid Society of Delaware, and Mrs. Tunnell had been a member of the State Legislature and a leader and participant in many State-wide drives and civic enterprises. It was because of their

urging and vision that I appointed the Governor's Committee for a State Correctional Program on June 1, 1961, to study this problem and to make appropriate recommendations of ways to improve our program.

This Committee is composed of distinguished men and women from the entire State of Delaware, with representation from the three counties and the City of Wilmington. They are from both major political parties, industry, agriculture, labor, and the professions. I designated Mr. Herbert L. Cobin as Chairman and the following citizens were named: Mr. Howard S. Abbott of Georgetown; Mr. Thomas F. Bayard, 3rd, of Wilmington; Mrs. Madelene L. Bradley of Wilmington; Mr. Edgar W. Buchanan of Dover; Mr. Thomas E. Colgan of Wilmington; Mrs. Edward W. Cronin of Wilmington; Mr. James LaPenta of Wilmington, later replaced by Mr. Gene Derrickson of Wilmington (Mr. LaPenta resigned because of an appointment by the Federal Government in Washington); Mr. Clarence E. Fulmer of Wilmington; Mr. J. Frank Gordy of Georgetown; Mr. Edward J. Kelley of Camden; Mr. Arthur J. McGinty of Seaford; Dr. Eugene McGowan of Wilmington; Dr. Frederick B. Parker of Wilmington; Mr. Eugene R. Perry of Wilmington; and Mr. Warner W. Price, Jr. of Smyrna.

At the first meeting of the Governor's Committee for a State Correctional Program, it was decided that a comprehensive study of our correctional, probation and parole systems should be undertaken. The Delaware Citizens' Crime Commission, Inc. very generously offered to provide \$25,000 for this, and the National Council on Crime and Delinquency, the outstanding organization in this field, was engaged to undertake this important analysis.

The Governor's Committee has been hard at work for two years. They have held at least 14 meetings during that time, all of which were well attended. This Committee has truly been a working Committee and I am informed by its Chairman that every single member has been dedicated to the principle of raising the standards and the level of Delaware's correctional and rehabilitative program. Like myself, we have all been amateurs, but we have believed that, as intelligent people, we could do something about improving Delaware's correctional system which has been considered by many to be one of the worst in the country.

Well over a year ago Dr. Russell Peterson and his contemporaries of the Kiwanis Clubs of Delaware established the 3-S Program to support the recommendations of the Governor's Committee and to work for broad improvements in our correctional system. The slogan of the 3-S Citizen's Cam-

paing is "Salvage people, Save dollars, and Shrink the crime rate."

This Committee is headed by leaders of both parties in the three counties and the City of Wilmington and in every representative district of the State. They have brought their message to thousands of Delawareans who want this important progress assured through the passage of legislation, about to be introduced, which will establish a modern correctional, probation and parole system.

The legislation which will be presented today and in the near future has the wholehearted support and endorsement of the Governor's Committee for a State Correctional Program, the 3-S Committees of Delaware, The Welfare Council of Delaware, The Prisoners Aid Society, The Board of Corrections, The Youth Services Commission, The Parole Board, The Kiwanis Clubs of Delaware, The Delaware Council of Churches, The Wilmington Council of Churches, The Delaware State Labor Council (AFL-CIO), The Delaware Association of Corrections and Rehabilitation, and innumerable churches, service clubs, women's groups and civic organizations, and the Governor of Delaware.

I urge you to promptly consider and pass this important legislation which I believe could be one of the most important acts taken by this great General Assembly during its term of office.

I wish to again publicly express my deep and sincere thanks to the members of the Governor's Committee for a State Correctional Program, to the 3-S Citizens Committee, to the Delaware Citizens Crime Commission, and to the National Council on Crime and Delinquency. Their work has been monumental and their contributions outstanding. Fortunately, the finances of our State are in such condition that Delaware can afford to spend additional money now in order to save substantial sums in the years ahead and salvage and rehabilitate the misguided, the misled and the misinformed while doing so.

I hope we will not forget during these efforts to improve our rehabilitation program that, if our social system and our education system was an ideal one it would not be necessary to rehabilitate or retrain. We must always remember that the most important job our State can do is to provide a sound educational system aimed at educating and preparing young Delawareans for the future. Realizing that humans are not perfect and never attain the ideal of perfection, we face up to the next best thing — and that is to rehabilitate those who have lost their way.

We pray daily and weekly to God that "He forgive our trespasses as we forgive those who trespass against us."

If we mean this, then it should be an easy matter to help and rehabilitate those who have trespassed against us. When we follow this policy we help all of society, and we help build our State and Nation on a stronger foundation.

The Senate met at the expiration of the recess at 2:53 P.M., Lt. Gov. Lamnot presiding.

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

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

Members Absent—Messrs. McCullough, Tull—2.

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

Pres. Pro Tem Steen moved to recess for hearing on **HB 250**. Motion prevailed.

Mr. Price, Chairman of Corporations—Municipal Committee, conducted the hearing on **HB 250**.

The Senate returned to order at 4:15 P.M., Lt. Gov. Lamnot presiding.

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

Pres. Pro Tem Steen moved to suspend Rule 26 for the rest of the day.

Mr. Cook asked for the privilege of the floor for William Miller, Director of the Highway Department.

On motion of Mr. Cook **SB 96** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 96—"An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department".

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

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

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

Mr. Cook moved to strike roll call. Motion prevailed. Mr. Cook then presented **SA 1** to **SB 96**.

On motion of Mr. Cook to adopt **SA 1** to **SB 96** the yeas and nays were ordered which being taken were as follows:

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

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, Simpson, Wilgus—6.

NOT VOTING—Mrs. Manning—1.

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

On motion of Mr. Isaacs to table roll call on **SA 1** to **SB 96** the yeas and nays were ordered which being taken were as follows:

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

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

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

On motion of Mr. Cook **SB 96** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 96 with **SA 1**—"An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department".

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

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

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

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

On motion of Mr. Cook **SB 114** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 114—"An Act to Amend Chapter 27, Title 29, Delaware Code, by Adding a New Section Relating to Revenues Received by Reason of the Use of the Highways of this State".

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

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

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

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

On motion of Mr. Cook **SB 152** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 152—"An Act to Amend Chapter 70, Title 6, Delaware Code, by Including Non-Agricultural Areas of Cyclical Employment in the Coverage of the Act, Allowing a Cash Deposit in Lieu of Bond Purchase by a Leasing or Other Assisted Person, Authorizing the Industrial Building Commission to Participate in Non-Building Capital Goods Financing, Increasing the Maximum Project Guananty From \$2,000,000 to \$3,000,000, and by Altering the Pledge of the Credit of the State".

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

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

NAYS—Mmes. Lord, Manning, (Mr.) Simpson.

NOT VOTING—Mr. Isaacs.

ABSENT—Mr. Bookhammer.

On motion of Pres. Pro Tem Steen the roll call was tabled.

On motion of Mr. Donovan the Senate adjourned at 6:00 P.M. to Thursday, May 23, 1963, at 1:00 P.M.

52nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, May 23, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Robert L. Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, Price, Robbins, Simpson, Tull, Wilgus—8.

Members Absent—Messrs. DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Pres. Pro Tem Steen—9.

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

The Senate met at the expiration of the recess at 2:11 P.M., Lt. Gov. Lammot presiding.

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

Members Present—Messrs. Bookhammer, Cook, Donovan, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

Members Absent—Messrs. DuPont, Hoey, Isaacs, Johnson—4.

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

The House informed the Senate that it had passed **HB 294**, **HB 194**, **HB 278** and desired the concurrence of the Senate; also that it had passed **SB 125**, **SB 56**, **SB 54**, **SB 55**, and **SB 151** and was returning same to the Senate.

The Senate received the following Memorandum No. 9 from the Governor:

MEMORANDUM NO. 9

May 20, 1963

TO: Secretary of the Senate

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

May 17, 1963—**HB 162** with **HA 1**

May 20, 1963—**HB 6** with **HA 1**; **HB 111** with **HA 1**; **HB 135** with **SA 1**; **SB 60**.

Mr. Isaacs asked to be marked present.

Mr. Donovan introduced the following resolution which upon further motion was adopted by voice vote: **SR 61**—"In Reference to Election of Officers".

WHEREAS, Rev. George W. Bishop, who was previously elected to the office of Chaplain, has now submitted his resignation from said office;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Rev. George W. Bishop be and he is hereby discharged from the office of Chaplain:

BE IT FURTHER RESOLVED that Rev. Robert L. Sauls be and he is hereby elected to the office of Chaplain, to serve during the pleasure of the Senate.

Mr. Robbins introduced **SR 62**—"Authorizing Payments for Services Rendered by Attaches and Employees of the

Senate of the Present Session of the 122nd General Assembly" which upon further motion was adopted by voice vote.

Pres. Pro Tem Steen introduced **SCR 19**—"Providing for Temporary Adjournment of the Senate and the House of Representatives of the 122nd General Assembly of the State of Delaware Until Monday, June 10, 1963" which upon further motion was adopted by voice vote.

Mr. DuPont asked to be marked present.

On motion of Mrs. Lord **SB 147** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 147—"An Act to Amend Title 27 of the Delaware Code Relating to Religious Societies and Corporations to Eliminate the Limitation on the Maximum Number of Trustees".

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

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

NAYS—None.

ABSENT—Messrs. Hoey, Johnson, McCullough, Simpson—4.

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

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

SB 156—"An Act Proposing an Amendment to Article IV, Section 29 of the Constitution of the State of Delaware, Relating to Justices of the Peace", by Mr. Cook; to Revised Statutes.

SB 157—"An Act to Repeal Chapter 91 and Amend Certain Provisions of Chapters 93, 95 and 97 of Title 10, Delaware Code, Pertaining to Justices of the Peace and Provide New Justice of the Peace Courts Having Salaried Justices of the Peace", by Mr. Cook; to Revised Statutes.

SB 158—"An Act to Amend Certain Sections of Chapter 59, Title 11, Delaware Code, Relating to Justices of the Peace", by Mr. Cook; to Revised Statutes.

SB 159—"An Act to Amend and Repeal Certain Sections of Chapter 27, Title 10, Delaware Code, Relating to Constables and to Provide for Salaried Constables", by Mr. Cook; to Revised Statutes.

SB 160—"An Act to Amend Title 16, Delaware Code, Relating to Narcotics", by Mr. Cook; to Temperance.

SB 161—"An Act to Amend Chapter 35, Title 24, Delaware Code, Relating to Pharmacy", by Mr. Cook; to Revised Statutes.

SB 162—"An Act to Amend Section 2701, Title 11, Delaware Code, Relating to Jurisdiction and Venue", by Mr. Cook; to Judiciary.

SB 163—"An Act to Amend Chapter 87, Title 10, Delaware Code, Relating to Fees and Costs", by Mr. Cook; to Revised Statutes.

SB 164—"An Act to Provide for the Construction of a State Office Building on Grounds Now Owned by the State in Dover, the Transfer of Offices from the Old State House, the Assignment of the Old State House to the Public Archives Commission, the Restoration of the Old State House, the Allocation of Funds for Alterations to that Commission for the Hall of Records, and Appropriating Money for Said Purposes, Authorizing the Financing of Such Appropriation by the Issuance of Bonds and Bond Anticipation Notes of the State; Providing for the Form of Such Bonds and Notes, the Procedure for the Sale Thereof, the Payment of Principal and Interest Thereon, Making an Appropriation Therefore and Creating a Building Commission", by Mr. Donovan; to Finance.

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

On motion of Pres. Pro Tem Steen roll call on **SB 152** was lifted and the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—**13**.

