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STATE OF DELAWARE



JOURNAL OF THE STATE SENATE AT A SESSION OF THE GENERAL ASSEMBLY

CONVENED AND HELD AT DOVER ON TUESDAY, THE FIRST
DAY OF JANUARY, IN THE YEAR OF OUR LORD ONE
THOUSAND NINE HUNDRED AND SIXTY-THREE,
AND OF THE INDEPENDENCE OF THE
UNITED STATES THE ONE HUNDRED
AND EIGHTY-SEVEN

1963

THE SUSSEX COUNTIAN, INC., GEORGETOWN, DELAWARE

OFFICERS AND MEMBERS OF THE STATE SENATE

President
EUGENE LAMMOT

President Pro Tem
CURTIS W. STEEN

Secretary of the Senate
LESLIE C. GREENLY

Assistant Secretary of the Senate
JOHN W. HUGHES

Secretary to the President Pro Tem
ROSEMARY J. TULL

Secretary to the Majority Leader
CATHERINE E. DONOVAN

Reading Clerk
SHIRLEY AGNOR

Chaplain
REV. DORMAN A. BALL

Attorneys
SIDNEY BALICK
A. DEAN BETTS

Attorneys' Messengers
LEWIS KILLEN
ALLEN MOFFITT

Telephone Messenger
HELEN E. BURTON

Supply Clerk
CATHERINE TEMPLE

Sergeants-at-Arms
ARNOLD LONG
CHARLES HANSON
LEMUEL HITCHENS, JR.
EMORY SPICER
MERRITT CAMPER
JOHN LODER
ROBERT SMITH
HENRY CAREY
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Attorneys' Secretary
EMILIE E. TUGEND

Bill Clerk
DALE A. BOYCE

Assistant Bill Clerk
JOSEPH McCLEMENTS

Attorneys' Clerk
MARION PALMER

Secretary
MARY ALICE RYAN

NEW CASTLE COUNTY

District

1. MRS. EVELYN M. LORD 1406 Gilpin Avenue, Wilmington
2. JOHN E. REILLY, SR. (Died Feb. 26, 1963) 436 S. Heald Street, Wilmington
2. JOSEPH A. MARTIN (Elected March 23, 1963) 1825 Elm Street, Wilmington
3. REYNOLDS DuPONT Greenville
4. MRS. MARGARET R. MANNING 605 Greenbank Road, Marshallton
5. CALVIN R. McCULLOUGH 605 Central Ave., Holloway Terrace, New Castle
6. B. WALTER JOHNSON Bear
7. J. DONALD ISAACS R. D. 2, Townsend

KENT COUNTY

1. HENRY T. PRICE 119 N. Main Street, Smyrna
2. ALLEN J. COOK Kenton
2. WALTON H. SIMPSON 329 Camden-Wyoming Avenue, Camden
4. LEON E. DONOVAN Harrington
5. GEORGE A. ROBBINS Milford

SUSSEX COUNTY

1. WALTER J. HOEY Milford
2. EARLE M. TULL Seaford
2. CURTIS W. STEEN Dagsboro
4. WILLIAM F. WILGUS Ocean View
5. EUGENE D. BOOKHAMMER Lewes

122ND GENERAL ASSEMBLY

1st LEGISLATIVE DAY

DOVER, DELAWARE

JANUARY 1, 1963

Pursuant to Section 4, Article 2, of the Constitution of the State of Delaware, the Senate met at Legislative Hall in Dover, Delaware, at 1:00 P.M., on Tuesday, January 1, 1963, with Lieutenant Governor Eugene Lammot presiding.

The session was opened with a prayer by the Chaplain, Rev. Dorman A. Ball. Prayer: Almighty God, Our Heavenly Father, the Great Governor of the Universe and our Friend . . . by those whose authority and grace we are permitted to meet and deliberate upon our own freedoms and limitations . . . Grant us grace so to consider our calling to serve the people in thy faith and fear . . . that we may always follow the path of statesmanship rather than politics, the path of dignity rather than sloth, the path of truth rather than deceitfulness, and that we may honestly represent thy people in this coming session . . . help us to remember Thy Lordship over us rather than the power we might have over one another.

Lieutenant Governor Lammot welcomed the Senators and Senators-elect with a brief address.

Senator Steen moved that Joshua M. Twilley serve as temporary Secretary of the Senate.

By roll call the following hold-over Senators were present: Messrs. Cook, Donovan, Johnson, Mrs. Manning and Mr. Tull.

The following were absent: Mr. Reilly and Mr. Simpson making the roll call report to the Chair—5 present; 2 absent.

Having been certified by reading of the following certificates of election by the Superior Courts of the three counties, the following were sworn into office by Lieutenant Governor Lammot as State Senators: From New Castle County — Mrs. Evelyn Lord, Messrs. Reynolds DuPont, Calvin R. McCullough, J. Donald Isaacs; from Kent County — Messrs. Henry T. Price, Walton H. Simpson and George A. Robbins; from Sussex County — Messrs. Walter J. Hoey, Curtis W. Steen and Eugene D. Bookhammer.

Then by roll call, there were 16 present; 1 absent.

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

Members Absent—Mr. Reilly.

**Illustration of Sussex County
Certificate of Elections**

THE STATE OF DELAWARE,
SUSSEX COUNTY, ss.

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

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

ALBERT J. STIFTEL,
Associate Judge.

(Seal)

JAMES B. CAREY,
Resident Associate Judge

**Illustration of Kent County
Certificate of Elections**

THE STATE OF DELAWARE
KENT COUNTY, ss.

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

IN TESTIMONY WHEREOF, We, Collins J. Seitz and William J. Storey constituting the Superior Court for Kent

County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this Ninth day of November, A. D. 1962.

COLLINS J. SEITZ,
Chancellor

(Seal)

WILLIAM J. STOREY,
Resident Associate Judge

**Illustration of New Castle County
Certificate of Elections**

THE STATE OF DELAWARE
NEW CASTLE COUNTY, ss.

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

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

WM. DUFFY,
President Judge.

(Seal)

ANDREW D. CHRISTIE,
Resident Associate Judge.

Illustration of Oath of Senator

OATH OF SENATOR

The State of Delaware,

ss.

Kent County

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Senator in the General Assembly of the State

of Delaware from Senatorial District No. 5 in Kent County (to which office I was elected at the General Election held in said State in the year A. D. 1963), according to the best of my ability, and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

GEORGE A. ROBBINS

Sworn to this First day of January A. D. 1963 before me.

EUGENE LAMMOT

Mr. Donovan introduced the following resolution, which on further motion was adopted by voice vote: **SR 1**—"In Reference to Temporary Rules of the Senate".

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

Mr. Donovan introduced the following resolution, which on further motion was adopted by voice vote: **SR 2**—"Informing the Judges that the Senate is ready to receive the Certificate of Election of the Senators-elect".

BE IT RESOLVED, by the Senate, that a Committee of two be appointed by the Presiding Officer to inform the Judges that the Senate is ready to receive the Certificates of Election of the Senators-elect.

Mr. Donovan introduced the following resolution, which on further motion was adopted by voice vote: **SR 3**—"Re Election of President Pro Tempore".

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that Curtis W. Steen be and he is hereby elected to the Office of President Pro Tempore of the Senate of the 122nd General Assembly of the State of Delaware.

Mr. Donovan introduced the following resolution, which on further motion was adopted by voice vote: **SR 4**—"Notifying the House of Representatives that the Senate is organized and ready for Business".

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

Mr. Reilly asked to be marked present.

Mr. Donovan introduced the following resolution, which on further motion was adopted by voice vote: **SR 5**—"Appointing a Committee to notify the Governor that the Senate is organized".

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

Mr. Donovan introduced the following resolution, which on further motion was adopted by voice vote: **SR 6**—"Authorizing the Secretary to obtain Supplies".

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

Mr. Donovan introduced the following resolution, which on further motion was adopted by voice vote: **SR 7**—"Extending the Privileges of the Floor to Certain Persons".

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

Mr. Donovan introduced the following resolution and moved for its adoption: **SR 8**—"Authorization for the Legislative Reference Bureau to furnish stationery and other supplies to the Lieutenant Governor, members of the Senate and certain other officers thereof".

BE IT RESOLVED by the Senate of the 122nd General Assembly that the Legislative Reference Bureau be and it hereby is authorized and directed to furnish to the Lieutenant Governor and the members of the Senate, stationery and other supplies, the cost of which shall not exceed the sum of \$25 for each, for use during the 122nd General Assembly.

BE IT FURTHER RESOLVED that the Legislative Reference Bureau be and it hereby is authorized and directed to furnish to the Attorneys for the Senate, the Secretary of the Senate, the Secretary to the President, the Secretary to the President Pro Tem, the assistant secretary of the Senate, the reading clerks, the bill clerks and the document clerks of the present session, stationery and other supplies, the cost of which shall not exceed the sum of \$25 for each, for use during the 122nd General Assembly.

Mr. Cook's motion to table prevailed and later **SR 8** was adopted by voice vote.

Mr. Donovan introduced the following resolution and moved for its adoption: **SR 9**—"In Reference to supply of Delaware Code and Volume 53, Laws of Delaware, to members of the Senate and certain officers thereof".

Mr. Simpson moved to table **SR 9**.

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, Price, Simpson, Wilgus—7.

NAYS—Messrs. Cook, Donovan, Hoey, Isaacs, Johnson, McCullough, Reilly, Robbins, Steen, Tull—10.

So the question was decided in the negative and the motion not having received the required constitutional majority was lost.

On the question shall the Resolution pass the Senate, the yeas and nays were ordered, which being taken were as follows:

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

NAYS—None.

Mr. Donovan introduced the following resolution and moved for its adoption: **SR 10**.

On motion of Mr. Donovan and without objection **SB 10** was withdrawn.

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 2:35 Lt. Governor Lammot presiding.

A committee to inform the Governor that the Senate was organized and ready to do business was appointed by President Lammot. The committee comprised Messrs. Pres. Pro Tem Steen, Donovan, duPont and Simpson.

The committee departed and later returned to announce

that the Governor was so informed.

On motion of Mr. Donovan the Senate adjourned at 2:45 P.M. until Wednesday, January 2, 1963, at 1:00 P.M.

2nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:34 P.M. on Wednesday, January 2, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Dorman A. Ball.

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, Price, Reilly, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

Members Absent—Messrs. Hoey, (Mrs.) Manning, McCullough, Robbins—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 President declared a recess at 1:36 to the call of the Chair.

The Senate met at the expiration of the recess at 4:23 Lt. Gov. Lammot presiding.

Messrs. Hoey, (Mrs.) Manning and Robbins asked to be marked present.

At 4:25 a messenger from the Governor delivered a message to the Senate from the Governor. The Chair referred the message of the Governor to the Executive Committee, and directed the clerk to read the message as follows:

STATE OF DELAWARE EXECUTIVE DEPARTMENT

January 2, 1963

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

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

Wilbert Rawley, Leipsic, Delaware—to be reappointed a member of the Department of Labor and Industrial Relations for a term to expire June 30, 1967;

J. H. Tyler McConnell, Crooked Bilet, Greenville, Wilmington 7, Delaware—to be appointed a member of the Delaware River and Bay Authority for a term of two years from July 1, 1962, to expire July 1, 1964 (new position);

James T. Ferri, 4403 Channing Road, Brandywine Hills,

Wilmington 2, Delaware—to be appointed a member of the Delaware River and Bay Authority for a term of three years from July 1, 1962, to expire July 1, 1965 (new position);

James G. Smith, Jr., 1371 S. State Street, Dover, Delaware—to be appointed a member of the Delaware River and Bay Authority for a term of one year from July 1, 1962, to expire July 1, 1963 (new position);

William R. Murphy, 1 Clark Avenue, Milford, Delaware—to be appointed a member of the Delaware River and Bay Authority for a term of four years from July 1, 1962, to expire July 1, 1966 (new position);

Howard S. Abbott, West Market Street, Georgetown, Delaware—to be appointed a member of the Delaware River and Bay Authority for a term of five years from July 1, 1962, to expire July 1, 1967 (new position).

Respectfully submitted,
ELBERT N. CARVEL,
Governor

Pres. Pro Tem Steen presented a roster of his committee appointments to all the Senate committees and requested they be read to the Senate:

COMMITTEE APPOINTMENTS FOR

THE SENATE OF THE 122ND GENERAL ASSEMBLY

ACCOUNTS—B. Walter Johnson, Chm. (D-NC), Earle M. Tull (D-S), Henry T. Price, (D-K), Walton H. Simpson (R-K), Reynolds DuPont (R-NC).

AGRICULTURE—George A. Robbins, Chm. (D-K), Earle M. Tull (D-S), B. Walter Johnson (D-NC), Donald Isaacs (R-NC), Eugene Bookhammer (R-S).

BANKING AND INSURANCE—Earle M. Tull, Chm. (D-S), Calvin R. McCullough (D-NC), Henry T. Price (D-K), William F. Wilgus (R-S), Donald Isaacs (R-NC).

BUILDING AND HIGHWAY—Curtis W. Steen, Chm. (D-S), Allen J. Cook (D-K), B. Walter Johnson (D-NC), William F. Wilgus (R-S), Donald Isaacs (R-NC).

CLAIMS—George A. Robbins, Chm. (D-K), B. Walter Johnson (D-NC), Walter J. Hoey (D-S), Walton H. Simpson (R-K), William F. Wilgus (R-S).

CORPORATIONS -- MUNICIPAL—Henry T. Price, Chm. (D-K), Curtis W. Steen (D-S), John E. Reilly (D-NC), Eugene Bookhammer (R-S), Evelyn M. Lord (R-NC).

CORPORATIONS -- PRIVATE—Calvin R. McCullough, Chm. (D-NC), Leon E. Donovan (D-K), Walter J. Hoey (D-S), Walton H. Simpson (R-K), Evelyn M. Lord (R-NC).

EDUCATION—Calvin R. McCullough, Chm. (D-NC),

George A. Robbins (D-K), Curtis W. Steen (D-S), Margaret R. Manning (R-NC), Donald Isaacs (R-NC).

ELECTIONS—B. Walter Johnson, Chm. (D-NC), Henry T. Price (D-K), Earle M. Tull (D-S), Eugene Bookhammer (R-S), Margaret R. Manning (R-NC).

EXECUTIVE—Earle M. Tull, Chm. (D-S), Allen J. Cook (D-K), John E. Reilly (D-NC), Donald Isaacs (R-NC), Walton H. Simpson (R-K).

FINANCE—Walter J. Hoey, Chm. (D-S), Earle M. Tull (D-S), B. Walter Johnson (D-NC), Donald Isaacs (R-NC), Walton H. Simpson (R-K).

FISH, OYSTER AND GAME—George A. Robbins, Chm. (D-K), Walter J. Hoey (D-S), B. Walter Johnson (D-NC), Eugene Bookhammer (R-S), Reynolds DuPont (R-NC).

JUDICIARY—Allen J. Cook, Chm. (D-K), Curtis W. Steen (D-S), John E. Reilly (D-NC), Walton H. Simpson (R-K), Margaret R. Manning (R-NC).

LABOR—John E. Reilly, Chm. (D-NC), Calvin R. McCullough (D-NC), Allen J. Cook (D-K), William F. Wilgus (R-S), Margaret R. Manning (R-NC).

MISCELLANEOUS—Leon E. Donovan, Chm. (D-K), Walter J. Hoey (D-S), B. Walter Johnson (D-NC), Evelyn M. Lord (R-NC), Walton H. Simpson (R-K).

PASSED BILLS—Leon E. Donovan, Chm. (D-K), Calvin R. McCullough (D-NC), Earle M. Tull (D-S), Margaret R. Manning (R-NC), Evelyn M. Lord (R-NC).

PRINTING AND SUPPLIES—Walter J. Hoey, Chm. (D-S), George A. Robbins (D-K), Calvin R. McCullough (D-NC), Margaret R. Manning (R-NC), Eugene Bookhammer (R-S).

PUBLIC HEALTH—Henry T. Price, Chm. (D-K), George A. Robbins (D-K), Calvin R. McCullough (D-NC), Evelyn M. Lord (R-NC), Donald Isaacs (R-NC).

PUBLIC LANDS—John E. Reilly, Chm. (D-NC), Calvin R. McCullough (D-NC), Leon E. Donovan (D-K), Evelyn M. Lord (R-NC), Reynolds DuPont (R-NC).

REVISED STATUTES—Allen J. Cook, Chm. (D-K), Earle M. Tull (D-S), B. Walter Johnson (D-NC), William F. Wilgus (R-S), Eugene Bookhammer (R-S).

RULES—Allen J. Cook, Chm. (D-K), B. Walter Johnson (D-NC), Walter J. Hoey (D-S), William F. Wilgus (R-S), Reynolds DuPont (R-NC).

TEMPERANCE—Henry T. Price, Chm. (D-K), John E. Reilly (D-NC), Earle M. Tull (D-S), Eugene Bookhammer (R-S), Reynolds DuPont (R-NC).

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

HCR 1—"Providing for Adjournment of the House of

Representatives and the Senate". Adopted by voice vote.

HCR 2—"That the two Houses meet in Joint Session to hear the Message of the Governor". Adopted by voice vote.

Mr. Robbins introduced the following resolution, which on further motion was adopted by voice vote: **SR 11**—"In Reference to Election of Officers".

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

Secretary to President of Senate—Betty J. Bero
 Secretary of the Senate—Leslie C. Greenly
 Assistant Secretary of the Senate—Van A. Lett
 Sergeant-at-Arms—Arnold Long
 Sergeant-at-Arms—Charles Hanson
 Sergeant-at-Arms—Lemuel Hitchens, Jr.
 Sergeant-at-Arms—Emory Spicer
 Sergeant-at-Arms—Merritt Camper
 Sergeant-at-Arms—John Loder
 Sergeant-at-Arms—Robert Smith
 Sergeant-at-Arms—Henry Carey
 Sergeant-at-Arms—William B. Davis
 Attorney—Sidney Balick
 Attorney—A. Dean Betts
 Attorney Messenger—Lewis Killen
 Attorney Messenger—Allen Moffitt
 Attorney Messenger—Dorothy Branner
 Attorney Messenger—Ralph Edmanson
 Attorney Messenger—George Bryan
 Secretary to Majority Leader—Catherine E. Donovan
 Asst. Document Clerk—Margaret C. Kelleher
 Page—Ruth Haggerty
 Page—Stella Dixon
 Page—Clinton Wootten
 Page—William E. Clark
 Page—Samuel Messick
 Multilith Operator—Webster Ivins
 Asst. Multilith Operator—Clifton Reynolds
 Reading Clerk—Shirley Agnor
 Telephone Messenger—Dumpsie Burton
 Assistant Bill Clerk—Joseph McClements
 Document Clerk—Joseph Rawlins
 Supply Clerk—Catherine Temple
 Asst. Supply Clerk—Beatrice Adams
 Chaplain—Rev. Dorman A. Ball
 Secretary—Edna Vadden
 Reading Clerk—Ruth Cannon
 Mail Clerk—Robert Heller

Mail Clerk—John Cannon
 Attorney's Secretary—Emilie E. Tugend
 Attorney's Secretary—Mary Alice Ryan
 Attorney's Secretary—Marion Palmer
 Filing Clerk for Legislative Reference Bureau—

Elmer Lindale, Jr.

Secretary to President Pro Tem—Rosemary J. Tull

Mr. Robbins introduced the following resolution, which on further motion was adopted by voice vote: **SCR 1**—"Appointing Bill Clerks for the Senate and the House of Representatives to serve during the 122nd General Assembly".

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

Mr. Donovan introduced the following resolution, which on further motion was adopted: **SCR 2**—"Appointing Roy D. Freeman as Accountant for the Joint Finance Committee and Melba Anne Webb as Secretary for the Joint Finance Committee of the 122nd General Assembly of the State of Delaware".

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

Officers of the Senate according to **SR 11** were sworn in by President Lamnot.

