

school taxes imposed by said school district, and providing for the assessment of such property.

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

**HB 229 with HA 1**—An act to amend Chapter 13, Title 15, Delaware Code, relating to registration records and supplies. (To Elections).

**HB 217**—An act to amend Chapter 291, Volume 54, Laws of Delaware, entitled "An Act Making Appropriations to the Amount of \$110,230,550 for the Expense of the State Government for the Fiscal Year Ending June 30, 1965" by transferring certain amounts therein. (To Finance).

**HB 169**—An act appropriating moneys for the installation of a State Fire Marshall approved fire alarm system at Delaware State College. (To Finance).

**HB 173**—An act to amend Section 5903, Title 11 of the Delaware Code, relating to peace bonds by providing standards for their use and hearings in connection with their imposition. (To Judiciary).

**HB 197**—An act to amend Chapter 5, Title 10, Delaware Code, relating to law clerks for the Court of Chancery. (To Judiciary).

**HB 140**—An act to amend Chapter 81, Title 10, Delaware Code, by the exemption of members of volunteer fire companies and ambulance and rescue squads from civil liability. (To Judiciary).

**HB 236**—An act amending Chapter 335, Volume 54, Laws of Delaware, being an act making a supplementary appropriation to the State Board of Education for the use of the Milton School District No. 8 for the purpose of purchasing and improving an additional building site by extending the date on which the unexpended balance of the funds so appropriated shall revert to the General Fund of the State. (To Finance).

**HB 133**—An act amending Title 16, Delaware Code, empowering the State Fire Commission to determine qualifications of volunteer fire companies. (To Public Health).

**HB 232 with HA 1**—An act to amend Title 29, Delaware Code, entitled "State Government" by bringing certain employees of the State Highway Department under the State Pension Plan. (To Revised Statutes).

Sen. Holloway (co-sponsors, Senators Martin and Kinahan), introduced the following bill which was given first reading and referred to the committee on Temperance.

**SB 150**—An act to repeal Sections 712 and 713, Title 4, Delaware Code, relating to regulatory provisions concerning the sale of alcoholic liquor.

On motion of Sen. Cook, **SR 71** with title as follows

was taken up for consideration and read a second time by title in order to pass the Senate.

**SR 71**—Setting a deadline for the introduction of New Legislation in the Senate.

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

**YEAS:** Bookhammer, Cook, Kinahan, Manning, Robbins—5.

**NAYS:** Carney, Conner, Dineen, DuPont, Hoey, Holloway, Martin, McCullough, Moore, Schor—10.

**NOT VOTING:** Davidson—1.

**ABSENT:** McGinnes, Steen—2.

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

Sen. Holloway moved that **SB 43** be brought up for final reading and vote. Sen. Holloway moved to defer action on **SB 43**. Adopted by voice vote.

Sen. Cook moved the Senate recess to the call of the Chair at 4:55 P.M.

The Senate returned to order at 5:15 P.M., Lt. Gov. Tribbitt presiding.

Sen. Martin (co-sponsor Sen. DuPont), introduced the following bill which was given first reading and referred to the committee on Revised Statutes:

**SB 151**—An act to amend Section 4504, Title 21, Delaware Code, relating to permits for excessive size and weight by exempting vehicles engaged in a charitable mission.

Sen. Steen asked for the privilege of the floor for Mr. Elisha C. Dukes, Secretary of State, who introduced the Secretary of the Swedish Embassy in Washington, Mr. Fermin. Mr. Fermin spoke briefly to the Senate. No objections heard; privilege was then granted.

A messenger from the Governor, Elisha C. Dukes, presented a communication to President Tribbitt.

Sen. Cook moved that the Senate adjourn until Monday, May 24, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 5:25 P.M.

#### 44TH LEGISLATIVE DAY

May 24, 1965

The Senate met pursuant to adjournment at 2:30 P.M. on Monday, May 24, 1965, Lt. Gov. Tribbitt presiding.

Prayer by Senator Davidson.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Kinahan, McCullough, Moore, Robbins, Schlör—11.

Senators absent: Cook, Hoey, Holloway, Manning, Martin, McGinnes, Pres. Pro Tem Steen—7.

The Secretary proceeded to read the Journal of the previous day's session when Sen. Schlor moved that so much be considered the reading of the Journal and the Journal be approved as read.

The Governor's veto message, which had been delivered to the Senate along with **SB 87**, was presented by the Chair and read into the Record.

Sen. McCullough moved that copies of the veto message be made available to all Senators.

May 20, 1965

To the Senate of the 123rd General Assembly  
of the State of Delaware:

On May 11, 1965, I received Senate Bill No. 87, entitled:

AN ACT TO REPEAL THAT PART OF SECTION 8323,  
SUB-CHAPTER II, CHAPTER 83, TITLE 11, DELAWARE  
CODE, RELATING TO EMPLOYMENT OF PENSION BEN-  
EFICIARIES AND EXCEPTIONS.

I respectfully return Senate Bill No. 87, to the Senate without my approval.

I agree that a retired State policeman should be permitted to be employed by the State in any elected capacity or by Gubernatorial appointment without sacrificing his pension, even for the period of his elected or appointed term. Such a policy would permit the State to employ retired State employees in key policy making positions.

I also agree that a retired State policeman should be permitted to be employed by the State in capacities other than those involving an election or Gubernatorial appointment. I feel, however, that any retired State policeman so employed should not be entitled to both his pension and his salary during the period of such employment.

I also feel that any change in the policy of State employment of retired State employees should be uniformly applied to all those on State pensions. Senate Bill No. 87 applies only to the law dealing with the State Police. In the matter of employment rights under State Pension laws, I do not feel that State policemen should be treated with either unfavorable prejudice or special privilege.

To summarize, I could approve legislation which permitted all State pensioners to be employed by the State in any elected capacity or by Gubernatorial appointment and still receive their pensions. I could also approve legislation which permitted all State pensioners to take other State employment, provided, however, they had to elect between their pension and their salary for the period of such employment.

I regret that I cannot approve Senate Bill No. 87, as written.

Respectfully submitted,  
Charles L. Terry, Jr.  
Governor

Sen. Schlör moved the Senate recess to the call of the Chair at 2:35 P.M.

The Senate returned to order at 5:00 P.M., Lt. Gov. Tribbitt presiding.

The following Senators asked to be marked present: Manning, Cook, Martin, Steen, Hoey, McGinnes.

Sen. Robbins reported the following bill from committee: **HB 154**—3 favorable, 2 merits.

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

**HB 174** with **HA 1**—An act conferring upon the Mayor and Council of Wilmington certain powers relating to the taxation of real estate transfers within the City of Wilmington. (To Corporations Municipal).

**HB 246**—An act to amend Chapter 207, Volume 17, Laws of Delaware, as amended by Chapter 118, Volume 30, Laws of Delaware, relating to the taxation of utilities in the City of Wilmington. (To Corporations Municipal).

Sen. Cook introduced the following concurrent resolution which was given first reading and adopted by voice vote:

**SCR 22**—Providing for a Joint Session of the Senate and the House of Representatives.

On motion of Sen. Steen, **HB 87** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 87**—An act authorizing the Millsboro School District No. 23 to pay for the installation and hook-up of a sanitary sewer system from the debt service account of the district.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

NOT VOTING: McCullough—1.

ABSENT: Holloway—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.



Sen. McGinnes reported the following bill from committee: **HB 212**—4 favorable.

Sen. Davidson reported the following bill from committee: **HB 36**—4 favorable, 1 merit.

Sen. Schlör reported the following bill from committee: **SB 118**—4 favorable, 1 merit.

On motion of Sen. McGinnes, **HB 212** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

Sen. McGinnes moved that Rule 9 be suspended for the purpose of considering **HB 212**. Motion carried.

**HB 212**—An act to amend Chapter 3, Title 28, Delaware Code, relating to horse racing, by increasing the tax on pari-mutuel and totalizator pools and by increasing the licensee's commission on pari-mutuel and totalizator pools.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Holloway, 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 Sen. Schlör, **SB 115** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 115**—An act relating to a pension for Winifred E. Przybylek, widow of John F. Przybylek, a former employee of the City of Wilmington and New Castle County.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Holloway, 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.

Sen. Bookhammer introduced the following bill (co-sponsor Sen. Steen), which was given first reading and referred to the committee on Corporations Municipal.

**SB 152**—An act to amend an act being Chapter 196, Volume 22, Laws of Delaware, entitled "An Act to Author-

ize the Commissioners of Lewes to Appoint a Board of Public Works for the Town of Lewes which shall Establish, Control, and Regulate an Electric Light Plant, Water Works, and a Sewer System for said Town; Prescribing the Powers and Duties of said Board and Providing for the Election of their Successors," as amended by Chapter 274, Volume 49, Laws of Delaware and by Chapter 218, Volume 51, Laws of Delaware, to establish qualifications of candidates for election to the Board of Public Works; to establish qualifications of voters at the election of members to the Board of Public Works; to establish a reserve fund to be held in trust for the expansion, replacement, rebuilding or improvement of the electric light plant and electric transmission lines, the water works and the sewer system.

Sen. Moore introduced the following bill which was given first reading and referred to the committee on Temperance.

**SB 153**—An act to amend Chapter 7, Title 4, Delaware Code, relating to the sale of alcoholic liquor.

On motion of Sen. McGinnes, **SB 121** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 121**—An act making a supplementary appropriation to the Board of Game and Fish Commissioners of the State of Delaware to be used for the Kent County S.P.C.A.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Holloway, 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 Sen. Davidson, **HB 206** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 206**—An act amending Section 123, Title 13, of the Delaware Code, relating to the marriage of minors.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Holloway, 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.

Sen. Schlör moved to lift from the table the roll call on **SB 127**. Adopted by voice vote.

Sen. Schlör moved to table the roll call on **SB 127**. Adopted by voice vote.

Sen. McGinnes introduced the following bill which was given first reading and referred to the committee on Corporations Municipal.

**SB 154**—An act to amend Chapter 159, Volume 43, Laws of Delaware, entitled "An Act Changing the Corporate Name of 'The Commissioners of Camden' to 'The Town of Camden' and Eestablishing a Charter Therefor" as amended.

Sen. Schlör reported the following bills from committee: **HB 246**—5 favorable; **HB 174** with **HA 1**—4 favorable, 1 merits.

Sen. Hoey reported the following bill from committee: **HB 236**—3 favorable, 2 merits.

Sen. Schlör moved to suspend Rule 9 so action could be taken on **HB 174** and **HA 1** and **HB 246**.

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

YEAS: Carney, Cook, Davidson, Dineen, Martin, McGinnes, Moore, Robbins, Schlör, Steen—10.

NAYS: Bookhammer, Conner, DuPont, Kinahan, Manning—5.

NOT VOTING: Hoey, McCullough—2.

ABSENT: Holloway—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.

Sen. McGinnes asked for the privilege of the floor for Mr. Sidney Balick. No objections heard; privilege was then granted.

Sen. Schlör moved to defer action on **HB 174** with **HA 1**. Adopted by voice vote.

Sen. Cook introduced the following bill (co-sponsor Sen. DuPont), which was given first reading and referred to the committee on Revised Statutes.

**SB 155**—An act establishing the Delaware Water Commission; defining the purposes, powers and duties thereof and providing for the appointment of commissioners.

Sen. Cook introduced the following bill which was given first reading and referred to the committee on Fish, Oyster and Game.

**SB 156**—An act to amend Title 7, Delaware Code, relating to conservation by providing for the exploration, leasing and granting of easements in submerged lands.

Sen. Schlör moved to lift from the table **SB 127**.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Martin, McCullough, Moore, Robbins, Schlör, Steen—11.

NAYS: Bookhammer, Conner, DuPont, Kinahan, Manning—5.

ABSENT: Holloway, McGinnes—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 Sen. Schlör, **SB 127** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 127**—An act to amend Chapter 92, Volume 23, Laws of Delaware, as amended being an act entitled "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington," by providing for the appointment of the members of the Board of Public Education in Wilmington; qualifications of members powers and duties of board.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Schlör, Steen—12.

NAYS: Conner, DuPont, Kinahan, Manning—4.

NOT VOTING: Bookhammer, Robbins—2.

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

Sen. Cook moved that the Senate adjourn until Tuesday, May 25, 1965 at 1:00 P.M.. Motion carried and Senate adjourned at 6:08 P.M.

May 21, 1965

#### MEMORANDUM NO. 8

TO: Senator Anthony C. Moore, Representative Maurice Adams, Mrs. Belle Everett, Dr. Charles Moore, Mr. G. Francis Downs, Mr. F. Earl McGinnes, Mr. Ned Davis, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

FROM: William T. Quillen

The Governor signed the following legislation on the dates indicated:

**May 18, 1965**

**HB 224**—Holt's Landing

**HB 225**—Holt's Landing

**May 20, 1965**

**HJR 6**—Law Enforcement Resolution

**HB 162**—Voter Identification Cards

**SB 48**—Castle Hills School Sidewalks—\$2520

**SB 55**—\$7000 Supplemental for Surplus Foods

**SJR 4**—Joint Committee on Commercial Code

**HB 146**—Lobsters

**HB 178**—Voter Registration

**SB 79**—Millsboro Borrowing Authority

**HB 156** with **SA 1**—Teachers—Temporary Certificates—10 yrs.

On May 20, 1965, the Governor returned to the Senate and House respectively **SB 87** (Police Pensions—State Employment) and **HB 46** (Amend Volume 54, Laws of Delaware, Chapter 270) without his approval.

**45TH LEGISLATIVE DAY**

The Senate met pursuant to adjournment at 2:05 P.M. on Tuesday May 25th, 1965, Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Zoltan Szucs.

By roll call the following Senators were present—Bookhammer, Carney, Conner, Cook, Davidson, DuPont, Holloway, Kinahan, Manning, McCullough, McGinnes, Moore, Robbins, Schlor—14.

Senators absent: Dineen, Hoey, Martin, Pres. Pro Tem Steen—4.

The Secretary proceeded to read the Journal of the previous day's session when Sen. Cook moved that so much be considered the reading of the Journal and the Journal be approved as read.

The following Senators asked to be marked present: Sen. Dineen, Sen. Steen.

Sen. Cook moved the Senate recess to the call of the Chair at 2:10 P.M., and asked the Senators to remain in their seats.

President Tribbitt requested Sen. Moore to notify the House that the Senate was ready for the Joint Session.

Sen. Moore announced that the House had been notified of the Joint Session.

The Sergeant-at-Arms announced the Speaker and Members of the House of Representatives. They were admitted and seated. Lieutenant Governor Tribbitt invited the Speaker of the House to a seat on the rostrum.

## JOINT SESSION

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

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

Sen. Cook 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: Senators Holloway and Conner; Representatives LeCato and Benson.

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

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

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

The Secretary of the Senate and Chief Clerk of the House compared their Journals and found them to be in accord.

## SUMMARY REPORT

CAPITAL BUDGET, FISCAL YEAR 1966

CAPITAL IMPROVEMENT PROGRAM

FISCAL YEARS 1966-1971

Adopted by

THE HONORABLE CHARLES L. TERRY, JR.  
GOVERNOR

of the

State of Delaware

Delaware State Planning Office

45 The Green

Dover, Delaware

May 24, 1965

The preparation of this report was financed in part through an urban planning grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.

## GOVERNOR'S MESSAGE

Mr. President

Mr. President Pro Tem

Mr. Speaker

Members of the 123rd General Assembly

The process of logical and systematic capital improvement programming and capital budgeting for the State of Delaware was begun last year. It is my pleasure to endorse this principle and continue this process by the adopting of a Capital Budget for the 1966 fiscal year and a Capital Improvement Program for the fiscal years 1966 - 1971.

Today I am presenting to you a Summary Report of my adopted Capital Budget and Capital Improvement Program for the State. The complete Capital Program report will be transmitted to you in the near future. It is my hope that you will implement the Capital Budget by the rapid passage of the accompanying omnibus capital improvement bill.

In the preparation of this Program and Budget, the future needs of the many agencies of State government have been carefully analyzed. My concern for meeting the public need for State physical facilities while at the same time maintaining fiscal responsibility is reflected in this Budget and Program.

This Summary Report will provide information on which to base your decisions about the Capital Improvement Projects of the State.

Respectfully submitted,  
CHARLES L. TERRY, JR., Governor

The previously named committee escorted the Governor from the Chamber.

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## INTRODUCTION

The Delaware State Planning Office was instructed by the General Assembly to prepare annually a Six-Year Capital Improvement Program and Capital Budget for the State through the passage of the "Delaware Planning Act." This responsibility is legally mandatory on the Planning Office.

Last year the Capital Improvement Programming process was established for the first time in Delaware. This process provides for the orderly planning for the expenditure of public funds for needed capital facilities.