NAYS—Mmes. Lord, Manning, (Mr.) Simpson—**3**.

NOT VOTING—Mr. Isaacs—**1**.

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

On motion of Pres. Pro Tem Steen **SB 148** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 148—"A Private Act for the Relief of Martha A. Spicer, Widow of Minos R. Spicer, Deceased".

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

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

NAYS—Mr. Hoey—1.

NOT VOTING—Mr. Isaacs, Mrs. Manning—2.

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

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

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

HB 294—"An Act to Amend Chapter 23, Title 30, Delaware Code, by Deleting Persons Employed Exclusively as Guards from Tax as Private Detectives"; to Revised Statutes.

HB 278—"An Act to Amend Chapter 158, Volume 36, Laws of Delaware (As Amended) Providing for Changes in the Charter of the City of Dover"; to Corporations—Municipal.

Mr. Hoey, Chairman of the Finance Committee, reported the following bill from committee: **SB 88**, 4 on merits.

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

SB 165—"An Act to Amend Section 704, Title 21, Delaware Code, Relating to Jurisdiction of Motor Vehicle Offenses", by Mr. Martin; to Buildings and Highways.

SB 166—"An Act to Amend Section 1308, Title 7, Delaware Code, Relating to Enforcement of Game and Fish Laws", by Mr. Robbins; to Fish, Oyster and Game.

SB 167—"An Act to Amend Section 2716, Title 7, Delaware Code, Relating to Enforcement of Shellfish Laws", by Mr. Robbins; to Fish, Oyster and Game.

SB 168—"An Act to Amend Section 7703, Title 3, Delaware Code, Relating to Damage by Stray Livestock", by Mr. Robbins; to Fish, Oyster and Game.

On motion of Mr. Hoey **HB 239** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 239—"Relating to Salaries of Certain Public Officials by Raising Certain Salaries and Making Appropriations Therefore".

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

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

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

NOT VOTING—Messrs. Bookhammer, Wilgus—2.

ABSENT—Mrs. Manning—1.

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

On motion of Mr. Price **HB 287** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 287—"An Act to Amend Chapter 192, Volume 36, Laws of Delaware, Entitled 'An Act to Re-Incorporate the Town of Smyrna'."

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

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

NAYS—None.

ABSENT—Pres. Pro Tem Steen—1.

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

Mr. Hoey requested that **HB 204** with **HA 1** receive final action.

Mr. Bookhammer presented **SA 1** to **HB 204** with **HA 1** and moved for its adoption.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 3:10 P.M.

The Senate met at the expiration of the recess at 5:20 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Donovan the Senate adjourned at 5:21 P.M. to Wednesday, June 10, 1963, at 1:00 P.M.

53rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, June 10, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Robert Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, Hoey, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Wilgus—8.

Members Absent—Messrs. Cook, DuPont, Isaacs, Johnson, Martin, McCullough, Simpson, Tull, Pres. Pro Tem Steen—9.

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

The Senate met at the expiration of the recess at 4:20 P.M., Lt. Gov. Lammot presiding.

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

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

Members Absent—Messrs. DuPont, McCullough, Tull—3.

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

The Senate received the following Memorandum No. 10 from the Governor:

MEMORANDUM NO. 10

May 24, 1963

TO: Secretary of the Senate

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

May 21, 1963—**HB 75** with **HA 1** and **2**

May 22, 1963—**HB 152**; **HS 1** for **HB 159**; **SB 7**; **SB 11** with **HA 1**; and **SB 15**.

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

SB 169—"An Act to Amend Section 3322, Title 16, Delaware Code, Relating to the Enforcement of the Pure Food and Drugs Law", by Mr. Price; to Public Health.

SB 170—"An Act to Amend Section 906, Title 28, Delaware Code, Relating to the Regulation of Public Entertainment on Sundays", by Mr. Price; to Public Health.

SB 171—"An Act to Amend Chapter 51, Title 30, Delaware Code, Relating to Motor Fuel Tax", by Pres. Pro Tem Steen; to Revised Statutes.

SB 172—"An Act Making an Appropriation to the Secretary of State for a Comprehensive Review and Study of

the Corporation Law of the State and for the Preparation of a Report Containing Recommended Revisions of Such Law for Submission to the General Assembly", by Pres. Pro Tem Steen; to Finance.

SB 173—"An Act Making a Supplementary Appropriation to Townsend School No. 81 for Salaries", by Mr. Isaacs.

Mr. Isaacs moved to suspend Rule 9 to act on **SB 173**. Motion prevailed by voice.

Messrs. Tull, DuPont and McCullough asked to be marked present.

On motion of Mr. Isaacs **SB 173** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 173—"An Act Making a Supplementary Appropriation to Townsend School No. 81 for Salaries".

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

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

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mr. Hoey—1.

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

Committee reports submitted were as follows:

HB 44—Finance, 5 on merits, by Mr. Hoey; **HB 271**—Finance, 1 favorable, 4 on merits, by Mr. Hoey; **HB 294**—Revised Statutes, 1 favorable, 4 on merits, by Mr. Cook; **SB 70**—Finance, 2 favorable, 3 on merits, by Mr. Hoey; **SB 89**—Judiciary, 4 favorable, 1 unfavorable, by Mr. Cook; **SB 155**—Fish, Oyster and Game, 2 favorable, 3 on merits, by Mr. Robbins.

Mr. DuPont introduced **SA 1** to **SB 109** and requested its placement with **SB 109** in Finance.

On motion of Pres. Pro Tem Steen **SB 88** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 88—"An Act Making a Supplementary Appropriation to the Industrial Accident Board for the Fiscal Year Ending June 30, 1963 to be Used to Pay its Attorney".

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

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

NAYS—None.

ABSENT—Mr. Hoey—1.

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

Mr. Price introduced **SA 1** to **HB 250** and moved for its adoption. Motion prevailed by voice.

On motion of Mr. Price **HB 250** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 250 with **SA 1**—"An Act to Amend Chapter 118, Volume 33, Laws of Delaware, as Amended by Chapter 180, Volume 49, Laws of Delaware Entitled 'An Act Providing for a Firemen's Pension Fund for Members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington' by Providing for a Base Monthly Minimum Pension Payment".

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

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

NAYS—Messrs. Donovan, Hoey—2.

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

Pres. Pro Tem Steen moved to suspend Rule 23. Motion prevailed.

The House informed the Senate that it had passed **HB 255** and desired the concurrence of the Senate.

On motion of Mr. Price **HB 123** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 123—"An Act to Amend Chapter 636, Volume 50, Laws of Delaware, Relating to Police Pension Fund of the City of Wilmington".

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

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

NAYS—Mr. Donovan—1.

NOT VOTING—Mr. Hoey—1.

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

Mr. McCullough, Chairman of the Education Committee, reported the following bill from committee: **HB 247**, 2 favorable, 3 on merits.

Mr. McCullough asked to suspend Rule 9 to act on **HB 247**. Motion prevailed.

On motion of Mr. McCullough **HB 247** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 247—"An Act to Amend Section 1307, Title 14, Delaware Code, Relating to Salary Schedule for Principals Subordinate to a Chief School Officer, and Making a Supplementary Appropriation for the Fiscal Year Ending June 30, 1964".

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

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

NAYS—None.

NOT VOTING—Messrs. Donovan, Isaacs, Pres. Pro Tem Steen—3.

ABSENT—Mr. Robbins—1.

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

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

HB 255—"An Act to Amend Article Five, Section 2, of the Constitution of the State of Delaware"; to Revised Statutes".

Mr. Price, Chairman of Corporations—Municipal Committee, reported the following bill from committee: **HB 171**, 5 favorable.

Mr. Cook moved to have the Chair appoint a committee of two senators to check with the Department of Public Welfare to see who is eligible to participate in Federal Surplus Food Program. Motion prevailed.

The Chair appointed Messrs. Cook and Isaacs.

On motion of Mr. Donovan **HB 50** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

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

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull—9.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus, Pres. Pro Tem Steen—8.

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

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

SS 1 for SB 153—"An Act Making a Supplementary Appropriation to New Castle Historic Building Commission", by Mr. McCullough; to Finance.

Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote: **SR 63**—"In Reference to Election of Officers".

WHEREAS, Rev. Richard Thompson, who was previously elected to the office of Senate Page, has now submitted his resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Rev. Richard Thompson be and he is hereby discharged from said office.

BE IT FURTHER RESOLVED that Sherman L. Townsend be and he is hereby elected to the office of Page to serve during the pleasure of the Senate.

Mrs. Lord moved to strike from the Calendar **SA 1 to HB 42**. Motion prevailed.

Mrs. Lord moved to strike from the Calendar **SA 1 to HB 64**. Motion prevailed.

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

SB 174—"An Act Making a Supplementary Appropriation to New Castle Historic Building Commission", by Mr. McCullough; to Finance.

SB 175—"An Act to Authorize the State of Delaware to Borrow Money for the Completion of the Interstate and Defense Highway System and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to the State Highway Department", by Mr. Martin; to Finance.

On motion of Mr. Martin **SB 111** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 111—"An Act to Amend Chapter 6, Title 9, Delaware Code, Relating to Parks and Recreational Facilities".

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

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

NAYS—None.

ABSENT—Messrs. Hoey, Robbins—2.

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

The President administered "The Employees Oath of Office" to Sherman L. Townsend.

On motion of Mr. Donovan the Senate adjourned at 5:17 P.M. to Tuesday, June 11, 1963, at 1:00 P.M.

54th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, June 11, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. Robert Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Wilgus—10.

Members Absent—Messrs. Cook, Isaacs, Johnson, McCullough, Simpson, Tull, Pres. Pro Tem Steen—7.

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

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

Mr. Hoey introduced the following bill which was given first reading and referred to the Finance Committee: **SB 176**—"An Act Creating a Commission to Take Appropriate Legal Action Concerning Reapportionment of the General Assembly and Making a Supplemental Appropriation Therefore".

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

The Senate met at the expiration of the recess at 3:55 P.M., Lt. Gov. Lammot presiding.

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

On motion of Pres. Pro Tem Steen **HB 191** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 191 with **HA 1**—"An Act to Amend Chapter I and 5 of Title 8, Delaware Code, Relating to Corporations.

Be it Enacted by the General Assembly of the State of Delaware (Two-Thirds of All Members Elected to Each House Thereof Concurring Therein)".

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

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

NAYS—None.

ABSENT—Messrs. Cook, Isaacs, McCullough—3.

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

Mr. Hoey requested that **HB 204** be placed before the Senate for final action.

Mr. Bookhammer moved for the adoption of **SA 1** to **HB 204**.

On motion of Mr. Bookhammer **SA 1** to **HB 204** was taken up for consideration and read a second time in order to pass the Senate.

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

YEAS—Messrs. Bookhammer, DuPont, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus, Pres. Pro Tem Steen—7.

NAYS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, Price, Robbins, Tull—8.

ABSENT—Messrs. Isaacs, McCullough—2.

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

On motion of Mr. Hoey **HB 204** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 204—"An Act to Appropriate the Sum of \$150,000.00 to the Delaware Commission of Shell Fisheries for Cleaning and Replenishing Oyster Beds in the Delaware Bay".

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

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

NAYS—Messrs. Bookhammer, DuPont, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—6.

ABSENT—Messrs. Isaacs, McCullough—2.

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

Mr. Johnson introduced the following resolution which upon further motion was adopted by voice vote: **SR 64**—"In Reference to Election of Officers".