Illustration of Oath of Employee

OATH OF EMPLOYEES

The State of Delaware,

ss.

County of Kent

I, Ruth E. Haggerty, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Page for the Senate in the General Assembly of the State, according to the best of my ability.

RUTH E. HAGGERTY

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

CURTIS W. STEEN

President Pro. Tem. of the Senate

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

SB 1—An Act to amend Titles 9 and 10, Delaware Code, by increasing the salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Receiver of Taxes, Prothonotary, Sheriff, Register in Chancery, Clerk of the Orphans' Court and members of the Board of Assessment in and for Sussex County," by Mr. Steen; to Finance Committee.

SB 2—"An Act to amend Section 8606, Title 9, Delaware Code, relating to the Collection of Taxes by Repealing the Requirement that the Receiver of Taxes sit at Different Places," by Pres. Pro Tem Steen; to Judiciary Committee.

Mr. McCullough asked to be marked present.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 4:45 P.M.

The Senate met at the expiration of the recess at 5:00 P.M. Lt. Governor Lamot presiding.

On motion of Mr. Donovan the Senate adjourned until Thursday, January 10, 1963, at 1:00 P.M.

3rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:45 P.M. on Thursday, January 10, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. Dorman A. Ball.

Members Present—Messrs. Cook, Donovan, DuPont, Hc-ey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price Reilly, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

Members Absent—Messrs. Bookhammer, 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 following legislation was introduced, given first reading and acted upon as follows:

SB 3—"An Act proposing an Amendment to Article 2, Section 25, of the Constitution of the State of Delaware, relating to Zoning in Sussex County", by Pres. Pro Steen: to Revised Statutes.

SB 4—"An Act proposing an Amendment to Article 2, Section 25, of the Constitution of the State of Delaware, relating to Zoning in Kent County", by Mr. Price; to Revised

SB 5—"An Act adopting, on behalf of the State of Delaware, the Interstate Compact on Juveniles which deals in

certain detail with out-of-state supervision of juvenile delinquents, return of runaways, absconders and escapees and authorizes agreements for the cooperative institutionalization of special types of juveniles", by Mr. Tull; to Judiciary.

Pres. Pro Tem Steen introduced the following resolution, which on further motion was adopted: **SR 12**—"Relative to the death of Senate Attache Ralph Clinton Wootten".

WHEREAS, the Senate of the 122nd General Assembly of the State of Delaware has learned with regret of the passing of Ralph Clinton Wootten, Senate Attache; and

WHEREAS, the members of the Senate desire to express in this public manner their own feelings and the sense of loss which will be felt by the Senate; and

NOW THEREFORE:

BE IT RESOLVED, by the Senate of the 122nd General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Ralph Clinton Wootten, Senate Attache; and

BE IT FURTHER RESOLVED, that his mother, Mrs. Lida Smith Wootten, has the full sympathy of the members of the Senate of the 122nd General Assembly of the State of Delaware which is extended by sending a copy of this resolution to Mrs. Lida Smith Wootten; and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the proceedings of the Senate of the 122nd General Assembly of the State of Delaware.

Pres. Pro Tem Steen moved to suspend Rule No. 12 for the rest of the day.

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

Joint Session

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

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

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

The Chair appointed the following committee to escort the Governor to the Senate Chamber: Messrs. Bartleson, Busker, Donovan, DuPont.

At 2:06 P.M., the Sergeant-at-Arms admitted the Gov-

ernor and the duly appointed committee to the Senate Chamber.

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

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

GOVERNOR'S MESSAGE

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

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

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

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

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

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

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

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

Balanced Budget for Fiscal 1963 and 1964

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

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

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

My estimate of \$102 million revenue for fiscal 1964 is based upon a projection of our rising economy. The recommended Budget Act, when added to Automatic Appropriations and routine Grants-in-Aid and reduced by anticipated reversions, contemplates an expenditure of \$103,688,530. A cash balance of \$5 million to \$6 million on June 30, 1964 of the anticipated cash balance on June 30, 1963 is com-

mitted for fiscal 1964, exclusive of desirable supplemental projects which the Assembly may wish to initiate.

Improved Efficiency in State Financial Management

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

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

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

Reapportionment

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

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

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

Earmarking of duPont-General Motors Divestiture Revenue

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

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

Reform of Correctional Program

During the spring of 1961, I appointed a Governor's Committee for a State Correctional Program consisting of

16 distinguished Delawareans, representing each county of the State and the City of Wilmington. The Delaware Crime Commission provided this Committee with \$25,000 which enabled it to employ the National Council on Crime and Delinquency to make a Study of juvenile and adult correction in Delaware.

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

1. Expanded professional staff to step up the rehabilitation of those presently in our correctional institutions;
2. Expanded probation and parole staff and program to follow through to a logical conclusion in the field, the rehabilitative efforts begun in the institutions;
3. A single Family Court with statewide jurisdiction and expanded professional staff.

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

Mental Health

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

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

Revision of Magistrate System

Under the leadership of the Supreme Court of Delaware, a study has been made of this archaic, outmoded system. The recommendations of this distinguished body should be enacted into law so that the people of Delaware will be assured of the best possible administration of justice. In addition to eliminating the fee system, these recommendations provide for a reduction of the total number of Justices of the Peace, for convenient locations of the courts throughout

the State, and for staffing on a 24-hour basis. Constables would also be compensated by salary rather than by fees.

Education

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

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

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

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

2. Educational Television: In our efforts to step up the quality of our educational program, one opportunity

available to us becomes more attractive with each passing day. Delaware should be utilizing television as an educational tool. This is a vast, untapped resource which is readily available to us. It is not my idea to eliminate a single teacher through the use of educational television. It is my strong belief that we will be able to broaden our courses of study and the effectiveness of transmittal of ideas through the use of teachers who are master communicators, broadcasting on educational television. In every case, they will be complemented by on-the-spot classroom teachers. I strongly urge the House and Senate Education Committees, or a joint committee of the Assembly, to work with the Governor to continue a study of the opportunities and benefits that are available to us. Closed circuit educational television could well be the answer to expensive school consolidations by providing a broad and uniform curriculum of high excellence, not presently available to all the schools of our State — large, medium and small.

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

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

prompt passage of this legislation so that the State Board and the schools may take adequate preparation for the installation of these capital replacements during the period the schools are closed down next summer.

Labor and Full Employment

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

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

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

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

Highways and Flood Control

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

The City of Wilmington is in the heart of Delaware's

prosperity and industry. During the past seven years, wide areas on the eastern and western side of that City have been razed to provide for slum clearance and FAI-2, the new Freeway. As a result, population and the taxable base has declined, posing a serious threat to the vigor and progress of this, the most important city of our State. To arrest further deterioration in the heart of this great Delaware metropolis, and to encourage business and redevelopment in that area, I urge that the completion date for FAI-2 be set for 1965 instead of 1967 as presently contemplated. This stepped-up program will require in the main, stepped-up appropriations. Our Highway Department has assured me that if the necessary funds are provided, the work can be completed by the stepped-up target date, albeit this would entail a tremendous effort on their part.

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

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

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

Additional Legislative Program

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

1. Authorization of a Personnel Department to provide job classification and uniform personnel policies for State employees;
2. Pass the first leg of a Constitutional Amendment

to provide for zoning in Kent and Sussex Counties;

3. Authorize enabling legislation to provide for Delaware River and Bay Crossings when submitted by the new Delaware-New Jersey Crossing Authority. I strongly urge that the authorization of a ferry crossing between Lewes and Cape May be vigorously supported, both by the new Authority and the Legislatures of Delaware and New Jersey;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Our Employees and Executives

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

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

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

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

Conclusion

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

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

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

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

The Governor concluded his message at 2:50 P.M.

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

**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)	12,000,000
Corporation Income Tax	8,000,000
Motor Vehicle Registration	4,200,000
Pari-Mutuel and Admissions	5,100,000
Alcoholic Beverage Taxes	2,100,000
Cigarette Taxes	3,900,000
Inheritance and Estate	4,000,000
Insurance Taxes	1,650,000
Mercantile Taxes	1,800,000
All Other Taxes and Fees	6,000,000
TOTAL, FISCAL 1963	\$ 99,750,000
 CASH BALANCE, JULY 1, 1962	 5,435,000
 TOTAL AVAILABLE	 \$105,185,000

**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
Grant-in-Aid (hospitals, fire companies, etc.)	1,215,450
All Other Supplementals	499,645
 TOTAL APPROPRIATED	 \$ 97,633,493
Less Anticipated Reversions	1,500,000

ESTIMATE OF ACTUAL EXPENDITURES	\$ 96,133,493
Anticipated Cash Balance, June 30, 1963	\$ 9,051,507

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

Income Tax and Penalties	\$ 39,300,000
Franchise Tax and Penalties	14,600,000
Motor Fuel Tax (Net)	12,800,000
Corporation Income Tax	8,600,000
Motor Vehicle Registration	4,400,000
Pari-Mutuel and Admissions	4,500,000
Alcoholic Beverage Taxes	2,300,000
Cigarette Taxes	4,100,000
Inheritance and Estate	1,500,000
Insurance Taxes	1,700,000

Mercantile Licenses	1,900,000
All Other Taxes and Fees	6,300,000
TOTAL, FISCAL 1964	\$102,000,000
ANTICIPATED CASH BALANCE	9,051,507
TOTAL AVAILABLE	\$111,031,507

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

Automatic Appropriations (tax refunds, etc.)	\$ 4,250,000
Governor's Recommended Budget Act	99,673,580
Grants-in-Aid (hospitals, fire companies, etc.)	1,264,950

TOTAL RECOMMENDED	
APPROPRIATION	\$105,188,530
Less Anticipated Reversions	1,500,000

ESTIMATE OF ACTUAL	
EXPENDITURE	\$103,688,530
RECOMMENDED MINIMUM	
CASH BALANCE	5,000,000

TOTAL REQUIRED FOR FISCAL 1964 .. \$108,688,530

AVAILABLE FOR FISCAL

1963 AND 1964 \$ 2,362,977

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

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

At 2:55 P.M., Mr. Donovan moved the two Houses now separate to re-convene in their respective chambers. Motion prevailed.

The Chair declared a recess to call of the Chair.

Senate met at expiration of recess at 4:06 P.M., Lt. Gov. Lamnot presiding.

Mr. Bookhammer asked to be marked present.

Pres. Pro Tem Steen introduced the following resolution, which on further motion was adopted: **SR 13**—"In Reference to Election of Officers".

WHEREAS, Clinton Wootten, who was previously elected to the office of Page, has now passed away; and

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that Millard F. Murray

be and he is hereby elected to the office of Page, to serve during the pleasure of the Senate; and

BE IT FURTHER RESOLVED that the following named persons be and they hereby are elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate:

Secretary to Minority Leader—Barbara J. Lore

Minority Clerk—Taylor M. Dickerson.

Mr. McCullough asked to be marked present.

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

SB 6—"An Act to Amend Title 19, Delaware Code, relating to Unemployment Compensation, by eliminating the requirement for a waiting period", by Mr. McCullough; to Revised Statutes.

SB 7—"An Act authorizing and directing the Levy Court of Kent County to reimburse Stephen Seiler, Jr. and Kathleen Seiler and Florence K. Travers Property and School Taxes paid in error", by Mr. Donovan; to Claims.

On motion of Mr. Donovan the Senate adjourned at 4:15 P.M. until Monday, January 14, 1963 at 1:00 P.M.

4th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Monday, January 14, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. D. Ball.

Members Present—Messrs. Bookhammer, Donoan, Dupont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Reilly, Robbins, Simpson, Tull, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Cook, McCullough, Wilgus—3.

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

The Chair announced that committee assignment of **SB 6** had been changed from Revised Statutes to Labor committee.

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 4:13 P.M., Lt. Gov. Lamot presiding.

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

SB 8—"An Act to Amend Chapter 81, Title 9, Delaware Code, relating to the Limitations upon Taxing Power, by Exempting Lands and Improvements of 'The Eastern Shore Fox Hunters' Association'," by Mr. Donovan; to Public Lands.

Mr. Donovan introduced the following resolution which on further motion was adopted: **SR 14**—"Expressing the Sympathy of the Senate of the Illness of former Senator Nelson Hammond".

WHEREAS, the members of the 122nd General Assembly of the State of Delaware have learned that former Senator Nelson Hammond is ill, and

WHEREAS, the members of the Senate desire to express and extend their regret and sympathy to former Senator Nelson Hammond,

NOW THEREFORE:

BE IT RESOLVED, that the members of the Senate of the 122nd General Assembly of the State of Delaware do hereby express their sincere wishes for a complete and speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the Senate of the 122nd General Assembly of the State of Delaware and a copy be forwarded to former Senator Nelson Hammond.

Messrs. McCullough, Cook, Wilgus asked to be marked present.

Mr. Reilly, chairman of labor committee, reported on **SB 6** as follows: 3 favorable; 2 on merits.

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

SB 9—"An Act Amending Title 19, Delaware Code, entitled 'Labor', by creating a State Apprenticeship and Training Council, defining its Powers and Duties and providing for its Administration", by Messrs. McCullough and Reilly; to Labor.

SB 10—"An Act Making an Appropriation to the State Highway Department for the Construction of a Dam at Portsville Pond in Sussex County", by Pres. Pro Tem Steen; to Finance.

SB 11—"An Act to Amend Sections 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", by Pres. Pro Tem Steen and Mr. Cook; to Finance.

SS 1 for SB 1—"An Act to Amend Titles 9, 10 and 12, Delaware Code by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Receiver of Taxes, Prothonotary,

Sheriff, Register in Chancery, Clerk of the Orphans' Court, members of the Board of Assessment and Register of Wills in and for Sussex County", by Pres. Pro Tem Steen.

Pres. Pro Tem Steen moved for adoption of **SS 1** for **SB 1**. Motion prevailed.

Pres. Pro Tem Steen moved to strike **SB 1** from calendar. Motion prevailed.

The Chair directed that the following communication be read:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

January 14, 1963

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

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

Ralph W. Wine, Woodside, Delaware—to be a member of the Industrial Accident Board for a term of 6 years from date of Confirmation by the Senate, to succeed Robert H. Yerkes.

Respectfully submitted,
ELBERT N. CARVEL
Governor

After the Governor's Message of re-appointment of Ralph Wine was read, it was referred to the Executive Committee.

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

SB 12—"An Act to Permit the Exploration and Leasing of submerged State Lands for the Discovery and Removal of Minerals, Oil and Gas", by Mr. Reilly; to Public Lands.

SB 13—"An Act to Amend Title 19, Delaware Code, relating to Unemployment Compensation, by providing for a Method of Election of Coverage and Reimbursement for Benefits Paid by Agencies and Political Subdivisions of the State of Delaware", by Messrs. McCullough and Reilly; to Labor.

SB 14—"An Act Authorizing and Directing the Receiver of Taxes and County Treasurer of New Castle County to Reimburse Mr. and Mrs. Robert E. Mitchell School Taxes Paid in Error", by Mrs. Manning; to Claims.

Mr. Robbins introduced the following resolution which on further motion was adopted: **SR 15**—"Authorizing Pay-

ment to Lieutenant Governor Eugene Lammot for Expenses incurred for State Business".

Mrs. Lord and Mr. Reilly introduced the following resolution which on further motion was adopted: **SR 16**—"Providing for the Appointment of a Committee to Investigate the Possibility of a More Adequate Method of Recording the Proceedings of the Senate".

WHEREAS, it would be desirable for the public to be better informed of the proceedings of the Senate, and

WHEREAS, it would be beneficial to the members of the Senate if there were a more adequate method of recording the proceedings of the Senate;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that a committee be created to consist of two members of the Senate appointed by the Pres. Pro Tem of the Senate to investigate the possibility of a more adequate method of recording the proceedings of the Senate, and

BE IT FURTHER RESOLVED that said committee shall report its recommendations back to the President within 30 days.

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

SB 15—"An Act to Amend Title 29, Section 5501, Delaware Code, relating to State Pension Plan by Extending Coverage to Employees of the Merit System of Personnel Administration", by Mr. Johnson; to Revised Statutes.

Pres. Pro Tem Steen and Mr. DuPont discussed visitations of institutions by the Senate.

On motion of Mr. Donovan the Senate adjourned at 4:40 P.M. to Tuesday, January 15, 1963, at 1:00 P.M.

5th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Tuesday, January 15, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, D. A. Ball.

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—13.

Members Absent—Messrs. Hoey, McCullough, Reilly, 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.

On motion of Mr. Donovan, the Senate recessed upon call of the Chair at 1:37 P.M.

The Senate met at the expiration of the recess at 4:50 P.M., Lt. Governor Lammot presiding.

The following Senators asked to be marked present. Messrs. Tull, McCullough, Hoey, Reilly.

Committee reports submitted were as follows:

SB 8—Public Lands, 2 favorable, 2 on merits, by Mr. Reilly; **SB 9**—Labor, 3 favorable, 2 on merits, by Mr. Reilly; **SB 12**—Public Lands, 3 favorable, 2 on merits, by Mr. Reilly; **SB 13**—Labor, 2 favorable, 3 on merits, by Mr. Reilly; **SB 3**—Revised Statutes, 4 favorable, 1 on merits, by Mr. Cook; **SB 4**—Revised Statutes, 4 favorable, 1 on merits, by Mr. Cook.

At 4:53 the House informed the Senate it had passed **HCR 1** and **HB 2** and desired the concurrence of the Senate.

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

SB 16—"An Act to Create a Poet Laureate for the State", by Pres. Pro Tem Steen; to Revised Statutes.

SB 17—"An Act to Amend Section 543, Title 4, Delaware Code, Relating to Grounds for Refusal of Alcoholic Beverage License", by Mr. Cook; to Temperance.

HB 2—"An Act Making an Emergency Appropriation to the State Custodian for the Purpose of Installing an Elevator in Legislative Hall"; to Finance.

SB 18—"An Act to Amend Section 2702, Title 10, Delaware Code, by Providing for the Appointment of Additional Constables in New Castle County", by Mr. Johnson; to Revised Statutes.

SB 19—"An Act to Amend Title 15, Delaware Code, relating to Election by Providing for the Regulation of Nomination and Election Expenses and Contributions", by Mr. Johnson; to Elections.

SCR 3—"Providing for a Joint Committee to Investigate the Present Condition of the Beaches of the State of Delaware and to Make Recommendations for their Maintenance and Preservation", by Messrs. Bookhammer, Wilgus, Pres. Pro Tem Steen, Hoey. Adopted by voice vote.

Then Mr. DuPont moved that the chair instruct Mr. Reilly, as chairman of the Labor committee, to hold a public hearing on **SB 6** before he brought said Bill before the Senate for final action.

Whereupon, Mr. McCullough remarked that the suggestion was out of order and violated the authority and prerogative of Mr. Reilly's chairmanship.

Mr. DuPont made a motion that Mr. Reilly hold a public hearing on **SB 6**.

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

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

NAYS—Messrs. Donovan, Johnson, McCullough, Reilly,—4.

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

Then Mr. McCullough moved to have **SB 6** stricken. By voice vote, the motion lost.

Senator Hoey, chairman of the Finance committee, reported on **HB 2** as follows: 4 favorable, 1 on merits.

Then, Mr. Tull moved to go into Executive Session.

In Executive session, the Senate confirmed all six nominations presented in the Governor's Message of January 3, 1963.

The Senate returned to regular session at 5:35.

Mr. Donovan moved to adjourn to Wednesday, January 16, 1963.

6th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Wednesday, January 16, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Ball.

Members Present—Bookhammers, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Reilly, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

Members Absent—Messrs. Hoey and McCullough—2.

The Secretary proceeded to read the Journal of the previous session and the Journal was approved as read.

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

HB 3—"An Act Agreeing to a Proposed Amendment to Article II of the Constitution of the State of Delaware, relating to the Composition of the House and Senate, by providing for Expansion and Reapportionment", to Revised Statutes.

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

SR 17—"Appropriation for Postage Stamps for the Senate of the 122nd General Assembly", by Mr. Donovan; adopted.