A Capital Improvement Program is a report which itemizes and schedules capital projects over a period of six years considering:

1. Over-all objectives of State development
2. The State's financial capabilities
3. Agency programs
4. The degree of need
5. Individual project design and timing

The Capital Budget is the first year of the Six-Year Capital Program and requires legislative authorization for



implementation. Each year the General Assembly is asked to authorize the projects included in the Capital Budget.

There are several benefits to the State of Capital Improvement Programming.

1. It provides the Administration and Legislature with an orderly and centralized process for reviewing all State capital projects.

2. It provides a continuous process for requesting, reviewing, recommending, and authorizing capital projects on a scheduled basis.

3. It enables the General Assembly to relate individual projects to total capital improvement needs.

4. It assists the General Assembly by reducing the number of bills introduced.

5. It provides a means for implementing the State Comprehensive Plan.

6. It helps to avoid the possible duplication of authorization of funds for a capital project.

#### CONSIDERATION OF CURRENT CAPITAL IMPROVEMENT PROGRAM REQUESTS

It appears useful to compare the Capital Program project requests for last year with those requested for this year. Last year 70 State agencies and school districts submitted 403 capital projects for a total requested amount of \$198,376,000 of State funds for six years. This year 146 State agencies and schools received Capital Improvement Program forms. Ninety agencies returned forms with a negative reply. The remaining 56 agencies submitted 354 capital projects. These projects would require State funds in the amount of \$226,335,000 for the six years of the Program.

A comparison of these statistics shows that in this year's Capital Improvement Program fewer agencies have submitted requests; fewer projects were submitted for consideration—but a larger amount of State funds has been requested.

Table I indicates the comparison of requests for last year with those received for this year.

**TABLE I**  
**COMPARISON OF CAPITAL PROGRAM REQUESTS BY**  
**MAJOR FUNCTION FOR THIS YEAR AND LAST YEAR**  
(In Thousands of Dollars)

Major Function	All Funds This Year	All Funds Last Year	This Year Gen. Oblig. Bonds	Last Year Gen. Oblig. Bonds
State Agencies	\$ 30,948	\$ 36,038	\$ 25,591	\$ 30,532
Higher Education	43,028	31,756	43,028	31,756
State Highway	108,000	89,990	108,000	89,990
Local Schools	44,359	40,592	44,359	40,592
	<u>\$226,335</u>	<u>\$198,376</u>	<u>\$220,978</u>	<u>\$192,870</u>

A summary of agency capital project requests by major function and type of fund for the Six-Year Capital Improvement Program is included in Table II which follows. Requests for the Capital Budget, fiscal year 1966, have been separated from the remaining five years of the Program. Table II also shows the total Program requests.

For the purposes of this report, the major functions of State agencies have been divided into four categories: (1) State agencies, (2) Higher Education, (3) State Highway Program, and (4) Local Schools.

**TABLE II**  
**STATE OF DELAWARE**  
**CAPITAL IMPROVEMENT PROGRAM**  
**SUMMARY OF REQUESTS**  
**BY**  
**MAJOR FUNCTION AND TYPE OF FUND**

Agency and Type Fund	Capital Budget FY 1966	Other Years FY 1967-71	Total Cap. Imp. Prog. FY 1966-71
<b>STATE AGENCIES (Excluding Higher Education, Local Schools &amp; Highways)</b>			
General Obligation Bonds	\$ 8,585,000	\$ 17,006,000	\$ 25,591,000
General Fund	168,000	392,000	560,000
Capital Investment Fund**	1,689,000	3,108,000	4,948,000
Total	\$10,442,000	\$ 20,506,000	\$ 30,948,000
<b>HIGHER EDUCATION*</b>			
General Obligation Bonds	\$ 9,328,000	\$ 33,700,000	\$ 43,028,000
Total	\$ 9,328,000	\$ 33,700,000	\$ 43,028,000
<b>STATE HIGHWAY PROGRAM*</b>			
General Obligation Bonds	\$19,500,000	\$ 88,500,000	\$108,000,000
Total	\$19,500,000	\$ 88,500,000	\$108,000,000
<b>LOCAL SCHOOLS*</b>			
General Obligation Bonds	\$10,078,000	\$ 34,281,000	\$ 44,359,000
Total	\$10,078,000	\$ 34,281,000	\$ 44,359,000
<b>GRAND TOTAL</b>			
<b>ALL AGENCIES</b>			
General Obligation Bonds	\$47,491,000	\$173,487,000	\$220,978,000
General Fund	168,000	392,000	560,000
Capital Investment Fund**	1,689,000	3,108,000	4,797,000
Total	\$49,348,000	\$176,987,000	\$226,335,000

\* Only General Obligation Bonds Were Requested

\*\* Funds in the amount of \$1,229,000 for Capital Budget year have been authorized by the 122nd General Assembly under Substitute 1 for House Bill 388

## REVENUE AND EXPENDITURE PROJECTIONS AND FORECASTS

An early and vital step in the preparation of a Capital Program is the determination of the State's future financial capability. This determination is made through the use of revenue projections and forecasts. Projections are statistical computations of known historical data while forecasts are

projections modified by assumptions and judgemental factors.

The forecast used in this Program is based on statistical projections of actual General Fund receipts in the past. The General Fund receipts excluded inheritance and estate taxes. Three of the projections were chosen for further consideration.

Projections were made on General Fund **expenditures** excluding debt service. Known and proposed debt service were then added to these projections. The expenditure projections, with debt service added, were related to the three revenue projections.

The projection finally selected as the forecast for the Capital Program reflects impact of past tax base and tax rate increases since 1952. This forecast emphasizes the general upward trend of annual revenues.

This forecast assumes that there will be some tax rate increase within the next six years due to demands for expanded public services and facilities. Simultaneously, it is believed that restraint will be imposed on these demands. It has been assumed also that there will be no large amount of "windfall" funds during the forecast period.

**TABLE III**  
**GENERAL FUND REVENUE FORECAST\***

(In Thousands of Dollars)

Fiscal Year	Amount
1965**	\$108,800
1966	\$120,000
1967	\$128,000
1968	\$137,000
1969	\$146,000
1970	\$155,000
1971	\$165,000
Total 1966-71	\$851,000

\*This forecast reflects only \$2,000,000 of revenue each year from inheritance and estate taxes.

\*\*Fiscal Year 1965 amount is based on Office of Budget Director estimate.

### PROGRAM EVALUATION PROCEDURES

1. The forecast, previously noted in this report, was considered in the preparation of the Capital Improvement Program.

2. Each project included in the Program was reviewed in regard to timing. If timing was considered unjustified, the project was deferred to a more appropriate year.

3. The type of fund requested for each project was reviewed. Adjustments were made when necessary to provide uniformity in the Program or if the type of fund was considered improper.

4. Projects with questions of agency program or planning policy were deferred.

5. All projects were given priority classifications.

6. An electronic data processing program was prepared showing the requests in the State Planning Office priority order.

7. The Program was reviewed and a yearly control was established for bond authorization projects. The yearly control total for the Program considering S. B. 130 was confined to the amount of bonds that could be serviced by debt service with the limitations of S. B. 130. The yearly control total of the Governor's Adopted Program was established by relating the total Program to individual years in regard to fiscal impact, indication of need, rate of development and continuity of Program.

8. The Program was re-run with these control figures applied to the priorities. This resulted in the deferment of low priority projects to another year.

9. The Program was reviewed to ascertain if projects were in proper years.

10. The first year of the Program was reviewed again to verify that each project was warranted.

11. The Program prepared under S. B. 130 required the deferral of some projects by four years. The Governor's Program deferred no project by more than one year unless it was questioned in regard to timing, agency program, or planning policies.

### CURRENT DEBT SERVICE LIMITATION

The 122nd General Assembly passed debt service limitation which now appears as Title 29, Chapter 61, Section 6104 of the Delaware Code. The objective of this legislation was to restrain the State's Bonded Indebtedness by establishing a maximum amount that can be paid in debt service in any one year.

The formula used in establishing this limitation requires consideration of the following factors:

1. Prior year revenue.

2. Certain percentage on a declining basis of one per cent per year from thirty per cent in 1963 to twenty per cent in 1973 and each year thereafter.

3. Debt service in future year on bonds outstanding.

4. Debt service in future years on bonds authorized but presently unissued.

5. Debt service in future years on proposed bond authorization prior to year under consideration.

6. The difference between debt service limitation under S. B. 130 and debt service on bonds issued, and bonds authorized but unissued, and proposed bonds for future years prior to year of consideration.

7. Amount of bonds that can be authorized and issued computed on difference mentioned in item 6.

It is readily apparent that the current debt service limitation legislation lacks clarity, and is unnecessarily complicated. In addition there are several other problems related to this limitation. For example, consideration of only one year of receipts allows for the possibility of great fluctuations in the amount of debt service that is available in any one year. This limitation does not consider the impact of the fluctuation of present debt service. Since the limitation is related to debt service payments, proper consideration of total authorized bonded indebtedness of the State cannot be achieved. There is little relation under this legislation of financing to forecasted needs.

It is indicated in Table IV, which follows, that the resulting Capital Budget and Capital Program are conservative when compared to indicated capital project needs. The same problem in regard to lack of bond authorization capacity available in fiscal year 1968, inherent in last year's program, is evident also under the Program found in Table IV.

Table IV summarizes the Capital Budget and Capital Improvement Program which could be authorized by the General Assembly under the current debt service limitation. The summary in Table IV is by major function and type of fund as previously found in Table II showing Agency requests. Note should be taken of the funds necessarily deferred from the Capital Budget under the current limitation.

**TABLE IV**  
**STATE OF DELAWARE**  
**CAPITAL IMPROVEMENT PROGRAM**  
**SUMMARY**  
**BY**  
**MAJOR FUNCTION AND TYPE OF FUND**  
**(Considering SB 130 Limitations)**

Agency and Type Fund	Capital Budget FY 1966	Deferred FY 1966	Other Years FY 1967-71	Total Cap. Imp. Prog. FY 1966-71	Deferred Total
<b>STATE AGENCIES</b> (Excluding Higher Education, Local Schools and Highways)					
General Obligation Bonds	\$21,120,000	\$28,221,000	\$128,896,000	\$150,023,000	\$76,312,000
General Obligation Bonds	\$ 965,000		\$ 22,163,000	\$ 23,128,000	
General Fund	148,000		392,000	540,000	
Capital Investment Fund	979,000		2,841,000	3,820,000	
Total	\$ 2,092,000	\$ 8,350,000	\$ 25,396,000	\$ 27,488,000	\$ 3,460,000
<b>HIGHER EDUCATION</b>					
General Obligation Bonds	\$ 4,001,000	\$ 5,327,000	\$ 17,910,000	\$ 21,911,000	\$21,117,000
<b>STATE HIGHWAY PROGRAM</b>					
General Obligation Bonds	\$ 9,241,000	\$10,259,000	\$ 57,756,000	\$ 66,997,000	\$41,003,000
<b>LOCAL SCHOOLS</b>					
General Obligation Bonds	\$ 5,793,000	\$ 4,285,000	\$ 27,834,000	\$ 33,627,000	\$10,732,000
<b>GRAND TOTAL ALL AGENCIES</b>					
General Obligation Bonds	\$20,000,000		\$125,663,000	\$145,663,000	
General Fund	148,000		392,000	540,000	
Capital Investment Fund	979,000		2,841,000	3,820,000	
<b>✓ TOTAL</b>	<b>\$21,127,000</b>	<b>\$28,221,000</b>	<b>\$128,896,000</b>	<b>\$150,023,000</b>	<b>\$76,312,000</b>

## GOVERNOR'S ADOPTED CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROGRAM

It has become apparent to the Governor that the current debt service limitation is unrealistic and fails to meet the needs of the State for capital projects. The assumption has been made, therefore, that the General Assembly will pass new bonded indebtedness limitation legislation.

The Governor's Adopted Capital Program and Capital Budget for fiscal year 1966 is in accordance with the proposed new bonded indebtedness limitation legislation.

Table V, which follows, indicates a summary of the Governor's Adopted Capital Budget and permits comparison of his Budget with Table II, Agency Requests, and Table IV, Capital Budget under the current debt service limitation.

As pointed out earlier in this report, emphasis has been placed on consideration of need and the relationship of projects to the total Program in the establishment of amounts to be authorized in each year of the Program.

The Program resulting from this policy relates to need rather than to fiscal conformity of a percentage limitation. It provides for a relatively uniform rate of development over all years of the Program.

Table V on the following pages is provided for consideration.

A detailed Capital Budget by agency, projects, and type of fund may be found in Table VI which follows. Detailed justification of the projects included in the Governor's Capital Budget may be obtained from the specific agency or from the State Planning Office.

**TABLE V**  
**STATE OF DELAWARE**  
**GOVERNOR'S CAPITAL IMPROVEMENT PROGRAM**  
**SUMMARY**  
**BY**  
**MAJOR FUNCTION AND TYPE OF FUND**

Agency and Type Fund	Capital Budget FY 1966	Deferred FY 1966	Other Years FY 1967-71	Total Cap. Imp. Prog. FY 1966-71	Deferred Total
<b>STATE AGENCIES (Excluding Higher Education, Local Schools and Highways)</b>					
General Obligation Bonds	\$ 2,812,000		\$ 22,376,000	\$ 25,188,000	
General Fund	148,000		412,000	560,000	
Capital Investment Fund	979,000		2,841,000	3,820,000	
Total	\$ 3,939,000	\$ 6,503,000	\$ 25,629,000	\$ 29,568,000	\$ 1,380,000
<b>HIGHER EDUCATION</b>					
General Obligation Bonds	\$ 6,673,000	\$ 2,655,000	\$ 24,069,000	\$ 30,742,000	\$12,286,000
<b>STATE HIGHWAY PROGRAM</b>					
General Obligation Bonds	\$15,200,000	\$ 4,300,000	\$ 82,243,000	\$ 97,443,000	\$10,557,000
<b>LOCAL SCHOOLS</b>					
General Obligation Bonds	\$ 9,563,000	\$ 515,000	\$ 33,440,000	\$ 43,003,000	\$ 1,356,000
<b>GRAND TOTAL ALL AGENCIES</b>					
General Obligation Bonds	\$34,248,000		\$162,128,000	\$196,376,000	
General Fund	148,000		412,000	560,000	
Capital Investment Fund	979,000		2,841,000	3,820,000	
Total	\$35,375,000	\$13,973,000	\$165,381,000	\$200,756,000	\$25,579,000



**TABLE VI**  
**GOVERNOR'S CAPITAL BUDGET FY 1966**  
**By Agency, Project and Type of Fund**

State Agency and Project Description	Project Amount	Governor's Recommendation	
		Type of Fund	Approval    Disapproval*
<b>Civil Defense, Department of</b>			
Radiation Shielding for State Disaster Control Center	\$ 4,000	General Fund	\$ 4,000
<b>Forestry Department, State</b>			
State Forest Land Acquisition	10,000	General Fund	10,000
State Forest Land Improvement	25,000	General Fund	25,000
<b>Game and Fish Commissioners, Board of</b>			
Wetland Acquisition	111,000	Cap. Invst. Funds**	111,000
Lake, Lake Site and Water Access Acq.	10,000	Cap. Invst. Funds**	10,000
Upland Acquisition	358,000	Cap. Invst. Funds**	358,000
Water Control and Water Access Const.	35,000	Bonds	35,000
<b>Hospital, Emily P. Bissell</b>			
Tallman Bldg.—Roof Replacement	5,000	General Fund	5,000
Laboratory and Pharmacy Expansion	19,000	General Fund	19,000
Road Construction	5,000	General Fund	5,000
Physicians' Residence	30,000	Bonds	30,000
<b>Lewes Memorial Commission</b>			
Rehabilitation of Basement of Zwaanendaal Museum	17,000	General Fund	17,000
<b>Mental Health, Department of</b>			
Electrical System Alteration at Delaware State Hospital	100,000	Bonds	100,000
Steam System Alteration at Delaware State Hospital	200,000	Bonds	200,000
New Castle County Community Mental Health Center for Children	570,000	Bonds	570,000
Relocation of Roads	35,000	Bonds	35,000
Male Continuous Treatment Facility at Delaware State Hospital	1,700,000	Bonds	1,700,000
School and Day Care Center at Stockley	400,000	Bonds	400,000
Activities Building at Delaware State Hospital	450,000	Bonds	450,000

TABLE VI (Continued)