WHEREAS, Robert Heller, who was previously elected to the office of Senate Mail Clerk, has now submitted his resignation from said office:

NOW THEREFORE:

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

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

The President of the Senate administered "The Employees Oath of Office" to Ellis P. Sartin.

On motion of Mr. Tull **HB 92** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 92—"An Act to Amend Title 5, Delaware Code, Relating to Direct-Reduction Loans by Building and Loan Associations by Providing for the Authority to Secure Loans by Mortgages on Real Estate Within the State of Delaware

or Outside the State of Delaware if Within 50 miles of the Main Office of the Association”.

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

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

NAYS—None.

NOT VOTING—Mr. Bookhammer—1.

ABSENT—Messrs. Isaacs, McCullough—2.

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

The House informed the Senate that it had passed **HCR 16** and requested the concurrence of the Senate.

On motion of Mr. Tull **HB 93** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 93—“An Act to Amend Title 5, Delaware Code, by Providing Authority for Building and Loan Association to Open and Maintain Branch Offices”.

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

YEAS—Messrs. Cook, Donovan, Martin, Price, Tull, Pres. Pro Tem Steen.

NAYS—Messrs. DuPont, Simpson.

NOT VOTING—Messrs. Bookhammer, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Robbins, Wilgus.

ABSENT—Messrs. Isaacs, Johnson.

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

Mrs. Lord and Mr. Hoey introduced **SA 1** to **SB 127**. Mr. Hoey moved for its adoption. Motion prevailed.

Mr. Hoey requested **SB 127** with **SA 1** be placed before the Senate for final action.

Mr. Simpson moved to defer **SB 127** with **SA 1** to June 12, 1963. Motion prevailed by voice.

On motion of Mr. Bookhammer **SB 155** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 155—“An Act to Amend Section 2105, Title 7, Delaware Code, Providing for Fees on Oysters Taken from Delaware Bay”.

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

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

NAYS—None.

ABSENT—Messrs. Isaacs, McCullough—2.

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

Committee reports submitted were as follows:

SB 171—Revised Statutes, 3 favorable, 3 on merits, by Mr. Cook; **SB 131**—Revised Statutes, 5 favorable, by Mr. Cook; **SB 130**—Revised Statutes, 5 favorable, by Mr. Cook; **SB 154**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 180**—Revised Statutes, 3 favorable, 2 on merits, by Mr. Cook; **HB 53**—Finance, 4 on merits, by Mr. Hoey; **HB 148**—Finance, 4 on merits, by Mr. Hoey; **HB 186**—Finance, 4 on merits, by Mr. Hoey.

Mr. Robbins introduced the following bill which was given first reading and referred to the Claims Committee: **SB 177**—"An Act Authorizing and Directing the Levy Court of Kent County to Reimburse Virginia Lee Banning Property and School Taxes Paid in Error".

On motion of Mr. Hoey **SB 120** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 120—"An Act to Amend Section 23, Chapter 237, Volume 51, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Bridgeville' Relating to Removal of Employees".

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

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

NAYS—None.

ABSENT—Messrs. Isaacs, McCullough—2.

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

On motion of Mr. Hoey **SB 121** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 121—"An Act to Amend Chapter 237, Volume 51, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Bridgeville' Relating to Vacancies in Office".

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

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

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, McCullough, Price—4.

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

On motion of Mr. Hoey **SB 123** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 123—"An Act to Amend Chapter 237, Volume 51, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Bridgeville' Relating to Traffic Violations".

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

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

NAYS—None.

ABSENT—Messrs. Isaacs, McCullough—2.

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

On motion of Mr. Hoey **HB 271** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 271—"An Act Making a Supplementary Appropriation to the State Board of Agriculture for the Year Ending June 30, 1964".

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

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

NAYS—Mr. Robbins—1.

ABSENT—Messrs. Isaacs, McCullough, Simpson—3.

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

Mr. Donovan moved to adopt the following resolution which upon further motion was adopted by voice vote: **HCR 16**—"Making Appropriations to Various Companies for Supplies and Services Rendered the 122nd General Assembly of the State of Delaware".

Mr. Martin requested **SB 89** be placed before the Senate for final action.

On motion of Mr. Hoey to adopt **SA 1** to **SB 89** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, Price, Robbins, Tull—7.

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

NOT VOTING—Messrs. Bookhammer, Wilgus, Pres. Pro Tem Steen—3.

ABSENT—Messrs. Isaacs, McCullough—2.

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

At 5:40 P.M., Mr. DuPont moved for a 10 minute recess.

The Senate met at the expiration of the recess at 5:55 P.M., Lt. Gov. Lamnot presiding.

The Chair ruled that **SA 1** to **SB 89** was adopted.

On motion of Mr. Martin **SB 89** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 89 with **SA 1**—"An Act Amending Title 6, Delaware Code of 1953, by Protecting the Public Welfare, Entitling All Persons to Full and Equal Accommodations, Facilities, Advantages and Privileges of Places of Public Accommodation and Making it Unlawful to Refuse the Same to Any Person on Account of Race, Creed, Color or National Origin or to Publish any Communication to the effect that the Same Shall be Refused on Account of Race, Creed, Color or National Origin, Empowering and Directing the State Human Relations Commission to Effect Voluntary Compliance There-

with and Providing Criminal Penalties for the Violation Thereof, and Repealing Section 1501, of Title 24, Section 902 of Title 28 and Section 703 of Title 26, Delaware Code of 1953, Insofar as Said Sections are Inconsistent Herewith".

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

YEAS—Messrs. DuPont, (Mrs.) Manning, Price, Simpson—4.

NAYS—Messrs. Cook, Donovan, Hoey, (Mrs.) Lord, Martin—5.

NOT VOTING—Messrs. Bookhammer, Johnson, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—6.

ABSENT—Messrs. Isaacs, McCullough—2.

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

On motion of Mr. Hoey **SB 73** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 73—"An Act Appropriating Funds to the State Highway Department and to the Board of Game and Fish Commissioners of the State of Delaware to Construct and Maintain a Water Control Structure at Silver Lake at Milford, Delaware".

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

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

NAYS—None.

ABSENT—Messrs. Isaacs, McCullough—2.

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

On motion of Mr. Cook **HB 294** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 294—"An Act to Amend Chapter 23, Title 30, Delaware Code, by Deleting Persons Employed Exclusively as Guards from Tax as Private Detectives".

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

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

NAYS—None.

ABSENT—Messrs. Isaacs, McCullough—2.

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

On motion of Mr. Cook **HB 42** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

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

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

NAYS—Messrs. Bookhammer, Donovan, DuPont, (Mrs.) Manning, Simpson, Wilgus.

NOT VOTING—Messrs. Price, Robbins.

ABSENT—Messrs. Isaacs, McCullough.

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

Mrs. Lord moved to life roll call on **SS 1** for **SB 61**.

Mrs. Lord moved to resume roll call on **SB 61**.

On motion of Mrs. Lord **SS 1** for **SB 61** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SS 1 for **SB 61**—"An Act to Amend Section 1731, Title 24, Delaware Code, by Excluding Certain Persons from the Definition of Practicing Medicine".

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

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

NAYS—None.

NOT VOTING—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

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

Mr. Johnson requested **HB 22** be placed before the Senate for final action.

Mr. Hoey introduced **SA 1** to **HB 22** as Amended and moved for its adoption.

On motion of Mr. Hoey **SA 1** to **HB 22** as Amended was taken up for consideration.

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

YEAS—Messrs. Donovan, Hoey, Simpson, Pres. Pro Tem Steen—4.

NAYS—Messrs. Bookhammer, Cook, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Tull, Wilgus—10.

NOT VOTING—Mr. Robbins—1.

ABSENT—Messrs. Isaacs, McCullough—2.

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

On motion of Mr. Johnson **HB 22** with **HA 1, 2** and **3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 22 with **HA 1, 2** and **3**—"An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to State Police Pensions by Liberalizing the Same".

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

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

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Isaacs, McCullough—2.

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

On motion of Mr. Donovan the Senate adjourned at 6:25 P.M. to Wednesday, June 12, 1963, at 1:00 P.M.

55th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, June 12, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. Robert Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Hoey, Price, Wilgus—4.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Pres. Pro Tem Steen—13.

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

The Senate met at the expiration of the recess at 2:50 P.M., Lt. Gov. Lamnot presiding.

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

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

Members Absent—Messrs. Isaacs, McCullough—2.

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

The Senate received the following Memorandum No. 11 from the Governor's Aide.

MEMORANDUM NO. 11

June 4, 1963

TO: Secretary of the Senate

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

May 24, 1963—**HS 1 for H B164**

May 28, 1963—**SB 10 with SA 1; HB 112; SB 24; SB 134**

June 3, 1963—**SB 43; SB 108.**

The following letter of nomination from the Governor was received, given first reading and referred to the Executive Committee:

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

June 12, 1963

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

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

Mrs. Albert W. James, Wilmington, Delaware—re-elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 1, 1969.

John P. Cann, Newark, Delaware—re-elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 1, 1969.

George M. Fisher, Wyoming, Delaware—re-elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 1, 1969.

Arthur F. Walker, Woodside, Delaware—re-elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 1, 1969.

Samuel Lenher—elected by the Board of Trustees of the University of Delaware to be a member of that Board for a six-year term to expire June 1, 1969, to fill the vacancy created by the death of Granville M. Read.

Respectfully submitted,
ELBERT N. CARVEL
Governor

The House informed the Senate that it had passed **HB 257, HB 258, HB 259, HB 260, HB 261, HB 262, HB 263, HB 264, HB 265, HB 266, HB 267, HB 315, HB 307, HB 238, HB 246, HB 290, HB 269** and **HB 285** and **HJR 4** and desired the concurrence of the Senate.

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

HB 285 as Amended—"An Act Making a Supplementary Appropriation to the Middletown School District No. 60 for Operational Expenses"; to Finance.

HB 315—"An Act to Amend Title 30, Delaware Code, Entitled 'State Taxes' Providing for Exemption from Personal Income Taxation in the Hands of a Non-Resident of Income from Partnerships Engaged in Investment Activities"; to Revised Statutes.

HB 269—"An Act Making an Appropriation to the Board of Game and Fish Commissioners of the State of Delaware for the Purchase and Development of Public Recreational Facilities of Delaware Bay at Bowers, Kent County, Delaware"; to Finance.

HB 257—"An Act to Amend 10 Delaware Code, Section 9578 Relating to Entry of Security on Appeal from the Justice of the Peace to Provide Circumstances Under Which Plaintiff Need Not Enter Security"; to Judiciary.

HB 258—"An Act to Amend Title 10, Delaware Code, Chapter 31, Section 3112 to Provide a Method for Service of Process upon the Foreign Personal Representative of the

Non-Resident Owner or Operator of a Motor Vehicle Involved in an Accident in this State"; to Judiciary.

HB 259—"An Act to Amend Section 8705 of Title 10, Delaware Code, Relating to the Fees of the Prothonotary in Civil Proceedings"; to Judiciary.

HB 260—"An Act to Amend Title 12, Delaware Code, Chapter 35, Section 3508 Relating to Appointment of Fiduciary to Receive Benefits Payable by the United States of America"; to Judiciary.

HB 261—"An Act to Repeal § 4309, Title 10, Delaware Code, Relating to Admissibility of Book of Original Entries"; to Judiciary.

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

SB 178—"An Act Making an Appropriation Out of the Capital Investment Fund to the State Highway Department to be Used for the Design and Construction of an Office and Maintenance Building and the Acquisition of the Necessary Equipment and Furnishings Therefore in Sussex County", by Pres. Pro Tem Steen; to Buildings and Highways.