SB 20—"An Act to Amend § 6702 (c), Title 29, Delaware Code, relating to Contracts for Supplies or Work", by Pres. Pro Tem Steen and Mr. Robbins; to Revised Statutes.

SB 21—"An Act Establishing a Capital Investment Fund and Providing for the Payment into the Fund of all Income Tax Payments to the State of Delaware based on Taxable Income resulting from Distributions of Divested Stock as defined in Section 1111 of the United States Internal Revenue Code of 1954", by Pres. Pro Tem Steen; to Finance.

On motion of Pres. Pro Tem Steen the Senate recessed until call of the Chair at 1:52 P.M.

The Senate returned to order at 3:55 P.M. Lt. Gov. Lammot presiding.

Messrs. McCullough and Hoey asked to be marked present.

Mr. Cook, Chairman of the Revised Statutes Committee, reported the following bill from committee: **HB 3**, 3 favorable, 2 on merits.

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

SB 22—"An Act to Amend Title 16, Section 6606 (a), Delaware Code, relating to the Salary of the State Fire Marshal", by Mr. Cook; to Revised Statutes.

SB 23—"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", by Mr. McCullough; to Education.

SJR 1—"Withdrawing from the Southern Regional Education Compact", by Mr. McCullough; to Education.

SB 24—"An Act Appropriating Funds to the State Highway Department and to the Board of Game and Fish Commissioners of the State of Delaware to Construct and Maintain a Dam across Garrisons Pond, Kent County, Delaware", by Mr. Price; to Finance.

On motion of Mr. Hoey, **HB 2** entitled "An Act Making an Emergency Appropriation to the State Custodian for the Purpose of Installing an Elevator in Legislative Hall", 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 as follows:

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

Cullough, Price, Reilly, 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 order to the House for concurrence.

Mr. McCullough, with personal privilege of the floor, remarked that in the 5th day's session on January 15th, he had meant and tried only to elucidate that once a Senate Bill has been reported back to the Senate by the Chairman of the Committee to which it had been assigned on introduction, the privilege and prerogative of determining further action on the bill reverts to the Senator, who introduced it; and remains his unless he transfers or abdicates said privilege or prerogative to some other Senator.

Mr. McCullough assured the Chair that he had always intended to have **SB 6** well explained and discussed at a public hearing and that he wanted opponents as well as proponents of the bill to be well heard.

He remarked that he doubted that he had been able to convey the above mentioned intentions in the 5th day's session on January 15th, 1963.

On motion of Mr. Donovan, the Senate adjourned at 4:14 P.M. to Thursday, January 17th, 1963, at 1:00 P.M.

7th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, January 17, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. Ball.

Members Present—Messrs. Bookhammer, Donovan, Hoey, Isaacs, Price, Reilly, Robbins, Simpson, Wilgus—9.

Members Absent—Messrs. Cook, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, 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 to call of the Chair at 1:37 P.M.

The Senate returned to order at 3:24 P.M., Lt. Gov. Lamnot presiding.

Messrs. DuPont, Lord, Tull, Johnson, McCullough asked to be marked present.

At 3:26, the House Messenger reported that the House had passed **HS 1** for **HB 17**.

Mr. Johnson had a communication read but not journalized.

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

HS 1 for HB 17—"An Act making a Supplementary Appropriation to the Public Archives Commission for the Fiscal Year ending June 30, 1963 to be used on March 29, 1963 in Cooperation with the City of Wilmington in their Celebration in Commemoration of the Settlement of "The Rocks" by the Swedes in 1638", to Finance.

SB 25—"An Act to Amend Section 5501, Title 29, Delaware Code relating to Definitions as Contained in General Provisions for State Employees Pension System", by Mr. McCullough; to Buildings and Highways.

Mrs. Manning asked to be marked present.

SB 26—"An Act to Amend Title 29, Delaware Code, by Adding a New Chapter creating a Capital Investment Fund", by Mr. DuPont; to Finance.

Mr. Johnson reported for Mr. Hoey, Chairman of the Finance Committee, **HS 1** for **HB 17** out of committee as follows: 3 favorable, 2 on merits.

Pres. Pro Tem Steen introduced the following concurrent resolution which was adopted by voice vote: **SCR 4**—"Providing for Adjournment of the Senate and House of Representatives".

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

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

SB 27—"An Act to Permit the Employment of Retired School Employees in Event of Critical Need when so Declared by the Local Board of Education", by Pres. Pro Tem Steen and Mr. McCullough; to Education.

Mr. Johnson suggested that some action be taken to assure that legislators, both Senate and House, are always able to find convenient parking space for their autos on any legislative day.

Mr. Cook remarked that he was preparing a SCR to accomplish just that objective.

Mr. Hoey moved to suspend Rule 9 for **HS 1** for **HB 17**.

On motion of Mr. Hoey, **HS 1** for **HB 17** entitled "An Act making a Supplementary Appropriation to the Public Archives Commission for the Fiscal Year ending June 30, 1963 to be Used on March 29, 1963 in Cooperation with the City of Wilmington in their Celebration in Commemoration of the Settlement of "The Rocks" by the Swedes in 1638", 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 as follows:

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

NAYS—None.

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.

Mr. duPont read and journalized the following communication relative to HB 3.

Mr. President:

This bill creating a Capital Investment Fund is somewhat similar to the measure introduced yesterday at the request of the Governor. However, there are two important differences.

This bill, which is also similar to one introduced by Senators Snowden and Hoey last year, would not be limited to revenue derived from the DuPont-General Motors divestiture case. It would also provide that, in the case of inheritance tax windfalls, that amount over the first one million dollars would be placed in the Capital Investment Fund. In other words, the first million dollars of an inheritance tax windfall would go into the general fund, but monies in excess of one million dollars would be earmarked for capital funds.

The second important difference in this bill is that there would be greater safeguards in the use of Capital Investment Funds by requiring a 3/4ths vote of the General Assembly to appropriate funds therefrom. I sincerely believe this safeguard is necessary to prevent the indiscriminate use of windfall revenues for purposes other than intended by establishment of this Capital Investment Fund.

Mr. President, there is another matter of concern which is made obvious by the introduction of these two measures.

Several weeks ago, the Republican members of this General Assembly stated publicly — and privately to the

Governor — that we are most anxious to work with the Governor and the Democratic leaders of the Assembly in solving some of the pressing problems of the State on a cooperative, bipartisan basis. This desire was discussed at a meeting in the Governor's office and duly reported in the public press. One of the areas of general agreement discussed at that time was the creation of a Capital Investment Fund to earmark tax windfalls for special uses.

The hope of the Republican members of the General Assembly was that the Governor and the majority leaders would accept our offer in the same good faith in which it was made, and that we could all work together to accomplish needed legislation. This matter of working together involves reaching agreement on the contents of legislation BEFORE it is introduced, not being asked to "take it or leave it" after the Governor sends it down here.

Because the Governor has not seen fit to arrange any bipartisan discussion about the details of creating a Capital Investment Fund, we find ourselves back in the same undesirable and unproductive situation in which we all operated last year . . . a situation where two separate bills on the same subject are placed before the Assembly with the attendant risk of split support and possible failure.

I am certain far more could be accomplished if there could be bipartisan agreement on the details of key legislation BEFORE it is sent to the Assembly. Then there would be just one bill supported by a majority of the senators and representatives on both sides of the aisle.

Once again, I want to make clear that it is the sincere desire of the Republican members of the Assembly to work in harmony with the Governor and the majority leaders on key measures so that the 122nd General Assembly might be one of great accomplishment. However, bipartisan cooperation is a two-way street. It does not mean that the Republicans intend to rubber-stamp each detail of each measure sent to the legislature by the administration.

If the best interests of the people are to be served during this General Assembly . . . if we are to work in a spirit of bipartisan cooperation to solve the critical problems facing us . . . than I urge once again that there be more than lip service paid to this pattern of operation.

Bipartisan cooperation means bipartisan discussion and agreement on legislation BEFORE it is drafted, bipartisan sponsorship, bipartisan floor support, and bipartisan voting support. It does not mean, "Here is the administration bill . . . like it or lump it."

I regret that it has become necessary to present two Capital Investment Fund measures to this Assembly, because

I am certain that had we worked out our differences beforehand and agreed on a single bill, passage could have been achieved more readily.

I would suggest that we can still work out the differences. Since **SB 21** has been placed in the Finance Committee, this bill can be placed in the same Committee where the Republican and Democratic members can demonstrate their desire to work in harmony and come up with the best possible proposal for a single Capital Investment Fund measure.

Thank you Mr. President.

On motion of Mr. Cook, **HB 3** entitled "An Act agreeing to a Proposed Amendment to Article II of the Constitution of the State of Delaware, relating to the Composition of the House and Senate, by providing for Expansion and Reapportionment", 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 order which being taken as follows:

YEAS—None.

NAYS—Messrs. DuPont, Johnson, (Mrs.) Lord, Reilly—4.

NOT VOTING—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus—12.

ABSENT—Pres. Pro Tem Steen—1.

Mr. McCullough moved that the roll call be tabled. Motion prevailed.

After much discussion by many Senators, Pres. Pro Tem Steen returned and changed his vote from Absent to Yea.

Mr. Cook moved that the roll call be lifted. Motion prevailed.

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

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

NAYS—Messrs. DuPont, Johnson, (Mrs.) Lord, Reilly—4.

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

Pres. Pro Tem Steen announced the schedule of visitations of State Institutions by the State Legislators.

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

SB 28—"An Act to Amend Section 3533, Title 24, Delaware Code, by Exempting Social Psychologist from the Provisions of Chapter 35, Title 24, Delaware Code", by Mr. McCullough; to Public Health.

Mr. Robbins introduced the following resolution which upon further motion was adopted: **SR 18**—"Relating to Classification, Titles, and Compensation Rates for Officers of the Senate".

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

Title	Daily Rate
Attorneys	\$75.00
Secretary of the Senate	33.00
Secretaries	27.50
Bill Clerk	27.50
Assistant Secretary of the Senate	27.50
Reading Clerk	25.00
Document Clerk	25.00
Majority Leader's Clerk	25.00
Minority Leader's Clerk	25.00
Multilith Operator	25.00
Chaplain	20.00
Senate Messenger	20.00
Sergeant-at-Arms	20.00
Page	20.00
Mail Clerk	20.00
Supply Clerk	20.00
Cloak Room Attendant	20.00

Mr. Robbins introduced the following concurrent resolution and upon further motion was adopted: **SCR 5**—"Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period ending August 11, 1962.

Pres. Pro Tem Steen according to provisions of **SR 16**, adopted previously, appointed a committee comprising Mr. Price and Mrs. Lord to investigate as per **SR 16**.

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

SB 29—"An Act Agreeing to a Proposed Amendment to Article IV, Section 13, of the Constitution of the State of Delaware, relating to Designation of Judges of any Court

of Common Pleas to Sit in the Superior Court", by Mr. Cook; to Judiciary.

SB 30—"An Act Agreeing to a Proposed Amendment to Article IV of the Constitution of the State of Delaware relating to Appeals in Criminal Matters from Inferior Courts", by Mr. Cook; to Judiciary.

SB 31—"An Act Agreeing to a Proposed Amendment to Article IV of the Constitution of the State of Delaware relating to Appeals to the Supreme Court", by Mr. Cook; to Judiciary.

SB 32—"An Act Agreeing to a Proposed Amendment to Article IV of the Constitution of the State of Delaware relating to Appeals in Civil Matters from Inferior Courts to Courts where Jury Trials are Available", by Mr. Cook; to Judiciary.

SB 33—"An Act to Amend Title 29, Delaware Code, by Increasing the Salary of the Governor", by Mr. Cook by request, to Finance.

Mr. Robbins moved to have **SR 19** withdrawn as it was an exact duplication of **SR 17**. Motion prevailed.

Mr. Cook introduced the following concurrent resolution which upon further motion was adopted: **SCR 6**—"Relating to Parking Space for Members of the General Assembly".

Mr. Robbins introduced the following resolutions which upon further motion were adopted: **SR 20**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 122nd General Assembly"; **SR 21**—"Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

At 5:00 P.M., Mr. Donovan moved to adjourned according to **SCR 4**.

8th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Monday, February 4, 1963, Lt. Gov. Lammot presiding. Prayer by the Chaplain Ball.

Members Present—Messrs. Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, Price, Simpson, Wilgus, Pres. Pro Tem Steen—9.

Members Absent—Messrs. Bookhammer, Cook, Hoey, (Mrs.) Manning, McCullough, Reilly, Robbins, 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.

Mr. Price announced that the public address system in the House would be in use for demonstration purposes later this afternoon.

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

SA 1 to SB 21—by Pres. Pro Tem Steen; to Finance.

Mr. McCullough asked to be marked present.

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

The Senate returned to order at 4:25 P.M., Lt. Gov. Lamnot presiding.

Messrs. Bookhammer, Cook, Tull, Manning, Robbins and Hoey asked to be marked present.

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

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

A messenger from the House announced that the House had passed **HB 10, 11, 29, 30, 31, and 32** and requested concurrence of the Senate.

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

SB 35—"An Act to Waive the Sovereign Immunity of the State of Delaware and Permit a Suit in Tort against the State of Delaware by James F. Long and Ray E. Parsons, Arising out of Water Damage sustained on August 31, 1960 from a drain maintained by the State Highway Department", by Mrs. Manning; to Judiciary.

SB 36—"An Act to Amend Chapter 81, Title 9, Delaware Code, relating to the Limitations upon Taxing Power, by Exempting Lands and Improvements of the Cedars Community Club, Inc. from Assessment and Taxation", by Mrs. Manning; to Revised Statutes.

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

HB 29 to Finance; **HB 30** to Finance; **HB 31** to Finance; **HB 32** to Finance; **HB 11** to Revised Statutes; **HB 10** to Revised Statutes.

Pres. Pro Tem Steen and All Other Senators introduced the following resolution which on further motion was adopted: **SR 22**—"Expressing the Sympathy of the Senate of the

122nd General Assembly of the Illness of Senator John E. Reilly, Sr."

WHEREAS, the members of the Senate of the 122nd General Assembly of the State of Delaware have learned that Senator John E. Reilly, Sr. is ill, and

WHEREAS, Senator John E. Reilly, Sr. has for many years faithfully and diligently served as a member of the Delaware Legislature as both a member of the House of Representatives and a member of the Senate, and

WHEREAS, Senator John E. Reilly has served as President Pro Tem and Majority Leader of the Senate, and

WHEREAS, Senator John E. Reilly has unselfishly devoted all of his time and energies to the people of Delaware and their government for many years, and

WHEREAS, Senator John E. Reilly, without rancor or bitterness, has always worked for the welfare of all the people of Delaware, and

WHEREAS, the members of the Senate of the 122nd General Assembly, in conjunction with all the people of the State of Delaware, desire to express and extend in this public manner their regrets to Senator John E. Reilly that he is ill, and to express their appreciation for his devoted service, for the State,

NOW THEREFORE:

BE IT RESOLVED, that the members of the Senate of the 122nd General Assembly of the State of Delaware do hereby express their sincere wishes for a speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the Senate of the 122nd General Assembly of the State of Delaware and a copy be forwarded to Senator John E. Reilly, Sr.

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

SA 1 to SB 17— by Isaacs; to Temperance.

Mr. Robbins asked to be marked present.

Mr. Donovan introduced the following resolution which upon further motion was adopted: **SR 23**—"Relating to a Bronze Plaque for the Senate Chamber".

WHEREAS, it has been the custom in the Senate to cause a bronze tablet to be affixed to the walls of the Senate Chamber each session bearing the names of the members of the Senate for that session, and

WHEREAS, it is felt that this is a fine practice for the sake of history,

NOW THEREFORE:

BE IT RESOLVED, by the Senate of the 122nd General Assembly:

Section 1. That the committee on printing is authorized to cause to be prepared and affixed to the Senate walls, a tablet showing the name of the members of the Senate of the 122nd General Assembly.

Section 2. The sum of \$400.00 is hereby appropriated out of any monies in the State Treasury not otherwise appropriated, to pay for the tablet. Any monies not so expended shall revert to the General Fund.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 4:48 P.M.

The Senate returned to order at 5:05 P.M., Lt. Gov. Lamot presiding.

Committee reports submitted were as follows: **SS 1** to **SB 1**, Finance, 5 on merits; **SA 1** to **SS 1** for **SB 1**, Finance, 5 on merits; **SA 1** to **SB 21**, Finance, 5 on merits; **SB 10**, Finance, 4 on merits, 1 unfavorable; **SB 24**, Finance, 5 on merits; **SB 34**, Banking and Insurance, 1 favorable, 4 on merits; **HB 29**, Finance, 5 on merits; **HB 30**, Finance, 5 on merits; **HB 31**, Finance, 5 on merits; **HB 32**, Finance, 4 on merits, 1 unfavorable.

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

SB 37—"An Act to Prescribe Minimum Wages for Employees, to Provide for the Administration of the Minimum Wage Provisions, to Provide for the Enforcement of Such Provisions, and to Appropriate Necessary Funds for Administration thereof", by Messrs. McCullough and Reilly; to Labor.

On motion of Pres. Pro Tem Steen, **SB 3** entitled "An Act Proposing an Amendment to Article 2, Section 25, of the Constitution of the State of Delaware relating to Zoning in Sussex County", was 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 as follows:

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

NAYS—Mr. Robbins—1.

ABSENT—Mr. Reilly—1.

So that 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. Price, **SB 4** entitled "An Act Proposing an Amendment to Article 2, Section 25 of the Constitution of the State of Delaware relating to Zoning in Kent County" was 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 as follows:

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

NAYS—Messrs. Donovan, Hoey, Robbins—3.

ABSENT—Mr. Reilly—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. McCullough, **SB 9** was taken up for consideration and read a second time by title in order to pass the Senate.

On the question "Shall the Bill be Deferred" the yeas and nays were ordered which being taken as follows:

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

NAYS—None.

ABSENT—Mr. Reilly—1.

On motion of Mr. Simpson the bill was deferred.

After much explanation by Mr. John J. Petras of U. S. Department of Labor, who acts as Delaware Supervisor or Counselor, relative to apprenticeships and training.

On motion of Mr. Donovan at 5:55 P.M., the Senate adjourned to Tuesday, February 5, 1963, at 1:00 P.M.

9th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:36 P.M. on Tuesday, February 5, 1963, Lt. Gov. Lamot presiding. Prayer by the Chaplain Ball.

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

Members Absent—Messrs. Cook, Hoey, (Mrs.) Lord, (Mrs.) Manning, McCullough, Reilly, 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.

On motion of Mr. Donovan, the Senate recessed until call of the chair at 1:38 P.M.

The Senate returned to order at 3:55 P.M., Lt. Gov. Lammot presiding.

Messrs. Hoey, (Mrs.) Manning, (Mrs.) Lord, and Simpson asked to be marked present.

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

SB 38—"An Act Authorizing and Directing the Levy Court of Kent County to Reimburse Benjamin C. Hart and Cathryn S. Hart School Taxes Paid in Error", by Mr. Price; to Claims.

The Chair directed that the following communication be read and journalized.

February 4, 1963

I hereby authorize Senator Calvin McCullough and Senator Curtis Steen, during my absence, to act on my behalf as Chairman of the Committee on Public Lands and as Chairman of the Labor Committee or any committee of which I am a member.

JOHN E. REILLY, SR.

On motion of Mr. Donovan, **SB 34** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

Mr. Francis, President of Life Underwriters Association of Delaware, explained **SB 34** to the Senate.

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

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Cook, McCullough, Reilly—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:

SCR 7—"Relative to the Erection of the State Headquarters for Mental Hygiene Clinics and Lower New Castle County Therapeutic and Diagnostic Clinic", by Pres. Pro Tem Steen; to Public Health.

Mr. McCullough asked to be marked present.