State Agency and Project Description	Project Amount	Governor's Recommendation		
		Type of Fund	Approval	Disapproval*
<b>Park Commission, State</b>				
Cape Henlopen State Park Development	60,000	Bonds	60,000	
Lums Pond Land Acquisition	250,000	Cap. Invst. Funds**		250,000
Lums Pond Park Development	62,000	Bonds	62,000	
Trap Pond Park Development	55,000	Bonds	55,000	
State Park—Kent County Land Acq.	500,000	Cap. Invst. Funds**	500,000	
Fort Delaware Park Development	10,000	Bonds		15,000
Brandywine Springs Park Development	15,000	Bonds		10,000
Old State House Rehabilitation	410,000	Cap. Invst. Fund		410,000
Sign of Buck Tavern Rehabilitation	15,000	General Fund	15,000	
Allee House Rehabilitation	12,000	General Fund	12,000	
Record Center Rehabilitation	10,000	General Fund	10,000	
John Dickinson Mansion Land Acq.	15,000	General Fund		15,000
Fort Christiana Monument Parking Area Acquisition	8,000	General Fund	8,000	
Old Sussex Farm Site Land Acq.	50,000	Cap. Invst. Fund		50,000
<b>State Office Building—Wilmington</b>				
New Office Building Construction	4,500,000	Bonds		4,500,000
<b>State Police</b>				
State Police Training Academy Planning Funds	20,000	General Fund	20,000	
State Police Training Academy Construction	363,000	Bonds		363,000
Outdoor Pistol Range—Kent Co.	3,000	General Fund	3,000	
<b>Delaware State College</b>				
Conrad Hall Dining Facility Expan.	200,000	Bonds	200,000	
Dormitory	1,390,000	Bonds		1,390,000
Student Activities Building	800,000	Bonds	800,000	
Improvement of Roads	25,000	Bonds		25,000
Faculty Housing	200,000	Bonds		200,000
Land Acquisition	40,000	Bonds		40,000

TABLE VI (Continued)

State Agency and Project Description	Project Amount	Governor's Recommendation		
		Type of Fund	Approval	Disapproval*
<b>University of Delaware</b>				
Memorial Hall Remodeling	34,000	Bonds	34,000	
New Classroom and Office Building	2,967,000	Bonds	2,967,000	
Additions to Brown Laboratory	2,672,000	Bonds	2,672,000	
Dormitories—1966	1,000,000	Bonds		1,000,000
<b>State Highway Department</b>				
Price's Corner Interchange, for preliminary engineering and partial right-of-way acquisition	990,000	Bonds	990,000	
Del. 41 Newport-Gap Pike (from existing four lane divided section near turnpike interchange through Newport to Del. 2) for preliminary engineering and partial right-of-way acquisition	480,000	Bonds	480,000	
New Castle Avenue, Wilmington (from end of the existing four lane divided section to U.S. 13A, Wilmington) reconstruct as a four lane divided highway	690,000	Bonds	690,000	
Del. 2, Kirkwood Highway (from Price's Corner to Wilmington City Limits) for traffic capacity improvements	450,000	Bonds	450,000	
Bay Bridge Connection (from the Maryland State line to Summit Bridge) preliminary engineering and partial right-of-way acquisition	300,000	Bonds		300,000
Del. 141 and Kennett Pike Interchange for construction	1,290,000	Bonds	1,290,000	
Delaware Avenue, Wilmington (from Franklin Street to Jefferson Street) reconstruct as four lane divided highway	420,000	Bonds	420,000	
Del. 896 (from Glasgow to Summit Bridge) to resurface road	180,000	Bonds		180,000
U.S. 113 (from U.S. 13 to Frederica) completion of design and right-of-way acquisition	600,000	Bonds	600,000	

**TABLE VI (Continued)**

State Agency and Project Description	Amount Project	Governor's Recommendation	
		Type of Fund	Approval    Disapproval*
Del. 14 (from U.S. 113 south of Milford through Argo's Corner) construct four lane divided highway	1,380,000	Bonds	1,380,000
Del. 14 (from Dewey Beach to Indian River Inlet) construct four lane divided highway	1,215,000	Bonds	1,215,000
New Headquarters Building	2,900,000	Bonds	2,900,000
New Maintenance Garage—New Castle Co.	100,000	Bonds	100,000
Program for Widening, Resurfacing and Reconstruction of other than Major Corridor Roads	4,555,000	Bonds	3,000,000    1,555,000
Dirt Road Program	1,500,000	Bonds	1,000,000    500,000
Suburban Development Street Improvement Program	900,000	Bonds	750,000    150,000
Beach Erosion Control Program	50,000	Bonds	50,000
Engineering, Planning and Contingencies	1,500,000	Bonds	1,200,000    300,000
Caesar Rodney Special			
Simpson and Frear Additions	156,000	Bonds	156,000
New High School	2,253,000	Bonds	2,253,000
Conversion of Old High School to Junior High School	420,000	Bonds	420,000
Claymont Special			
New Junior High School	2,234,000	Bonds	2,234,000
New Elementary School	750,000	Bonds	750,000
High School Building Rehabilitation	112,000	Bonds	112,000
Green Street Elementary Addition	110,000	Bonds	110,000
De La Warr #47			
Rose-Hill Rehabilitation and addition of office space	15,000	Bonds	15,000
Houston #125			
Multipurpose room, kitchen, office and health clinic	90,000	Bonds	90,000

**TABLE VI (Continued)**

State Agency and Project Description	Project Amount	Governor's Recommendation	
		Type of Fund	Approval      Disapproval**
<b>Lewes Special</b>			
New Elementary School	540,000	Bonds	540,000
Lewes High School Rehabilitation	53,000	Bonds	53,000
<b>Oak Grove #130</b>			
Three additional classrooms, gymnasium, cafeteria and administrative offices	405,000	Bonds	405,000
<b>Smyrna Special</b>			
New Senior High School	2,700,000	Bonds	2,700,000
New Elementary School	240,000	Bonds	240,000
Total	<u>\$49,348,000</u>		<u>\$35,375,000      \$13,973,000</u>
General Obligation Bonds	\$47,491,000		\$34,248,000      \$13,243,000
General Fund	168,000		148,000      20,000
Capital Investment Fund (Presently Authorized)	1,229,000		979,000      250,000
Capital Investment Fund (Requesting New Authorization)	460,000		460,000
	<u>\$49,348,000</u>		<u>\$35,375,000      \$13,973,000</u>

\*Disapproved projects may be deferred, adjusted as to type of fund, or deleted from Program.

\*\*Presently authorized.

## MESSAGE

By

THE HONORABLE CHARLES L. TERRY, JR.

To The

FIRST REGULAR SESSION OF THE  
ONE HUNDRED TWENTY-THIRD  
GENERAL ASSEMBLY

Of The

STATE OF DELAWARE

Recommending a Capital Bond Program  
and Related Legislation

DOVER

May 25, 1965

Mr. President

Mr. President Pro Tem

Mr. Speaker

Members of the 123rd General Assembly

Citizens of Delaware:

I have come before you today to speak about the Capital Project needs of the State.

Delaware is in the midst of a rapid population growth. No other period of our history has seen such vast and demanding change throughout the State. Business is excellent. New industries continue to seek locations in all parts of the State. The economy is booming and every indication is that it will continue to grow at an unprecedented rate.

This rapid growth and change, however, are accompanied by the need and demand for new and additional governmental services and facilities. Let me illustrate the problem. A new family moves into our State. The next day the children must be in school, so classrooms and teachers must be available immediately. The two cars they have are on our highways the first day they are in Delaware. Recreation areas are sought at once. The list of demands for services are pressing and multiple. All of this occurs immediately upon arrival and in advance of payment in taxes. Eventually these people pay their rightful share of the cost of the facilities and services but as long as growth continues we will have this lag between demand and payment.

This General Assembly and this administration must seek and find ways to meet the increasing needs of our people. At the same time we must inspire the confidence of our citizens in our ability to provide services and facilities while maintaining sound fiscal management prac-

tices in State Government. The task we have before us is difficult, but a reasonable one.

Last year the General Assembly took an important step forward by effectuating the Governor's annual capital budget for the State in the passage of an omnibus bond bill.

In order to collect information for the preparation of this year's capital improvement program, forms were forwarded to 146 State agencies and school districts. These project requests would require State funds in the amount of \$226,335,000 for the six years of the program. Last year 70 State agencies and school districts submitted 403 capital projects for a total requested amount of \$198,376,000 for six years.

A comparison of these statistics show that in this year's capital improvement program fewer agencies have submitted requests; fewer projects have been submitted for consideration, but a larger amount of State funds has been requested.

Today, because of the immediacy and the acuteness of the problem, I wish to concentrate on the annual capital budget which is the first year of the six-year capital improvement program. Of the total amount of \$226,335,000 that was previously mentioned, State agencies, the State Highway Department, higher education, and schools have requested \$49,348,000 for fiscal year 1966, the current capital budget year. Of this amount, \$47,491,000 has been requested to be funded by general obligation bonds. May I add at this point that the capital budget figures mentioned above consider only one year of highway capital needs.

After careful deliberation, I have reduced the projects to be funded by general obligation bonds for the capital budget to an amount of \$34,248,000. I cannot conscientiously reduce this amount further without doing a disservice to our State. Under present legislation, however, I would have to reduce this amount by more than 14 million dollars to conform to the limitation imposed by Section 6104, Title 29, of the Delaware Code.

As you know, last year the General Assembly passed this act which limits the amount of debt service that could be paid in any one fiscal year. This legislation provides an elaborate formula for arriving at this bonded debt limitation.

I will not endeavor at this time to explain the details of this formula, but the application of the formula resulted in establishing a limitation on the bonds that can be authorized in fiscal year 1966 to the amount of 20 million dollars.

The requests for funds are about two and one half times greater than the amount that this legislation would permit. It is readily apparent that the progress of this State will be impaired and the needs of the people left unmet if this

limitation remains in effect. The situation is even more serious because the same legislation was passed as the first leg of a constitutional amendment. The second leg must not be passed.

Your attention should be called to the fact that not only would projects costing \$27,491,000 be deferred for the capital budget year under this limitation but also in fiscal year 1968, no capital projects would be authorized.

This debt service limitation is unrealistic and unworkable. A summary of a capital budget for the 1966 fiscal year by major function and type of fund may be found in the reports which you now have on this subject. It is apparent that all State agencies would feel the impact of a capital budget prepared within the current debt service limitation. In fact it is my opinion that the urgent capital facilities needs of the State cannot be met as long as this restriction remains in effect.

A realistic approach to the problem of financing capital improvements within an established reasonable bonded debt limitation can be taken. I recommend such an approach in the following important sequence:

1. Enact a constitutional amendment establishing a constitutional bonded debt limitation. This constitutional limitation should be more flexible than the statutory limitation, at least during the initial period of our effort to establish a debt limitation policy for the state when some of the effort is necessarily experimental. The proposed amendment will establish a maximum debt limitation of 3.8 times the total State revenue.
2. Repeal Section 6104, Title 29, Delaware Code, and simultaneously enact realistic bonded debt limitation legislation. The new statute should be designed to gradually restrict our bonded indebtedness in relation to our revenue and thus assure that we will not overextend the credit of the State. At the same time, the new statute should permit us to have new growth consistent with our needs. This statute would propose an initial maximum debt limitation of 3.8 times the total revenue and this limitation would decline to 2.0 over a period of 10 years.
3. Enact the capital improvement act of 1966.

I strongly urge the passage of the legislation which will be submitted to carry out this program. In this way the progress of the state in providing needed capital facilities can continue without interruption.

The limitation on bonded indebtedness which is recommended to you will have many advantages. This limitation would provide the administration and legislature with



an exact amount to which future policies and procedures on capital financing could be related. The computation of the authorization available each year would be clearly defined. The limitation I recommend would permit the State capital improvement program to be directly related to need.

A summary report explaining the adopted capital budget for 1966 and the six year capital program has been prepared and is presented to you at this time. This capital budget does not include all of the projects requested by State agencies for the 1966 fiscal year. Even though these projects may all be needed, the State cannot afford all of the facilities requested. Although State funds through the use of general obligation bonds in the amount of \$47,491,000 were requested by agencies, it is recommended that \$34,248,000 be authorized. The distribution of these moneys by major functions is as follows:

- (a) Higher education requested \$9,328,000—I recommend \$6,673,000.
- (b) Local schools requested \$10,078,000—I recommend \$9,563,000.
- (c) State highways requested \$19,500,000—I recommend \$15,200,000.
- (d) Other state agencies requested \$8,585,000—I recommend \$2,812,000.

I have considered wherever feasible in the capital budget that approved projects amounting to twenty-five thousand dollars or less will be financed from the State's general fund. I, therefore, recommend that \$148,000 from the general fund be authorized for these projects.

Also reflected in my capital budget is an amount of \$979,000 identified as capital investment funds. This amount does **not** represent a request for additional capital investment funds but reflects the intended use during the capital budget year of the funds authorized by the 122nd General Assembly for recreational land acquisition.

In summary, for fiscal year 1966, State agencies requested \$49,348,000 from all fund sources for capital projects. Of this amount, I have recommended \$35,375,000. This represents a deferment and reduction of requests in the amount of \$13,973,000. Under the limitation imposed by existing law, the total amount of deferment would be \$28,221,000. Obviously, that would not be sufficient to meet the needs of the State this year and would provide nothing at all for the year to follow.

I respectfully request that you take prompt action on my recommendation and enact legislation to that end.

My conclusions, herein expressed, were reached by me after much study, including hours of consultation with the

State Planner, the Director of the Budget, and other State officials.

Thank you.

Sen. Cook moved the Senate recess to the call of the Chair at 2:38 P.M.

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

The following Senators asked to be marked present: Senator Hoey, Senator Martin.

Sen. DuPont asked for the privilege of the floor for personal reasons. No objections heard; privilege was then granted.

Sen. Manning asked for the privilege of the floor for Mayor John Babiarz of Wilmington. No objections heard; privilege was then granted.

On motion of Sen. Schlör, **HB 174** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 174** as amended by **HA 1**—An act conferring upon the Mayor and Council of Wilmington certain powers relating to the Taxation of Real Estate transfers within 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: Carney, Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—13.

NAYS: Conner, DuPont, Kinahan, Manning—4.

NOT VOTING: Bookhammer—1.

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

Sen. DuPont asked for the privilege of the floor for Mr. John Babiarz, Mayor of Wilmington. No objections heard; privilege was then granted.

On motion of Sen. Schlör, **HB 246** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 246**—An act to amend Chapter 207, Volume 17, Laws of Delaware, as amended by Chapter 118, Volume 30, Laws of Delaware, relating to the Taxation of Utilities 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: Carney, Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—13.

NAYS: Bookhammer, Conner, DuPont, Kinahan, Manning—5.

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

Sen. Manning asked for the privilege of the floor for personal reasons. No objections heard; privilege was then granted.

Sen. Dineen (co-sponsor Sen. Schlör) introduced the following bill which was given first reading and referred to the committee on Revised Statutes.

**SB 157**—An act to amend Section 907, Title 29, Delaware Code, relating to printing and distribution of Session Laws.

Sen. Dineen (co-sponsors Senators Holloway, Martin, and Schlör) introduced the following bill which was given first reading and referred to the Committee on Corporations-Municipal.

**SB 158**—An act to further amend Chapter 208, Volume 26, Laws of Delaware, as amended, entitled "An Act to Establish a Retirement Fund for Pensioning Teachers of the Public Schools in the City of Wilmington, and to regulate the Collection, Management and Disbursement thereof," by allowing the Retirement Fund to be turned over to a private insurance company and by allowing the Board of Retirement to disband.

Sen. Dineen introduced the following amendment, **SA 1** to **SB 143** which was given first reading and placed with the bill.

Sen. Martin asked for the privilege of the floor for John Babiarz, Mayor of Wilmington, to discuss **SB 118**. No objections heard; privilege was then granted.

On motion of Sen. Martin, **SB 118** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 118**—An act to amend Section 101, Title 22, Delaware Code, to allow the extension of the boundaries of a city or town to include lands owned by the annexing city or town without an election.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—18.

NAYS: None.

Sen. DuoPnt moved to defer action on **HB 236**. Sen. DuPont withdrew this motion.

On motion of Sen. Hoey, **HB 236** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 236**—An act amending Chapter 335, Volume 54, Laws of Delaware, being an act making a supplementary appropriation to the State Board of Education for the use of the Milton School District No. 8 for the purpose of purchasing and improving an additional building site by extending the date on which the unexpected balance of the funds so appropriated shall revert to the General Fund 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: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—17.

NAYS: Manning—1.

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

Sen. Schlör reported the following bill from committee: **SB 154**, 4 favorable, 1 merits.

Sen. Hoey reported the following bill from committee: **SB 116**, 1 favorable, 4 merits.

Sen. Schlör introduced the following bill which was given first reading and referred to the Committee on Temperance.

**SB 159**—An act to amend Chapter 5, Title 4, Delaware Code, relating to Licenses and Taxes upon the sale of Alcoholic Liquors by prohibiting the Delaware Alcoholic Beverage Control Commission from requiring improvements prior to the grant of the license.

Sen. Carney asked for the privilege of the floor for Dr. Lieberman, Mental Health Commissioner to discuss **SB 133**: No objections heard; privilege was then granted.

On motion of Sen. Carney, **SB 133** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 133**—An act to amend Title 16, Delaware Code, relating to Delaware State Hospital by providing for the discharge and release of patients at Delaware State Hospital, Rehospitalization, return of Patients escaped or on unauthorized leave.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

NOT VOTING: Hoey—1.