SB 179—"An Act Making an Appropriation Out of the Capital Investment Fund to the State Highway Department to be Used for the Design and Construction of an Office Building and a Maintenance Building and the Acquisition of the Necessary Equipment and Furnishings Therefore in New Castle County", by Mr. Johnson; to Buildings and Highways.

SB 180—"An Act to Provide for the Construction of a State Office Building on Grounds Now Owned by the State in Dover, the Transfer of Offices from the Old State House, the Assignment of the Old State House to the Public Archives Commission, the Restoration of the Old State House, the Allocation of Funds for Alterations to that Commission for the Hall of Records, and Appropriating Money for Said Purposes", by Messrs. Donovan, Robbins, Price and Cook; to Buildings and Highways.

SB 181—"An Act Making an Appropriation Out of the Capital Investment Fund to the State Highway Department to be Used for the Acquisition of Land and Erection Thereon of an Inspection Lane and the Necessary Equipment and Furnishings Therefore in New Castle County Outside the City of Wilmington", by Mr. Johnson; to Finance.

Committee reports submitted were as follows:

SB 178—Buildings and Highways, 3 favorable, 1 on merits, by Mr. Steen; **HB 315**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **SB 179**—Buildings and Highways, 4 favorable, by Mr. Steen; and **SB 180**—Buildings and Highways, 4 favorable, by Mr. Steen.

On motion of Mr. Donovan the Senate adjourned at 2:10 P.M. to Thursday, June 13, 1963, at 1:00 P.M.

56th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:10 P.M. on Thursday, June 13, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Robert Sauls.

By roll call the following Senators were present:

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

Members Absent—Messrs. Hoey, Isaacs, McCullough—3.

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

Mr. Cook presented and had read into the Journal a letter from Edgar Hare, Jr., Director of Department of Public Welfare, relative to distribution of Federal Surplus Food.

STATE OF DELAWARE DEPARTMENT OF PUBLIC WELFARE

Office Director

P. O. Box 309

Wilmington 99, Delaware

June 11, 1963

Honorable Allen J. Cook

Legislative Hall

Dover, Delaware

Dear Senator Cook:

Following up our telephone conversation of this morning, here's the situation with respect to eligibility for medical care and for surplus foods.

1. Medical Care. This Department provides medical care only to recipients of Old Age Assistance. This is in accordance with legislation passed last year. The legislation does not include any other recipients of assistance except those receiving Old Age Assistance and does not include any other needy aged people except those who are actually recipients of Old Age Assistance.

The Department does consider medical care in determining a family's need for assistance and does include it in the family's "budget." However, it is up to the family to decide whether or not it will pay for its own medical

care. It often happens that while we include medical care in the "budget," we actually do not provide the family any money for this item because of the legislative ceilings on assistance grants. For example, if a family of three children and their mother needs, say, \$150.00 per month for living expenses, including medical care, and they have no other income, the amount "budgeted" for medical care is pretty meaningless because the law prohibits the Department from giving that family more than \$99.00 per month for all its needs.

On the other hand, in Old Age Assistance, the Department actually pays the hospital, physician, nurse, pharmacist, podiatrist, chiropractor, dentist, optometrist or optician for services provided recipients of **Old Age Assistance** under agreements existing with each of these groups.

2. Surplus Foods. Every public assistance case (family or individual) receiving any type of public assistance is eligible automatically for surplus foods if the case has cooking facilities and actually prepares its own meals.

In addition, other persons not receiving public assistance can be eligible to receive surplus foods if they qualify against a set of standards that are similar to but slightly more liberal than the public assistance eligibility requirements. Up to now, this Department has been certifying the eligibility for surplus foods of the assistance recipients but has not been certifying the non-assistance recipients. The applications for non-assistance persons have been handled by groups of volunteer agencies or workers throughout the state using application forms and standards set up in cooperation with the U.S. Department of Agriculture.

Incidentally, the Department of Agriculture is changing its rules and making this whole job much more difficult. What will happen to this program after the beginning of the fiscal year I don't know because adherence to the Department of Agriculture rules will require some expenditures that have not so far been required and which, as of now, we are in no position to make.

Generally speaking, however, even under the new rules public assistance cases would be eligible for surplus foods more or less automatically and there still would be provision for surplus foods for other needy persons who did not quite qualify for public assistance.

If you have any other questions, I'll be glad to try to clarify them for you.

Best personal regards.

Cordially yours,
EDGAR HARE, JR.
Director

The Chair announced that committee assignments of **SB 181** had been changed from Finance to Buildings and Highways.

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

HB 262—"An Act to Amend Chapter 19, Title 12, Delaware Code, Relating to Decedent's Estates"; to Judiciary.

HB 263—"An Act to Amend Chapter 51, Title 11, Delaware Code, Relating to Crimes and Criminal Procedures"; to Judiciary.

HB 264—"An Act to Amend Section 2733, Title 21, of the Delaware Code, Relating to Discretionary Suspension or Revocation of Drivers Licenses"; to Judiciary.

HB 265—"An Act to Amend Title 10, Delaware Code, Chapter 31, to Provide a Method for Service of Process on Resident Owners or Operators of Motor Vehicles Involved in an Accident in this State Where Such Resident Departs from this State Subsequent to the Accident"; to Judiciary.

HB 266—"An Act to Amend Chapter 35, Sub-Chapter I, Title 12 of the Delaware Code of 1953, entitled 'Appointment of Trustees by Court: Title of Appointee to Trust Property', by Amending Section 3509 Thereof Relating to the Vesting of Title to Trust Property in Successor Trustees and the Giving of Bond by Such Trustees"; to Judiciary.

HB 267—"An Act to Amend Chapter 45 of Title 10 of the Delaware Code, Relating to Drawing of Petit Jury"; to Judiciary.

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

HB 238 with **HA 2**—"An Act to Repeal Section 312, Title 18, Delaware Code, Relating to Expenses and Contingent Fund of the Insurance Commissioner"; to Insurance and Banking.

HB 246—"An Act Providing for the Transfer of the Functions of the Interstate Commission on the Delaware River Basin and for the Disposition of Its Unexpended Funds and Properties and Repealing Chapter 5, Title 23, Delaware Code, Relating to Conservation and Safeguard of Water Resources in the Delaware River Basin"; to Revised Statutes.

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

Mr. Steen, Chairman of the Buildings and Highways Committee, reported the following bill from committee: **SB 181**, 2 favorable, 1 on merits.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 2:22 P.M.

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

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

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

SB 182—"An Act to Amend Section 2735, Title 21, Delaware Code, Entitled New License After Revocation", by Mr. Martin by request; to Revised Statutes.

Mr. Price requested **HB 171** with **HA 1** be placed before the Senate for final action.

Mr. Price introduced **SA 1** to **HB 171** and moved for its adoption. Motion prevailed by voice.

After some discussion Mr. Simpson moved to defer. Motion prevailed by voice.

Committee reports submitted were as follows:

HB 278—Corporations—Municipal, 4 favorable, 1 on merits, by Mr. Price; **SB 176**—Finance, 4 on merits, by Mr. Hoey; **SB 175**—Finance, 4 on merits, by Mr. Hoey; **HB 108**—Finance, 4 on merits, by Mr. Hoey; **HB 125**—Finance, 4 on merits, by Mr. Hoey; **HB 115**—Finance, 4 on merits, by Mr. Hoey; and **HB 227**—Finance, 4 on merits, by Mr. Hoey.

Mr. Tull requested **SB 84** be placed before the Senate for final action.

Mr. Tull presented **SA 1** to **SB 84** and moved for its adoption. Motion prevailed by voice.

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

SB 84—"An Act to Amend Section 173, Title 6, Delaware Code, Relating to the Place of Presentment of a Negotiable Instrument".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—15.

NAYS—None.

ABSENT—Messrs. Isaacs, Pres. Pro Tem Steen—2.

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

At 4:17 P.M., a messenger from the House informed the Senate that it had passed **HB 236, HB 275, HB 283 and HB 311** and requested the concurrence of the Senate; also that it had passed **SB5, SB 112 and SB 152** and was returning same to the Senate.

Mr. Johnson moved to suspend Rule 9 to act on **SB 181**. Motion prevailed by voice vote.

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

SB 181—"An Act Making an Appropriation Out of the Capital Investment Fund to the State Highway Department to be Used for the Acquisition of Land and Erection Thereon of an Inspection Lane and the Necessary Equipment and Furnishings Therefor in New Castle County Outside the City of Wilmington".

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

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—Mr. DuPont, Mrs. Manning—2.

NOT VOTING—Mr. Bookhammer—1.

ABSENT—Messrs. Isaacs, Robbins—2.

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

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

SB 85—"An Act to Amend Section 229, Title 6, Delaware Code, Relating to Inland and Foreign Bills of Exchange".

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

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

NAYS—None.

ABSENT—Messrs. Isaacs, McCullough, Robbins—3.

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

On motion of Mr. Cook **HB 315** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 315—"An Act to Amend Title 30, Delaware Code, Entitled 'State Taxes' Providing for Exemption from Personal Income Taxation in the Hands of a Non-Resident of Income from Partnerships Engaged in Investment Activities".

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

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

NAYS—None.

NOT VOTING—Mrs. Lord—1.

ABSENT—Messrs. Isaacs, McCullough, Robbins—3.

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

On motion of Mr. Hoey **SB 176** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 176—"An Act Creating a Commission to Take Appropriate Legal Action Concerning Reapportionment of the General Assembly and Making a Supplemental Appropriation Therefore".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Johnson, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—11.

NAYS—Messrs. DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin—4.

ABSENT—Messrs. Isaacs, Robbins—2.

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

Committee reports submitted were as follows:

SB 118—Buildings and Highways, 3 favorable, 2 on merits, by Mr. Steen; **HB 211**—Judiciary, 4 favorable, 1 on

merits, by Mr. Cook; **HB 46**—Revised Statutes, 5 on merits, by Mr. Cook.

Mrs. Lord and Mr. Martin presented **SB 183**, which was not assigned to any committee.

On motion of Mr. Donovan the Senate adjourned at 5:20 P.M. to Monday, June 17, 1963, at 1:00 P.M.

57th LEGISLATIVE DAY

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

Prayer by the Chaplain, Rev. Robert Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, (Mrs.) Lord, Martin, Price, Simpson, Wilgus—9.

Members Absent—Messrs. Cook, Isaacs, Johnson, (Mrs.) Manning, McCullough, Robbins, Tull, Pres. Pro Tem Steen—8.

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

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

The Senate met at the expiration of the recess at 4:10 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Messrs. Robbins, Tull, Isaacs, McCullough, Pres. Pro Tem Steen, and Cook.

Mr. Robbins, on request, introduced **SB 184**—"An Act to Amend Title 14, Delaware Code, Relating to Sick Leave Provisions for School Employees by Providing Terminal Pay for Unused Sick Leave Time", which was given first reading and referred to the Education Committee.

At 4:15 P.M., a messenger delivered the following message from the Governor:

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

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

June 17, 1963

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

Collins J. Seitz, Wilmington, Delaware—to be Chancellor of the State of Delaware for a twelve year term from date of confirmation by the Senate (reappointment).

Respectfully submitted,
ELBERT N. CARVEL
Governor

Committee reports submitted were as follows:

SB 177—Claims, 1 favorable, 3 on merits, by Mr. Robbins; **HB 231**—Claims, 1 favorable, 3 on merits, by Mr. Robbins; **HB 94**—Fish, Oyster and Game, 1 favorable, 3 on merits, by Mr. Robbins.