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

SB 39—"An Act to Amend Title 14, Delaware Code, relating to Education by Providing Hospitalization and Surgical Insurance for School Employees and Making an Appropriation Therefor", by Mr. McCullough; to Finance.

On motion of Mr. Hoey, **HB 29** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 29—"An Act to Amend Chapter 6, Title 24, Delaware Code, relating to the Practice of Cosmetology."

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

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

NAYS—None.

ABSENT—Messrs. Cook, McCullough, Reilly—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 30** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 30—"An Act to Amend Section 2301, Title 30, Delaware Code, relating to Occupations Requiring Licenses: Definitions; Fees."

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

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

NAYS—None.

ABSENT—Messrs. Cook and Reilly—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 31** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 31—"An Act to Empower the State Board of Cosmetology to Refund Monies collected under Chapter 6 Title 24, Delaware Code."

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

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

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cook and Reilly—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 32** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 32—"An Act Appropriating Funds to the State Board of Cosmetology for the Fiscal Year ending June 30, 1963 for the purpose of carrying out the Provision of Chapter 6, Title 24, Delaware Code."

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

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

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cook and Reilly—2.

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

Mrs. Manning remarked on the need of closer scrutiny and cautious procedure by all legislators as they consider all bills proposed by State Agencies and Boards.

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

SB 40—"An Act to Amend an Act being Chapter 203, Volume 25, Laws of Delaware, as Amended, entitled 'An Act to Reincorporate the Town of Millsboro' by changing the date of the Annual Election", by Pres. Pro Tem Steen ;to Corporation—Municipal.

Mr. Donovan introduced the following resolution which upon further motion was adopted: **SR 24**—"Authorization for the Legislative Reference Bureau to Furnish Stationery and Other Supplies to the Lieutenant Governor and Members of the Senate".

On motion of Pres. Pro Tem Steen the Senate recessed at 4:22 P.M. until call of the Chair.

The Senate returned to order at 4:50 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. McCullough, **SB 9** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 9—"An Act Amending Title 19, Delaware Code, entitled 'Labor', by Creating a State Apprenticeship and Training Council, defining its Powers and Duties and providing for its Administration."

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

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Cook, Reilly, 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.

Mr. Brockman further explained the need of Delaware for apprenticeship and training program.

On motion of Mr. Donovan the Senate adjourned at 5:06 P.M. until Wednesday, February 6, 1963, at 1:00 P.M.

10th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Wednesday, February 6, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain Ball.

Members Present—Messrs. Bookhammer, Donovan, Hoey, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—10.

Members Absent—Messrs. Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, McCullough, Reilly—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.

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

SB 41—"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", by Mrs. Manning; to Finance.

Pres. Pro Tem Steen introduced the following concurrent resolution which upon further motion was adopted by voice vote: **SCR 8**—"Providing for Temporary Adjournment of the Senate and the House of Representatives of the 122nd General Assembly of the State of Delaware until Monday, February 25, 1963".

Mrs. Lord and Mr. DuPont asked to be marked present.

At 1:42 P.M., Mr. Price moved for a five minute recess to allow members of the Corporation—Municipal Committee to caucus on **SB 40**.

The Senate returned to order at 1:47 P.M., Lt. Gov. Lamnot presiding.

Mr. Price, Chairman of Corporation—Municipal Committee, reported on **SB 40** as follows: 4 favorable.

On motion of Mr. Donovan the Senate recessed at 1:49 P.M. until call of the Chair.

The Senate returned to order at 2:55 P.M., Lt. Gov. Lamnot presiding.

The Messenger from the House informed the Senate that the House had passed **HCR 5** and desired the concurrence of the Senate.

The Senate adopted **HCR 5**, entitled "Relating to the Formation of a Joint Committee on Correctional Systems of the State of Delaware", by voice vote.

Pres. Pro Tem Steen, according to **SCR 3**, appointed Messrs. Steen, Robbins, Bookhammer and Wilgus to Beach Erosion Study Committee.

Mr. Donovan moved to adjourned according to **SCR 8**.

Upon further motion, Mr. Donovan withdrew his motion.

Pres. Pro Tem Steen moved to suspend Rule 9.

The Senate notified the House that it had adopted **HCR 5**.

Mr. Robbins, Chairman of the Claims Committee, reported on the following bills: **SB 7**, 2 favorable, 1 on merits; **SB 14**, 2 favorable, 1 on merits; **SB 38**, 2 favorable, 1 on merits.

Mr. Donovan moved that the Senate adjourn in accordance with **SCR 8**. Motion prevailed and the Senate adjourned at 3:10 P.M. until Monday, February 25, 1963, at 1:00 P.M.

11th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, February 25, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Dorman Ball.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Johnson, Price, Tull—4.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Reilly, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—13.

The Chair declared a recess in the absence of a quorum.

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

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

Members Present—Messrs. Bookhammer, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

Members Absent—Messrs. Cook, Hoey, McCullough, Reilly—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 Chair presented and had read a communication from the Dover Chief of Police relative to legislative persons parking around Legislative Hall.

Likewise, a letter of thanks from Mrs. John E. Reilly, Sr.

February 25, 1963

Dear Folks,

John asked me to let you know how very much he appreciated the pajamas and the wonderful plant. Your thoughtfulness really cheered him. Both he and I are so grateful to you for your kindnesses to him during his illnesses. He wants you to know that he's so much better and sends his best regards to all.

ALICE REILLY
(Mrs. John E. Reilly)

At 4:45 the following message from the Governor was received, given first reading and referred to the Executive Committee:

February 25, 1963

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

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

Earl L. Sheats, Middletown, Delaware—to be reappointed a member of the State Board of Agriculture for a term to end March 1, 1965;

Everett L. Young, Delmar, Delaware—to be appointed a Justice of the Peace for the State of Delaware, for a term of 4 years, effective February 25, 1962, to succeed Clarence B. Pritchett.

Respectfully submitted,
ELBERT N. CARVEL
Governor

Pres. Pro Tem Steen announced his intention to call up for action on February 26, S.B. 21.

The Senate received the following Memorandum No. 1 from the Governor:

MEMORANDUM NO. 1

February 8, 1963

TO: Secretary of the Senate

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

January 17, 1963—**HB 2**

February 7, 1963—**HS 1** for **HB 17**

February 8, 1963—**HB 29; HB 30; HB 31**

January 17, 1963—**HB 3** became law without the Governor's signature as a Constitutional Amendment.

The House informed the Senate that it had passed **SCR 8** and was returning same to the Senate.

On motion of Pres. Pro Tem Steen **SB 40** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 40—"An Act to Amend an Act being Chapter 203, Volume 25, Laws of Delaware, as amended, entitled 'An Act to Reincorporate the Town of Millsboro' by changing the date of the Annual Election".

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

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

NAYS—None.

ABSENT—Messrs. Cook, Hoey, McCullough, Reilly—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 42—"An Act Establishing the Delaware Water Commission; Defining the Purposes, Powers and Duties thereof and Providing for the Appointment of Commissioners", by Mr. Donovan; to Revised Statutes.

SB 43—"An Act to Raise the Maximum Amount of Old Age Assistance", by Mr. Donovan; to Revised Statutes.

At 4:42 Mr. Donovan moved to adjourn to Tuesday, February 26 at 1:00 P.M.

12th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, February 26, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Dorman Ball

By roll call the following Senators were present:

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

Members Absent—Messrs. Cook, Johnson, McCullough, Reilly—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.

Upon hearing that Mr. John E. Reilly had passed away at 12:50, the Senate recessed at 1:34 P.M.

The Senate returned to order at 3:15 P.M. with Lt. Gov. Lamot presiding.

Messrs. McCullough, Johnson, Cook asked to be marked present.

Mr. McCullough announced that a hearing on **SB 6** would be held at 2:00 P.M. on Monday, March 4, 1963.

At 3:18 Pres. Pro Tem Steen moved to recess to 1:00 P.M., Monday, March 4, 1963.

The Senate returned to order at 1:30 P.M., Monday, March 4, 1963 with Lt. Gov. Lammot presiding.

The House notified the Senate that it had passed **HB 71** and desired the concurrence of the Senate.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HB 71**. Motion prevailed.

On motion of Pres. Pro Tem Steen **HB 71** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 71—"An Act to Authorize the State Building and Grounds Commission to Acquire Property on the Dover Green and Appropriating Moneys therefore.

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

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

NAYS—None.

ABSENT—Messrs. Reilly, Tull—2.

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

At 1:50 Mr. Donovan moved to adjourn to 1:50 Monday, March 4, 1963.

13th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:50 P.M. on Monday, March 4, 1963 Lt. Gov. Lammot presiding.

Prayer by the Chaplain, D. Ball.

By roll call the following Senators were present:

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

Members Absent—Messrs. Reilly, 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.

Mr. McCullough announced a meeting in his office to arrange for the hearing on **SB 6**.

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

SB 44—"An Act Authorizing the Conveyance of Certain State Owned Lands in New Castle County now being Used by the State Board of Corrections", by Mrs. Manning; to Buildings and Highways.

SCR 9—"Designating the Month of February as American History Month", by Mr. Bookhammer. Adopted voice.

At 2:00 P.M. Pres. Pro Tem Steen moved to recess for the hearing on **SB 6**.

The Senate returned to order at 4:27 P.M. Lt. Gov. Lammot presiding.

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

SB 46—"An Act to Amend Section 101, Title 13, Delaware Code, Relating to Void and Voidable Marriages", by Mrs. Lord; to Revised Statutes.

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", by Mr. Isaacs; to Revised Statutes.

The House informed the Senate it had passed **HB 7**, **HB 22**, **HB 42** and **HB 64**; had passed **HCR 4** and **HCR 5** and **HCR 2** and desired the concurrence of the Senate; also that it had passed **SB 3** and **SB 4** and was returning same to the Senate.

On motion of Mr. McCullough **SB 6**, entitled "An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation, by Eliminating the Requirement for a Waiting Period", 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 as follows:

YEAS—Messrs. Cook, Isaacs, Johnson, (Mrs.) Lord, McCullough.

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

NOT VOTING—Messrs. Donovan, Hoey, Pres. Pro Tem Steen.

ABSENT—Messrs. Reilly, Tull.

On motion of Mr. McCullough roll call tabled.

Mr. Donovan introduced the following resolution which upon further motion was adopted by voice vote: "**SR 25**—"Declaring a Vacancy in the Senate and Authorizing and Requesting the President to Issue a Writ of Election".

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that by reason of the death of John E. Reilly, Sr. the duly elected member from the Second Senatorial District of New Castle County, a va-

cancy in the said Senate is hereby declared to exist while the General Assembly is in session, and the President of the Senate is therefore authorized and requested to issue a writ of election to the Department of Election of New Castle County, commanding the said Department of Elections to hold a special election to fill said vacancy, in accordance with the Constitution of the State of Delaware and Chapter 71, Title 15, Delaware Code; and

BE IT FURTHERED RESOLVED that the President of the Senate, is hereby authorized and directed to serve or to cause to be served the said writ of election upon the Department of Elections of New Castle County forthwith upon its issuance.

Pres. Pro Tem Steen introduced the following concurrent resolution which upon further motion was adopted by voice vote: "SCR 10—Expressing the Sympathy of the 122nd General Assembly upon the Death of Senator John E. Reilly, Sr".

WHEREAS, the 122nd General Assembly of the State of Delaware has learned with regret of the passing of Senator John E. Reilly, Sr., Senator from the 2nd Senatorial District, and

WHEREAS, Senator John E. Reilly, Sr. served the State of Delaware as a member of the House of Representatives in the years 1945 and 1946, and

WHEREAS, Senator John E. Reilly, Sr. served the State of Delaware as a member of the Senate from the year 1949 until his passing, and

WHEREAS, Senator John E. Reilly, Sr. served the State of Delaware as President of the New Castle County Board of Assessment, and

WHEREAS, Senator John E. Reilly, Sr. had retired after 21 years of service with the Wilmington Bureau of Fire until 1942, and

WHEREAS, Senator John E. Reilly, Sr. was a dedicated public servant whose accomplishments for the State of Delaware will never be forgotten by its citizens,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the State of Delaware, the House of Representatives concurring therein, that the members wish to give expression to the regret they experienced at the passing of Senator John E. Reilly, Sr., a prominent figure in his community, and

BE IT FURTHER RESOLVED, that the family of the deceased has full sympathy of the members of the 122nd General Assembly of the State of Delaware which is extended by sending a copy of this resolution to the members

of his immediate family, and

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

According to **HCR 5** Pres. Pro Tem Steen appointed Messrs. Tull, Cook, Johnson, Simpson and Mrs. Manning to a committee to study correctional system legislation.

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

HCR 4—"A Resolution Expressing the Intent of the House and Senate of the 122nd General Assembly Relative to the Composition of the House of Representatives Under the Proposed Amendments to Article II of the Constitution of the State of Delaware", by Mr. Donovan. Adopted by voice.

On motion of Pres. Pro Tem Steen **HJR 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HJR 2—"Designating the Week of March 17th to March 23, 1963 as National Tall Cedar of Lebanon Week".

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

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

NAYS—None.

ABSENT—Mr. Tull—1.

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

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

HB 22—"An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to State Police Pensions by Liberalizing the Same", to Miscellaneous.

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

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

HB 7—"An Act Making an Appropriation to the State

Board of Education for Certain Improvements and Repairs to the Public School Buildings of the State", to Finance.

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

SA 2 to SB 21, by Pres. Pro Tem Steen; to Finance.

SA 1 to SB 42, by Mr. DuPont and All Republicans; to Revised Statutes.

SB 47—"An Act Making an Appropriation to Murray M. Schwartz, Esq. for Services Rendered to the State of Delaware in the Case of Longoria V. State of Delaware", by Mrs. Manning and Mr. Hoey; to Finance.

SB 48—"An Act to Establish a Personnell Department in the State Government of the State of Delaware; to provide for Uniform Personnel Policies; to Provide for the Implementation and Operation of Such System and to Appropriate Funds", by Pres. Pro Tem Steen; to Finance.

SB 49—"An Act to Amend Section 1118, Title 30, Delaware Code, Relating to Deductions from State Income Tax", by Mr. DuPont; to Revised Statutes.

At 5:00 Mr. Donovan moved to adjourn to Tuesday, March 5, 1963 at 1:00 P.M.

14th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Tuesday, March 5, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain Ball.

By roll call the following Senators were present:

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

Members Absent—Messrs. Cook, Johnson, Simpson—3.

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

The Senate received the following message from the Governor: Memorandum No. 2.

MEMORANDUM NO. 2

March 5, 1963

TO: Mrs. Everett, Mr. Killen, Mr. F. Downs, Mr. T. Brand, Clerk of the House, Secretary of the Senate, Mrs. Morris, Legislative Reference Bureau for all folders.

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

February 25, 1963 — **HB 32**

February 27, 1963 — **SB 40**

March 4, 1963 — **HB 71**

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

The Senate returned to order at 2:55 P.M., Lt. Gov. Lamnot presiding.

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

Mr. McCullough introduced the following resolution, which upon further motion was adopted by voice vote: **SR 26**—"In Reference to Election of Officers".

WHEREAS, Van A. Lett, who was previously elected to the office of Assistant Secretary of the Senate, 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 John W. Hughes be and he is hereby elected to the office of Assistant Secretary of the Senate, to serve during the pleasure of the Senate.

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

SB 50—"An Act to Amend Chapter 14, Title 14, Delaware Code, Relating to Procedures for the Termination of Services of Professional Employees by Adding Two New Subchapters Thereto", by Messrs. McCullough and Johnson; to Revised Statutes.

On motion of Mr. Price **SB 24** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Appropriating Funds to the State Highway Department and to the Board of Game and Fish Commissioners of the State of Delaware to Construct and Maintain a Dam across Garrisons Pond, Kent County, Delaware".

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, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

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 for concurrence.

On motion of Pres. Pro Tem Steen **SS 1** for **SB 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Titles 9, 10 and 12, Delaware Code by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Receiver of Taxes, Prothonotary, Sheriff, Register in Chancery, Clerk of the Orphans' Court, Members of the Board of Assessment and Register of Wills in and for Sussex County".

Mr. Tull moved to defer which on that motion the vote was as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Tull, Wilgus—10.

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

ABSENT—Mr. Simpson.

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

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

SB 51—"An Act to Amend the Charter of the City of Wilmington as Amended Relating to the Election of Council Members", by Mrs. Lord; to Revised Statutes.

On motion of Mrs. Manning **SB 14** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Authorizing and Directing the Receiver of Taxes and County Treasurer of New Castle County to Reimburse Mr. and Mrs. Robert E. Mitchell School Taxes Paid in Error".

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

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

NAYS—Pres. Pro Tem Steen—1.

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 for concurrence.

On motion of Mr. Donovan **SB 7** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Authorizing and Directing the Levy Court of Kent County to Reimburse Stephen Seiler, Jr. and Kathleen Seiler and Florence K. Travers Property and School Taxes Paid in Error".

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

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

NAYS—None.

ABSENT—Mr. Simpson—1.

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

Mr. Cook introduced the following resolution which upon further motion was adopted by voice vote: **SR 27**—"Adopting Permanent Rules for the Senate".

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

Rule 8. PREPARATION OF BILLS AND RESOLUTIONS

(a) No bill or joint resolution shall be received by the Senate unless it be prefaced by a brief statement of the purpose of the bill or resolution, which shall be known as the title, and shall also contain the text of the bill or resolution in full. The original of all bills and resolutions shall be printed or stenciled on permanent rag content bond paper, be properly backed, contain no erasures or interlineations and shall be produced in such a manner as shall be approved by the State Archivist and Director of the Legislative Reference Bureau.

(b) Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary, shall be introduced with one original and at least eight backed copies. The original shall at all times remain in the custody of the Chairman of the Committee to which it was referred, or of the Secretary of the Senate; one copy shall at all times be under the general supervision of the Bill Clerk of the Senate; one copy shall be delivered to the Presiding Officer of the Senate; one copy shall be delivered upon introduction to the Majority Leader of the Senate; one copy upon introduction shall be delivered to the Minority Leader of the Senate; one copy shall be delivered to the member introducing the bill or resolution; and one copy shall be delivered to the Legislative Reference Bureau; and one copy shall be delivered to the representative of the Press who may be present upon the introduction of the bill or resolution.

tion. In addition, every Senator shall be provided with an unbacked copy of the text of the bill or resolution.

(c) The stencil used to produce the bill or resolution (except in the case of printed bills or resolutions), together with 160 true copies of the bill or resolution, shall be made available to the Legislative Reference Bureau immediately after the introduction of a bill.

(d) All bills for the amendment of any statutes contained in the Delaware Code of 1953 shall be made with reference to the statutes or parts of statutes contained in said Code, and shall conform to the arrangement of said Code.

Rule 19. STANDING COMMITTEES

The following standing committees shall be appointed, to whom business appropriate to them shall be referred:

ACCOUNTS
 AGRICULTURE
 BANKING AND INSURANCE
 BUILDING AND HIGHWAY
 CLAIMS
 CORPORATIONS—MUNICIPAL
 CORPORATIONS—PRIVATE
 EDUCATION
 ELECTIONS
 EXECUTIVE
 FINANCE
 FISH, OYSTER AND GAME
 JUDICIARY
 LABOR
 MISCELLANEOUS
 PASSED BILLS
 PRINTING AND SUPPLES
 PUBLIC HEALTH
 PUBLIC LANDS
 REVISED STATUTES
 RULES
 TEMERANCE

Rule 25. RULES OF ORDER

All questions of parliamentary procedure not covered or provided for by the Rules of the Senate or the Constitution of the State of Delaware shall be decided in accordance with Mason's Manual of Legislative procedure.

Mr. Cook asked the printing committee to immediately print rule books for distribution to the Senate.

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

SB 52—"An Act to Amend Section 5922, Title 11, Delaware Code, Relating to Fees of Justice of the Peace in

Criminal Cases", by Mr. McCullough; to Judiciary.

SB 53—"An Act to Amend Section 9701, Title 10, Delaware Code, Relating to General Rates of Cases before a Justice of the Peace", by Mr. McCullough ;to Judiciary.