ABSENT: Cook—1.

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

Sen. Carney asked for the privilege of the floor for Dr. Lieberman, Mental Health Commission to discuss **SB 136**. No objections heard; privilege was then granted.

Sen. Hoey moved to defer action on **SB 136** so an amendment could be drawn.

Sen. Hoey moved to defer action on **SB 136**.

YEAS: Dineen, Hoey, Robbins—3.

NAYS: Bookhammer, Carney, Conner, Cook, Davidson, DuPont, Holloway, Kinahan, Manning, Martin, Moore, Schlör—12.

ABSENT: McCullough, McGinnes, Steen—3.

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

On motion of Sen. Carney, **SB 136** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 136**—An act to amend Section 5123, Title 16, Delaware Code, relating to voluntary hospitalization of patients at Delaware State Hospital, Authority to receive, procedure, and discharge.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, DuPont, Holloway, Kinahan, Manning, Martin, Moore, Robbins, Schlör—13.

NAYS: Dineen, Hoey—2.

ABSENT: McCullough, McGinnes, Steen—3.

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

Sen. Carney asked for the privilege of the floor for Dr. Lieberman, Mental Health Commissioner, to explain **SB 138**. No objections heard; privilege was then granted.

Sen. Cook moved to defer action on **SB 138** so he could have an amendment drawn. Motion withdrawn by Sen. Cook.

On motion of Sen. Carney, **SB 138** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS: Bookhammer, Carney, Conner, Cook, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, Moore, Schlör, Steen—13.

NAYS: McCullough, Robbins—2.

NOT VOTING: Davidson, Dineen—2.

ABSENT: McGinnes—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.

Sen. Carney asked for the privilege of the floor for Dr. Lieberman, Mental Health Commissioner, to explain **SB 137**. No objections heard; privilege was then granted.

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

**SB 137**—An act to amend Section 5125, Title 16, Delaware Code, relating to involuntary detention in Delaware State Hospital for an indeterminate period of time.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, Moore, Schlör, Steen—14.

NAYS: Hoey, McCullough—2.

NOT VOTING—Robbins—1.

ABSENT: McGinnes—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 Sen. Carney, **SB 134** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 134**—An act amending the Delaware Code by striking out the words "Delaware State Hospital at Farnhurst" wherever used in said code and substituting in lieu thereof the words "Delaware State Hospital."

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Schlör, Steen—17.

NAYS: None.

ABSENT: McGinnes—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.

Sen. Carney asked for the privilege of the floor for Dr. Lieberman, Mental Health Commissioner, to explain **SB 135**. No objections heard; privilege was then granted.

On motion of Sen. Carney, **SB 135** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 135**—An act to provide penalties for causing unwarranted hospitalization in Delaware State Hospital or denial of rights accorded in Chapter 51, Title 16, Delaware Code.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Schlor, Steen—17.

ABSENT: McGinnes—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.

Sen. Steen introduced the following bill which was given first reading and referred to the Committee on Miscellaneous.

**SB 160**—An act to amend Section 5318, Title 30, Delaware Code, by reducing the commission of the Cigarette Stamp Affixing Agent.

Sen. Steen (co-sponsor Sen. Bookhammer) introduced the following bill which was given first reading.

**SB 161**—An act to provide funds to the State Highway Department for the construction of a water control structure at Betts Pond, Sussex County, Delaware.

Sen. Steen moved to suspend Rule 9 to act on **SB 161**.

YEAS: Bookhammer, Carney, Conner, Cook, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, Moore, Schlor, Steen—12.

NOT VOTING: Davidson, Hoey, McCullough, Robbins—4.

ABSENT: McGinnes—1.

NAYS: None.

So the question was decided in the affirmative.

On motion of Sen. Steen, **SB 161** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 161**—An act to provide funds to the State Highway Department for the construction of a water control structure at Betts Pond, Sussex County, Delaware.

On the question "Shall the Bill pass the Senate?" the

yeas and nays were ordered which being taken were as follows:

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Schlör, Steen—17.

**NAYS:** None.

**ABSENT:** McGinnes—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.

Sen. Holloway asked for the privilege of the floor for Edwin Hutchinson, Board of Elections, to explain **SB 43**. No objections heard; privilege was then granted.

On motion of Sen. Holloway, **SB 43** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 43**—An act to amend Chapter 47, Title 15, Delaware Code, relating to appointment of additional Clerks; Oath.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Schlör, Steen—17.

**NAYS:** None.

**ABSENT:** McGinnes—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.

Sen. Holloway asked for the privilege of the floor for Edwin Hutchinson, Board of Elections, to explain **HB 229** with **HA 1**. No objections heard; privilege was then granted.

Sen. Holloway moved to defer action on **HB 229** with **HA 1**.

Sen. Cook introduced the following bill which was given first reading and referred to the Committee on Finance.

**SB 162**—An act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and to issue bonds and notes therefore and appropriating the money borrowed to various agencies of the State.

Sen. Cook introduced the following bill which was given first reading and referred to the Committee on Revised Statutes.

**SB 163**—An act proposing an amendment to Article VIII of the Constitution of the State by imposing a limitation on the borrowing power of the State.



Sen. Cook introduced the following bill which was given first reading and referred to the Committee on Finance.

**SB 164**—An act relating to capital improvements for the State by authorizing certain capital improvements and appropriating the moneys therefore to certain agencies of the State.

Sen. Cook introduced the following bill which was given first reading and referred to the Committee on Revised Statutes.

**SB 165**—An act imposing restrictions on the borrowing power of the State. Be it enacted by the General Assembly of the State of Delaware.

Sen. Cook introduced the following bill which was given first reading and referred to the Committee on Finance.

**SB 166**—An act to amend Chapter 213, Volume 54, Laws of Delaware entitled, "An Act making an appropriation to the Secretary of State for a comprehensive review and study of the Corporation Law of the State and for the preparation of a report containing recommended revisions of such law for submission to the General Assembly."

Sen. Cook introduced the following bill which was given first reading and referred to the Committee on Finance.

**SB 167**—An act making a supplementary appropriation to the Family Court of Kent and Sussex Counties for salaries and wages of employees for the fiscal year ending June 30, 1965.

Sen. Cook and 16 Senators introduced the following bill which was given first reading.

**SB 168**—An act to amend Section 131, Title 23, Delaware Code, relating to pilotage rates by reducing the said pilotage rates.

Sen. Cook moved that Rule 9 be suspended for the purpose of considering **SB 168**. Motion carried.

On motion of Sen. Cook, **SB 168** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 168**—An act to amend Section 131, Title 23, Delaware Code, relating to pilotage rates by reducing the said pilotage rates.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Schlör, Steen—17.

NAYS: None.

ABSENT: McGinnes—1.

On motion of Sen. Cook roll call tabled.

Sen. Bookhammer introduced the following joint resolution which was given first reading.

**SJR 10**—Expressing the appreciation of the Senate and the House of Representatives to the Diamond State Telephone Company.

Sen. Bookhammer moved that Rule 9 be suspended for the purpose of considering **SJR 10**. Motion carried.

On motion of Sen. Bookhammer, **SJR 10** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SJR 10**—Expressing the appreciation of the Senate and the House of Representatives to the Diamond State Telephone Company.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Schlör, Steen—17.

**NAYS:** None.

**ABSENT:** McGinnes—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.

Sen. Martin introduced the following concurrent resolution which was given first reading.

**SCR 23**—Recommending the stabilization of salaries of vocational employees of the Diamond State Telephone Company.

Sen. Holloway moved to defer action on **SCR 23**. Adopted by voice vote.

Sen. Cook (co-sponsors Senators DuPont and McCullough) introduced the following concurrent resolution which was given first reading. Adopted by voice vote.

**SCR 24**—Expressing the sympathy of the 123rd General Assembly upon the death of General Thomas Holcomb.

Sen. Cook moved that the Senate adjourn until Wednesday May 26, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 7:08 P.M.

## 46TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:45 P.M. on Wednesday, May 26, 1965, Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Zoltan Szucs.

By roll call the following Senators were present—Bookhammer, Carney, Davidson, DuPont, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Rob-

bins, Schlor, Pres. Pro Tem. Steen—14.

Senators absent: Conner, Cook, Dineen, Hoey—4.

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

The following communications were read from Board of Christiana Social Congress of the Methodist Church, opposing the extension of the hours for the sale of alcoholic beverages.

Sen. Schlor reported the following bill from committee: **HB 210**, 4 favorable.

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

**HB 252** to Finance.

An act making a Supplementary Appropriation to the State Park Commission for the Improvement, Operation and Administration of a State Park located on Public Lands in Sussex County, Delaware.

**HB 222** to Banking and Insurance.

An act to amend Title 5, Delaware Code, relating to direct reduction and other loans by Building and Loan Associations by providing that in case of construction loans the first payment shall not be later than eighteen months after the date of the first advance.

**HB 223** to Banking and Insurance.

An act to amend Title 5, paragraph 1906 of the Revised Code of Delaware, 1953, by permitting Building and Loan Associations in connection with serial shares which are more than six months in arrears either to cancel same and deposit the amount due shareholders in an account in the Farmers Bank of the State of Delaware or invest in an account in the Association.

**HB 256** to Temperance.

An act to amend Chapter 5, Title 4, Delaware Code, relating to the grounds for refusal of license.

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

**HS 1** for **HB 95** to Education

An act to amend Chapter 25, Title 14, Delaware Code, relating to "Education," by requiring full time programs in High Schools.

**HB 165** with **HA 1** and **HA 3** to Education.

An act to amend Section 101, Title 14, Delaware Code, relating to the Composition and Appointment of the State Board of Education.

Sen. Martin introduced the following bill which was

given first reading and referred to the Committee on Printing.

**SB 169**—An act to amend Chapter 67, Title 29, Delaware Code, relative to Printing Requirements for Printing for the State of Delaware.

Sen. Dineen moved that **SA 1** to **HS 1** for **HB 92** be stricken. Adopted by voice vote.

Sen. Carney reported the following bill from committee: **SB 150**, 3 favorable, 2 merits.

Senators Cook, Dineen and Hoey asked to be marked present.

On motion of Sen. McGinnes, **SB 154** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 154**—An act to amend Chapter 159, Volume 43, Laws of Delaware, entitled "An Act Changing the Corporate Name of 'The Commissioners of Camden' to 'The Town of Camden' and establishing a Charter Therefor" as amended.

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

YEAS: Bookhammer, Carney, Cook, Davidson, Dineen, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Conner, DuPont, Hoey—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.

Sen. Connor asked to be marked present.

On motion of Sen. Davidson, **HB 36** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 36**—An act to amend Title 10, Delaware Code, Section 8705(a) relating to Fees and Costs.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Dineen, DuPont, Hoey—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.

Sen. Carney introduced the following amendment, **SA 1**

to **HB 123** which was given first reading and placed with the bill.

Sen. Carney asked for the privilege of the floor for personal reasons. No objections heard; privilege was then granted.

Sen. Carney moved that **HB 123** be brought up for final reading and vote. Sen. Carney moved to defer action on **HB 123** and **SA 1** to **HB 123**.

Sen. Davidson moved that **HB 187** be brought up for final reading and vote. Sen. Davidson moved that **SA 1** to **HB 187** be adopted. Adopted by voice vote.

On motion of Sen. Davidson, **HB 187** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 187**—An act to amend Section 4751, Title 10, Delaware Code pertaining to the time in which to satisfy judgments.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—17.

NAYS: None.

ABSENT: DuPont—1.

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

On motion of Sen. Robbins, **HB 154** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 154**—An act authorizing the Gumboro School No. 37 to pay certain expenses incurred in a prior fiscal year from the Local Debt Service Account.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Dineen, DuPont—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.

Sen. Steen moved the Senate recess to the call of the Chair at 3:30 P.M.

The Senate returned to order at 4:52 P.M., Lt. Gov. Tribbitt presiding.

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

**HB 269**—An act increasing cigarette taxes. Be it enacted by the General Assembly of the State of Delaware: (Miscellaneous).

**HB 268**—An act to amend Chapter 11, Title 30, Delaware Code relating to State Income Withholding Taxes by requiring foreign corporations to post bonds securing the payment of taxes withheld from Delaware employees. (Miscellaneous).

**HB 264**—An act relating to Harness Racing by increasing the tax on pari-mutuel and totalizator pools. (Miscellaneous).

**HB 263**—An act relating to the State Estate Tax by increasing rate on taxes due. (Miscellaneous).

**HB 271**—An act relating to the State Inheritance Tax by increasing the interest rate due. (Miscellaneous).

Sen. Davidson reported the following bills from committee: **HB 192**, 5 merits; **HB 190**, 2 favorable, 3 merits; **HB 140**, 2 favorable, 2 merits, 1 unfavorable; **HB 138**, 1 favorable, 4 merits; **HB 209**, 2 favorable, 3 merits; **SB 101**, 5 merits; **SB 139**, 5 merits.

Sen. Dineen reported the following bills from committee: **HB 15**, 3 merits; **HS 1** for **HB 92**, 2 favorable, 1 unfavorable; **SB 90**, 1 favorable, 3 merits, 1 unfavorable; **SB 91**, 5 merits; **SB 126**, 2 favorable, 3 merits; **SB 140**, 3 favorable, 2 merits; **SB 143**, 4 favorable, 1 merit; **SB 157**, 3 favorable, 2 merits.

Sen. Dineen (co-sponsor Sen. Hoey), introduced the following bill which was given first reading and referred to the Committee on Education.

**SB 170**—An act to amend Section 1703, Title 14, Delaware Code, relating to the "Unit of Pupils."

Sen. Holloway reported the following bill from committee: **HB 229** with **HA 1**, 3 favorable, 2 merits.

Sen. Carney moved that the roll call for the adoption of **SA 1** to **HB 123** be nullified. Adopted by voice vote.

On motion of Sen. Carney, **SA 1** to **HB 123** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

**YEAS**: Carney, Cook, Dineen, Holloway, Kinahan, Martin, McGinnes, Moore, Robbins, Schlör—10.

**NAYS**: None.

**NOT VOTING**: Bookhammer, Conner, Davidson, DuPont, Hoey, Manning—6.

**ABSENT**: McCullough, Steen—2.

So the question was decided in the affirmative and the

bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Sen. Carney moved that **HB 123** with **SA 1** be brought up for consideration.

Sen. Robbins asked for the privilege of the floor for Captain Knotts of the Delaware State Police to answer questions regarding **HB 123** with **HA 1**. No objections heard; privilege was then granted.

Sen. Robbins asked for the privilege of the floor for Rev. Snyder, Executive Secretary of the Council of Churches. No objections heard; privilege was then granted.

Sen. Carney moved to table roll call on **HB 123** with **SA 1**.

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

YEAS: Carney, Davidson, Dineen, Holloway, Martin, McCullough, McGinnes, Moore, Schlör—9.

NAYS: Bookhammer, Conner, Cook, DuPont, Hoey, Kinahan, Manning, Robbins—8.

ABSENT: Steen—1.

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

On motion of Sen. Carney, **HB 123** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 123**—An act to amend Chapter 7, Title 4, Delaware Code, relating to the sale of Alcoholic Liquor.

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

YEAS: Dineen, Holloway, Martin, Moore, Schlör—5.

NAYS: Bookhammer, Carney, Conner, Cook, Davidson, DuPont, Hoey, Kinahan, Manning, McCullough, McGinnes, Robbins—12.

ABSENT: Steen—1.

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

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

**SB 116**—An act to appropriate funds to the State Treasurer's Office.

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

YEAS: Bookhammer, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McGinnes, Robbins, Schlör—14.

NAYS: None.

ABSENT: Carney, McCullough, Moore, 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.

Sen. Schlor reported the following bill from committee:  
**SB 158**, 3 favorable, 1 merit.

Sen. Hoey reported the following bill from committee:  
**SB 167**, 4 merits.

Sen. Dineen reported the following bill from committee:  
**SB 151**, 5 merits.

Sen. Carney reported the following bill from committee:  
**SB 153**, 2 favorable, 3 merits; **SB 159**, 4 favorable, 1 merits;  
**HB 133**, 5 favorable.

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

**HB 267**—An act to impose a Realty Transfer Tax. (Miscellaneous).

**HB 265** with **HA 1**—An act relating to Motor Vehicle Fees. (Miscellaneous).

**HB 270**—An act increasing Motor Fuel Taxes. Be it enacted by the General Assembly of the State of Delaware: (Miscellaneous).

**HB 243**—An act to amend Section 5162, Title 30, Delaware Code, by Increasing the Maximum Amount of Appropriations in any one Fiscal Year from \$1,200,000 to \$2,000,000.

Sen. Robbins introduced the following resolution which was given first reading and adopted by voice vote.

**SR 72**—Expressing the belated best wishes of the Senate of the 123rd General Assembly to Sen. Robert C. Davidson for his birthday.