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

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

HB 283—"An Act to Amend Chapter 17, Title 24, Delaware Code, by the Exemption of Licensed Medical Practitioners from Civil Liability for Rendering Emergency Care at the Scene of the Emergency"; to Revised Statutes.

HS 1 for **HB 236**—"An Act Appropriating the Sum of \$80,000.00 in the Fiscal Year Commencing July 1, 1963, to the State Board of Education for the Purpose of Establishing Adult Evening High Schools"; to Finance.

HB 311—"An Act to appropriate Funds to the Supreme Court of the State of Delaware for Office Expense"; to Finance.

Mr. McCullough moved to lift roll call on **SB 6** from table. Motion prevailed.

Mr. Johnson and Mrs. Manning asked to be marked present.

On motion of Mr. McCullough **SB 6** was taken up for consideration.

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

YEAS—Messrs. Cook, Isaacs, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Tull, Pres. Pro Tem Steen—9.

NAYS—Messrs. Bookhammer, DuPont, (Mrs.) Manning, Robbins, Simpson, Wilgus—6.

NOT VOTING—Messrs. Donovan, Hoey—2.

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

Mr. Cook moved to lift from table the roll call on **HB 42**. Motion prevailed.

On motion of Mr. Cook **HB 42** was taken up for consideration.

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

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

NAYS—Messrs. Bookhammer, Donovan, DuPont, (Mrs.) Manning, Simpson, Wilgus—6.

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

On motion of Mr. Cook **HB 64** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

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

YEAS—Messrs. Cook, Hoey, Isaacs, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

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

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Bookhammer, Johnson, (Mrs.) Manning—3.

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

Mrs. Lord introduced **SA 2** to **SB 127** to be placed with the bill.

Mr. McCullough introduced **SA 1** to **HS 1** for **HB 65** with **HA 1** and **HA 2** to be placed with bill.

On motion of Mr. Cook **HS 1** for **HB 65** with **HA 1** and **HA 2** as Amended with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for **HB 65** with **HA 1** and **HA 2** as Amended—"An Act to Amend Title 10, Delaware Code, Relating to the Number, Method of Appointment, Terms and Qualifications of the Judges of the Family Court for New Castle County".

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

Mr. Martin introduced **SJR 4**, asked for suspension of rules to act on it, and moved for its passage.

On motion of Mr. Martin **SJR 4** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SJR 4—"Relating to the Continuance and Expansion of Air Service in Delaware".

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

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

NAYS—None.

NOT VOTING—Mrs. Lord—1.

ABSENT—Mr. Johnson, Mrs. Manning—2.

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

On motion of Mr. Cook **HB 211** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 211—"An Act Amending § 7704, Title 11, Delaware Code, Relating to Parole Officers".

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

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

NAYS—None.

ABSENT—Mr. Johnson, Mrs. Manning—2.

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

Mrs. Lord introduced **SA 2** to **SB 127** and moved for its adoption. Motion prevailed.

Mr. Martin introduced **SA 3** to **SB 127**.

On motion of Mr. Martin **SA 3** to **SB 127** was taken up for consideration and read a second time in order to pass the Senate.

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

YEAS—Messrs. Martin, McCullough—2.

NAYS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, Price, Simpson, Wilgus, Pres. Pro Tem Steen—11.

ABSENT—Messrs. Johnson, (Mrs.) Manning, Robbins, Tull—4.

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

On motion of Mr. Hoey **SB 127** with **SA 1** and **SA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 127 with **SA 1** and **SA 2**—"An Act to Amend Section 8103, Title 9, Delaware Code, Relating to Exemptions from Taxation of Certain Property Owned by Governmental, Religious or Educational Agencies".

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

YEAS—Messrs. Bookhammer, Cook, Hoey, Isaacs, (Mrs.) Lord, Price, Simpson, Wilgus, Pres. Pro Tem Steen—9.

NAYS—Messrs. Donovan, DuPont, Martin, McCullough—4.

ABSENT—Messrs. Johnson, (Mrs.) Manning, Robbins, Tull—4.

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

On motion of Mr. Hoey **SB 113** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 113—"An Act to Amend Section 27, Chapter 237, Volume 51, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Bridgeville' Relating to the Power to Raise Revenue".

On motion of Mr. Hoey the bill was deferred.

On motion of Mr. Cook **HB 180** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 180—"An Act to Amend Section 9305, Title 9, Delaware Code, Relating to Duties and Powers of County Comptrollers".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, (Mrs.) Lord, Martin, McCullough, Simpson, Wilgus, Pres. Pro Tem Steen—10.

NAYS—Messrs. DuPont, Isaacs—2.

ABSENT—Messrs. Johnson, (Mrs.) Manning, Price, Robbins, Tull—5.

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

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **HB 25**, 4 on merits; **HB 269**, 1 favorable, 3 on merits; **HB 285**, 4 on merits; **SB 140**, 2 favorable, 2 on merits.

Pres. Pro Tem Steen introduced **SA 1** to **SB 171** to be placed with bill.

On motion of Mr. Donovan the Senate adjourned at 5:15 P.M. to Tuesday, June 18, 1963, at 1:00 P.M.

58th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:32 P.M. on Tuesday, June 18, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. Robert Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, DuPont, Hoey, Martin, Price, Robbins, Tull—7.

Members Absent—Messrs. Bookhammer, Cook, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Simpson, Wilgus, Pres. Pro Tem Steen—10.

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

The Senate met at the expiration of the recess at 4:15 P.M., Lt. Gov. Lamot presiding.

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

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

Members Absent—None.

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

On motion of Mr. Hoey **SB 113** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 113—"An Act to Amend Section 27, Chapter 237, Volume 51, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Bridgeville' Relating to the Power to Raise Revenue".

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

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

NAYS—Mr. Isaacs—1.

ABSENT—Mr. Cook—1.

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

HJR 4—"Relating to the Return to the State of Fort Miles at Cape Henlopen" was read a first time and assigned to the Miscellaneous Committee.

On motion of Mr. Simpson **HB 171** as Amended with **HA 1** and **SA 1** with title as follows was taken up consideration and read a second time by title in order to pass the Senate:

HB 171 as Amended with **HA 1** and **SA 1**—"An Act to Re-Incorporate the Town of Houston".

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

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

NAYS—None.

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

Mr. Tull moved to lift from table the roll call on **HB 93**.

On motion of Mr. Tull **HB 93** was taken up for consideration.

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—13.

NAYS—Mr. Simpson—1.

NOT VOTING—Mmes. Lord, Manning, (Mr.) Wilgus—3.

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

Pres. Pro Tem Steen introduced **SA 1** to **SB 171** and moved for adoption. Motion prevailed.

On motion of Pres. Pro Tem Steen **SB 171** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 171 with **SA 1**—"An Act to Amend Chapter 51, Title 30 Delaware Code, Relating to Motor Fuel Tax".

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

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

NAYS—None.

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

On motion of Mr. Tull **HB 78** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 78 with **SA 1**—"An Act to Amend Title 5, Delaware Code, Relating to Pledging or Hypothecating Assets".

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

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

NAYS—None.

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

On motion of Pres. Pro Tem Steen **SB 178** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 178—"An Act Making an Appropriation Out of the Capital Investment Fund to the State Highway Department to be Used for the Design and Construction of an Office and Maintenance Building and the Acquisition of the Necessary Equipment and Furnishings Therefor in Sussex County".

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

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

NAYS—Messrs. DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning—4.

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

On motion of Mr. Johnson **SB 179** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 179—"An Act Making an Appropriation Out of the Capital Investment Fund to the State Highway Department to be Used for the Design and Construction of an Office Building and a Maintenance Building and the Equisition of the Necessary Equipment and Furnishings Therefore in New Castle County".

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

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

NAYS—Messrs. DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning—4.

NOT VOTING—Messrs. Bookhammer, Simpson, Wilgus—3.

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

On motion of Mr. Donovan **SB 180** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 180—"An Act to Provide for the Construction of a State Office Building on Grounds now Owned by the State in Dover, the Transfer of Offices from the Old State House, the Assignment of the Old State House to the Public Archives Commission, the Restoration of the Old State House, the Allocation of Funds for Alterations to that Commission for the Hall of Records, and Appropriating Money for Said Purposes".

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

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

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

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

On motion of Mr. Robbins **HB 269** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 269—"An Act Making an Appropriation to the Board of Game and Fish Commissioners of the State of Delaware for the Purchase and Development of Public Recreational Facilities of Delaware Bay at Bowers, Kent County, Delaware".

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

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

NAYS—None.

NOT VOTING—Messrs. Donovan, Isaacs, Pres. Pro Tem Steen—3.

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

On motion of Mr. Hoey **SB 126** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 126—"An Act Making a Supplementary Appropriation to the State Highway Department for the Construction of a Spillway at Collins Pond in Sussex County, for the Fiscal Year Ending June 30, 1964".

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

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

NAYS—None.

ABSENT—Mr. Cook—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority

passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Johnson **HB 285** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 285 with **HA 1**—"An Act Making a Supplementary Appropriation to the Middletown School District No. 60 for Operational Expenses".

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

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

NAYS—None.

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

On motion of Mr. Price **HB 278** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 278—"An Act to Amend Chapter 158, Volume 36, Laws of Delaware (As Amended) Providing for Changes in the Charter of the City of Dover".

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

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

NAYS—None.

NOT VOTING—Mr. Cook—1.

ABSENT—Mrs. Manning—1.

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

On motion of Mr. Tull **SB 59** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 59—"An Act to Amend Chapter 51, Title 6, Delaware Code, Relating to Weights and Measures".

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

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

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Mrs. Manning—1.

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

On motion of Mr. Cook **HB 143** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 143—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations upon Taxing Power, by Exempting Lands and Improvements of the Delaware Society for Crippled Children and Adults, Inc. from Assessment and Taxation".

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

YEAS—Messrs. Cook, DuPont, Martin, McCullough, Tull.

NAYS—Messrs. Hoey, Isaacs, (Mrs.) Lord, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen.

NOT VOTING—Messrs. Bookhammer, Donovan, Johnson.

ABSENT—Mrs. Manning.

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

Committee reports submitted were as follows:

HB 275—Finance, 5 on merits, by Mr. Hoey; **HB 82**—Finance, 5 on merits, by Mr. Hoey; **SS 1** to **SB 153**—Finance, 5 on merits, by Mr. Hoey; **SB 174**—Finance, 5 on merits, by Mr. Hoey; **HB 246**—Revised Statutes, 1 favorable, 4 on merits, by Mr. Cook.

Mr. Cook moved to suspend Rule 9 to act on **HB 246**. Motion prevailed by voice.

On motion of Mr. Cook **HB 246** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 246—"An Act Providing for the Transfer of the Functions of the Interstate Commission on the Delaware River Basin and for the Disposition of its Unexpended Funds and Properties and Repealing Chapter 5, Title 23, Delaware Code Relating to Conservation and Safeguard of Water Resources in the Delaware River Basin".

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

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

NAYS—None.

NOT VOTING—Mr. Donovan—1.

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

On motion of Mr. Hoey **HB 25** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 25—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware".

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

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

NAYS—None.

NOT VOTING—Mr. McCullough—1.

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

At 5:40 P.M. Pres. Pro Tem Steen moved that the Senate convene in Executive Session. Motion prevailed and the Senate went into Executive Session.

At 5:50 P.M. the Senate returned to regular session, Lt. Gov. Lammot presiding.

In Executive Session, the Senate had confirmed the nomination by the Governor of Collins J. Seitz, Wilmington, Delaware, to be Chancellor of the State of Delaware for a twelve year term from date of confirmation by the Senate (reappointment).