The House informed the Senate that it had passed **HB 72** and **HJR 1** and desired the concurrence of the Senate.

On motion of Pres. Pro Tem Steen **SB 21** 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: "An Act Establishing a Capital Investment Fund and Providing for the Payment into the Fund of all Income Tax Payments to the State of Delaware based on Taxable Income Resulting from Distributions of Divested Stock as Defined in Section 1111 of the United States Internal Revenue Code of 1954".

At 3:50 P.M., Mr. DuPont moved for a thirty minute recess for discussion of **SB 21**. Carried.

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

After much discussion Mr. DuPont moved to defer **SB 21**. Motion carried at 4:55 P.M.

Mr. Price, Chairman of the Public Health Committee, reported the following concurrent resolution from committee: **SCR 7**, 5 favorable.

On motion of Mr. Donovan the Senate adjourned at 5:00 P.M. to Wednesday, March 6, 1963, at 1:00 P.M.

15th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, March 6, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain D. Ball.

By roll call the following Senators were present:

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

Members Absent—Messrs. Cook, Robbins, 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.

Mrs. Manning discussed Senate Calendar and explained the system of identification of inserts daily.

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

SA 3 to SB 21, by Pres. Pro Tem Steen; to Finance.

HJR 1—"Providing for a Joint Committee to Investigate Educational Television in the State of South Carolina and Elsewhere, and Authorizing the Necessary Expenses Therefor", to Education.

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

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", by Mr. Johnson; to Elections.

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", by Mr. Johnson; to Elections.

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", by Mr. Johnson; to Elections.

On motion of Mr. Donovan **SB 8** with title as follows was taken up for consideration and read a second time by title in order to pass the senate: "An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of "The Eastern Shore Fox Hunters' Association".

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, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

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. Hoey the Senate recessed upon call of the Chair at 2:05 P.M.

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

Committee reports submitted were as follows:

SB 5—Judiciary, 4 favorable, by Mr. Cook; **SB 2**—Judiciary, 4 favorable; **SB 49**—Revised Statutes, 2 favorable, 3 on merits, by Mr. Cook; **SB 18**—Revised Statutes, 3 favorable, 2 on merits, by Mr. Cook; **SB 36**—Revised Statutes, 2 favorable, 3 on merits, by Mr. Cook; **SB 46**—Revised Statutes,

2 favorable, 2 on merits, by Mr. Cook; **SB 15**—Revised Statutes, 2 favorable, 3 on merits, by Mr. Cook; **HB 10**—Revised Statutes, 3 favorable, 2 on merits; by Mr. Cook; **HB 11**—Revised Statutes, 5 favorable, by Mr. Cook; **SB 44**—Buildings and Highways, 4 favorable, 1 on merits, by Mr. Steen.

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

SB 57—"An Act to Establish a Merit System of Personnell Administration in the State Government of the State of Delaware; to Provide for the Implementation and Operation of such System and to Appropriate Funds", by Mr. DuPont; to Finance.

SB 58—"An Act to Amend Chapter 51, Title 29, Delaware Code, by Authorizing the State Treasurer to Make Certain Payroll Deductions", by Mr. Cook; to Revised Statutes.

SB 59—"An Act to Amend Chapter 51, Title 6, Delaware Code, Relating to Weights and Measures", by Mr. Tull, to Revised Statutes.

SB 60—"An Act Making a Supplementary Appropriation to the Blades School District No. 172, Sussex County for Operational Expenses for the Fiscal Year ending June 30, 1963", by Mr. Tull; to Finance.

The House informed the Senate it had passed **HCR 7** and desired the concurrence of the Senate; also that it had passed **SB 9** and **SCR 9** and **SCR 10** and was returning same to the Senate.

On motion of Mr. Price **SB 38** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Authorizing and Directing the Levy Court of Kent County to Reimburse Benjamin C. Hart and Cathryn S. Hart School Taxes Paid in Error".

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, Price, Robins, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Hoey, 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 for concurrence.

The House informed the Senate of its passage of **HCR 7**—"Making Appropriations to Various Companies for Sup-

plies and Services Rendered the 122nd General Assembly of the State of Delaware". In motion of Mr. Donovan **HCR 7** was taken up for consideration, was adopted by voice and ordered returned to the House.

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

SCR 11—"Relating to the Formation of a Joint Committee on Highway Safety", by Mr. DuPont; to Buildings and Highways.

SR 28—"Relating to Amount Due the Cann/Erikson Bindery, Inc. for Expenses Incurred by the 122nd General Assembly", by Mr. Hoey and Mrs. Manning; adopted by voice.

SR 29—"Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period ending January 11, 1963" by Mr. Robbins; adopted by voice.

SCR 12—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered thru January 30, 1963", by Mr. Robbins; adopted by voice.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 4:35 P.M.

The Senate met at the expiration of the recess at 4:40 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Donovan the Senate adjourned at 4:40 P.M. to Thursday, March 7, 1963, at 1:00 P.M.

16th LEGISLATIVE DAY

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

Prayer by the Chaplain Ball.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Tull, Wilgus—11.

Members Absent—Messrs. Hoey, Isaacs, 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.

Mr. Robbins introduced the following resolution which upon further motion was adopted by voice: **SR 30**—"In reference to Election of Officers".

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that Richard J. Argo be

and he is hereby elected to the office of Camera Operator to serve during the pleasure of the Senate.

Mr. Simpson asked to be marked present .

Mr. Robbins introduced the following resolution which upon further motion was adopted by voice: **SR 31**—"Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

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

The Senate met at the expiration of the recess at 4:20 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Mr. Hoey and Pres. Pro Tem Steen.

Pres. Pro Tem Steen introduced the following concurrent resolution which on further motion was adopted by voice: **SCR 13**—"Providing for Temporary Adjournment of the Senate and the House of Representatives of the 122nd General Assembly of the State of Delaware until Monday, March 25, 1963".

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representative concurring therein, that at the close of business on March 7, 1963, both the Senate and the House shall adjourn until Monday, March 25, 1963 at 1:00 P.M., provided, however, that the Senate may be reconvened at any time upon the call of the President Pro Tem for the purpose of receiving and acting upon appointments by the Governor, and further provided that the Senate and the House may be reconvened at any time upon the call of the President Pro Tem and the Speaker of the House.

On motion of Pres. Pro Tem Steen **SB 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Section 8606, Title 9, Delaware Code, Relating to the Collection of Taxes by Repealing the Requirement that the Receiver of Taxes Sit at Different Places".

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

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

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 Mrs. Manning **SB 44** with title as follows was taken up consideration and read a second time by title in order to pass the Senate: **SB 44**—"An Act Authorizing the Conveyance of Certain State Owned Lands in New Castle County Now Being Used by the State Board of Corrections".

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, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—Mr. Donovan—1.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Isaacs, 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 House informed the Senate that it had passed and requested concurrence of the Senate in the following bills, which were presented by the Chair, give first and second readings by title only, and referred to committees as follows:

HB 77—"An Act Making an Appropriation to the Delmar School District No. 163, Sussex County for Costs Incurred in Equipping a Science Room"; to Education.

HB 13—"An Act to Provide for the Reversion of School Construction Funds to the State and to the School Districts in the Same Proportion as such Funds were Appropriated and to Stipulate How These Funds Shall Be Expended"; to Education.

Committee reports submitted were as follows:

SB 43—Revised Statutes, 1 favorable, 4 on merits, by Mr. Cook; **SB 16**—Revised Statutes, 5 favorable, by Mr. Cook; **SB 20**—Revised Statutes, 5 favorable, by Mr. Cook; **SB 53**—Judiciary, 4 favorable, by Mr. Cook; **SB 52**—Judiciary, 4 favorable, by Mr. Cook.

The House informed the Senate it had passed **HB 77** and **HB 13** with **HA 1** and desired the concurrence of the Senate.

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

SA 1 to **SB 49**, by Mr. Cook; inclusion with bill.

SA 1 to **SB 10**, by Pres. Pro Tem Steen; inclusion with bill.

SR 32—"Relating to Amount Due the Harrington Journal for Expenses Incurred by the 122nd General Assembly", by Mr. Hoey; adopted by voice.

SB 61—"An Act to Amend Section 1731, Title 24, Delaware Code, by Excluding Certain Persons from the Definition of Practicing Medicine", by Mrs. Lord; to Revised Statutes.

SCR 14—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered thru February 28, 1963", by Mr. Robbins; adopted by voice.

SR 33—"Authorizing Payment of Amount Due Various Companies for Supplies Furnished to the 122nd General Assembly", by Mr. Robbins; adopted by voice.

SA 1 to HB 42, by Mrs. Manning; inclusion with bill.

SA 1 to HB 64, by Mrs. Manning; inclusion with bill.

On motion of Mr. Tull for Executive Session the Senate recessed upon call of their Chair at 4:55 P.M.

The Senate met at the expiration of the recess at 5:01 P.M., Lt. Gov. Lammot presiding.

At the Executive Session the Senate confirmed the nomination by the Governor of Earl L. Sheats, Middletown, Delaware, to be reappointed a member of the State Board of Agriculture for a term to end March 1, 1965 and the nomination of the Governor of Everett L. Young, Delmar, Delaware, to be a Justice of the Peace for the State of Delaware, for a term of four years, effective February 25, 1963, to succeed Clarence B. Pritchett.

On motion of Mr. Donovan the Senate adjourned at 5:08 P.M. according to **SCR 13**.

17th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:00 P.M. on Monday, March 25, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain Dorman A. Ball.

By roll call the following Senators were present:

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

Members Absent—Messrs. Johnson, McCullough, Simpson—3.

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

The following communication from Mrs. Alice M. Reilly, widow of former Senator John E. Reilly, Sr. was read.

2404 Wellesley Road
 Blue Rock Manor
 Wilmington 3, Delaware
 March 11, 1963

Honorable Curtis Steen
 President Pro Tempore
 State Senate
 Dover, Delaware
 Dear Senator Steen:

On behalf of my family and myself, I wish to convey to you and all members of the Senate our heartfelt appreciation for the many kindnesses extended during our recent loss.

We are deeply grateful to all of you, individually and as a body, for the many services and courtesies rendered, for the many expressions of sympathy, the gracious tributes and many other forms of respect. These and all of your kindnesses will always be held in grateful remembrance.

Most sincerely,
 ALICE M. REILLY
 (Mrs. John E. Reilly, Sr.)

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 2:05 P.M.

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

Mr. McCullough asked to be marked present.

On motion of Pres. Pro Tem Steen **SA 3** to **SB 21** was taken up for consideration and read a second time by title 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. Donovan, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—6.

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

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Johnson, Simpson—2.

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

On motion of Pres. Pro Tem Steen **SB 21** 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: "An Act Establishing a Capital Investment Fund and Providing for the Payment into the Fund of All Income Tax Payments to the State of Delaware based on Taxable Income Resulting from Distributions of Divested Stock as Defined

in Section 1111 of the United States Internal Revenue Code of 1954".

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

On motion of Pres. Pro Tem Steen **SB 20** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend § 6702 (c), Title 29, 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, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Messrs. Donovan, Hoey—2.

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 62—"An Act to Amend Section 9525, Title 10, Delaware Code, Relating to Deposit for Costs in Actions Before a Justice of the Peace", by Mr. McCullough; to Revised Statutes.

SB 63—"An Act to Provide Tax Exemption for the Gymnasium Building Owned by the Wilmington Turngemeinde at 1600 Beech Street in the City of Wilmington", by Mr. Donovan; to Revised Statutes.

SB 64—"An Act to Appropriate Funds to the State Highway Department", by Mr. Cook; to Finance.

Committee reports submitted were as follows:

HB 13—Education, 5 favorable, by Mr. McCullough;

HJR 1—Education, 5 favorable, by Mr. McCullough.

Mr. Cook announced there would be a public hearing on **HB 42** and **HB 64** on Monday, April 1, 1963, in the Senate Chamber at 2:00 P.M.

Mr. McCullough moved to suspend Rule 9 in order to act on **HJR 1**. Motion carried.

On motion of Mr. McCullough **HJR 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "Providing for a Joint Committee to Investigate Educational Television in the State of South Carolina and Elsewhere, and Authorizing the Necessary Expenses therefor".

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, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Johnson, Simpson—2.

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

On motion of Mr. Donovan the Senate adjourned at 5:02 P.M. to Tuesday, March 26, 1963 at 1:00 P.M.

18th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Tuesday, March 26, 1963, Lt. Gov. Lamnot presiding. Prayer by the Chaplain Dorman A. Ball.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Hoey, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—7.

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

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

The Senate met at the expiration of the recess at 3:25 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, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

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

The Secretary proceeded to read the Journal of the previous day's 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 78, 92, 93, and 126** and desired the concurrence of the Senate;

Also that it had passed **SCR 12, 13, and 14** and was returning same to the Senate.

By request Mr. Hoey introduced the following resolution entitled **SJR 2**—"To Commemorate the Centennial of the Birth of Henry Ford, Founder of the Ford Motor Company, and to Acknowledge his Profound and Lasting Contributions to this Nation's Social, Economic and Cultural Progress". Mr. Hoey moved to suspend Rule 9 in order to act on **SJR 2**.

On motion of Mr. Hoey **SJR 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "To Commemorate the Centennial of the Birth of Henry Ford, Founder of the Ford Motor Company, and to Acknowledge his Profound and Lasting Contributions to this Nation's Social, Economic and Cultural Progress."

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, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

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

So the question was decided in the affirmative and the Senate Joint Resolution 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 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", to Banking and Insurance.

HB 93—"An Act to Amend Title 5, Delaware Code by Providing Authority for Building and Loan Associations to Open and Maintain Branch Offices", to Banking and Insurance.

HB 78—"An Act to Amend Title 5, Delaware Code, Relating to Pledging or Hypothecating Assets", As Amended; to Banking and Insurance.

HB 126—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Milford Grange No. 6, P. of H., Inc., from Assessment and Taxation", to Corporations—Municipal.

On motion of Mrs. Lord **SB 46** with title as follows was taken up for consideration and read a second time by title

in order to pass the Senate: "An Act to Amend Section 101, Title 13, Delaware Code, Relating to Void and Voidable Marriages".

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, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

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

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

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

SB 65—"An Act to Amend Section 706, Title 21, Delaware Code, Relating to Disposition of Fines and Costs for Motor Vehicle Violations, by Providing that Fines and Costs in Court of Common Pleas be Paid to New Castle County", by Mrs. Manning; to Judiciary.

Pres. Pro Tem Steen moved to strike from the Calendar **SA 1, 2 and 3** to **SB 21**.

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

SA 4 to **SB 21**, by Pres. Pro Tem Steen; to inclusion with the bill.

Mr. Hoey, Chairman of the Finance Committee, reported the following bill from committee: **SB 11**, 3 on merits.

Considerable time was devoted to discussion of **SA 4** to **SB 21**.

On motion of Mr. Donovan the Senate adjourned at 4:10 P.M. to Wednesday, March 27, at 1:00 P.M.

19th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Wednesday, March 27, 1963, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain D. A. Ball.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, Johnson, McCullough, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—11.

Members Absent—Messrs. Cook, Isaacs, (Mrs.) Lord, (Mrs.) Manning, 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.

Mr. Tull asked to be marked present.

Pres. Pro Tem Steen moved to suspend Rule 23.

Pres. Pro Tem Steen moved to swear in Joseph A. Martin of Wilmington. The President, Lt. Gov. Lamot remarked "I have found the Certificate in order" and proceeded to administer the Oath of Senator to Mr. Martin.

OATH OF SENATOR

The State of Delaware,

ss.

Kent County

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of the Senator in the General Assembly of the State of Delaware from Senatorial District No. Two (2) in New Castle County (to which office I was elected at the Special Election held in said State in the year A. D. 1963), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

JOSEPH A. MARTIN

Sworn to this 27th day of January A. D. 1963 before me.

CURTIS W. STEEN

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 2:30 P.M., Lt. Gov. Lamot presiding.

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

Mr. Donovan introduced **SB 66** with title as follows and it was referred to Buildings and Highways: "An Act to Amend Chapter 41, Title 21, Delaware Code, Relating to Speed of Vehicles".

Mrs. Lord informed the Senate that she and Mr. Price were investigating the P.A. system and recording equipment relative to **SB 16**.

Pres. Pro Tem Steen introduced **SCR 15**, which was adopted by voice and sent to the House for concurrence.

SCR 15—"Expressing the Sympathy of the 122nd General Asesmbly of the Illness of Mr. Roy Allen Cannon".

WHEREAS, the members of the 122nd General Assembly of the State of Delaware have learned that Mr. Roy Allen Cannon, who served one term as State Senator and two terms in the House of Representatives is seriously ill, and

WHEREAS, the members of the Senate desire to express and extend their regret and sympathy to former Senator and Representative Roy Allen Cannon,

NOW THEREFORE:

BE IT RESOLVED, that the members of the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein, do hereby express their sincere wishes for a complete and speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the Senate and of the House of Representatives of the 122nd General Assembly of the State of Delaware and a copy be forwarded to former Senator and Representative Roy Allen Cannon.

On motion of Mr. Cook **SB 11** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Sections 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, 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. McCullough—1.

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

On motion of Mr. Cook **SB 10** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Making an Appropriation to the State Highway Department for the Construction of a Dam at Portsville Pond 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, (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.

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

SB 67—"An Act to Amend Chapter 11, Title 10, Delaware Code Known as the Juvenile Court Act for Kent and Sussex Counties by Clarifying the Power of the Court Relating to the Custodial Care of a Child Pending Final Determination, and in the Matter of Examinations and Treatment", by Mr. Cook; to Judiciary.

On motion of Pres. Pro Tem Steen SS 1 for **SB 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Titles 9, 10 and 12, Delaware Code by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Receiver of Taxes, Prothonotary, Sheriff, Register in Chancery, Clerk of the Orphans' Court, Members of the Board of Assessment and Register of Wills in and for Sussex County".

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, Pres. Pro Tem Steen—9.

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

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 Pres. Pro Tem Steen SA 4 to **SB 21** was taken up for consideration.

Mr. DuPont moved to defer.

On motion of Mr. DuPont to defer SA 4 to **SB 21** the motion was taken up for consideration.

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

YEAS—Messrs. Bookhammer, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Simpson, Tull, Wilgus—10.

NAYS—Messrs. Cook, Donovan, Johnson, Martin, McCullough, Robbins, Pres. Pro Tem Steen—7.

So the question was decided in the affirmative and the Amendment was deferred.

At 3:10 P.M. Mr. Tull moved to "go into Executive Session".

In the Executive Session, the Senate confirmed the nomination of the Governor of Ralph W. Wine, Woodside, Delaware, to be a member of the Industrial Accident Board for a term of six years from a date of confirmation by the Senate, to succeed Robert H. Yerkes.

The Senate returned to order at 3:15 P.M., Lt. Gov. Lamot presiding.

Mr. Cook remarked that, at times, it was still extremely difficult for Senators to find parking spaces around Legislative Hall.

Mr. McCullough, Chairman of the Education Committee, reported the following bill from committee: **HB 77**, 3 favorable, 2 on merits.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HB 77**.

On motion of Pres. Pro Tem Steen **HB 77** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Making an Appropriation to the Delmar School District No. 163, Sussex County for Costs Incurred in Equipping a Science Room".

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

NAYS—Mr. DuPont—1.

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

Mr. McCullough introduced **SA 1** to **SB 37** to be included with the bill and considered some future time.

On motion of Mr. Donovan the Senate adjourned at 3:55 P.M. to Thursday, March 28 at 1:00 P.M.

20th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:40 P.M. on Thursday, March 28, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain D. A. Ball.

By roll call the following Senators were present:

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

Members Absent—Messrs. Isaacs, Johnson, (Mrs.) Manning, Price—4.

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

Mr. Hoey, Chairman of the Finance Committee, reported the following bill from committee: **SB 64**, 5 on merits.