Sen. Cook moved that the Senate adjourn until Thursday, May 27, at 1:00 P.M. Motion carried and Senate adjourned at 6:29 P.M.

#### STATE BOARD OF EDUCATION DOVER

A REPORT TO THE SENATE OF THE 123RD GENERAL ASSEMBLY CONCERNING THE FEASIBILITY OF ESTABLISHING A STATEWIDE KINDERGARTEN PROGRAM IN THE DELAWARE PUBLIC SCHOOL SYSTEM AS REQUESTED IN SENATE RESOLUTION NO. 35.

Dr. R. L. Herbst  
Assistant Superintendent  
Administrative Services Area

Dr. Wilmer E. Wise,  
Director, Research and Publications  
Department of Public Instruction



May 24, 1965

## STATEWIDE KINDERGARTENS

*Basic Need*

The purpose of the kindergarten is to provide a professional service that the child could, but often does not receive at home. A kindergarten gives opportunity for the early identification of the special needs and talents of individual children. Retarded children must receive special attention. The gifted child must be encouraged. All children must be given the opportunity to develop mentally and emotionally in order to supplement the efforts of parents and to help with special problems. The need for the kindergarten has been demonstrated, and its growth as an institution in American education attests to its success.

*Status*

The kindergarten enrollment in public schools in the United States has more than doubled in the ten year period from 1950-1960. The United States Census reported there were 902,000 pupils enrolled in 1950 and 2,092,000 in 1960.

The following table presents the 1961-62 kindergarten and first grade enrollment in five neighboring states. The percent of kindergarten enrollment to first grade enrollment is also shown; along with the number of kindergarten teachers. The total kindergarten enrollment in the United States Public Schools is included to give an overall picture of the kindergarten status. For comparison purposes Delaware's figures also are presented.

TABLE I  
Comparison of Kindergarten Enrollment  
And Staff for Five Neighboring States  
1961-1962

State	Kindergarten Enrollment	First Grade Enrollment	Percent Kindergarten Enrollment to Kindergarten First Grade Enrollment	Kindergarten Teachers
Maryland	25,242	65,183	38.7	442
New Jersey*	108,490	100,140	108.3	2,245
New York*	256,825	252,056	101.8	—
Pennsylvania*	124,791	181,706	68.7	1,974
Virginia	7,258	97,942	74.1	—
Delaware	1,440	9,850	14.6	24
Total Enrollment				
U.S. Public Schools	2,064,852	3,813,834	54.1	17,391

\*These states provide state support.

An analysis of Table 1 indicates that Delaware's percentage of kindergarten enrollment compared with first grade enrollment is far below the neighboring states. Delaware's percentage is only 14.6 percent, while New York and New Jersey are over 100 percent and the overall average for the United States is 54.1 percent.

TABLE II  
Kindergarten Enrollment in Delaware  
(September 30, 1964)

School District	Kindergarten Enrollment	Number of Teachers
Claymont	354	3
Alexis I. duPont	169	3
Rehoboth	48	2
Wilmington	1,235	20
	<hr/>	<hr/>
TOTAL STATE	1,806	28

On September 30, 1964, 1,806 pupils were enrolled in kindergarten in public school buildings in four school districts. This represents slightly more than 90 percent of the total public school first grade enrollment in these four districts.

TABLE III

Estimated Cost of Statewide Kindergarten Program  
Based on Percentage of Projected First Grade Enrollment

	Percent of First Grade Enrollment				
	90%	80%	70%	60%	50%
Estimated Number of Pupils September 1965	11,250	10,000	8,750	7,500	6,250
Number of Units @50 Pupils Each	225	200	175	150	125
Salaries @\$5,800 Bachelor's Degree with 5 years experience—salary state salary schedule	\$1,305,000	\$1,160,000	\$1,015,000	\$ 870,000	\$ 725,000
Operation @ \$775	174,375	155,000	135,625	116,250	96,875
Capital Outlay @ \$100	22,500	20,000	17,500	15,000	12,500
Transportation (50% of the pupils transported) @ \$46 per pupil	258,750	230,000	201,250	172,500	143,750
<b>Total Operating</b>	<b>\$1,760,625</b>	<b>\$1,565,000</b>	<b>\$1,369,375</b>	<b>\$1,173,750</b>	<b>\$ 978,125</b>
Construction of Classrooms—No. of units (rooms) less 50 x \$30,000	\$5,100,000	\$4,500,000	\$3,750,000	\$3,000,000	\$2,250,000
State Contributing 60% of Construction Cost	\$3,060,000	\$2,700,000	\$2,250,000	\$1,800,000	\$1,350,000

In 1965-66 school year it is estimated there will be 12,500 pupils enrolled in the first grade. If the same percentage, 90%, enroll in kindergarten in 1965-66, the enrollment would be 11,250 pupils. This would represent 225 units at 50 children per unit. Based on an average salary of \$5,800 (5 years and a Bachelor's degree), operation and capital outlay of \$875, and transportation of one-half of the pupils at \$46 per pupil, the total operational cost of this statewide program would be \$1,760,625.

A recent survey by the Department of Research and Publications shows that 50 rooms are available for housing kindergarten pupils and that 225 rooms are needed. The additional 175 rooms at an estimated cost of \$30,000 per room, would require a construction outlay of \$3,060,000, if the state financed 60 percent of the cost.

Based upon 80 percent of the first grade enrollment in kindergartens, the operating cost would be \$1,565,000 and construction costs \$2,700,000. At 50 percent, the operating costs would be \$978,125 and construction costs \$1,350,000.

Details of these estimated costs are given in Table III.

#### *Summary*

1. Only four districts provide kindergarten training in public school buildings of the State.
2. The operation costs and salaries of the teachers of these are paid from local tax money.
3. Very few of the districts have facilities in their school buildings for kindergartens.
4. To provide kindergarten training at State expense for one-half of the estimated first grade enrollment in September 1965, would cost the State:

Operation	\$ 834,375
Transportation	143,750
Construction	1,350,000

5. It is difficult to obtain a sufficient number of qualified teachers for the elementary grades, so it is a safe assumption that it would be equally difficult to staff the kindergartens.
6. It is impossible to predict how many would enroll in kindergartens were total facilities available and hence the cost.

#### *Facilities*

Kindergarten facilities should be included in future school construction.

#### *Financing*

Possible methods of financing until kindergartens could be made available for more children in the State are:

- a. On an equalized basis; i.e., based upon the wealth in the district.
- b. On a flat amount per pupil.
- c. Gradual

1st year—1 unit for 100 pupils

2nd year—1 unit for 75 pupils

3rd year—1 unit for 50 pupils

The 1960 White House Conference on Education recommended, "that kindergarten education should be provided at public expense as a regular part of the elementary school and staffed with qualified teachers and furnished with the necessary environmental surroundings and services to meet the social, physical, intellectual, and psychological needs of kindergarten age children."

#### 47TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 5:45 P.M. on Thursday, May 27, 1965, Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain Zoltan Szucs.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Pres. Pro Tem Steen—17.

Senator absent: Dineen—1.

The Secretary proceeded to read the Journal of the previous day's session when Sen. Cook moved that so much be considered the reading of the Journal and the Journal be approved as read.

Sen. Dineen asked to be marked present.

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

**HB 257**—An act to amend Sections 2705 and 2706, Chapter 27, Title 18, Delaware Code, relating to the special tax on premiums of insurance companies, the collection of said tax, and the distribution of revenue therefrom. (To Insurance and Banking).

**HB 71**—An act to aid homes for the aged by appropriating money to Palmer Home, Incorporated and Layton Home for Aged Colored Persons. (To Finance).

**HB 70**—An act appropriating certain moneys to the Delaware State Fair Inc. for prizes. (To Finance).

**HB 74**—An act to aid certain organizations which maintain an ambulance in the public service, by appropriating moneys for maintenance of the ambulances. (To Finance).

**HB 73 with HA 1**—An act to aid Veterans' Organizations and their services to veterans by making an appropriation therefor. (To Finance).

**HB 68**—An act appropriating funds to the American Legion and American Legion Auxiliary for expenses to be incurred in connection with the holding of Boys' State and Girls' State. (To Finance).

**HB 67**—An act appropriating moneys for education and training of children of veterans of World War I, World War II and Korean Conflict who died while in the service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or who died from disease, wounds or disabilities resulting from such service. (To Finance).

**HB 66**—An act appropriating money to the Delaware Safety Council, Inc. (To Finance).

**HB 65**—An act to appropriate moneys to certain hospitals in the State of Delaware. (To Finance).

**HB 63**—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 61**—An act making an appropriation to the Prisoners Aid Society of Delaware for the operation of the 308 West Residence. (To Finance).

On motion of Sen. Conner, **SB 111** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

Senator McGinnis reported the following bill from committee:

**HB 264** — 4 favorable 1 merit

**HB 270** — 2 favorable 1 merit 1 unfavorable

**HB 267** — 3 favorable 2 merits

**HB 265** with **HA 1** — 2 favorable 2 merits 1 unfavorable

**HB 269** — 3 favorable 2 merits

**HB 271** — 4 favorable 1 merits

**HB 268** — 4 favorable 1 merits

**HB 263** — 3 favorable 2 merits

**SB 111**—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:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—18.

**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.

Sen. McGinnes moved that Rule 9 be suspended for the purpose of considering **HB 263**, **HB 264**, **HB 265** with **HA 1**, **HB 267**, **HB 268**, **HB 269**, **HB 270**, and **HB 271**.—Motion carried.

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

**YEAS:** Carney, Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—13.

**NAYS:** Bookhammer, Conner, DuPont, Kinahan, Manning—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.

Sen. McGinnes introduced the following amendment, which was given first reading and adopted by voice vote: **SA 1 to HB 264.**

On motion of Sen. McGinnes, **HB 264** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 264**—An act relating to harness racing by increasing the tax on pari-mutuel and totalizator pools.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—18.

**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 Sen. McGinnes, **HB 268** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 268**—An act to amend Chapter 11, Title 30, Delaware Code, relating to State income withholding taxes by requiring foreign corporations to post bonds securing the payment of taxes withheld from Delaware employees.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—18.

**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.

Sen. McGinnes asked for the privilege of the floor for Maurice Hartnett to explain **HB 271**. No objections heard; privilege was then granted.

On motion of Sen. McGinnes, **HB 271** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 271**—An act relating to the State inheritance tax by increasing the interest rate due.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—18.

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 Sen. McGinnes, **HB 269** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 269**—An act increasing cigarettes taxes.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAY: DuPont—1.

NOT VOTING: Bookhammer—1.

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

Sen. McGinnes introduced the following amendment, which was given first reading. Adopted by voice vote. **SA 1 to HB 265 with HA 1**.

Sen. McCullough introduced the following amendment (co-sponsor Sen. Davidson), which was given first reading: **SA 2 to HB 265 with HA 1 and SA 1**.

On motion of Sen. McCullough, **SA 2 to HB 265 with HA 1 and SA 1** with title as follows was taken up for consideration and read by title in order to pass the Senate.

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



YEAS: Carney, Conner, Davidson, DuPont, Kinahan, Manning, McCullough—7.

NAYS: Cook, Dineen, Hoey, Holloway, Martin, McGinnes, Moore, Robbins, Schlör, Steen—10.

NOT VOTING—Bookhammer—1.

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

On motion of Sen. McGinnes, **HB 265** with **HA 1** and **SA 1** with title as follows was taken up consideration and read a second time by title in order to pass the Senate.

**HB 265**—An act relating to motor vehicle fees.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Holloway, Manning, Martin, McGinnes, Moore, Schlör, Steen—12.

NAYS: Bookhammer, Conner, DuPont, Kinahan, McCullough, Robbins—6.

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

Sen. McGinnes asked for the privilege of the floor for Maurice Hartnett to explain **HB 267**. No objections heard; privilege was then granted.

On motion of Sen. McGinnes, **HB 267** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 267**—An act to impose a realty transfer tax.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Schlör, Steen—13.

NAYS: Bookhammer, DuPont, Robbins—3.

NOT VOTING—Conner, Kinahan—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.

Sen. McGinnes asked for the privilege of the floor for Mr. Hartnett to explain **HB 263**. No objections heard; privilege was then granted.

On motion of Sen. McGinnes, **HB 263** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 263**—An act relating to the State Estate Tax by increasing the interest rate on taxes due.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—18.

**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 Sen. McGinnes, **HB 270** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 270**—An act increasing motor fuel taxes.

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

**YEAS:** Carney, Cook, Dineen, Hoey, Holloway, Martin, McGinnes, Moore, Schlör, Steen—10.

**NAYS:** Davidson, DuPont, McCullough, Robbins—4.

**NOT VOTING:** Bookhammer, Conner, Kinahan, Manning—4.

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

Sen. Dineen moved that **HS 1** for **HB 92** be brought up for final reading and vote.

Sen. Cook (co-sponsored by Sen. Dineen) introduced **SA 1** to **HS 1** for **HB 92**. Sen. Cook moved to table **SA 1** to **HS 1** for **HB 92**. Adopted by voice vote.

Sen. Manning moved to adjourn until next Tuesday. Motion to adjourn lost by voice vote.

Sen. Cook moved that the Senate adjourn until Tuesday, June 1st, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 8:10 P.M.

#### 48TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:15 P.M. on Thursday, June 3, 1965, Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain Zoltan Szucs.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Kinahan, Manning, McCullough, Moore, Robbins, Schlör, Pres. Pro Tem Steen—13.

Senators absent: Cook, Hoey, Holloway, Martin, McGinnes—5.

The Secretary proceeded to read the Journal of the previous day's session when Sen. Cook moved that so much be considered the reading of the Journal and the Journal be approved as read.

Sen. McCullough reported the following bills from committee: **HB 222**—4 favorable; **HB 223**—4 favorable.

Sen. Carney reported the following bill from committee: **HB 256**—3 favorable, 2 merits.

Sen. Moore introduced the following substitute which was given first reading and referred to the committee on Temperance.

**SS 1 for SB 153**—An act to amend Chapter 7, Title 4, Delaware Code, relating to the sale of alcoholic liquor.

Sen. Robbins introduced the following bill (co-sponsors Senators Steen, Bookhammer and Hoey), which was given first reading and referred to the committee on Education.

**SB 171**—An act to amend Chapter 25, Title 14, Delaware Code, relating to high schools.

Sen. Robbins introduced the following bill (co-sponsor Hoey), which was given first reading and referred to the committee on Miscellaneous.

**SB 172**—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 New Century Club from assessment and taxation.

Sen. Dineen introduced the following amendment which was given first reading and adopted by voice vote: **SA 1 to SB 143**.

Senators Martin, Cook and Holloway asked to be marked present.

On motion of Sen. Dineen, **SB 143** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 143**—An act to amend Chapter 1, Title 24, Delaware Code, entitled "Accountant (Certified Public)" by repealing said Chapter and enacting a new Chapter regulating the practice of certified public accounts.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, Kinahan, Manning, Martin, Moore, Robbins, Schlör—14.

**NAYS:** None.

**NOT VOTING:** McCullough, Steen—2.

**ABSENT:** DuPont, McGinnes—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 250**—An act appropriating moneys to the State Soil Conservation Commission for the construction, improvement and protection of ditches in the several counties. (To Finance).

**HB 307**—An act to aid Cranston Heights Fire Company which is organized to extinguish fires and maintain ambulances, by making an appropriation for it. (To Finance).

**HB 249 with HA 1**—An act recognizing the right of public employees to organize. (To Labor).

**HB 304 with HA 1**—An act to amend Chapter 28, Title 31, Delaware Code, relating to the Delaware Home and Hospital for the Chronically Ill at Smyrna. (To Revised Statutes).

**HB 248**—An act authorizing and directing the State Board of Corrections on behalf of the State of Delaware to transfer certain lands and buildings in New Castle County to the Levy Court of New Castle County. (To Public Building and Highways).

Sen. Davidson introduced the following bill which was given first reading and referred to the committee on Education.

**SB 173**—An act to amend Chapter 13, Section 1318, Title 14, of the Delaware Code, by adding a new section thereto.

Sen. Schlör introduced the following bill which was given first reading and referred to the committee on Revised Statutes.

**SB 174**—An act agreeing to a proposed amendment to Article 2, Section 15, of the Constitution of the State of Delaware relating to compensation, expenses, and allowances of members of the General Assembly and the President of the Senate.

Sen. McCullough introduced the following bill which was given first reading and referred to the committee on Revised Statutes.

**SB 175**—An act relating to State pensions by permitting certain recipients of State pensions to receive other compensation from the State.

Sen. DuPont introduced the following concurrent resolution (co-sponsor Bookhammer).

Sen. Dineen moved to defer action on **SCR 25** until after a caucus could be held.

**SCR 25**—Providing for an audit by an independent auditor of the annual reports to the State Treasurer showing the expenditures of the Municipal Street Aid Fund.