The nomination by the Governor of Mrs. Albert W. James, Wilmington, Delaware, re-elected by the Board of Trustees of the University of Delaware, to be a member of that Board for a six year term to expire June 1, 1969.

The nomination by the Governor of John P. Cann, Newark, Delaware, re-elected by the Board of Trustees of the University of Delaware, to be a member of that Board for a six year term to expire June 1, 1969.

The nomination of George M. Fisher, Wyoming, Delaware, re-elected by the Board of Trustees of the University of Delaware, to be a member of that Board for a six year term to expire June 1, 1969.

The nomination of Arthur F. Walker, Woodside, Delaware, re-elected by the Board of Trustees of the University of Delaware, to be a member of that Board for a six year term to expire June 1, 1969.

And the nomination of Samuel Lenher, Wilmington, Delaware, elected by the Board of Trustees of the University of Delaware, to be a member of that Board for a six year term to expire June 1, 1969, to fill a vacancy created by the death of Granville M. Read.

On motion of Mr. Donovan the Senate adjourned at 5:51 P.M. to Wednesday, June 19, 1963, at 1:00 P.M.

59th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, June 19, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Robert Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—12.

Members Absent—Messrs. Isaacs, Johnson, Martin, McCullough, Tull—5.

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

A telegram to Mrs. Manning, which she requested be spread upon the Journal, was read before the Senate:

WESTERN UNION TELEGRAM

PA012 SSE010 June 19, 1963, 7:59 A.M.
P WUA007 NL PD — Wilmington, Delaware 18
Senator Margaret Manning
State House, Dover, Delaware

Imperative that School Omnibus Bill be passed immediately. The need is urgent and we must provide classrooms for our children.

The Marshallton School Board
NELSON COOPER, Chairman,
WILLIAM JOBLING
WAYNE ASHBY
AND MARTHA BOCKMAN.

Pres. Pro Tem Steen moved that Rule 9 be suspended for the rest of the day. Motion prevailed.

The president introduced and welcomed all of the boys who were participating in the Annual American Legion Boys' State.

Mr. Cook introduced **SB 185**—"An Act to Amend Chapter 149, Volume 29, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Cheswold', as Amended"; which was given first reading and assigned to the Revised Statutes Committee.

On motion of Mr. Cook **SB 58** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 58—"An Act to Amend Chapter 51, Title 29, Delaware Code, by Authorizing the State Treasurer to Make Certain Payroll Deductions".

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

YEAS—Messrs. Cook, DuPont, (Mrs.) Lord, (Mrs.) Manning.

NAYS—Messrs. Bookhammer, Hoey, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen.

NOT VOTING—Mr. Donovan.

ABSENT—Messrs. Isaacs, Johnson, McCullough, Price, Tull.

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

On motion of Mr. Robbins **SB 177** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 177—"An Act Authorizing and Directing the Levy Court of Kent County to Reimburse Virginia Lee Banning Property and School Taxes Paid in Error".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Wilgus—11.

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, Martin, McCullough, Tull, Pres. Pro Tem Steen—6.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:55 P.M.

The Senate met at the expiration of the recess at 3:15 P.M., Lt. Gov. Lammot presiding.

Messrs. Isaacs and Johnson asked to be marked present.

Mr. Donovan, Chairman of the Miscellaneous Committee, reported on **HJR 4** as follows: 3 favorable, 2 on merits.

At 3:16 P.M., the House informed the Senate that it had passed **HB 322** and desired the concurrence of the Senate; also that it had passed **SB 94** with **HA 1** and **SB 145** and was returning same to the Senate.

The Chair presented **HB 322**—"An Act to Amend Chapter 31, Volume 54, Laws of Delaware, Entitled 'An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1964 and Making a Supplemental Appropriation in the Amount of \$600.00 for the Proposed Amendment,'" which was given a first and second reading and referred to the Finance Committee.

Mr. McCullough asked to be marked present.

On motion of Mr. McCullough **SB 174** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 174—"An Act Making a Supplementary Appropriation to New Castle Historic Building Commission".

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

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

NAYS—None.

ABSENT—Messrs. DuPont, Hoey, Martin, Tull, Pres. Pro Tem Steen—5.

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

Mr. Cook, Chairman of Revised Statutes Committee, reported on **SB 185** as follows: 2 favorable, 2 on merits.

Mr. Tull asked to be marked present.

Mr. Cook, noting that Rule 9 had been suspended for the day, asked that **SB 185** be placed before the Senate for final action.

On motion of Mr. Cook **SB 185** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 185—"An Act to Amend Chapter 149, Volume 29, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Cheswold', as Amended".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus—14.

NAYS—None.

ABSENT—Messrs. DuPont, Martin, Pres. Pro Tem Steen—3.

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

On motion of Mr. McCullough **SS 1** for **SB 153** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SS 1 for **SB 153**—"An Act Making a Supplementary Appropriation to New Castle Historic Building Commission".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Tull, Wilgus—11.

NAYS—None.

NOT VOTING—Messrs. Hoey, Isaacs, Simpson—3.

ABSENT—Messrs. DuPont, Martin, Pres. Pro Tem Steen—3.

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

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

SB 186—"An Act to Amend Chapter 45, Title 10, Delaware Code, to Permit the Superior Court to Excuse Jurors", by Messrs. Cook, Simpson and Mrs. Manning; to Judiciary.

SB 187—"An Act to Amend Section 4301, Title 11, Delaware Code, Relating to Assistant Probation Officers", by Messrs. Cook, Simpson and Mrs. Manning; to Judiciary.

Mr. Robbins introduced the following resolution which upon further motion was adopted by voice vote: **SCR 20**—"Making Appropriations to Various Companies for Supplies

and Services Rendered the 122nd General Assembly of the State of Delaware".

Committee reports submitted were as follows:

HB 238—Banking and Insurance, 1 favorable, 4 on merits, by Mr. Tull; **HB 96**—Finance, 1 favorable, 3 on merits, by Mr. Hoey.

On motion of Mr. Tull **SB 143** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus—14.

NAYS—None.

ABSENT—Messrs. DuPont, Martin, Pres. Pro Tem Steen—3.

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

On motion of Mr. Hoey **HB 96** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 96 with **HA 1**—"An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection with the Holding of Boys' State and Girls' State".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus—14.

NAYS—None.

ABSENT—Messrs. DuPont, Martin, Pres. Pro Tem Steen—3.

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

On motion of Mr. Isaacs **SB 45** was called up for final action in the Senate.

Mr. Cook moved to defer to June 20, 1963. Motion prevailed by voice.

On motion of Mr. McCullough the Senate recessed upon call of the Chair at 4:10 P.M.

The Senate met at the expiration of the recess at 4:36 P.M., Lt. Gov. Lammot presiding.

Mr. Cook, Chairman of the Revised Statutes Committee, reported on **HB 255** as follows: 5 favorable.

Mr. Cook, since Rule 9 had been previously suspended, requested that **HB 255** be placed before the Senate for final action.

On motion of Mr. Cook **HB 255** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 255—"An Act to Amend Article Five, Section 2, of the Constitution of the State of Delaware".

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

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

NAYS—None.

ABSENT—Messrs. Donovan, Martin—2.

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

On motion of Mr. Johnson **SB 154** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 154—"An Act to Repeal Section 9302, Title 10, Delaware Code, Entitled Limitations on Jurisdiction and Venue in New Castle County".

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

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

NAYS—Mr. Isaacs—1.

ABSENT—Messrs. Donovan, Martin—2.

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

On motion of Mr. Isaacs **SB 45** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 45—"An Act to Amend Section 503(c), Title 8, Delaware Code, Relating to Corporation Franchise Tax by

Lowering the Maximum Annual Tax from \$100,000 to \$50,000".

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

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

NAYS—Cook, Hoey, Johnson, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen.

ABSENT—Messrs. Donovan, Martin.

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

On motion of Mr. Donovan the Senate adjourned at 5:05 P.M. to Thursday, June 20, 1963, at 1:00 P.M.

JOINT SESSION

The Senate came together at 1:30 P.M. on Thursday, June 20, 1963, in order to participate in a Joint Session of the 1963 Boys' State legislature held in the Senate chambers. Lt. Gov. Lammot presided and appointed a committee of Mrs. Lord, Messrs. Donovan, Powell and Kelly to escort the Governor to the chambers.

The Joint Session lasted till 2:20 P.M.

60th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:25 P.M. on Thursday, June 20, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Robert Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Wilgus—12.

Members Absent—Messrs. Bookhammer, McCullough, Simpson, Tull, Pres. Pro Tem Steen—5.

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

The House informed the Senate that it had passed **HB 309** and desired the concurrence of the Senate.

The Chair presented **HB 309**—"An Act Concerning Procurement of Material and Awarding of Contracts for Public Works by State Agencies", which was given a first and second reading and referred to the Revised Statutes Committee.

Messrs. Bookhammer and Pres. Pro Tem Steen asked to be marked present.

The Senate received the following Memorandum No. 12 from the Governor's legislative aide:

MEMORANDUM NO. 12

June 19, 1963

TO: Secretary of the Senate

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

June 11, 1963—**SB 151**

June 12, 1963—**HB 239**

June 17, 1963—**SB 55; SB 125**

June 18, 1963—**HB 92; HB 271; HB 294.**

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 2:30 P.M.

The Senate met at the expiration of the recess at 5:18 P.M., Lt. Gov. Lammot presiding.

Messrs. McCullough and Tull asked to be marked present.

The following communication from Millard F. Murray, III, was read:

Church Street at Washington Street
Millsboro, Delaware
June 20, 1963

Curtis W. Steen
Pres. Pro-Temp.
Delaware State Senate
Dover, Delaware
Dear Senator Steen:

Having served as an attache for the Senate for 60 legislative days, I now find it necessary, because of business reasons, to tender my resignation.

I would like to take this opportunity to thank all the members and other personnel for the courtesies extended to me.

It has been an informative and rewarding experience and I hope that at some future date I may again participate.

Sincerely,

MITT

MILLARD F. MURRAY, III

On motion of Mr. Donovan the Senate adjourned at 5:25 P.M. to Monday, June 24, 1963, at 1:00 P.M.

61st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, June 24, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Robert Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, DuPont, Martin, Price, Robbins, Simpson—7.

Members Absent—Messrs. Bookhammer, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Tull, Wilgus, Pres. Pro Tem Steen—10.

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

The Senate met at the expiration of the recess at 5:28 P.M., Lt. Gov. Lammot presiding.

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

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—13.

Members Absent—Messrs. Hoey, Isaacs, McCullough, Tull—4.

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

Mrs. Manning introduced **SB 188**—"An Act Making a Supplementary Appropriation to the Absalom Jones School District 106 for Payment of Sums Due for the Construction Program Incurred Prior to December 1962 for the Fiscal Year Ending June 30, 1964", which was given first reading and assigned to Finance.

The Chair announced the receipt of the Governor's veto message re: **SB 56**. The Secretary of the Senate had received the veto on Friday, June 21, 1963.

The vetoed bill, **SB 56**, and accompanying veto was referred to Elections Committee.

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

June 21, 1963

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

On June 11, 1963, I received Senate Bill No. 56, entitled:
"AN ACT TO AMEND TITLE 15 SECTION 1511 A
OF THE DELAWARE CODE CHANGING THE

COMPENSATION FOR DELIVERY OF REGISTRATION RECORDS TO THE DEPARTMENT OF ELECTIONS."

While I am in agreement with the apparent intent of this amendment, the bill is improperly drafted. I must, therefore, return Senate Bill No. 56 without my approval.