Mrs. Manning asked to be marked present.

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

The Senate met at the expiration of the recess at 3:38 P.M., Lt. Gov. Lamnot presiding.

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

Committee reports submitted were as follows:

SB 30—Judiciary, 4 favorable, 1 on merits, by Mr. Cook; **SB 31**—Judiciary, 4 favorable, 1 on merits, by Mr. Cook; **SB 32**—Judiciary, 5 favorable, by Mr. Cook; **SB 35**—Judiciary, 4 favorable, 1 on merits, by Mr. Cook; **SB 65**—Judiciary, 5 favorable, by Mr. Cook; **SB 58**—Revised Statutes, 4 on merits, by Mr. Cook; **SB 45**—Revised Statutes, 5 on merits, by Mr. Cook; **SB 61**—Revised Statutes, 5 on merits, by Mr. Cook; **SB 63**—Revised Statutes, 5 on merits, by Mr. Cook; **SB 62**—Revised Statutes, 5 on merits, by Mr. Cook; **SB 59**—Revised Statutes, 2 favorable, 3 on merits, by Mr. Cook; **HB 72**—Revised Statutes, 5 favorable, by Mr. Cook.

At 3:42 P.M., a Messenger from the House informed the Senate that the House had passed **HB 91** and **HB 135** and desired concurrence of the Senate; and **SB 38**, **SCR 15** and **SJR 2** and was returning the 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 91—"An Act Making a Supplemental Appropriation in the Fiscal Year Ending June 30, 1963 to Honor an Obligation Incurred in the Fiscal Year Ending June 30, 1962", to Finance.

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

On motion by Mr. Cook **SA 1** to **SB 49** was stricken from the Calendar.

Mr. Cook introduced **SA 2** to **SB 49** and requested its inclusion with the bill.

Pres. Pro Tem Steen announced the following appointments to committees for Mr. Martin.

COMMITTEE APPOINTMENTS

FOR

THE SENATE OF THE 122ND GENERAL ASSEMBLY

I hereby appoint Joseph Martin to the following committees:

CORPORATIONS—MUNICIPAL

Joseph Martin (D-NC)

EXECUTIVE

Joseph Martin (D-NC)

JUDICIARY

Joseph Martin (D-NC)

LABOR

Joseph Martin, Chm. (D-NC)

PUBLIC LANDS

Joseph Martin, Chm. (D-NC)

TEMPERANCE

Joseph Martin (D-NC)

CURTIS W. STEEN

Mr. McCullough protested about the appointments and said he planned to resign from the Labor Committee.

Pres. Pro Tem Steen remarked "I am awful sorry" and referred to a letter from Mr. Reilly received in the Senate on February 5 in which Mr. Reilly authorized either McCullough or Steen to function in his behalf as Chairman or member of any committee to which Reilly was assigned.

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

SB 68—"An Act to Permit the Employment of Retired School Employees in Event of Need When so Declared by the Local Board of Education"; by Pres. Pro Tem Steen; to Education.

At 3:55 Mr. Donovan moved for a 15 minute recess.

The Senate met at the expiration of the recess at 4:20 P.M., Lt. Gov. Lammot presiding.

Mr. Donovan moved to adjourn to Monday, April 1, 1963, at 1:00 P.M.

21st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:25 P.M. on Monday, April 1, 1963, Lt. Gov. Lammot presiding. Prayer by the Chaplain, Rev. Dorman A. Ball.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—8.

Members Absent—Messrs. Bookhammer, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Wilgus—9.

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

The Judiciary Committee, with Mr. Cook as Chairman, held a public hearing on **HB 42** and **HB 64**, beginning at 2:00 P.M. The hearing lasted until 4:10 P.M.

The Senate met at the expiration of the recess at 5:10 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, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

Members Absent—Messrs. DuPont, Johnson, McCullough, Simpson—4.

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

Mr. Donovan introduced the following resolution which on further motion was adopted by voice: **SR 34**—"Extending to Sidney Balick, Senate Attorney, Congratulations on the Birth of His First Son".

Mr. DuPont asked to be marked present.

The House informed the Senate that it had adopted **HCR 3** and requested the concurrence of the Senate.

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

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", by Mr. Cook and Mrs. Manning; to Revised Statutes.

Mr. Cook asked that **SB 64** be placed before the Senate for action. A long period of discussion and interrogation of

Mr. William Miller, Director of the Highway Department, followed.

Mr. Robbins requested a roll call to end the discussion.

Messrs. McCullough and Simpson asked to be marked present.

On motion of Mr. Cook **SB 64** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Appropriate Funds to the State Highway Department".

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

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

NAYS—Mr. DuPont—1.

ABSENT—Mr. Johnson—1.

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

On motion of Mr. Donovan the Senate adjourned at 5:50 P.M. to Tuesday, April 2, 1963, at 1:00 P.M.

22nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Tuesday, April 2, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Dorman A. Ball.

By roll call the following Senators were present:

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

Members Absent—Messrs. Isaacs, Johnson, (Mrs.) Lord, McCullough—4.

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

Mr. McCullough asked to be marked present.

Mr. Price introduced **SA 1** to **SB 62** and requested placement with the bill.

On motion of Pres. Pro Tem Steen **SB 11** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Sections 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. Cook, Donovan, Hoey, Martin, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—9.

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

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Isaacs, Johnson, (Mrs.) Lord—3.

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

Mrs. Lord asked to be marked present.

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

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

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

On motion of Mr. McCullough **HB 13** as Amended with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: “An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation, by Providing for a Method of Election of Coverage and Reimbursement for Benefits Paid by Agencies and Political Subdivisions 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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus—10.

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

ABSENT—Messrs. Cook, DuPont, Hoey, 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.

Mrs. Manning asked to have **SB 35** brought up for action. Mr. Donovan moved to defer.

On motion of Mr. Donovan to defer **SB 35** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, (Mrs.) Lord, Mar-

tin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

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

NOT VOTING—Mr. Johnson—1.

ABSENT—Messrs. Isaacs, Simpson—2.

So, the motion having received the majority of those voting was carried and the bill was deferred.

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

SB 70—"An Act Authorizing the State of Delaware to Borrow Money 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 and Appropriating Money Borrowed to the State Highway Department", by Mr. Johnson; to Finance.

SB 71—"An Act to Amend Title 9, Delaware Code, Relating to the Election, Qualification, Powers and Duties of the Levy Court Commissioners for New Castle County", by Messrs. Johnson and McCullough; to Education.

The House informed the Senate that it had passed **HB 90** with **HA 1**, **HB 41**, **HB 98**, **HCR 6** with **HA 1**, and **SB 44** with **HA 1**.

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

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

HB 98—"An Act Making a Supplementary Appropriation to the Family Court of Kent and Sussex Counties for the Fiscal Year Ending June 30, 1963", to Finance.

HB 90 as Amended—"An Act Making an Appropriation to the State Fire Prevention Commission for the Training of Volunteer Firemen", to Finance.

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

HCR 6—"Adopting Permanent Joint Rules for the 122nd General Assembly", to Rules.

Committee reports submitted were as follows:

SB 54—Elections, 2 favorable, 3 on merits, by Mr. Johnson; **SB 55**—Elections, 3 favorable, 2 on merits, by Mr. Johnson; **SB 56**—Elections, 3 favorable, 2 on merits, by Mr. John-

son; **SB 19**—Elections, 3 favorable, 2 on merits, by Mr. Johnson; **SB 68**—Education, 4 favorable, by Mr. McCullough; **SB 60**—Finance, 1 favorable, 3 on merits, by Mr. Hoey.

Mr. McCullough moved to have **SB 27** stricken. Motion prevailed.

The Senate received the following Memorandum No. 3 from the Governor:

MEMORANDUM NO. 3

TO: Mrs. Everett, Mr. Killen, Mr. F. Downs, Mr. T. Brand, Clerk of the House, Secretary of the Senate, Mrs. Morris, Legislative Reference Bureau for all folders.

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

March 13, 1963 — **HJR 2**

March 19, 1963 — **SB 9**

March 29, 1963 — **HJR 1**

On date indicated the following bills, being Constitutional Amendments, became law without the Governor's signature:

March 27, 1963 — **HB 10; HB 11**

On motion of Mr. Donovan the Senate adjourned at 3:18 P.M. to Wednesday, April 3, 1963, at 1:00 P.M.

23rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on Wednesday, April 3, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. Dorman A. Ball.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, DuPont, Hoey, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—11.

Members Absent—Messrs. Bookhammer, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough—6.

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

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

SB 72—"An Act to Amend Chapter 5, Title 10, Delaware Code, in Respect to Law Clerks for the Superior Court", by Mr. Cook; to Judiciary.

SB 73—"An Act Appropriating Funds to the State Highway Department and to the Board of Game and Fish Com-

missioners of the State of Delaware to Construct and Maintain a Water Control Structure at Silver Lake at Milford, Delaware", by Messrs. Hoey and Robbins ;to Buildings and Highways.

SB 74—"An Act to Amend an Act Entitled 'An Act to Re-Incorporate the Town of Millsboro', Being Chapter 203, Volume 25, Laws of Delaware, as Amended, by Increasing the Number of Commissioners; Establishing Representative Districts; Changing Qualifications for Voters at Annual Election; and Changing the Date of the Annual Election", by Pres. Pro Tem Steen; to Corporations—Municipal.

SB 75—"An Act to Authorize the Commissioners of Millsboro to Borrow \$600,000 and to Issue Bonds to Secure the Payment Thereof for the Purpose of Improving and Extending the Water System and of Providing a Sewage Disposal Plant and System in the Town of Millsboro and to Control and Regulate the Same", by Pres. Pro Tem Steen; to Corporations—Municipal.

Pres. Pro Tem Steen moved to adopt **SA 1** to **SB 10**. Motion prevailed and **SA 1** to **SB 10** was adopted by voice.

On motion of Pres. Pro Tem Steen **SB 10** 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: "An Act Making an Appropriation to the State Highway Department for the Construction of a Dam at Portsville Pond 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, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough—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. Bookhammer asked to be marked present.

On motion of Mr. Cook **SB 5** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Adopting, on Behalf of the State of Delaware, the Interstate Compact on Juveniles which Deals in Certain Detail with Out-of-State Supervision of Juvenile Delinquents, Return of Runaways, Absconders and Escapees and Authorizes Agreements for to the Cooperative Institutionalization of Special Types of Juveniles".

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, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—10.

NAYS—Messrs. Donovan, Hoey—2.

ABSENT—Messrs. Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough—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. McCullough asked to be marked present.

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

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

The following Senators asked to be marked present: Mrs. Lord, Mrs. Manning, Messrs. Isaacs, Johnson.

On motion of Mr. Donovan **SB 43** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Raise the Maximum Amount of Old Age Assistance".

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, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Hoey, Simpson—2.

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

On motion of Mrs. Manning **SB 44** with **HA1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Authorizing the Conveyance of Certain State Owned Lands in New Castle County now Being Used by the State Board of Corrections".

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

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

NAYS—Messrs. Donovan, McCullough—2.

ABSENT—Messrs. Hoey, 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 76—"An Act to Amend Section 1172, Title 10, Delaware Code, Relating to the Powers of the Police, Justices of the Peace, Other Courts and Other Committing Magistrates, in Issuance of Process, Conduct of Preliminary Proceedings and Detention of Children in the Family Court of Kent and Sussex Counties", by Mr. Robbins; to Judiciary.

SS 1 for SB 18—"An Act to Amend Section 2702, Title 10, Delaware Code, by Providing for the Appointment of Additional Constables in New Castle County, by Mr. Johnson.

Mr. Johnson moved to adopt **SS 1 for SB 18**. Motion carried.

Mr. Johnson moved to suspend Rule 9 in order to act on **SS 1 for SB 18**.

On motion of Mr. Johnson **SS 1 for SB 18** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Section 2702, Title 10, Delaware Code, by Providing for the Appointment of Additional Constables 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. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, Wilgus—5.

ABSENT—Mrs. Manning, Mr. 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 Pres. Pro Tem Steen **SB 68** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Permit the Employment of Retired School Employees in Event of Need When so Declared by the Local 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. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin,

McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—17.

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

Mr. McCullough asked for the privilege of the floor for Col. John P. Ferguson. He expressed appreciation of the compatability which had prevailed between the Legislature and the Delaware State Police during his career in, and especially as Superintendent of the Delaware State Police.

Mr. Hoey introduced the following resolution which on further motion was adopted by voice: **SR 35**—"Relating to Amount Due the Harrington Journal for Expenses Incurred by the 122nd General Assembly".

The House informed the Senate that it had passed **HB 152** and desired the concurrence of the Senate.

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

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", by Mrs. Manning; to Revised Statutes.

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

SB 78—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees", by Mr. Robbins; to Education.

SB 79—"An Act to Repeal Section 8105, Title 9, Delaware Code, Relating to Exemptions of Real Property of Specific Organizations from Taxation", by Mrs. Lord; to Revised Statutes.

SB 80—"An Act to Amend Chapter 5, Title 28, Delaware Code, Relating to Regulatory Provisions of Harness Racing, by Providing for Minimum Stable Space for Delaware Owners", by Messrs. Hoey, Martin and Donovan; to Miscellaneous.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 4:10 P.M.

The Senate met at the expiration of the recess at 4:23 P.M., Lt. Gov. Lammot presiding.

Mr. Donovan moved for a five minute recess at 4:25 P.M.

The Senate met at the expiration of the recess at 4:35 P.M., Lt. Gov. Lammot presiding.

Mr. Donovan moved to adjourn to Thursday, April 4, 1963, at 1:00 P.M.

24th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, April 4, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Dorman A. Ball.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull—9.

Members Absent—Messrs. Bookhammer, DuPont, Hoey, Isaacs, Johnson, Simpson, Wilgus, Pres. Pro Tem Steen—8.

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

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 3:25 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Messrs. DuPont, Hoey, Wilgus, Bookhammer, Isaacs, Pres. Pro Tem Steen, Johnson.

Mr. Donovan, Chairman of the Miscellaneous Committee, reported the following bill from committee: **SB 80**, 4 on merits.

The House informed the Senate that it had passed **HB 95** and **HB 148** 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 95—"An Act to Amend Chapter 1, Title 13, Delaware Code, by Removing the Restrictions upon the Marriage of Epileptics"; to Judiciary.

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"; to Finance.

On motion of Mr. Cook **HB 72** with title as follows was taken up for consideration and read a second time by title

in order to pass the Senate: "An Act Relating to Aid to the Blind by Lowering the Age Eligibility".

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, Tull, Wilgus—15.

NAYS—None.

ABSENT—Messrs. Simpson, 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.

Committee reports submitted were as follows:

SB 74—Corporations—Municipal, 3 favorable, 2 on merits, by Mr. Price; **SB 75**—Corporations—Municipal, 3 favorable, 2 on merits, by Mr. Price.

Mr. Cook introduced the following bill which on further motion by him was adopted: **SS 1** for **SB 17**—"An Act to Amend Section 543, Title 4, Delaware Code, Relating to Grounds for Refusal of Alcoholic Beverage License".

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

SB 81—"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, 1963", by Mrs. Lord and Mr. McCullough; to Finance.

SB 82—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles by Adding Section 4375 Establishing Certain Regulations with Reference to Seat Safety Belts", by Messrs. DuPont and McCullough; to Revised Statutes.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 3:35 P.M.

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

Committee reports submitted were as follows:

SB 71—Elections, 3 favorable, by Mr. Johnson; **HB 42**—Judiciary, 3 favorable, 1 unfavorable, by Mr. Cook; **HB 64**—Judiciary, 3 favorable, 1 unfavorable, by Mr. Cook.

Mr. Tull introduced the following resolution which on further motion was adopted by voice: "**SCR 16**—"Expressing the Sympathy of the 122nd General Assembly Upon the Death of Mr. Roy Allen Cannon".

WHEREAS, the 122nd General Assembly of the State of Delaware has learned with regret of the passing of Mr.

Roy Allen Cannon, who served one term as State Senator and two terms in the House of Representatives, and

WHEREAS, Former Senator and Representative Roy Allen Cannon was a dedicated public servant whose accomplishments for the State of Delaware will never be forgotten by its citizens,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the State of Delaware, the House of Representatives concurring therein, that the members wish to give expression to the regret they experienced at the passing of Mr. Roy Allen Cannon, a prominent figure in his community, and

BE IT FURTHER RESOLVED, that the family of the deceased, including Mrs. Mary Cannon and Mrs. Mary Ann McCabe, has full sympathy of the members of the 122nd General Assembly of the State of Delaware which is extended by sending a copy of this resolution to the members of his immediate family, and

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

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

SA 1 to SB 75, by Pres. Pro Tem Steen; placed with bill.

Mrs. Lord introduced the following bill which on further motion by her was adopted: **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".

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

SB 83—"An Act to Amend § 6102, Title 16, Delaware Code, Relating to the Compact Administration of the Inter-State Compact on Mental Health", by Mr. Cook; to Public Health.

On motion of Mr. Donovan the Senate adjourned at 4:08 P.M. to Monday, April 8, 1963, at 1:00 P.M.

25th LEGISLATIVE DAY

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

Prayer by the Chaplain, Rev. Dorman A. Ball.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, John-

son, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—10.

Members Absent—Messrs. Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, 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.

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 4:00 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Messrs. Hoey, Cook, (Mrs.) Manning, DuPont, (Mrs.) Lord, Simpson.

The Chair announced the transfer of **SB 17** from Temperance to Revised Statutes Committee.

The House informed the Senate that it had passed **SCR 16** and **SS 1** for **SB 1** and was returning same to the Senate and that it had passed **HB 37**, **HB 40**, **HB 111** with **HA 1**, **HB 150** with **HA 1**, **HB 165**, **HB 112**, **HB 172** and **HB 147** and requested 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 172—"An Act Appropriating Money to the Department of Elections for New Castle County for the Special Election held in the Second Senatorial District in New Castle County"; to Finance.

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"; to Revised Statutes.

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"; to Finance.

HB 147—"An Act to Amend Chapter 401, Volume 53, Laws of Delaware, Entitled 'An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1963', by Making Certain Transfers Therein"; to Finance.

HB 150 with **HA 1**—"An Act to Amend § 4913, Title 10, Delaware Code, Relating to Exemption and Attachment of Wages"; to Judiciary.

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

HB 40—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the D.A.R.'s Old Maull House from Assessment and Taxation"; to Revised Statutes.

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

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

SB 84—"An Act to Amend Section 173, Title 6, Delaware Code, Relating to the Place of Presentment of a Negotiable Instrument", by Mr. Tull; to Revised Statutes.

SB 85—"An Act to Amend Section 229, Title 6, Delaware Code, Relating to Inland and Foreign Bills of Exchange", by Mr. Tull; to Revised Statutes.

SB 86—"An Act Making a Supplementary Appropriation to the State Highway Department for the Fiscal Year Ending June 30, 1964 for Salaries and Wages of Employees of the State Police Division", by Mr. Cook; to Finance.

SB 87—"An Act to Amend Title 14 of the Delaware Code by Providing for a Teacher to Serve as an Ex-officio Member of School Boards", by Mr. Martin; to Education.

On motion of Mrs. Manning **SB 35** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Waive the Sovereign Immunity of the State of Delaware and Permit a Suit in Tort Against the State of Delaware by James F. Long and Ray E. Parsons, Arising Out of Water Damage Sustained on August 31, 1960 from a Drain Maintained by the State Highway Department".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Tull, Wilgus—10.

NAYS—Messrs. Donovan, McCullough, Robbins—3.

ABSENT—Messrs. Isaacs, Johnson, Simpson, Pres. Pro Tem Steen—4.

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

On motion of Mr. McCullough **SB 52** with title as follows was taken up for consideration and read a second time by

title in order to pass the Senate: "An Act to Amend Section 5922, Title 11, Delaware Code, Relating to Fees of Justice of the Peace in Criminal Cases".