Sen. Steen submitted a communication from the Pilots

Association for the Bay and River of Delaware inviting the Legislators to take a trip on June 11.

Sen. Bookhammer introduced the following bill (co-sponsor Steen), which was given first reading and referred to the committee on Revised Statutes.

**SB 176**—An act relating to a pension for Warren E. Perry, a former employee of the State of Delaware.

Sen. Davidson introduced the following bill which was given first reading and referred to the committee on Education.

**SB 177**—An act to amend Chapter 171, Volume 54, Laws of Delaware entitled "An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts, and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions."

Sen. Carney reported the following bill from committee: **SS 1** to **SB 153**—3 favorable, 2 merits.

Sen. Robbins reported the following bill from committee: **HB 121**—3 favorable.

Senators McGinnes and Hoey asked to be marked present.

Sen. Cook moved to lift the roll call from the table on **SA 1** to **HS 1** for **HB 92**. Adopted by voice vote.

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

YEAS: Carney, Cook, Davidson, Dineen, Holloway, Martin, McCullough, McGinnes, Moore, Schlör, Steen—11.

NAYS: Bookhammer, Conner, DuPont, Hoey—4.

NOT VOTING—Kinahan, Manning, Robbins—3.

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

On motion of Sen. Cook, **HS 1** for **HB 92** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 92**—An act to amend Subchapter 1, Section 5501, Title 29, Delaware Code, relating to definitions of covered employees 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:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlor—16.

**NAYS:** None.

**NOT VOTING:** Hoey—1.

**ABSENT:** Steen—1.

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

Sen. Dineen asked for the privilege of the floor for Mr. Earl McGinnes, Budget Director, to discuss **SB 126**. No objections heard; privilege was then granted.

On motion of Sen. Dineen, **SB 126** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 126**—An act to amend Chapter 5, Title 18, Delaware Code, relating to the procurement of material and competitive bids.

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

**YEAS:** Bookhammer, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Martin, McCullough, McGinnes, Moore, Robbins, Steen—15.

**NAY:** Manning—1.

**NOT VOTING:** Carney—1.

**ABSENT:** Schlor—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 Sen. Dineen, **SB 158** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 158**—An act to further amend Chapter 208, Volume 26, Laws of Delaware, as amended, entitled "An Act to Establish a Retirement Fund for Pensioning Teachers of the Public Schools in the City of Wilmington, and to Regulate the Collection, Management and Disbursement Thereof," by allowing the Retirement Fund to be turned over to a private insurance company and by allowing the Board of Retirement to disband.

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

**YEAS:** Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Martin, McGinnes, Moore, Robbins, Schlor, Steen—13.

**NAYS:** None.

NOT VOTING: Bookhammer, Kinahan, Manning—3.

ABSENT: Hoey, 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 Sen. Cook, **SB 167** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 167**—An act making a supplementary appropriation to the Family Court of Kent and Sussex Counties for salaries and wages of employees for the fiscal year ending June 30, 1965.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, Holloway, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Schlor, Steen—14.

NAYS: None.

NOT VOTING: Bookhammer, DuPont—2.

ABSENT: Hoey, 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.

Sen. Holloway reported the following bill from committee: **HB 198**—4 favorable, 1 merit; **HB 199**—4 favorable, 1 merit; **HB 200**—4 favorable, 1 merit.

Sen. Cook moved the Senate recess to the call of the Chair at 4:45 P.M.

The Senate returned to order at 5:20 P.M., Lt. Gov. Tribbitt presiding.

Sen. McGinnes reported the following bills from committee: **SB 172**—1 favorable, 2 merits; **SB 160**—3 favorable, 2 merits.

Sen. Davidson reported the following bill from committee: **HB 197**—2 favorable, 3 merits.

Sen. Martin reported the following bill from committee: **HB 197**—2 favorable, 3 merits.

Sen. Robbins reported the following bills from committee: **SB 170**—3 favorable, 1 merit; **SB 171**—2 favorable, 3 merits.

Sen. McGinnes introduced the following bill which was given first reading and referred to the committee on Education.

**SB 178**—An act to amend Chapter 14, Title 14, Delaware Code, relating to non-teaching personnel by providing for fair dismissal procedures for certain employees.

Sen. Hoey reported the following bills from committee:

**HB 70**—3 favorable, 2 merits; **HB 243**—2 favorable, 2 merits, 1 unfavorable.

Sen. Hoey introduced the following resolution which was given first reading. Adopted by voice vote.

**SR 73**—Relating to amounts due for expenses incurred by the 123rd General Assembly.

Sen. Hoey introduced the following resolution which was given first reading. Adopted by voice vote.

**SR 74**—In reference to election of officers.

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

**SB 151**—An act to amend Section 4504, Title 21, Delaware Code, relating to permits for excessive size and weight by exempting vehicles engaged in a charitable mission.

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

YEAS: Bookhammer, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—17.

NAYS: None.

ABSENT: Carney—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 Sen. Schlör, **SB 125** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 125**—An act to amend Chapter 5, Title 18, Delaware Code, relating to cancellation of automobile liability insurance policies.

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

YEAS: Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—11.

NAYS: DuPont, Manning—2.

NOT VOTING: Bookhammer, Conner, Kinahan, Steen—4.

ABSENT: Carney—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.

Sen. Davidson asked for the privilege of the floor for Rep. Bifferato to discuss **HB 190** with **HA 1**. No objection heard; privilege was then granted.

On motion of Sen. Davidson, **HB 190** with **HA 1** with



title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 190** with **HA 1**—An act to amend Chapter 89, Title 10, Delaware Code, relating to payments of mileage to jurors.

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

**YEAS:** Bookhammer, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Schlör, Steen—16.

**NAYS:** None.

**ABSENT:** Carney, McGinnes—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.

Sen. Steen moved that Rule 9 be suspended for the purpose of considering **SB 160**. Motion carried.

Sen. Steen introduced the following amendment which was given first reading: **SA 1** to **SB 160**. Adopted by voice vote.

On motion of Sen. Steen, **SB 160** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 160**—An act to amend Section 5318, Title 30, Delaware Code, by reducing the commission of the cigarette stamp affixing agent.

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

**YEAS:** Bookhammer, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Schlör, Steen—15.

**NAYS:** None.

**ABSENT:** Carney, Hoey, McGinnes—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 Sen. Holloway, **SB 150** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 150**—An act to repeal Sections 712 and 713, Title 4, Delaware Code, relating to regulatory provisions concerning the sale of alcoholic liquor.

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

**YEAS:** Bookhammer, Conner, Cook, Davidson, Dineen,

DuPont, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Schlör, Steen—14.

NAYS: None.

ABSENT: Carney, Hoey, McGinnes, Robbins—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.

Sen. Holloway introduced the following bill (co-sponsors, Schlör, Martin, Carney, Moore), which was given first reading and referred to the committee on Temperance.

**SB 179**—An act to amend Chapter 3, Title 4, Delaware Code, relating to alcoholic liquors, by reorganizing the "Delaware Alcoholic Beverage Control Commission" as the "Liquor Control Commission."

Sen. Steen introduced the following bill (co-sponsor Bookhammer), which was given first reading and referred to the committee on Corporation Municipal.

**SB 180**—An act to amend an act being Chapter 212, Volume 25, Laws of Delaware, as amended, entitled "An Act to Incorporate the Town of Bethany Beach and Give it Authority to Issue Bonds" by increasing the amount of money which may be raised by taxation of real estate.

Sen. Cook moved that the Senate adjourn until Tuesday, June 3, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 6:20 P.M.

## 49TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 5:30 P.M. on Thursday, June 3, 1961, Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain Zoltan Szucs.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—17.

Senators absent: Pres. Pro Tem Steen—1.

The Secretary proceeded to read the Journal of the previous day's session when Sen. Schlör moved that so much be considered the reading of the Journal and the Journal be approved as read.

Sen. Manning (co-sponsor Sen. Davidson) introduced the following amendment which was given first reading and placed with the bill: **SA 1** to **HB 140**.

Sen. Manning introduced the following bill (co-sponsor Sen. Davidson), which was given first reading and withdrawn due to an error: **SB 181**.

Sen. Steen (co-sponsor Sen. Bookhammer), introduced the following bill which was given first reading and referred to the committee on Corporations Municipal:

**SB 181**—An act to authorize the commissioners of

Bethany Beach to borrow \$300,000 and to issue bonds to secure the payment thereof for the purpose of repairing, improving, extending or enlarging the water system and to control and regulate the same.

Sen. McCullough reported the following bill from committee: **HB 257**—3 favorable, 2 merits.

Sen. McCullough moved that Rule 9 be suspended for the purpose of considering **HB 257**. Motion carried.

Sen. McCullough asked for the privilege of the floor for William Donohue, Fireman's Association. No objections heard; privilege was then granted.

Sen. McCullough moved that action on **HB 257** be deferred.

On motion of Sen. Dineen, **SB 170** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 170**—An act to amend Section 1703, Title 14, Delaware Code, relating to the "Unit of Pupils."

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Martin, McCullough, Moore, Robbins, Schlor, Steen—14.

NAYS: None.

ABSENT: Hoey, Kinahan, Manning, McGinnes—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.

Sen. Steen asked to be marked present.

Sen. Davidson introduced the following bill which was given first reading and referred to the committee on Public Lands.

**SB 182**—An act to authorize, empower and direct the Governor to sell certain real estate in Delaware City, Delaware, owned by the State for the use of Governor Bacon Health Center and to authorize and empower him to execute and deliver a deed therefor.

Sen. Davidson introduced the following amendment which was given first reading and placed with the bill.

**SA 2 to HB 140.**

Sen. Moore introduced the following amendment which was given first reading and adopted by voice vote.

On motion of Sen. Moore, **SS 1** for **SB 153** 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.

**SS 1 for SB 153**—An act to amend Chapter 7, Title 4, Delaware Code, relating to the sale of alcoholic liquor.

On the question "Shall the Bill Pass the Senate?" the

yeas and nays were ordered which being taken were as follows:

YEAS: Carney, Conner, Cook, Dineen, Hoey, Holloway, Kinahan, Martin, McCullough, Moore, Schlor—11.

NAYS: Robbins—1.

NOT VOTING: Bookhammer, Davidson, DuPont, McGinnes, Steen—5.

ABSENT: 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 Sen. Carney, **HB 256** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Schlor, Steen—16.

NAYS: Hoey, Robbins—2.

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

Sen. Bookhammer (co-sponsors Senators Steen and Hoey), introduced the following bill which was given first reading and referred to the committee on Revised Statutes. **SB 183.**

Sen. Martin asked for the privilege of the floor for Harold Janvier to discuss **HB 249** with **HA 1**. No objections heard; privilege was then granted.

On motion of Sen. Martin, **HB 249** as amended with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 249**—An act recognizing the right of public employees to organize.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Martin, Moore, Schlor—11.

NAYS: Hoey, McGinnes, Robbin—3.

NOT VOTING: Bookhammer, Manning, McCullough—3.

ABSENT: Steen—1.

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

passed the Senate and was ordered to the House for concurrence.

The Chair presented the following House Bills which were given first and second reading and referred to committees as follows: **HB 259** to Finance; **HB 262** to Education; **HB 194** with **HA 1** to Judiciary; **HB 196** with **HA 1** to Judiciary; **HB 193** with **HA 1** to Judiciary; **HB 128** to Revised Statutes.

Sen. Cook moved the Senate recess to the call of the Chair at 7:00 P.M.

The Senate returned to order at 7:15 P.M., Lt. Gov. Tribbitt presiding.

Sen. McCullough asked for the privilege of the floor for Mr. William Donohue. No objections heard; privilege was then granted.

On motion of Sen. McCullough, **HB 257** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 257**—An act to amend Sections 2705 and 2706, Chapter 27, Title 18, Delaware Code, relating to the special tax on premiums of insurance companies, the collection of said tax, and the distribution of revenue therefrom.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Schlör, Steen—16.

NAYS: None.

NOT VOTING: Hoey—1.

ABSENT: 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.

Sen. Manning (co-sponsor Sen. Davidson) introduced the following bill which was given first reading and referred to the committee on Revised Statutes.

**SB 184**—An act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power by exempting certain lands and improvements from assessment and taxation.

On motion of Sen. Hoey, **HB 243** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson,

Dineen, Hoey, Holloway, Kinahan, Martin, McCullough, McGinnes, Moore, Schlör, Steen—15.

NAYS: Manning—1.

NOT VOTING: DuPont—1.

ABSENT: 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.

Sen. Hoey reported the following bill from committee:  
**HB 259**—5 merits.

On motion of Sen. Hoey to suspend Rule 9 to act on  
**HB 259**.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Schlör, Steen—12.

NAYS: Bookhammer, Conner, DuPont, Kinahan, Manning—5.

ABSENT: 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.

On motion of Sen. DuPont, **SA 1** to **HB 259** was taken up for consideration and read a second time in order to pass the Senate.

**HB 259**—An act transferring money from the capital investment fund for the purpose of enabling the public archives commission to obtain and restore certain historical properties.

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

YEAS: Bookhammer, Conner, DuPont, Kinahan, Manning—5.

NAYS: Carney, Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Schlör, Steen—12.

ABSENT: Robbins—1.

So the question was decided in the negative.

On motion of Sen. Hoey, **HB 259** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Hollo-

way, Martin, McCullough, McGinnes, Moore, Schlör, Steen—12.

NAYS: DuPont, Kinahan, Manning—3.

NOT VOTING: Bookhammer, Conner—2.

ABSENT: 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.

Sen. McCullough reported the following bill from committee: **HB 104**—2 unfavorable, 2 merits.

Sen. Carney reported the following bill from committee: **SB 179**—2 favorable, 2 merits, 1 unfavorable.

Sen. Cook reported the following bill from committee: **HB 248**—2 favorable, 3 merits; **HB 86**—3 favorable, 1 merit, 1 unfavorable.

Sen. Schlör reported the following bills from committee: **SB 180**—5 favorable; **SB 181**—5 favorable.

Sen. Dineen reported the following bills from committee: **SB 174**—2 favorable, 1 merit, 2 unfavorable; **SB 175**—4 favorable, 1 unfavorable; **HB 304**—4 favorable; **SB 218** with **HA 1**—5 merits; **HB 250**—3 merits; **HB 217**—5 merits; **HB 189**—3 favorable, 2 merits.

Sen. Hoey reported the following bills from committee: **HB 68**—1 favorable, 4 merits; **HB 71**—5 merits; **HB 63**—5 merits; **HB 73** with **HA 1**—5 merits; **HB 67**—5 merits; **HB 66**—5 merits; **HB 65**—5 merits; **HB 74**—3 merits.

Sen. Robbins reported the following bills from committee: **HS 1** for **HB 95**—3 favorable, 2 unfavorable; **HB 262**—4 favorable; **HB 165** with **HA 1** and **HA 3**—4 favorable; **SB 59**—5 favorable.

Sen. Schlör reported the following bill from committee: **SB 152**—4 favorable, 1 merit.

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

**HB 308**—An act to amend Chapter 7, Title 4, Delaware Code, relating to the sale of alcoholic liquor. (To Temperance).

**HB 281**—An act making a supplementary appropriation to the office of the Secretary of State. (To Finance).

Sen. Cook moved that the Senate adjourn until Friday, June 4, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 8:30 P.M.

### 50th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 4:30 P.M. on Friday, June 4th, 1965, Lt. Gov. Tribbitt presiding.

Prayer by the chaplain Zoltan Szucs.

By Roll call the following Senators were present: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Pres. Pro Tem. Steen—13.

Members Absent: Cook, Hoey, Holloway, McGinnes, Schlör—5.

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

Senator Schlör asked to be marked present.

Senator Davidson reported the following bills from committee: **HB 193**, 3 favorable, 2 merits; **HB 196**, 2 favorable, 3 merits; **HB 194**, 3 favorable, 2 merits.

Senator Dineen reported the following bill from committee: **HB 128**, 1 favorable, 2 merits; **SB 183**, 1 favorable, 2 merits; **SB 149**, 2 merits, 1 unfavorable; **SB 176**, 4 favorable, 1 merit; **SB 85**, 1 favorable, 2 merits; **SB 184**, 1 favorable, 1 merit, 1 unfavorable.

Senator Manning moved that Rule 9 be suspended for the purpose of considering **SB 184**. Motion carried by Voice vote.

Senator Holloway asked to be marked present.

On motion of Sen. Manning **SB 184**, with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 184**—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the limitations upon Taxing Power, by exempting certain lands and improvements from assessment and Taxation.

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

YEAS: Bookhammer, Carney, Conner, Davidson, DuPont, Holloway, Kinahan, Manning, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—14.

NAYS: None.

ABSENT: Cook, Dineen, Hoey, Martin—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.

Senator Carney reported the following bill from committee: **HB 308**, 2 favorable, 1 merit, 2 unfavorable.