Respectfully submitted,
ELBERT N. CARVEL
Governor

Mr. Donovan, Chairman of the Miscellaneous Committee, reported **HB 181** from committee as follows: 5 on merits.

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

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

SB 189—"An Act to Amend Title 29, Section 6913, Delaware Code, Relating to the Determination of Prevailing Wage Rates in Public Construction Contracts and Providing for the Enforcement Thereof", by Messrs. Robbins, Bookhammer, Simpson, Price, and Hoey; to Revised Statutes.

SB 190—"An Act Making a Supplementary Appropriation to the State Highway Department to be Used for the Acquisition of Land and Erection Thereon of an Inspection Lane and the Necessary Equipment and Furnishings Therefor in New Castle County Outside the City of Wilmington", by Mr. Johnson.

Mr. Johnson moved to suspend rules to act on **SB 190**. Motion prevailed.

On motion of Mr. Johnson **SB 190** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 190—"An Act Making a Supplementary Appropriation to the State Highway Department to be Used for the Acquisition of Land and Erection Thereon of an Inspection Lane and the Necessary Equipment and Furnishings Therefor in New Castle County Outside the City of Wilmington".

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

YEAS—Messrs. Cook, Donovan, Johnson, (Mrs.) Lord, Price, Robbins, Simpson, Tull, Wilgus—9.

NAYS—Mr. DuPont, Mrs. Manning—2.

ABSENT—Messrs. Bookhammer, Hoey, Isaacs, Martin, McCullough, Pres. Pro Tem Steen—6.

So the question was decided in the affirmative and the bill having received the required constitutional majority

passed the Senate and was ordered to the House for concurrence.

Mrs. Manning moved to suspend rules to act on **SB 188**. The Chair ruled motion was out of order since the bill had been assigned to committee.

Mr. Donovan introduced the following resolution which upon further motion was adopted by voice vote: **SR 65**—"In Reference to Election of Officers".

WHEREAS, the following persons have previously been elected to the offices appearing opposite their names but have resigned effective at the close of the Legislative Day, June 20, 1963.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that the following persons are relieved from their duties effective at the close of the Legislative Day, June 20, 1963.

Fletcher Price—Attorneys' Messenger
 Clifford Baker—Sergeant-at-Arms
 Sara B. Frazer, Attorneys' Messenger
 Dora Furniss—Reading Clerk
 Francis M. Lynch—Filing Clerk for Legislative
 Reference Bureau

BE IT FURTHER RESOLVED that the following persons are hereby elected to the office appearing opposite their names effective June 24, 1963 to serve during the pleasure of the Senate.

Earle S. Minner—Attorneys' Messenger
 Laura Belle Wilson—Filing Clerk for Legislative
 Reference Bureau
 Emma Hintz—Attorneys' Messenger
 Lorraine B. West—Reading Clerk
 John S. Walls—Sergeant-at-Arms

The President of the Senate administered "The Employees' Oath of Office" to all of the above mentioned selectees.

The House informed the Senate that it had passed **HB 346, HB 318, HB 228, HB 221, HB 248, HB 76, HB 300, HB 321, HB 318** and **HB 298** and desired the concurrence of the Senate.

Also that it had passed **SB 171** with **SA 1, SB 88, SB 120, SB 147, SB 123, SB 176** and **SB 111** and was returning same to the Senate. Also that it had passed **SCR 20** and **SJR 4** and was returning same to the Senate.

Mr. McCullough asked to suspend rules to act on **HB 346**. Motion prevailed.

On motion of Mr. McCullough **HB 346** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 346—"An Act Making a Deficiency Appropriation to Milton Consolidated School No. 8 for the Fiscal Year Ending June 30, 1963".

On motion of Mr. McCullough the bill was deferred.

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

HB 76—"An Act to Amend Chapter 1, Title 30, Delaware Code, pertaining to State Taxes, by Adding a New Section Thereto Providing for Reciprocal Collection of Taxes"; to Revised Statutes.

HB 221—"An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to the Definition of 'Dependent' and Credits for Dependents"; to Revised Statutes.

HB 248 with **HA 1**—"An Act to Amend Title 18, Delaware Code, to Prohibit the Charging of Certain Fees in Connection with the Issuance and Cancellation of Insurance Policies and Providing Criminal Penalties Therefore"; to Insurance and Banking.

HB 298 with **HA 1**—"An Act Appropriating Money to the 308 West Residence, Prisoners Aid Society of Delaware, and Amending 51 Delaware Laws, Chapter 322 as Amended by 52 Delaware Laws, Chapter 274"; to Finance.

HB 300—"An Act to Amend Chapter 83, Title 9, Delaware Code, Relating to Posting by the Kent County Board of Assessment of a Copy of the Assessment"; to Revised Statutes.

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

HB 321—"An Act to Amend Section 4751, Title 10, Delaware Code, Pertaining to the Time in Which to Satisfy Judgements"; to Judiciary.

HB 228 with **HA 3**—"An Act to Amend Title 21 of the Delaware Code, Relating to Motor Vehicles by Adopting the Uniform Rules of the Road and Making Other Amendments"; to Revised Statutes.

HB 338—"An Act to Appropriate Money to George Elmer Smith, Jr., a Veteran Eligible for the Bonus Paid by the State Pursuant to the Veteran's Military Pay Act No. II, but Who Did Not Receive His Bonus"; to Claims.

On motion of Mr. Donovan the Senate adjourned at 6:10 P.M., to Tuesday, June 25, 1963, at 1:00 P.M.

62nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, June 25, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Robert Sauls.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins—6.

Members Absent—Messrs. Bookhammer, DuPont, Hoey, Isaacs, Johnson, Martin, McCullough, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—11.

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

The Senate met at the expiration of the recess at 3:37 P.M., Lt. Gov. Lammot presiding.

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

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

Members Absent—Messrs. McCullough, Pres. Pro Tem Steen—2.

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

Mr. Martin, Chairman of the Labor Committee, reported **SB 37** from committee as follows: 3 favorable, 2 on merits.

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

Pres. Pro Tem Steen moved to suspend rules to act on **HB 346**. Motion prevailed.

On motion of Pres. Pro Tem Steen **HB 346** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 346—"An Act Making a Deficiency Appropriation to Milton Consolidated School No. 8 for the Fiscal Year Ending June 30, 1963".

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

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

NAYS—Mr. Simpson—1.

ABSENT—Mr. Robbins—1.

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

Mr. Hoey, Chairman of the Finance Committee, reported **HB 268** from committee as follows: 1 favorable, 4 on merits.

Mr. Cook, moved to suspend Rule 9 to act on **SB 191**. Motion prevailed.

Mr. Cook moved for a 5 minute recess to discuss this bill. Motion prevailed.

On motion of Mr. Cook the Senate recessed upon call of the Chair at 4:35.

The Senate met at the expiration of the recess at 4:56 P.M., Lt. Gov. Lammot presiding.

Mr. Cook asked the privilege of the floor for Captain Barnes of the Delaware State Police to discuss **SB 191**. Granted.

On motion of Messrs. Cook and Tull **SB 191** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 191—"An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to State Police Pensions by Liberalizing the Same".

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

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

NAYS—Mr. Donovan—1.

ABSENT—Mr. Robbins—1.

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

Mrs. Lord and Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote: **SR 66**—"Authorizing Payment of Certain Expenses of the Senate of the 122nd General Assembly for Printing of Identification Cards".

BE IT RESOLVED by the Senate of the 122nd General Assembly that the sum of eighteen dollars (\$18.00) is here-

by appropriated out of any money in the State Treasury not otherwise appropriated to pay the Smyrna Times, Smyrna, Delaware for printing three hundred fifty (350) Identification Cards for the Senate of the 122nd General Assembly.

Mr. Hoey introduced the following concurrent resolution which upon further motion was adopted by voice vote: **SCR 21**—"Expressing the Sympathy of the 122nd General Assembly for the Illness of Roy D. Freeman".

WHEREAS, the members of the 122nd General Assembly of the State of Delaware have learned that Roy D. Freeman, Accountant for the Finance Committee, is ill, and

WHEREAS, the members of the 122nd General Assembly desire to express and extend their regret and sympathy to Roy D. Freeman,

NOW THEREFORE:

BE IT RESOLVED, by the Senate of the State of Delaware, the House of Representatives concurring therein, that the members do hereby express their sincere wishes for a complete and speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Roy D. Freeman.

Committee reports submitted were as follows:

SB 188—Finance, 5 on merits, by Mr. Hoey; **SB 124**—Finance, 3 favorable, 2 on merits, by Mr. Hoey.

Mrs. Manning moved to suspend Rule 9 to act on **SB 188**. Motion carried.

Pres. Pro Tem Steen moved to recess for 20 minutes.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 4:50 P.M.

The Senate met at the expiration of the recess at 5:05 P.M., Lt. Gov. Lammot presiding.

On motion of Mrs. Manning **SB 188** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 188—"An Act Making a Supplementary Appropriation to the Absalom Jones School District 106 for Payment of Sums Due for the Construction Program Incurred Prior to December 1962 for the Fiscal Year Ending June 30, 1964".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Tull, Wilgus—14.

NAYS—None.

NOT VOTING—Messrs. Robbins, Simpson—2.

ABSENT—Pres. Pro Tem Steen—1.

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

Mr. Cook, Chairman of the Revised Statutes Committee, reported the following bills from committee: **HB 182**, 5 favorable; **HB 309**, 1 favorable, 4 on merits; **HB 194**, 1 favorable, 4 on merits; **HB 221**, 1 favorable, 4 on merits; **HB 300**, 2 favorable, 3 on merits; **HB 290**, 1 favorable, 4 on merits; **SB 189**, 5 favorable; and **SB 182**, 3 on merits, 2 unfavorable.

Mr. Cook, Chairman of the Judiciary Committee, reported the following bills from committee: **HB 321**, 5 favorable; **SB 187**, 5 favorable; **SB 186**, 5 favorable; and **SB 100**, 5 favorable.

Mr. Cook asked that **HS 1** for **HB 65** with **HA 1** and **2** be placed before the Senate for final action.

Mr. McCullough introduced **SA 2** to **HS 1** for **HB 65** with **HA 1** and **2**.

On motion of Mr. McCullough **SA 2** to **HS 1** for **HB 65** with **HA 1** and **2** was taken up for consideration.

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

YEAS—Messrs. Cook, McCullough, Price, Robbins, Pres. Pro Tem Steen—5.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Wilgus—8.

NOT VOTING—Messrs. Donovan, Hoey, Johnson, Tull—4.

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

On motion of Mr. McCullough to table the roll call on **SA 2** to **HS 1** for **HB 65** with **HA 1** and **2** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Hoey, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—7.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Wilgus—9.

NOT VOTING—Mr. Donovan—1.

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

On motion of Mr. McCullough to defer **HS 1** for **HB 65** with **HA 1** and **2** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Hoey, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—6.

NAYS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Wilgus—11.

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

On motion of Mr. Cook **HS 1** for **HB 65** with **HA 1** and **2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for **HB 65** with **HA 1** and **2**—"An Act to Amend Title 10, Delaware Code, Relating to the Number, Method of Appointment, Terms and Qualifications of the Judges of the Family Court for New Castle County".

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

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

NAYS—Messrs. McCullough, Robbins—2.

NOT VOTING—Messrs. Bookhammer, Donovan, Tull—3.

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

On motion of Mr. Donovan the Senate adjourned at 5:40 P.M., to Wednesday, June 26, 1963, at 1:00 P.M.

63rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, June 26, 1963, Lt. Gov. Lammot presiding.

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

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, (Mrs.) Lord, Price, Robbins, Simpson, Wilgus—9.