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. McCullough **SB 53** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Section 9701, Title 10, Delaware Code, Relating to General Rates of Cases Before a Justice 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. 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.

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

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", by Pres. Pro Tem Steen; to Finance.

Mr. Simpson asked to be marked present.

On motion of Pres. Pro Tem Steen **SB 74** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend An Act Entitled 'An Act to Re-Incorporate the Town of Millsboro', Being Chapter 203, Volume 25, Laws of Delaware, as Amended, by Increasing the Number of Commissioners; Establishing Representative Districts; Changing Qualifications for Voters at Annual Election; and Changing the Date of the Annual Election".

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, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

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.

Pres. Pro Tem Steen introduced **SA 1** to **SB 75** and moved for its adoption. Motion prevailed.

On motion of Pres. Pro Tem Steen **SB 75** 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: "An Act to Authorize the Commissioners of Millsboro to Borrow \$600,000 and to Issue Bonds to Secure the Payment Thereof for the Purpose of Improving and Extending the Water System and of Providing a Sewage Disposal Plant and System in the Town of Millsboro and to Control and Regulate 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, Donovan, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

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.

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

SB 89—"An Act Amending Title 6, Delaware Code of 1953, by Protecting the Public Welfare, Entitling all Persons to Full and Equal Accommodations, Facilities, Advantages and Privileges of Places of Public Accommodation and Making it Unlawful to Refuse the Same to any Person on Account of Race, Creed, Color or National Origin or to Publish any Communication to the Effect that the Same Shall be Refused on Account of Race, Creed, Color or National Origin, Empowering and Directing the State Human Relations Commission to Effect Voluntary Compliance Therewith and Providing Criminal Penalties for the Violation Thereof, and Repealing Section 1501, of Title 24, Section 902 of Title 28 and Section 703 of Title 26, Delaware Code of 1953, insofar

as Said Sections are Inconsistent Herewith", by Mrs. Lord and Mr. Martin; to Judiciary.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 4:37 P.M.

The Senate met at the expiration of the recess at 5:15 P.M., Lt. Gov. Lamnot presiding.

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

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", by Mrs. Lord, Mr. Martin and Mrs. Manning; to Revised Statutes.

SB 91—"An Act to Amend Sections 3701 and 3702, Title 3, Delaware Code, by Permitting Other Locations for the Determination of Weight and Grade or Classification of Lima Beans, Peas or Other Leguminous Vegetables", by Mr. Simpson; to Agriculture.

SB 92—"An Act to Authorize the Delaware State College to Acquire Property Adjacent to its Campus and Appropriating Moneys Therefore", by Messrs. Cook and Simpson; to Finance.

SB 93—"An Act to Amend Sections 2703 and 2704, Title 10, Delaware Code, Permitting the Appointment of Special Constables for Kent County and Sussex County and Defining their Term, Powers and Duties", by Pres. Pro Tem Steen and Mr. Robbins.

Pres. Pro Tem Steen moved to suspend rules in order to pass **SB 93**. Motion prevailed.

On motion of Pres. Pro Tem Steen **SB 93** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Sections 2703 and 2704, Title 10, Delaware Code, Permitting the Appointment of Special Constables for Kent County and Sussex County and Defining their Term, Powers and Duties".

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, Martin, McCulloch, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

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

NOT VOTING—Mrs. Lord—1.

ABSENT—Messrs. Isaacs, Johnson—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 5:30 P.M. to Tuesday, April 9, 1963, at 1:00 P.M.

26th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, April 9, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Dorman A. Ball.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Johnson, (Mrs.) Manning, Martin, Price, Robbins, Wilgus, Pres. Pro Tem Steen—10.

Members Absent—Messrs. Cook, Hoey, Isaacs, (Mrs.) Lord, McCullough, Simpson, Tull—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. Martin presented **SS 1** for **SB 13** with same title and moved for its adoption. Mr. DuPont questioned the propriety of substitution for **SB 13** in the absence of Mr. McCullough who, with the former Senator Reilly, is co-sponsor of **SB 13**. Pres. Pro Tem Steen moved to postpone adoption until Mr. McCullough was present. Motion prevailed.

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 3:30 P.M., Lt. Gov. Lammot presiding.

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

On motion of Mr. Donovan the Senate adjourned at 3:35 P.M. to Wednesday, April 10, 1963, at 1:00 P.M.

27th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, April 10, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. Dorman A. Ball.

By roll call the following Senators were present:

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

Members Absent—Messrs. Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning—7.

The Secretary proceeded to read the Journal of the pre-

vious 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 that Mr. Martin be sponsor of **SB 12** which had been introduced by former Senator Reilly.

At 1:35 P.M., the House informed the Senate that it had passed **HB 33** with **HA 1** and **HA 2**, **HB 119** and **HCR 8** and requested 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 33 with **HA 1** and **HA 2**—"An Act to Amend Chapter 4, Title 24, Delaware Code, Relating to Barbers"; to Revised Statutes.

HB 119—"An Act to Amend Section 4126, Title 21, Delaware Code, to Increase the Speed Limit of Motor Trucks on Four Lane Undivided Roads and on Dual Highways"; to Revised Statutes.

The following Senators asked to be marked present: Mrs. Lord, Messrs. DuPont, Hoey, Bookhammer, Cook, Johnson, Simpson, and Mrs. Manning.

Mr. Robbins introduced the following resolution which on further motion was adopted by voice: **SR 36**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 122nd General Assembly".

Mr. Robbins introduced the following resolution which on further motion was adopted by voice vote: **SR 37**—"Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

Mr. Steen, Chairman of Buildings and Highways Committee, reported the following bill from committee: **SB 66**, 1 favorable, 2 on merits.

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

SB 94—"An Act to Amend Section 8324, Title 11, Delaware Code, Relating to Eligibility of Permanently Injured Members of the State Police for Pension Benefits", by Pres. Pro Tem Steen; to Buildings and Highways.

Mrs. Manning requested that **SB 65** be given a third reading and placed before Senate for action.

Pres. Pro Tem Steen moved for deferment and recess of a few minutes. Motion prevailed.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 1:49 P.M.

The Senate met at the expiration of the recess at 3:35 P.M., Lt. Gov. Lammot presiding.

The House informed the Senate that it had passed **HB 110**, **HB 116**, **HB 182**, **HB 200** and requested the concurrence of the Senate; also that it had passed **SB 14** and **SB 64** and **SCR 7** and was returning same to the Senate.

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

SB 95—"An Act to Amend Chapter 3, Title 18, Delaware Code, Relating to Insurance to Provide for School Employee Legal Liability Protection", by Mr. McCullough; to Education.

Committee reports submitted were as follows:

HB 126—Corporations—Municipal, 5 on merits, by Mr. Price; **SB 94**—Buildings and Highways, 4 favorable, by Mr. Steen.

Mr. Cook introduced the following resolution which on further motion was adopted by voice: **SR 38**—"Relating to Distributing Masons Manual".

BE IT RESOLVED by the Senate of the 122nd General Assembly that the Legislative Reference Bureau distribute to each Senator a copy of "Manual of Legislative Procedure for Legislative and other Governmental Bodies" by Paul Mason, 1962 edition.

On motion of Pres. Pro Tem Steen **SA 4** to **SB 21** was taken up for consideration 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. Cook, Donovan, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

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

ABSENT—Mr. Isaacs—1.

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

Mr. DuPont moved to defer **SB 21** for 30 minutes.

On motion of Mr. DuPont to defer **SB 21** the yeas and nays were ordered which being taken were as follows:

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

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

ABSENT—Mr. Isaacs—1.

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

At 4:15 P.M. Mr. DuPont again moved to defer **SB 21** and **SA 4**.

On motion of Mr. DuPont to defer **SB 21** and **SA 4** the yeas and nays were ordered which being taken were as follows:

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

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

ABSENT—Mr. Isaacs—1.

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

On motion of Pres. Pro Tem Steen **SB 21** and **SA 4** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Establishing a Capital Investment Fund and Providing for the Payment Into the Fund of all Income Tax Payments to the State of Delaware Based on Taxable Income Resulting from Distributions of Divested Stock as Defined in Section 1111 of the United States Internal Revenue Code of 1954".

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, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

NAYS—None.

NOT VOTING—Messrs. Bookhammer, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

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 for concurrence.

Committee reports submitted were as follows:

SB 41—Finance, 4 on merits, by Mr. Hoey; **HB 135**—Finance, 1 favorable, 3 on merits, by Mr. Hoey; **HB 172**—Finance, 1 favorable, 3 on merits, by Mr. Hoey; **HB 90**—Finance, 3 favorable, 1 on merits, by Mr. Hoey; **HB 7**—Finance, 4 on merits, by Mr. Hoey.

Mrs. Manning requested that **SB 65** receive final action.

Mr. Donovan moved to defer **SB 65**.

Due to confusion about the voting, Mr. Donovan withdrew his motion.

On motion of Mrs. Manning **SB 65** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Section 706, Title 21, Delaware Code, Relating to Disposition of

Fines and Costs for Motor Vehicle Violations, by Providing that Fines and Costs in Court of Common Pleas be Paid to 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, DuPont, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—6.

NAYS—Messrs. Donovan, Price, Robbins, Pres. Pro Tem Steen—4.

NOT VOTING—Messrs. Cook, Hoey, Johnson, Martin, McCullough, Tull—6.

ABSENT—Mr. Isaacs—1.

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

On motion of Mr. Johnson **SB 15** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: “An Act to Amend Title 29, Section 5501, Delaware Code, Relating to State Pension Plan by Extending Coverage to Employees of the Merit System of Personnel Administration”.

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, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Mr. Hoey—1.

NOT VOTING—Mr. Robbins—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 for concurrence.

Mr. Cook introduced the following resolution which on further motion was adopted by voice: **SR 39**—“Relating to the Decision of the United States Air Force to Drop Maintenance Work Now Performed by Hayes International at Dover Air Force Base”.

On motion of Mr. Johnson **SB 71** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: “An Act to Amend Title 9, Delaware Code, Relating to the Election, Qualification, Powers and Duties of the Levy Court Commissioners for New Castle County”.

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, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—6.

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 for concurrence.

On motion of Mr. Donovan **SB 63** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Provide Tax Exemption for the Gymnasium Building Owned by the Wilmington Turngemeinde at 1600 Beech Street in 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, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

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

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 for concurrence.

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

Mr. Hoey moved to defer **SB 55**. Motion carried.

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

Mr. Cook moved to defer **SB 56**. Motion carried.

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

Mr. Hoey moved to defer **SB 54**. Motion carried.

On motion of Mr. Donovan the Senate adjourned at 5:50 P.M. to Thursday, April 11, 1963, at 1:00 P.M.

28th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, April 11, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. Dorman A. Ball.

By roll call the following Senators were present:

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

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

The Chair declared a recess in the absence of a quorum.

The Senate met at the expiration of the recess at 3:00 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, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Hoey, Johnson, 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.

Pres Pro Tem Steen requested that the following communication be read and spread upon the Journal.

WILMINGTON TYPOGRAPHICAL UNION No. 123

Post Office Box 331

Wilmington 99, Delaware

WHEREAS, Our Creator, in His infinite wisdom has removed from our midst, our friend, Senator John E. Reilly, and

WHEREAS, Brother Reilly was greatly responsible for the passage of Delaware's Citizens' Job Protection law, and

WHEREAS, His passing leaves a deep void in the ranks of those who support the labor movement, since his efforts in behalf of union members everywhere earned him the respect and admiration of all, therefore be it

RESOLVED, That Wilmington Typographical Union No. 123 at its regular monthly meeting held this Third day of March 1963, hereby expresses profound respect and deep sorrow over the death of Senator John E. Reilly, and extends sincere sympathy to his bereaved family, and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the family of our deceased friend and to the State Senate in Dover, Delaware.

Richard L. Hoppes, President

Joseph E. Kumpel, Vice President

James C. Cox, Secretary-Treasurer

Arthur R. Yotter, Rec. Secretary

Albert Frankel, Sgt.-at-Arms

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

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", by Mr. Cook; to Buildings and Highways.

At 3:08 P.M., the House informed the Senate it had passed **HB 174** with **HA 1** and **HB 161** and requested the concurrence of the Senate.

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

Mrs. Manning and 15 other Senators introduced the following resolution which on further motion was adopted by voice: **SR 40**—"Extending Best Wishes to Senator J. Donald Isaacs Upon His Receiving the Robert S. Kerr Memorial Award".

WHEREAS, the Senate of the 122nd General Assembly was happy to learn that Senator J. Donald Isaacs has received the Robert S. Kerr award as the young farmer who contributed most to American government in the past year.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that its most sincere best wishes and congratulations be extended to Senator J. Donald Isaacs on the occasion of his receiving the Robert S. Kerr Memorial Award.

BE IT FURTHER RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that a copy of this resolution be sent to Senator J. Donald Isaacs and his immediate family.

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

Mr. Cook moved to suspend Rule 9 to act on **SB 96**. Motion carried.

Committee reports submitted were as follows:

HCR 3—Miscellaneous, 1 favorable, 3 on merits, by Mr. Donovan; **SB 96**—Buildings and Highways, 4 favorable, 1 on merits, by Mr. Steen.

Mr. Cook moved to suspend Rule 9 to act on **SB 96**. Mr. DuPont objected. The Chair ordered the yeas and nays on the motion.

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, Pres. Pro Tem Steen—10.

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

ABSENT—Mr. Simpson—1.

So the question was decided in the affirmative.

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: "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—Mrs. Manning, Mr. Simpson—2.

NOT VOTING—Messrs. Bookhammer, Isaacs, DuPont, (Mrs.) Lord, Wilgus—5.

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

Mr. Hoey requested **HB 90** with **HA 1** be placed before the Senate for action.

Mr. DuPont moved to defer.

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

YEAS—Mr. DuPont—1.

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

ABSENT—Mrs. Manning—1.

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

On motion of Mr. Hoey **HB 90** 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: "An Act Making an Appropriation to the State Fire Prevention Commission for the Training of Volunteer Firemen".

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, Martin, McCullough, Price, Rob-

bins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

NOT VOTING—Mr. DuPont—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.

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

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"; to Finance.

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

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

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

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

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

HB 174 with HA 1—"An Act to Amend Section 8105, Title 9, Delaware Code, Relating to Limitations on Taxing Power"; to Revised Statutes.

HCR 8—"Relating to the Formation of a Joint Committee to Evaluate the Tax Exempt Organizations Set Out in Chapter 81, Title 9, Delaware Code, and Those Bills Introduced to Amend Such Chapter"; to Miscellaneous.

On motion of Mr. Hoey **HB 172** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Appropriating Money to the Department of Elections for New Castle County for the Special Election Held in the Second Senatorial District 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, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Price—1.

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

On motion of Mr. DuPont the Senate recessed for five minutes at 3:40 P.M.

The Senate returned to order at 3:45 P.M., Lt. Gov. Lamnot presiding.

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

SB 97—"An Act to Repeal Chapter 47, Title 29, Delaware Code, Relating to Board of Post-Mortem Examiners", by Pres. Pro Tem Steen; to Public Health.

SB 98—"An Act to Amend Chapter 95, Title 9, Delaware Code, Relating to Autopsies", by Pres. Pro Tem Steen; to Public Health.

SB 99—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the "Georgetown New Century Club", by Mr. Bookhammer; to Corporations—Private.

Mr. McCullough moved to make Mr. Martin co-sponsor of **SS 1** for **SB 13**. Motion carried.

Committee reports submitted were as follows:

SS 1 for **SB 17**—Revised Statutes, 2 favorable, 2 on merits, 1 unfavorable, by Mr. Cook; **SB 85**—Revised Statutes, 3 favorable, 2 on merits, by Mr. Cook; **SB 84**—Revised Statutes, 3 favorable, 2 on merits, by Mr. Cook; **SB 22**—Revised Statutes, 1 favorable, 2 on merits, 2 unfavorable, by Mr. Cook; **HB 165**—Revised Statutes, 3 favorable, 2 on merits, by Mr. Cook.

On motion of Mr. Hoey **HB 7** with **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Making an Appropriation to the State Board of Education for Certain Improvements and Repairs to the Public School Buildings of the State".

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

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

McCullough, Robbins, Simpson, Tull, Wilgus—15.

NAYS—None.

ABSENT—Messrs. Price, 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. Donovan the Senate adjourned at 4:25 P.M. to Monday, April 15, 1963, at 1:00 P.M.

29th LEGISLATIVE DAY

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

Prayer by the Chaplain, Rev. Dorman A. Ball.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Pres. Pro Tem Steen—8.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, McCullough, Simpson, Tull, Wilgus—9.

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

The Senate returned to order at 3:12 P.M., Lt. Gov. Lamnot presiding.

The following Senators asked to be marked present:

Messrs. Cook, Tull, Bookhammer, Simpson, DuPont, Wilgus, Johnson.

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

The following message from the Governor was read and referred to the Executive Committee:

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

April 15, 1963

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

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

Paul E. Moore, 1201 Newport Pike, Woodcrest, Wilmington 4, Delaware—to be a member of the Bingo Control Commission, effective April 10, 1963, for a term to expire Sep-

tember 1, 1967; replacing Alex R. Abrahams.

Elwood K. Robinson, 2207 Pine Street, Wilmington, Delaware—to be a Justice of the Peace for the State of Delaware for a term of 4 years from date of confirmation by the Senate, to succeed George H. Banks, Jr.

Respectfully submitted
ELBERT N. CARVEL
Governor

Committee reports submitted were as follows:

SB 97—Public Health, 4 on merits, by Mr. Price; **SB 98**—Public Health, 4 on merits, by Mr. Price.

At 3:16 P.M. the House informed the Senate it had passed **HB 171** with **HA 1** and requested the concurrence of the Senate.

Mrs. Manning introduced the following bill which was referred to the Judiciary Committee: **SB 100**—"An Act to Amend Section 1302, Title 10, Delaware Code, Relating to Salary of the Judges of the Court of Common Pleas for New Castle County".

Mr. Johnson asked to be marked present.

On motion of Mr. Cook to restore **SB 96** to Calendar 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, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—6.

ABSENT—Mr. Isaacs—1.

So the question was decided in the affirmative and the motion having received the required majority passed the Senate and **SB 96** was ordered restored to the Calendar.

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

HB 171 with **HA 1**—"An Act to Re-Incorporate the Town of Houston --- Be It Enacted by the General Assembly of the State of Delaware (Two-Thirds of All Members Elected Thereto Concurring Therein)"; to Corporations—Municipal.

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

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", by Pres. Pro Tem Steen; to Revised Statutes.

SB 102—"An Act to Amend Section 5004, Title 15, Delaware Code, Relating to the Use of Voting Machines", by

Mrs. Manning; to Elections.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 3:27 P.M.

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

Mr. McCullough asked to be marked present.

Committee reports submitted were as follows:

SB 92—Finance, 1 favorable, 2 on merits, by Mr. Hoey;

HB 98—Finance, 3 on merits, by Mr. Hoey.

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

SB 103—"An Act to Amend Chapter 6, Title 14, Delaware Code, Providing for Tuition Charges for Pupils Attending Schools Outside Their Resident District", by Mr. McCullough; to Education.

Mr. Hoey and Pres. Pro Tem Steen introduced the following resolution which on further motion was adopted: **SR 41**—"Providing for a Committee with Full Power to Investigate any State Agency, to Hire Personnel and Making an Appropriation Therefore".