On motion of Senator Bookhammer **SB 152** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 152**—An Act to Amend an Act being Chapter 196, Volume 22, Laws of Delaware, entitled "An Act to Authorize the Commissioners of Lewes to Appoint A Board of



Public Works for the town of Lewes which shall Establish Control, and Regulate an Electric Light Plant, Water Works, and a Sewer System for said town; Prescribing the Powers and Duties of Said Board and Providing for the Election of their Successors, As Amended by Chapter 274, Volume 49, Laws of Delaware and by Chapter 218, Volume 51, Laws of Delaware, to Establish Qualifications of Candidates for Election to the Board of Public Works; to Establish Qualifications of Voters at the Election of Members of the Board of Public Works; to Establish a Reserve Fund to be held in Trust for the Expansion, Replacement, Rebuilding or Improvement of The Electric Light Plant and Electric Transmission Lines, The Water Works and The Sewer System.

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

YEAS: Bookhammer, Carney, Conner, Davidson, DuPont, Holloway, Kinahan, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—14.

NAYS: None.

ABSENT: Cook, Dineen, Hoey, Manning—4.

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

Senators Cook and McGinnis asked to be marked present.

On motion of Senator Carney **HB 133** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 133**—An Act Amending Title 16, Delaware Code, Empowering the State Fire Commission to Determine Qualifications of Volunteer Fire Companies.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, DuPont, Kinahan, Manning, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—14.

NAYS: Holloway—1.

ABSENT: Dineen, Hoey, Martin—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 Senator Steen **HB 180** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 180**—An Act to Amend an Act being Chapter 212,

Volume 25, Laws of Delaware, as Amended, Entitled "An Act to Incorporate The Town of Bethany Beach and give it Authority to issue Bonds" by Increasing the Amount of Money which may be Raised by Taxation or Real Estate.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, DuPont, Holloway, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Dineen, Hoey, McCullough—3.

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

Senator Hoey asked to be marked present.

On motion of Senator Steen **SB 181** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 181**—An Act to Authorize The Commissioners of Bethany Beach to Borrow \$300,000 and to Issue Bonds to Secure the Payment Thereof for the Purpose of Repairing, Improving, Extending or Enlarging the Water System and to Control and Regulate the Same.

Be it Enacted by the General Assembly of the State of Delaware (Two-Thirds of all Members Elected to each House thereof concurring therein):

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Schlör, Steen—17.

NAYS: None.

ABSENT: 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.

Senator Bookhammer moved that Rule 9 be suspended for the purpose of considering **SB 176** and **SB 183**. Motion carried by voice vote.

#### 160—STATE SENATE

Senator Bookhammer submitted three communications in regard to **SB 176**.

On motion of Senator Bookhammer **SB 176** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 176**—An Act Relating to a Pension for Warren E. Perry, a Former Employee 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:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—18.

**NAYS:** None.

**ABSENT:** 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 Senator Bookhammer **SB 183** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 183**—An Act to Amend Title 9, Chapter 3, Delaware Code, Relating to Levy Court Commissioners of Sussex County.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—18.

**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.

Senator Cook introduced **SA 1** and **SA 2** to **SB 162** which were placed with bill.

Senator Cook introduced the following **SS 1** for **SB 163** which was placed with the bill.

**SS 1** for **SB 163**—An Act Proposing an Amendment to Article VIII of The Constitution of The State by Imposing a Limitation on the Borrowing Power of the State.

Senator Cook introduced the following **SS No. 1** for **SB 163** which was placed with the bill.

**SS 1** for **SB 165**—An Act Imposing Restrictions on the Borrowing Power of the State.

Senator Manning (Co-sponsor Senator Moore) introduced the following concurrent resolution number **SCR 26**.

**SCR 26**—Relating to Public Schools being Held on Memorial Day.

On motion of Senator Manning **SCR 26** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SCR 26**—Relating to Public Schools being held on Memorial Day.

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

**YEAS:** Bookhammer, Carney, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore—13.

**NAYS:** Robbins—1.

**NOT VOTING:** Conner, Cook, Schlör, 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.

Senator DuPont introduced the following Senate Amendment, **SA 3** to **SB 162** which was placed with the bill.

Senator DuPont introduced the following Senate Amendment **1** to **SB 164** which was placed with the bill.

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

**HB 291**—An Act to Amend Title 21 of the Delaware Code, by Adding Chapter 44 Relating to Abandoned Vehicles. (To Revised Statutes.)

**HB 234**—An Act to Amend Chapter 66, Title 16, Delaware Code, Relating to the State Fire Marshal by giving the Marshall the Power of Arrest. (Judiciary.)

**HB 237**—An Act to Amend Chapter 66, Title 16, Delaware Code, Relating to the State Fire Marshal by Vesting the Justices of the Peace and the Court of Common Pleas with Jurisdiction over Offenses Committed Under That Chapter. (Judiciary.)

**HB 289**—An Act to Amend Chapter 3, Title 9, Delaware Code, Relating to Levy Court Districts and Election, Qualifications and Term of Levy Court Commissioners in Kent County. (To Revised Statutes.)

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

**HB 245**—An Act to Amend Chapter 33, Title 12, Delaware Code, Relating to Investments of Fiduciaries. (Judiciary.)

**HB 280**—An Act Amending Title 31, Delaware Code, by Repealing Chapter 29 thereof Relating to the Delaware Citizens Council For The Aging and Substituting in Lieu thereof a New Chapter 29 Providing for the Delaware Commission For The Aging. (To Revised Statutes.)

Senator Dineen moved that Rule 9 be suspended for the purpose of considering **HB 280**. Motion carried. Voice vote.

Senator Dineen asked for the privilege of the floor for Mrs. Dobbs to discuss **HB 280**. No objections heard; privilege was then granted.

On Motion of Senator Dineen **HB 280** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 280**—An Act Amending Title 31, Delaware Code, by Repealing Chapter 29 thereof Relating to the Delaware Citizens Council for The Aging and Substituting in Lieu thereof a New Chapter 29 Providing for the Delaware Commission for The Aging.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Steen—16.

NAYS: None.

NOT VOTING: Hoey—1.

ABSENT: Schlor—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.

Senator Cook moved the Senate recess to the call of the chair at 5:25 P.M.

The Senate returned to order at 9:45 P.M., Lt. Gov. Tribbitt presiding.

On motion of Senator Hoey **HB 63** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 63**—An Act to Aid Certain Fire Companies which are Organized to Extinguish Fires or Maintain Ambulances or Rescue Trucks, by Making Appropriations for them.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Steen—16.

NAYS: None.

ABSENT: McGinnes, Schlor—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 Senator Hoey **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 Aid Homes for the Aged by Appropriating Money to Palmer Home, Incorporated and Layton Home for Aged Colored Persons.

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

follows:

**YEAS:** Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Martin, McCullough, Moore, Robbins, Steen—14.

**NAYS:** None.

**ABSENT:** Cook, Manning, McGinnes, Schlor—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 Senator Hoey **HB 65** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 65**—An Act to Appropriate Moneys to certain Hospitals in the State of Delaware.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Martin, McCullough, Moore, Robbins, Steen—15.

**NAYS:** None.

**ABSENT:** Manning, McGinnes, Schlor—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 Senator Hoey **HB 66** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 66**—An Act Appropriating Money to the Delaware Safety Council, Inc.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Steen—16.

**NAYS:** None.

**ABSENT:** McGinnes, Schlor—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 Senator Hoey **HB 67** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 67**—An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict who died while in the Service of the Army, Navy, Marine Corps, Air Forces or

Coast Guard of the United States or who died from Disease, Wounds or Disabilities resulting from Such Service.

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

YEAS: Bookhammer, Carney, Conner, Davidson, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Steen—14.

NAYS: None.

ABSENT: Cook, Dineen, McGinnes, Schlor—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 Senator Hoey **HB 68** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 68**—An Act Appropriating Funds to The American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection with the holding of Boys' State and Girls' State.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlor, Steen—18.

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 Senator Hoey **HB 70** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 70**—An Act Appropriating certain Moneys to the Delaware State Fair Inc., for Prizes.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlor, Steen—18.

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 Senator Hoey **HB 73** and **HA 1** with title

as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—17.

NAYS: None.

ABSENT: 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 Senator Hoey **HB 74** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 74**—An Act to Aid Certain Organizations which Maintain an Ambulance in the Public Service, by Appropriating Moneys for Maintenance of the Ambulances.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Schlör, Steen—17.

NAYS: None.

ABSENT: McGinnes—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.

Senator Hoey moved that Rule 9 be suspended for the purpose of considering **HB 322**. Motion withdrawn by the maker.

Senator Dineen moved that Rule 9 be suspended for the purpose of considering **SB 185**. Motion carried. Voice vote.

On motion of Senator Dineen **SB 185** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 185**—An Act to Amend Chapter 81, Volume 55, Laws of Delaware, entitled "An Act Making Appropriations To The Amount of \$122,707,827.00 for the Expense of The State Government for the Fiscal Year ending June 30, 1966," as Amended, by giving the Budget Director Authority to Transfer certain Funds.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Martin,



McCullough, McGinnes, Moore, Robbins, Schlör, Steen—17.

NAYS: None.

NOT VOTING: 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 Senator McGinnes **SB 59** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 59**—An Act to Amend Sections **1305 (a), 1308 (a) (b), 1309 (a), 1310 (a), 1311 (a) 1314 (a) (b) (c)** and **1322 (a)**, Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and making a Supplementary Appropriation to the State Board of Education.

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

YEAS: Bookhammer, Carney, Conner, Davidson, DuPont, Hoey, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—14.

NAYS: Cook, Holloway—2.

NOT VOTING: Dineen, Steen—2.

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

**HB 322**—An Act to Amend Chapter 81, Volume 55, Laws of Delaware, Entitled "An Act Making Appropriations to the Amount of \$122,707,827.00 for the Expense of the State Government for the Fiscal Year ending June 30, 1966," and making a Supplemental Appropriation in the Amount of \$499,761.00 for the Proposed Amendments. (To Finance)

Senator Cook moved that **SB 164** be brought up for final reading and vote.

Senator Cook moved that Rule 9 be suspended for the purpose of considering **SB 164**.

Senator Cook moved to suspend enough rules to act on **SB 162, SB 163, SB 164, and SB 165**.

On motion of Senator Cook to suspend enough rules to act on **S 162, SB 163, SB 164 and SB 165**.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Hollo-

way, Martin, McCullough, McGinnes, Moore, Robbins, Steen—12.

NAYS: Bookhammer, Conner, DuPont, Kinahan—4.

NOT VOTING: Manning—1.

ABSENT: Schlör—1.

So the question was decided in the affirmative.

Senator DuPont introduced the following **SA 1** to **SB**

**164.**

On motion of Senator DuPont **SA 1** to **SB 164** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS: Bookhammer, Conner, DuPont, Kinahan, Manning—5.

NAYS: Carney, Cook, Dineen, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—10.

NOT VOTING: Davidson, Hoey—2.

ABSENT: Steen—1.

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

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

**SB 164**—An Act Relating to Capital Improvements for the State by Authorizing Certain Capital Improvements and Appropriating the Moneys thereof to Certain Agencies 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: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—17.

NAYS: None.

ABSENT: Steen—1.

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

Senator Cook introduced the following **SS 1** for **SB 165**. Adopted voice vote.

**SS 1** for **SB 165**—An Act Imposing Restrictions on the Borrowing Power of the State.

Senator Cook asked for the privilege of the floor for Maurice Harnett to discuss **SS 1** for **SB 165**. No objections heard; privilege was then granted.

On motion of Senator Cook **SS 1** for **SB 165** with title as follows was taken up for consideration and read a second

time by title in order to pass the Senate:

**SS 1 for SB 165**—An Act Imposing Restrictions on the Borrowing Power of the State.

YEAS: Bookhammer, Carney, Conner, Cook, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

NOT VOTING: Kinahan—1.

ABSENT: Davidson—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.

Senator Cook introduced the following **SS 1 for SB 163** which was adopted by voice vote.

**SS 1 for SB 163**—An Act Proposing an Amendment to Article VIII of the Constitution of the State by Imposing a Limitation on the Borrowing Power of the State.

Senator Cook asked for the privilege of the floor for Maurice Harnett to discuss **SS 1 for SB 163**. No objections heard; privilege was then granted.

Senator Cook asked for the privilege of the floor for Mr. Bluens, State Planner to discuss **SS 1 for SB 163**. No objections heard; privilege was then granted.

Senator DuPont introduced the following Senate Amendment to **SS 1 for SB 163**.

Senator Cook asked for the privilege of the floor for Maurice Harnett to discuss **SB 163**. No objections heard; privilege was then granted.

On motion of Senator DuPont **SA 1 to SS 1 for SB 163** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

YEAS: Conner, DuPont, Kinahan, Manning—4.

NAYS: Carney, Cook, Davidson, Dineen, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—12.

NOT VOTING: Hoey—1.

ABSENT: Bookhammer—1.

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

On motion of Senator Cook **SS 1 for SB 163** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SS 1 for SB 163**—An Act Proposing an Amendment to Article VIII of the Constitution of the State by Imposing a Limitation on the Borrowing Power 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: Carney, Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, McGinness, Moore, Robbins, Schlör, Steen—13.

NAYS: Bookhamer, Conner, DuPont, Manning—4.

NOT VOTING: 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.

Sen. Cook moved to adopt **SA 1** to **SB 162**. Adopted by voice vote.

Sen. Cook moved to adopt **SA 2** to **SB 162**. Adopted by voice vote.

Sen. Cook asked for the privilege of the floor for Maurice Hartnett to discuss **SB 163** with amendments. No objections heard; privilege was then granted.

Sen. Cook moved to adopt **SA 4** to **SB 162**. Adopted by voice vote.

Sen. DuPont requested that **SA 3** to **SB 162** be stricken from the calendar. Adopted voice vote.

Sen. Cook moved the Senate recess to the call of the chair at 12:08 A.M.

The Senate returned to order at 12:46 A.M. Lt. Gov. Tribbitt presiding.

Sen. Cook moved to call the roll on **SB 162** with **SA 1**, **SA 2** and **SA 4**. Sen. DuPont moved to table the roll call on **SB 162** as amended to make a statement. Adopted voice vote. Sen. DuPont requested the personal privilege of the floor. Granted. Sen. DuPont moved to lift the roll call from the table. Adopted voice vote.

On motion of Sen. Cook **SB 162** with **SA 1**, **SA 2**, 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.

**SB 162** as amended—An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and to issue bonds and notes therefore and appropriating the money borrowed to various agencies 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: Bookhamer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—18.

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.

Sen. Martin moved that Rule 9 be suspended for the purpose of acting on **HB 276**. Motion carried. Voice vote.

On motion of Sen. Martin **HB 276** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 276**—An Act Making a Supplementary Appropriation to the Industrial Accident Board for the Fiscal Year Ending June 30, 1966, to Hire an Additional Employee.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: DuPont—1.

ABSENT: Cook, Manning—2.

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

Sen. McCullough asked for the privilege of the floor for Mr. Frank O'Donnell to discuss **HB 104**. No objections heard; privilege was then granted.

On motion of Sen. McCullough **HB 104** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 104**—An Act to Amend Chapter 27, Title 18, Delaware Code, relating to taxes and fees for insurance companies, agents and brokers by granting the Insurance Commissioner the authority to make refunds.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Cook, Manning—2.

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

Sen. Carney moved that Rule 9 be suspended for the purpose of considering **HB 308**. Motion carried by voice vote.

Sen. Carney moved for final reading and vote on **HB 308**. Sen. Carney moved to table roll call **HB 308**. Lost by voice vote.

On motion of Sen. Carney, **HB 308** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 308**—An act to amend Chapter 7, Title 4, Delaware Code, relating to the sale of alcoholic liquor.

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

**YEAS:** Carney, Dineen, Holloway, Martin, Moore, Schlor—6.

**NAYS:** Bookhammer, Conner, Davidson, DuPont, Hoey, Kinahan, Manning, Robbins, Steen—9.

**NOT VOTING:** Cook, McCullough, McGinnes—3.

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

Sen. Davidson reported the following bills from Committee: **HB 237**, 4 favorable; **HB 234**, 4 favorable.

Sen. Davidson moved that Rule 9 be suspended for the purpose of considering **HB 237** and **HB 234**. Motion carried by voice vote.

Sen. Davidson moved to defer action on **HB 237** until **HB 234** is acted upon. Adopted by voice vote.

Sen. Davidson requested the privilege of the floor for Mr. Lynch. Granted.

On motion of Sen. Davidson **HB 234** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 234**—An act to amend Chapter 66, Title 16, Delaware Code, relating to the State Fire Marshal by giving the Marshal the power of arrest.

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

**YEAS:** Bookhammer, Conner, Cook, Davidson, Dineen, DuPont, Kinahan, Manning, McGinnes, Robbins—10.

**NAYS:** Hoey, Martin, Moore, Steen—4.

**NOT VOTING:** Carney, Holloway, Schlor—3.

**ABSENT:** 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.

Sen. Davidson moved to life deferring action on **HB 237**. Adopted by voice vote.