Members Absent—Messrs. Cook, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Tull, Pres. Pro Tem Steen—8.

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

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

The Senate met at the expiration of the recess at 3:45 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Messrs. Isaacs, McCullough, Tull, Johnson, Martin, Pres. Pro Tem Steen, (Mrs.) Manning, and Cook.

The Chair requested a reading of a communication to Mr. DuPont from William R. Marvel, Department Adjutant of the Delaware American Legion.

THE AMERICAN LEGION
DEPARTMENT OF DELAWARE

P. O. Box 1965
Wilmington, Delaware
June 24, 1963

Hon. Reynolds DuPont
Greenville, Delaware -7-
Dear Senator DuPont:

Knowing of your interest regarding a Civil Service System for the state employees enclosed is a resolution passed at our Department Convention held in Dover, Delaware, June 8-9, 1963.

Kindest personal regards,

Sincerely,
WM. R. MARVEL
Department Adjutant

encl.

WHEREAS, The Department of Delaware, The American Legion believes that efficiency in the operation of State Agencies would best be served by providing for the establishment of a Civil Service System in the State of Delaware, and further, that there shall be provision for veterans preference consonant with the tried program of the Federal Civil Service, in hiring and retention of personnel in State agencies.

BE IT RESOLVED, that the Department of Delaware, The American Legion advises all parties concerned of its desire for the creation of such an agency in the State of Delaware by publication of its desires through various news media.

Adopted: In convention assembled at Dover, Delaware, June 8-9, 1963.

Copies to: The Secretary of Labor, Washington, D. C.
Chief, Veterans Employment Service, Washington, D. C.
Each member of Delaware General Assembly.

Mr. Johnson introduced SB 192.

Mr. Johnson moved to suspend Rule 9 to act on **SB 192**. Motion prevailed.

On motion of Mr. Johnson **SB 192** with title as follows was taken up for consideration and read by title in order to the Senate:

SB 192—"An Act to Amend Section 1511, Title 15, Delaware Code, Relating to Delivery of Registration Records to the Department of Elections".

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

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

NAYS—None.

ABSENT—Mr. Cook—1.

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

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

SB 193—"An Act to Amend Chapter 17, 19 and 21, Title 14, Delaware Code, Relating to Education", by Mr. McCullough and Mrs. Manning; to Education.

SB 194—"An Act to Amend Section 3314, Title 19, Delaware Code, Relating to Eligibility for Benefits for Unemployment Compensation", by Mr. McCullough; to Revised Statutes.

Mr. Robbins introduced the following resolution which upon further motion was adopted by voice vote: **SR 67**—"Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

Mrs. Lord and Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote: **SR 68**—"Authorizing the Payment of Certain Expenses for the Printing of Certificates for Members of the Senate of the 122nd General Assembly".

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

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

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **HB 84** as Amended, 3 favorable, 2 on merits; **HB 270**, 5 on merits; **HB 218**, 5 on merits; **HB 83**, 5 on merits; **HB 85**, 5 on merits; **HB 80** as Amended, 5 on merits; **HS 1** for **HB 207**, 5 on merits; **HB 322**, 5 on merits; and **HB 311**, 5 on merits.

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

SB 196—"An Act Making a Supplementary Appropriation to the State Board of Health for the Fiscal Year Ending June 30, 1964 to be Used to Renovate and Convert the Post Office Building at Milford for Use as a Clinic and Office Building", by Messrs. Hoey and Robbins; to Finance.

SCR 23—"Relating to the Establishment of a Joint Committee on the Returning of Fort Miles at Cape Henlopen to the State", by Mr. Hoey; to Miscellaneous.

SR 69—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 122nd General Assembly", by Mr. Robbins. Mr. Isaacs moved to table **SR 69**. Motion lost. Mr. Robbins moved to adopted **SR 69**. Motion prevailed by voice vote.

Mr. Simpson moved that Pres. Pro Tem Steen appoint a three-man committee to study the feasibility of establishing a permanent committee to have charge and control of personal expense accounts of the Senate.

On motion of Mr. Isaacs to table **SR 69** the yeas and nays were ordered which being taken were as follows:

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

NAYS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

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

On motion of Mr. Cook the Senate recessed upon call of the Chair at 4:35 P.M.

The Senate met at the expiration of the recess at 4:50 P.M., Lt. Gov. Lammot presiding.

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

SB 197—"A Bill to Establish a Joint Senate-House Committee to Establish a Legislative Code of Ethics", by Mrs. Lord; to Revised Statutes.

SCR 24—"Providing for Temporary Adjournment of the Senate and the House of Representatives of the 122nd

General Assembly of the State of Delaware", by Pres. Pro Tem Steen; adopted by roll call vote.

Mr. McCullough introduced the following resolution which upon further motion was adopted by voice vote: **SR 70**—"In Reference to Election of Officers".

WHEREAS, Rev. Robert L. Sauls, who was previously elected to the office of Chaplain, has now submitted his resignation from said office;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Rev. Robert L. Sauls be and he is hereby discharged from the office of Chaplain;

BE IT FURTHER RESOLVED that Rev. T. Dennis Walker be and he is hereby elected to the office of Chaplain, to serve during the pleasure of the Senate.

Th House informed the Senate that it had passed **SB 59**, **SB 191** and **SCR 21** and was returning same to the Senate.

On motion of Pres. Pro Tem Steen **SCR 24** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SCR 24—"Providing for Temporary Adjournment of the Senate and the House of Representatives of the 122nd General Assembly of the State of Delaware".

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

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

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

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

On motion of Mr. DuPont **SB 130** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 130—"An Act Amending Chapter 61, Entitled 'General Fund', of Title 29, Delaware Code, by Adding Thereto a New Section Relating to a Restriction Upon the State's Borrowing Money and Pledging Credit".

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

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

NAYS—Mr. Donovan—1.

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

Mr. Hoey, Chairman of the Finance Committee, reported **SB 196** from committee as follows: 5 on merits.

Mr. Hoey moved to suspend Rule 9 to act on **SB 196**. Motion prevailed.

On motion of Mr. Hoey **SB 196** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 196—"An Act Making a Supplementary Appropriation to the State Board of Health for the Fiscal Year Ending June 30, 1964 to be Used to Renovate and Convert the Post Office Building at Milford for Use as a Clinic and Office Building".

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

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

NAYS—None.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 5:30 P.M.

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

Mr. McCullough, Chairman of the Education Committee, reported **SB 193** from committee as follows: 5 favorable.

Mr. McCullough moved to suspend Rule 9 to act on **SB 193**. Motion prevailed by voice vote.

On motion of Mr. Robbins to defer **SB 193** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Hoey, Johnson, Price, Robbins, Tull, Pres. Pro Tem Steen—6.

NAYS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Wilgus—11.

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

On motion of Mr. McCullough **SB 193** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 193—"An Act to Amend Chapter 17, 19 and 21, Title 14, Delaware Code, Relating to Education".

On motion of Mr. Isaacs the bill was deferred.

Pres. Pro Tem Steen presented **SA 1** to **SB 195**. No motion, re to action.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **SB 195**. Motion prevailed.

On motion of Mr. Isaacs the Senate recessed upon call of the Chair at 5:50 P.M.

The Senate met at the expiration of the recess at 5:55 P.M., Lt. Gov. Lammot presiding.

Mr. DuPont moved that a committee be appointed to ask the Governor to come to the Senate Chambers and express his views on **SA 1** to **SB 195**. Motion was not acted on.

Pres. Pro Tem Steen moved to defer **SB 195** to Thursday, June 27. Motion prevailed.

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

SCR 25—"Relating to the Establishment of a Joint Committee on the Returning of Fort Miles at Cape Henlopen to the State", by Messrs. Hoey, Pres. Pro Tem Steen and Bookhammer.

Mr. Hoey moved to suspend Rule 9 to act on **SCR 25**. Motion prevailed.

Mr. Hoey moved to defer **SCR 25** to Thursday, June 27 to permit the name of Mr. Bookhammer to be inserted in the resolution. Motion prevailed.

On motion of Mr. DuPont **SB 131** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 131—"An Act Proposing an Amendment to Article VIII of the Constitution of the State of Delaware Relating to Revenue and Taxation and the State's Borrowing Money and Pledging Credit".

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

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

NAYS—Messrs. Donovan, McCullough—2.

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

On motion of Mr. Robbins **SB 140** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 140—"An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Vera G. Davis to the General Fund of the State of Delaware".

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

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

NAYS—None.

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

On motion of Mr. Hoey **HB 44** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—15.

NAYS—Mr. Isaacs—1.

ABSENT—Pres. Pro Tem Steen—1.

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

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

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

Mr. Bookhammer introduced **SA 1** to **HB 82** and moved for its adoption. Motion adopted by voice vote.

On motion of Mr. Hoey **HB 82** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 82 with **SA 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".

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

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

NAYS—None.

ABSENT—Mr. Cook—1.

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

On motion of Mr. Hoey **HB 108** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 108—"An Act Appropriating Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in Kent County".

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

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

NAYS—Mrs. Manning—1.

ABSENT—Mr. Cook, Mrs. Lord—2.

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

On motion of Mr. Hoey **HB 115** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 115—"An Act Making an Appropriation to the State Soil Conservation Commission for the Purchase of Heavy Earth-Moving Machinery and Other Equipment Needed in the Soil Conservation Work of the State, Making Provision

for the Re-Payment Thereof, and Designating the Boards of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery”.

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

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

NAYS—Mrs. Manning—1.

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

On motion of Mr. Hoey **HB 125** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 125 with **HA 1**—“An Act Appropriating Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County”.

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

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

NAYS—Mrs. Manning—1.

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

On motion of Mr. Hoey **HB 148** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 148—“An Act Making a Supplemental Appropriation to the State Board of Examiners of Barbers to Repay Certain Barbers Amounts Paid by Them in Excess of the Amounts Required Under Section 414, Title 24, Delaware Code”.

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

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

NAYS—Messrs. Cook, Donovan, Robbins—3.

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

On motion of Mr. Hoey **HB 268** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 268—"An Act Appropriating Moneys to the State Soil Conservation Commission for the Construction, Improvement and Protection of Ditches in New Castle County".

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

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

NAYS—Mrs. Manning—1.

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

On motion of Mr. Hoey **HB 227** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 227—"An Act to Amend Chapter 274, Volume 53, Laws of Delaware, Entitled 'An Act Making Supplementary Appropriations to the State Planning Office for Operations for the Fiscal Year Ending June 30, 1962 and for the Undertaking of a Development Plan for the State'."

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

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

NAYS—Messrs. Donovan, Isaacs—2.

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

On motion of Mr. Hoey **HB 186** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 186—"An Act Making a Supplementary Appropriation to the Commission on Modernization of State Laws for Preparing for Enactment the Uniform Commercial Code".

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

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

NAYS—None.

ABSENT—Mr. Bookhammer—1.

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

On motion of Mr. Donovan the Senate adjourned at 7:00 P.M. to Thursday, June 27, 1963, at 1:00 P.M.

64th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, June 27, 1963, Lt. Gov. Lammot presiding.

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

By roll call the following Senators were present:

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

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

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

Pres. Pro Tem Steen moved to suspend Rule 23. Motion prevailed.

The following Senators asked to be marked present: Messrs. DuPont, Tull and Mrs. Manning.

On motion of Messrs. Cook, Simpson and Mrs. Manning **SB 186** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 186—"An Act to Amend Chapter 45, Title 10, Delaware Code, to Permit the Superior Court to Excuse Jurors".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, (Mrs.) Lord, Price, Robbins, Wilgus, Pres. Pro Tem Steen—9.