WHEREAS, from time to time it has come to the attention of the Senate that there are certain irregularities and alleged violations of the laws of the State of Delaware within the various agencies of this State, and

WHEREAS, these said irregularities and alleged violations of law presents a serious threat to the moral, economic and political life of the citizens of this State;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that the President Pro Tempore of the Senate is authorized and directed to appoint a special committee to consist of five members of the Senate to investigate the nature and extent of any irregularities or alleged violations of State laws occurring within any State agency and report its findings and recommendations to the Senate, and

BE IT FURTHER RESOLVED that the said committee shall select a chairman and secretary from its membership who shall sign the warrants drawn on the State Treasurer, and

BE IT FURTHER RESOLVED that the said special committee shall have all the investigating powers expressed or implied which are possessed by the Senate of the State of Delaware, including the power to subpoena witnesses and administer oaths, and shall remain in being fully vested with such powers until abolished by the 122nd General Assembly. and

BE IT FURTHER RESOLVED that the sum of Ten Thousand Dollars is hereby appropriated to enable the said special committee to hire necessary attorneys, personnel and secure necessary supplies for the proper performance of its duties, and

BE IT FURTHER RESOLVED that this act shall be a supplementary appropriation and any moneys unexpended shall revert to the General Fund of the State of Delaware.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 4:10 P.M. to consider **SR 41**.

The Senate met at the expiration of the recess at 4:23 P.M., Lt. Gov. Lammot presiding.

Mr. DuPont moved to refer **SR 41** to committee. Motion opposed. Roll call requested by Chair.

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—6.

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

ABSENT—Mr. Isaacs—1.

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

On motion of Mr. Hoey **SR 41** with title as follows was taken up consideration and read a second time by title in order to pass the Senate: "Providing for a Committee with Full Power to Investigate any State Agency, to Hire Personnel and Making an Appropriation therefore".

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, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Mr. DuPont, Mrs. Lord—2.

ABSENT—Mr. Isaacs—1.

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

Mr. McCullough requested **SB 62** be placed before the Senate for final action.

Mr. Price moved to adopt **SA 1** to **SB 62**. Motion prevailed by voice.

On motion of Mr. McCullough **SB 62** and **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend

Section 9525, Title 10, Delaware Code, Relating to Deposit for Costs in Actions Before a Justice 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. Bookhammer, Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

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 for concurrence.

On motion of Mr. Donovan the Senate adjourned at 4:45 P.M. to Tuesday, April 16, 1963, at 1:00 P.M.

30th LEGISLATIVE DAY

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

Prayer by the Chaplain, Rev. Dorman A. Ball.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, Martin, Price, Tull—5.

Members Absent—Messrs. Bookhammer, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—12.

The Chair declared a recess in the absence of a quorum.

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

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

Members Present—Messrs. Bookhammer, 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.

Committee reports submitted were as follows:

HB 78 with **HA 1**—Banking and Insurance, 1 favorable, 4 on merits, by Mr. Tull; **HB 92**—Banking and Insurance, 1 favorable, 4 on merits, by Mr. Tull; **HB 93**—Banking and

Insurance, 2 favorable, 3 on merits, by Mr. Tull; **HB 161**—Banking and Insurance, 3 favorable, 2 on merits, by Mr. Tull; **HB 147**—Finance, 5 on merits, by Mr. Hoey.

The following message from the Governor was read and referred to the Executive Committee.

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

April 16, 1963

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

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

Frank T. Lynch, 2101 N. Van Buren Street, Wilmington, Delaware—to be a member of the Delaware Industrial Building Commission, effective April 10, 1963, for a term to expire February 20, 1967, to succeed Hart Cooper, deceased.

Respectfully submitted,
ELBERT N. CARVEL
Governor

The Senate received the following Memorandum No. 4 from the Governor.

MEMORANDUM NO. 4

April 16, 1963

TO: Mrs. Everett, Mr. Killen, Mr. F. Downs, Mr. T. Brand, Clerk of the House, Secretary of the Senate, Mrs. Moress, Legislative Reference Bureau for all folders.

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation.

April 9, 1963—**HB 77**

April 11, 1963—**SB 64; SB 93**

April 16, 1963—**HB 13** with **HA 1**

On motion of Pres. Pro Tem Steen **SB 94** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Section 8324, Title 11, Delaware Code, Relating to Eligibility of Permanently Injured Members of the State Police for Pension Benefits".

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 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: "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.

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

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

At 4:45 P.M. the House informed the Senate that it had passed **HB 124**, **HB 143**, **HB 162** with **HA 1** and **HB 166** with **HA 1** and requested the concurrence of the Senate.

On motion of Mrs. Manning **SB 41** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "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 motion of Mr. Donovan to defer **SB 41** the yeas and nays were ordered which being taken were as follows:

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

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

ABSENT—Mr. Hoey—1.

So **SB 41** was deferred.

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

31st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, April 17, 1963, Lt. Gov. Lamnot presiding. Prayer by the Chaplain, Spencer R. Quick.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, Johnson, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—10.

Members Absent—Messrs. Bookhammer, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, 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.

Mr. Price introduced Rev. Spencer R. Quick, who is to serve as Chaplain of the Senate for the next ten legislative days.

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 3:30 P.M., Lt. Gov. Lammot presiding.

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

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

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"; to Revised Statutes.

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"; to Revised Statutes.

HB 124—"An Act Making a Supplementary Appropriation to the State Tax Department for the Fiscal Year Ending June 30, 1963 to Inaugurate a Unit of the State Tax Department Designated as 'Taxation and Statistics Research'"; to Finance.

HB 166 with **HA 1**—"Budget Bill"; to Finance.

Mr. Isaacs moved to install a stenographic recording system in the Senate Chamber to record everything said in all sessions of the Senate. Later, he changed his motion to request a tape recording rather than a steno. report. Later, he withdrew his entire motion.

Mr. Cook introduced the following resolution which on further motion was adopted by voice vote: **SR 42**—"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, April 16, 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, April 16, 1963.

Rev. Dorman A. Ball — Chaplain
 Elmer Lindale, Jr. — Filing Clerk for Legislative
 Reference Bureau
 Ruth Cannon — Reading Clerk
 Charles Hanson — Sergeant-at-Arms
 Merritt Camper — Sergeant-at-Arms
 Lewis Killen — Attorneys' Messenger
 William E. Clark — Page

BE IT FURTHER RESOLVED that the following persons are hereby elected to the office appearing opposite their names effective April 17, 1963 to serve during the pleasure of the Senate.

Rev. Spencer R. Quick — Chaplain
 Frances M. Lynch — Filing Clerk for Legislative
 Reference Bureau
 Dora Furniss — Reading Clerk
 Sara B. Frazer — Attorneys' Messenger
 Clifford Baker — Sergeant-at-Arms
 Fletcher Price — Attorneys' Messenger
 Rev. Richard Thompson — Page

At 4:05 P.M., new appointees were sworn in as Senate Officers by Lt. Gov. Lammot.

Mr. McCullough, Chairman of Education, reported the following bill from committee: **HB 111** with **HA 1, 2** favorable, 2 on merits.

At 4:00, the House informed the Senate that it had passed **HB 187** and **HCR 3** and requested the concurrence of the Senate.

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

SB 104—"An Act to Amend Title 14 of the Delaware Code Entitled 'Education', by Providing for a Duty Free Period Near the Lunch Time", by Mr. McCullough; to Education.

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: "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 motion of Mr. McCullough the bill was deferred.

On motion of Mr. McCullough to defer **SB 45** 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—7.

ABSENT—Pres. Pro Tem Steen—1.

So the question was decided in the affirmative and the bill was deferred.

Mr. DuPont requested **SB 49** be taken up for consideration.

Mr. Cook moved to adopt **SA 2** to **SB 49**.

Mr. Cook moved to recess to call of Majority Floor Leader. The Chair denied the motion and declared a recess to call of the Chair.

Senate returned to order at 4:25 P.M.

Mr. Cook withdrew his motion to consider **SA 2** to **SB 49**.

Mr. Donovan moved to defer **SB 49**.

On motion of Mr. Donovan to defer **SB 49** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Tull—8.

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

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

So the question was decided in the affirmative and the bill was deferred.

The Senate received the following Memorandum No. 5 from the Governor:

MEMORANDUM NO. 5

April 17, 1963

TO: Secretary of the Senate

FROM: F. Earl McGinnes

On date indicated, the Governor approved the following legislation:

April 16, 1963—**SB 14**; **SB 38**; **SB 44** with **HA 1**; **SJR 2**; **HB 72**; **HB 90** with **HA 1**.

On motion of Mr. Donovan the Senate adjourned at 4:10 P.M. to Thursday, April 18, 1963 at 1:00 P.M.

32nd LEGISLATIVE DAY

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

Prayer by the Chaplain, Bernard Quick.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Wilgus—10.

Members Absent—Messrs. Cook, Johnson, McCullough, Price, Robbins, 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.

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 4:50 P.M., Lt. Gov. Lammot presiding.

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

On motion of Mr. Donovan the Senate adjourned at 4:50 P.M. to Monday, April 22, 1963, at 1:00 P.M.

33rd LEGISLATIVE DAY

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

Prayer by the Chaplain, Spencer R. Quick.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—11.

Members Absent—Messrs. Cook, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough,—6.

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

A communication to William J. Miller from John A. Turnstall, Secretary of Delaware Federation of Sportsmen and Conservation Clubs, was read.

The chair introduced **HJR 3**—"Providing for the Withdrawal from the Southern Regional Education Compact".

Mr. Hoey moved for its adoption. It was adopted by voice vote.

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

HB 187—"An Act to Amend Chapter 41, Title 21, Delaware Code, Entitled 'Driving Regulations' by Excepting Emer-

gency Vehicles, as Herein Defined From Its Application"; to Miscellaneous.

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

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", by Mr. Robbins; to Finance.

SB 107—"An Act to Amend Section 4504, Title 21, Delaware Code, Relating to Movement Permits for House Trailers", by Mr. Robbins; to Revised Statutes.

SB 108—"An Act to Amend Section 8323, Title 11, Delaware Code, Relating to Pensions for State Police", by Mr. Robbins; to Revised Statutes.

Mrs. Manning asked to be marked present.

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

The Senate met at the expiration of the recess at 3:30 P.M., Lt. Gov. Lamot presiding.

The following Senators asked to be marked present: Mrs. Lord, Mr. Cook.

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

SB 109—"An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions: and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions and Providing that Certain Revenues Shall be Applied to the Payment of the States Share of the Cost", by Mr. DuPont; to Finance.

SB 110—"An Act to Amend Title 19, Delaware Code, Entitled 'Labor' by Adding a Wage Payment and Wage Collection Law", by Mr. Martin; to Labor.

SB 111—"An Act to Amend Chapter 6, Title 9, Delaware Code, Relating to Parks and Recreational Facilities", by Mr. Martin; to Revised Statutes.

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", by Mr. Hoey; to Finance.

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", by Mr. Hoey; to Corporations—Municipal.

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", by Mr. Cook; to Buildings and Highways.

The House informed the Senate that it had passed **HB 6** with **HA 1** and desired the concurrence of the Senate; and that it had passed **SB 8** and was returning same to the Senate.

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

SB 115—"An Act to Amend Chapter 5, Title 10, Delaware Code, in Respect to Law Clerks for the Court of Chancery", by Mr. Cook; to Judiciary.

SB 116—"An Act to Amend Section 341, Title 8, Delaware Code, Relating to Qualification of Foreign Corporations to Do Business in the State", by Mr. Donovan; to Revised Statutes.

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"; to Revised Statutes.

Mr. Cook asked for privilege of floor for Mr. Joseph Gioffre of Wilmington to speak on **HB 33**. Mr. Gioffre was opposed to **HB 33**.

Mr. McCullough asked to be marked present.

On motion of Mr. Tull **SB 60** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Making a Supplementary Appropriation to the Blades School District No. 172 Sussex County for Operational Expenses 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. Cook, Donovan, Hoey, Martin McCullough, Price Robbins, Tull, Pres. Pro Tem Steen—9.

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

NOT VOTING—Mr. Simpson—1.

ABSENT—Messrs. Isaacs, Johnson—2.

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

Mr. Hoey, Chairman of the Finance Committee, reported the following bill from committee: **HB 166** with **HA 1, 3** favorable.

At 4:10, Mr. Tull moved to go into executive session.

On motion of Mr. Tull for Executive Session the Senate recessed upon call of the Chair at 4:10.

In Executive Session the Senate confirmed the nomination by the Governor of Paul E. Moore, 1201 Newport Pike, Woodcrest, Wilmington, Delaware to be a member of the Bingo Control Commission, effective April 10, 1963 for a term to expire September 1, 1967, replacing Alex R. Abrahams;

Elwood K. Robinson, 2207 Pine Street, Wilmington, Delaware to be a Justice of the Peace for the State of Delaware for a term of four years from date of confirmation by the Senate, to succeed George H. Bank, Jr.;

Frank T. Lynch, 2101 N. Van Buren Street, Wilmington, Delaware to be a member of the Delaware Industrial Building Commission, effective April 10, 1963, for a term to expire February 20, 1967, to succeed Hart Cooper, deceased;

The Senate returned to order at 4:20 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Donovan the Senate recessed at 4:22 for fifteen minutes.

The Senate met at the expiration of the recess at 4:50, Lt. Gov. Lammot presiding.

Mr. Cook asked that all members of the Revised Statutes Committee meet at 1:30 P.M., Tuesday, April 23, 1963.

On motion of Mr. Donovan the Senate adjourned at 4:52 P.M. to Tuesday, April 23, 1963, at 1:00 P.M.

34th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, April 23, 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, Hoey, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—8.

Members Absent—Messrs. Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Tull—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 2:34 P.M., Lt. Gov. Lammot presiding.

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

Members Present—Messrs. Bookhammer, Donovan, Dupont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Wilgus, Pres. Pro Tem Steen—11.

Members Absent—Messrs. Cook, Isaacs, Johnson, Price, Simpson, Tull—6.

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

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

SB 117—"An Act to Amend Chapter 43, Title 29, Delaware Code, Relating to Notaries Public", by Pres. Pro Tem Steen; to Revised Statutes.

Mr. Steen, Chairman of the Buildings and Highways Committee, reported the following bill from committee: **SB 73**, 1 favorable, 2 on merits.

Pres. Pro Tem Steen asked the privilege of the floor for several doctors, of the Medical Society of Delaware, to address the Senate relative to **SB 97** — Doctors Williard Preston, Otakar J. Pollack, W. O. Lamotte, James E. Marvel and James Beebe, Jr. These doctors all opposed **SB 97**.

Their presentation ended at 3:25.

Messrs. Tull and Isaacs asked to be marked present.

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

SA 1 to **HB 78**, by Mr. Isaacs; to be placed with bill.

Mr. Cook asked to be marked present.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 3:20.

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

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

SR 43—"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 44—"Relating to Amount Due the Addressograph-Multigraph Corporation for Expenses Incurred by the 122nd General Assembly", by Mr. Hoey; adopted by voice vote.

SR 45—"Expressing the Best Wishes of the Senate of the 122nd General Assembly to Senator Joseph A. Martin on his Birthday", by Mr. Donovan; adopted by voice vote.

At 4:20 P.M., the House informed the Senate that it had passed **HS 1** for **HB 164** and **HB 216** and desired the concurrence of the Senate; and that it had passed **SB 74** and **SB 75** and was returning same to the Senate.

On motion of Mr. Hoey **HB 166** 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: "An Act Making Appropriations for the Expense of the State Government 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, (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. Hoey **HB 98** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act Making a Supplementary Appropriation to the Family Court of Kent and Sussex Counties 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. Cook, Donovan, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Messrs. Bookhammer, DuPont—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 and was ordered to the House.

Mr. Steen, Pres. Pro Tem, announced the appointment of the following Senators to The Delaware Commission of Interstate Cooperation: Curtis W. Steen, Allen J. Cook and Margaret R. Manning.

On motion of Mr. Donovan the Senate adjourned at 4:57 P.M. to Wednesday, April 24, 1963, at 1:00 P.M.

35th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, April 24, 1963, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Spencer Quick.

By roll call the following Senators were present:

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

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

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 3:25, Lt. Gov. Lammot presiding.

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

On motion of Mr. Donovan the Senate adjourned at 3:26 P.M. to Thursday, April 25, 1963, at 1:00 P.M.

36th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, April 25, 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, Johnson, (Mrs.) Manning, Martin, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—11.

Members Absent—Messrs. Cook, Hoey, Isaacs, (Mrs.) Lord, McCullough, Simpson—6.

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

Pres. Pro Tem Steen moved to suspend Rule 23 for the rest of the day. Motion prevailed.

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 3:50, Lt. Gov. Lammot presiding.

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

On motion of Mr. Donovan the Senate adjourned to Monday, April 29, 1963, at 1:00 P.M. Daylight Saving Time.

37th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, April 29, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Spencer Quick.

By roll call the following Senators were present:

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

Members Absent—Messrs. Bookhammer, Cook, Isaacs, Johnson, McCullough—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 Chair presented the following House Bills which were given first and second reading and referred to Committees as follows:

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

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"; to Revised Statutes.

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

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

SB 119—"An Act to Adopt on Behalf of the State of Delaware, the Driver License Compact", by Pres. Pro Tem Steen; to Buildings and Highways.

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", by Mr. Hoey; to Corporations—Municipal.

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", by Mr. Hoey; to Corporations—Municipal.

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

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

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

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

SB 122—"An Act Appropriating Funds to the State Highway Department for the Construction of a Section of the Interstate Highway System Connecting the Northern Terminus of the Delaware Turnpike and the Approaches to the Delaware Memorial Bridge", by Mr. DuPont and all Republican Senators; to Finance.

Mr. DuPont moved to suspend Rule 9 in order to act upon **SB 122**. By yeas and nays the motion lost.

On motion of Mr. DuPont to suspend Rule 9 to act on **SB 122**, 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, Price, Robbins, Tull, Pres. Pro Tem Steen—8.

ABSENT—Messrs. Johnson, McCullough—2.

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

On motion of Mrs. Manning **SB 41** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 41—"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, Hoey, Price, Robbins, Pres. Pro Tem Steen—5.

NOT VOTING—Messrs. Cook, Tull—2.

ABSENT—Messrs. Johnson, McCullough—2.

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

On motion of Mr. Hoey **HB 147** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 147—"An Act to Amend Chapter 401, Volume 53, Laws of Delaware, Entitled 'An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1963', by Making Certain Transfer 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, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Johnson, (Mrs.) Manning, McCullough—3.

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

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

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

Mr. Hoey asked the privilege of the floor for Representative Dineen so he could explain **HB 135** to the Senate as there appeared to be a typographical error in the bill. Mr. Hoey moved to defer **HB 135**. Motion prevailed.

Mr. Cook requested the privilege of the floor for Mr. Kelleher to explain **SB 92**. Mr. Kelleher is Secretary of the Board of Trustees of Delaware State College.

On motion of Mr. Cook **SB 92** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 92—"An Act to Authorize the Delaware State College to Acquire Property Adjacent to its Campus and Appropriating Moneys Therefore".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (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 for concurrence.

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

HB 209—"An Act to Amend Chapter 43, Title 21, Delaware Code, Regulating the Stopping of School Busses"; to Miscellaneous.

HB 156—"An Act to Amend Section 2713, Title 29, Delaware Code, Relating to the 'State Treasurer' and the Method of Payment of State Officials and Employees"; to Revised Statutes.

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

HB 188 with HA 1—"An Act to Amend Section 1905, Title 14, Delaware Code, Pertaining to Voter Qualifications in Special Elections Held to Determine the Specified Amount or Specified Rate of Taxation for Local School Taxes"; to Education.

HB 82—"An Act to Aid Certain Fire Companies which are Organized to Extinguish Fires or Maintain Ambulances or Rescue Trucks, by Making Appropriations for Them"; to Finance.

HB 123—"An Act to Amend Chapter 636, Volume 50, Laws of Delaware, Relating to Police Pension Fund of the City of Wilmington"; to Corporations—Municipal.

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

HB 75 with HA 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"; to Finance.

On motion of Mr. Hoey **SR 46** as follows was taken up for consideration in order to pass the Senate:

SR 46—"Relating to the Appointment of a Committee to Consider Appropriate Legal Action Concerning Reapportionment of the General Assembly".

WHEREAS, the United States District Court for the District of Delaware in the Case of Richard Sincock et. al. v. William Duffy, Jr., et. al., being Civil Action No. 2470 has ruled that the present Constitutional make up of the Delaware General Assembly is illegal, and