Sen. Manning requested the privilege of the floor for Mr. Lynch to discuss **HB 237**. Granted.

Roll call on **HB 237** tabled on motion of Sen. Davidson.

On motion of Sen. Robbins **SB 171** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 171**—An act to amend Chapter 25, Title 14, Delaware Code, relating to high schools.

On the question, "Shall the Bill Pass the Senate?" the

yeas and nays were ordered which being taken were as follows:

**YEAS:** Bookhammer, Carney, Conner, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

**NAYS:** None.

**ABSENT:** Cook, Davidson—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 Sen. Robbins **HS 1** for **HB 95** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HS 1** for **HB 95**—An act to amend Chapter 25, Title 14, Delaware Code, relating to "education" by requiring full time programs in high schools.

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

**YEAS:** Carney, Davidson, Dineen, Hoey, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—10.

**NAYS:** Conner, DuPont—2.

**NOT VOTING:** Cook, Holloway, Kinahan, Manning, Steen—5.

**ABSENT:** Bookhammer—1.

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

The Chair presented the following House Bills, which were given first reading and referred to Committees as follows: **HB 258**—Finance.

**HB 258**—An act making a Supplemental Appropriation to Seaford Special School District to reimburse it for \$338 which was credited to the General Fund in the replacement of typewriters.

Sen. Cook moved that Rule 9 be suspended for the purpose of considering **HB 332**. Motion carried.

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

**YEAS:** Cook, Davidson, Dineen, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—10.

**NAYS:** Bookhammer, Conner, DuPont, Kinahan, Manning—5.

**ABSENT:** Carney, Hoey, Steen—3.

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

On motion of Sen. Cook **HB 332** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 332**—An act relating to Motor Vehicle fees.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—18.

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 Sen. Schlör **HB 210** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 210**—An act to amend an act entitled "An Act to Reincorporate the Town of Laurel" being Chapter 277, Volume 49, Laws of Delaware, as Amended, to prescribe rules for regulating the vehicular and pedestrian traffic and to establish penalties for violation thereof.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

NOT VOTING: Kinahan—1.

ABSENT: Cook, Manning—2.

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

On motion of Sen. Schlör **HB 47** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 47**—An act to amend Chapter 8, Title 22, Delaware Code, relating to Home Rule for Municipalities.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Cook, Manning—2.

So the question was decided in the affirmative and the



bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The Chair presented the following House Bill, **HB 323**, which was given first reading and Sen. Steen moved that Rule 9 be suspended for the purpose of considering **HB 323**. Motion carried by voice vote.

**HB 323**—An act to aid Felton Fire Company which is organized to extinguish fires and maintain ambulances, by making an appropriation for it.

On motion of Sen. Steen **HB 323** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 323**—An act to aid Felton Fire Company which is organized to extinguish fires and maintain ambulances, by making an appropriation for it.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Manning, Martin—2.

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

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

**SB 159**—An act to amend Chapter 5, Title 4, Delaware Code, relating to licenses and taxes upon the sale of alcoholic liquors by prohibiting the Delaware Alcoholic Beverage Control Commission from requiring improvements prior to the grant of the license.

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

YEAS: Carney, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—14.

NAYS: Bookhammer, DuPont, Manning—3.

NOT VOTING: Conner—1.

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

The Chair presented the following House Bills, **HB 296** with **HA 1**, which were given first reading.

Sen. Cook moved to suspend Rule 9 to act on **HB 296**.  
Motion withdrawn by maker.

**HB 296** with **HA 1** was assigned to Miscellaneous Committee.

**HB 296**—An act to amend Section 1187, Title 30, Delaware Code, relating to violations and penalties on income taxes.

The Chair presented the following House Bills, which were given first reading and referred to Committees as follows: **HB 295** with **HA 1**—Miscellaneous.

**HB 295**—An act to amend Section 1170, Title 30, Delaware Code, pertaining to Supplementary Returns.

**HB 319**—An act making a Supplementary Appropriation to the State Park Commission for the improvement, operation and administration of a State Park located on Public Lands in Sussex County, Delaware.

The Chair presented the following House Bill, **HB 310**, which was given first reading. Sen. Robbins moved that Rule 9 be suspended for the purpose of considering **HB 310**. Motion carried by voice vote.

**HB 310**—An act amendeing Chapter 11, Title 28, Delaware Code, relating to Bingo.

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

YEAS: Bookhammer, Cook, Davidson, Dineen, DuPont, Hoey, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Carney, Conner, Holloway—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:

**HB 76** with **HA 1**, **HA 2** and **HA 3** was given its first reading. Sen. McCullough moved to suspend Rule 9 to act on **HB 76** as amended. Adopted by voice vote.

Sen. McCullough asked for the privilege of the floor for Mr. John Williamson. Granted. Sen. Steen moved to table action on **HB 76** with **HA 1**, **HA 2** and **HA 3**.

**HB 76**—An act to Incorporate the Town of South Bethany.

On motion of Sen. Steen on the question to table action on **HB 76** with **HA 1**, **HA 2** and **HA 3** the yeas and nays were ordered which being taken were as follows:

YEAS: Bookhammer, DuPont, Robbins, Steen—4.

NAYS: Carney, Manning, McCullough, Moore—4.

NOT VOTING: Davidson, Dineen, McGinnes, Schlör—4.

ABSENT: Conner, Cook, Hoey, Holloway, Kinahan, Martin—6.

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

Sen. Steen presented communications against **HB 76** with **HA 1, HA 2, HA 3**.

On motion of Sen. Steen **HB 76** with **HA 1, HA 2** and **HA 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 76**—An act to Incorporate the Town of South Bethany.

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

YEAS: Carney, Hoey, Manning, Moore—4.

NAYS: DuPont, Kinahan, McCullough—3.

NOT VOTING: Bookhammer, Conner, Cook, Davidson, Dineen, McGinnes, Robbins, Steen—8.

ABSENT: Holloway, Martin, Schlör—3.

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

On motion of Sen. Dineen **SB 85** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 85**—An act to amend Chapter 81, Title 9, Delaware Code, relating to the limitation upon taxing power, by exempting lands and improvements principally devoted to housing for the elderly constructed pursuant to Section 231 of the National Housing Act from assessment and taxation.

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

YEAS: Conner, Cook, Davidson, Dineen, Hoey, Holloway, Kinahan, Manning, McCullough, McGinnes, Moore, Robbins, Steen—12.

NAYS: Bookhammer, DuPont, McCullough—3.

NOT VOTING: Carney—1.

ABSENT: Martin, Schlör—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.

Sen. Hoey reported the following bills from Committee: **HB 307**, 3 favorable, 2 merits; **HB 258**, 4 merits; **HB 322**, 2 favorable, 2 merits.

Sen. Hoey moved that Rule 9 be suspended for the purpose of considering **HB 367, HB 258** and **HB 322**. Motion carried. Adopted by voice vote.

On motion of Sen. Hoey **HB 258** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 258**—An act making a Supplemental Appropriation to Seaford Special School District to reimburse it for \$338 which was credited to the General Fund in the replacement of typewriters.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McGinnes, Robbins, Steen—14.

NAYS: None.

ABSENT: Hoey, McCullough, Moore, Schlor—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 Sen. Hoey **HB 307** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 307**—An act to aid Cranston Heights Fire Company which is organized to extinguish fires and maintain ambulances, by making an appropriation for it.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Steen—16.

NAYS: None.

ABSENT: Hoey, Schlor—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 Sen. Hoey **HB 322** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 322**—An act to amend Chapter 81, Volume 55, Laws of Delaware, entitled "An Act Making Appropriations to the Amount of \$122,707,827.00 for the expense of the State Government for the Fiscal Year Ending June 30, 1966," and making a supplemental appropriation in the amount of \$499,761.00 for the proposed amendments.

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

YEAS: Carney, Conner, Cook, Davidson, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Schlor, Steen—15.

NAYS: McCullough—1.

NOT VOTING: Bookhammer, Dineen—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 Sen. Dineen **HB 128** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

Sen. Dineen asked for the privilege of the floor for Mr. Dawson. Granted.

**HB 128**—An act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of Yorklyn Parent-Teacher Association, Inc. from assessment and taxation.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, McGinnes, Moore, Robbins, Schlor—15.

NAYS: None.

ABSENT: Martin, McCullough, Steen—3.

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

On motion of Sen. Cook **SB 186** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

Sen. Cook moved that Rule 9 be suspended for the purpose of considering **SB 186**. Motion carried by voice vote.

**SB 186**—An act to amend Section 4111, Title 9, Delaware Code, relating to the borrowing power of the Levy Court of Kent County by increasing the borrowing power.

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

YEAS: Carney, Conner, Cook, Davidson, DuPont, Holloway, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Schlor, Steen—14.

NAYS: Hoey, McCullough—2.

ABSENT: Bookhammer, Dineen—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 Sen. Cook, **SB 187** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

Sen. Cook moved that Rule 9 be suspended for the purpose of considering **SB 187**. Motion carried by voice vote.

**SB 187**—An act to amend § 8002 (b), Title 9, Delaware Code, relating to county tax rate.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McGinnes, Moore, Schlör, Steen—15.

NAYS: Hoey, McCullough, Robbins—3.

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

On motion of Sen. Holloway, **HB 229** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 229**—An act to amend Chapter 13, Title 15, Delaware Code, relating to registration records and supplies.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Hoey, Holloway, Kinahan, Manning, Martin, McGinnes,

ABSENT: Dineen, DuPont, McCullough—3.  
Moore, Robbins, Schlör, Steen—15.

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 Sen. Holloway, **HB 199** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 199**—An act to amend Section 5510, Title 15, Delaware Code, relating to absentee voting.

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

YEAS: Carney, Conner, Cook, Davidson, Hoey, Holloway, Kinahan, Manning, Martin, McGinnes, Robbins, Schlör, Steen—13.

NAYS: None.

NOT VOTING: Bookhammer—1.

ABSENT: Dineen, DuPont, McCullough, Moore—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 Sen. Holloway, **HB 200** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 200**—An act to amend § 4505, Title 15, Delaware Code, relating to award of contract for printing ballots in Kent County.

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

**YEAS:** Bookhammer, Conner, Davidson, Hoey, Holloway, Kinahan, Manning, Martin, McGinnes, Robbins, Schlör, Steen—12.

**NAYS:** None.

**ABSENT:** Carney, Cook, Dineen, DuPont, McCullough, Moore—6.

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

Sen. Hoey asked for the privilege of the floor for Representative Blendt to discuss **HB 250**. No objections heard; privilege was then granted.

On motion of Sen. Hoey, **HB 250** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 250**—An act appropriating moneys to the State Soil Conservation Commission for the construction, improvement and protection of ditches in the several counties.

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

**YEAS:** Bookhammer, Cook, Davidson, Dineen, Hoey, Holloway, Kinahan, Martin, McGinnes, Moore, Robbins, Schlör, Steen—13.

**NAYS:** Manning, McCullough—2.

**NOT VOTING:** Conner—1.

**ABSENT:** Carney, DuPont—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.

Sen. Davidson moved that **HB 209** with **HA 1** be brought up for final reading and vote. Senator Davidson moved to recess. Senate recessed at 4:42 A.M. Senate reconvened at 4:48 A.M.

Sen. Davidson moved to defer action on **HB 209** with **HA 1**. Adopted by voice vote.

Sen. Davidson moved that **HB 140** be brought up for final reading and vote. Sen. Manning moved to adopt **SA 1** to **HB 140**. Adopted by voice vote.

Sen. Davidson moved to adopt **SA 2** to **HB 140**. Adopted by voice vote.

On motion of Sen. Davidson, **HB 140** 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.

**HB 140**—An act to amend Chapter 81, Title 10, Delaware Code by the exemption of members of volunteer fire companies and ambulance and rescue squads from civil liability.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, Kinahan, Martin, McCullough, McGinnes, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: DuPont, Moore—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 Sen. Robbins, **HB 121** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 121**—An act to amend Chapter 13, Title 14 of the Delaware Code Law by permitting school employees to observe religious holidays.

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

YEAS: Bookhammer, Carney, Conner, Cook, Dineen, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

ABSENT: Davidson, DuPont—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.

Sen. Cook moved that **HB 248** be brought up for final reading and vote. Sen. Cook requested the privilege of the floor for Mr. John Daniello. Granted. Sen. Cook moved to table roll call on **HB 248**. Sen. Schlör moved to recess. Senate recessed at 5:08 A.M. Senate reconvened at 5:55 A.M.

Sen. Cook's motion to table roll call on **HB 248** lost by voice vote.

On motion of Sen. Cook, **HB 248** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 248**—An act authorizing and directing the State Board of Corrections on behalf of the State of Delaware to transfer certain lands and buildings in New Castle County to the Levy Court of New Castle County.

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



YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—17.

ABSENT: 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 for concurrence.

On motion of Sen. Dineen, **HB 291** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

Sen. Dineen moved that Rule 9 be suspended for the purpose of considering **HB 291**. Motion carried by voice vote.

**HB 291**—An act to amend Title 21 of the Delaware Code, by adding Chapter 44 relating to abandoned vehicles.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—17.

NAYS: None.

ABSENT: DuPont.

So the 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 Sen. Cook, **SB 166** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 166**—An act to amend Chapter 213, Volume 54, Laws of Delaware entitled, "An Act Making An Appropriation to the Secretary of State for a Comprehensive Review and Study of the Corporation Law of the State and for the Preparation of a Report Containing Recommended Revisions of Such Law for Submission to the General Assembly."

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

YEAS: Bookhammer, Carney, Conner, Cook, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

NOT VOTING: Davidson—1.

ABSENT: Hoey—1.

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

Sen. Davidson moved that **HB 129** with **HA1** be brought

up for final reading and vote. Sen. Davidson requested the privilege of the floor for Mr. Hughes. Sen. Davidson moved to defer action on **HB 129** with **HA 1**. Adopted by voice vote.

Sen. Dineen introduced the following resolution, **SR 75** which was given first reading and adopted by voice vote.

**SR 75**—Making an appropriation to the Diamond State Telephone Company for services rendered for the period ending March 11, 1965.

Sen. Dineen introduced the following concurrent resolution **SCR 27** which was given first reading and adopted by voice vote.

**SCR 27**—An act making an appropriation to the Diamond State Telephone Company for services rendered through March 10, 1965.

Sen. Dineen introduced the following resolution, **SR 76** which was given first reading and adopted by voice vote.

**SR 76**—Appropriating money out of the General Fund of the State Treasury to pay certain expenses of the present session of the 123rd General Assembly.

Sen. Dineen introduced the following resolution, **SR 77** which was given first reading and adopted by voice vote.

**SR 77**—Authorizing payment for services rendered by attaches and employees of the Senate of the present session of the 123rd General Assembly.

Sen. Dineen (co-sponsor Sen. Manning) introduced the following concurrent resolution **SCR 28** which was given first reading.

**SCR 28**—Relating to public schools scheduling spring vacations.

On motion of Sen. Dineen, **SCR 28** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SCR 28**—Relating to public schools scheduling spring vacations.

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

YEAS: Bookhammer, Cook, Davidson, Dineen, Hoey, Manning, and McCullough), introduced the following bill.  
—11.

NAYS: Conner, Holloway, Steen—3.

NOT VOTING: Carney, Kinahan—2.

ABSENT: DuPont, Robbins—2.

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

Sen. Dineen (Co-sponsors: Martin, Holloway, Schlör, Manning, and McCullough), introduced the following bill, **SB 188** which was given first reading.

Sen. Dineen moved that Rule 9 be suspended for the purpose of considering **SB 188**. Motion carried.

**SB 188**—An act making an appropriation to the Prisoners Aid Society of Delaware for the operation of the 308 West residence.

On motion of Sen. Dineen, **SB 188** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 188**—An act making an appropriation to the Prisoners Aid Society of Delaware for the operation of the 308 West residence.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Schlör—14.

NAYS: Hoey, Steen—2.

ABSENT: DuPont, Robbins—2.

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

On motion of Sen. Manning, **SB 41** and **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 41** as amended by **HA 2**—An act to amend Chapter 81, Title 9, Delaware Code, entitled Limitations Upon Taxing Power by Adding Thereto a New Subchapter Concerning Exemptions From Taxation on Real Property of Citizens and Residents of This State of the Age of 65 or More Years Having an Income Not In Excess of \$3,000 per Year.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Steen—15.

NAYS: None.

NOT VOTING: Schlör—1.

ABSENT: DuPont, Robbins—2.

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

On motion of Sen. McGinnes, **SB 140** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 140**—An act to amend Section 101, Title 26, Delaware Code to confer upon the Public Service Commission

authority to regulate sewage systems, their rates and franchises.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Schlör—13.

NAYS: Steen—1.

NOT VOTING: Cook, Hoey—2.

ABSENT: DuPont, Robbins—2.

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

On motion of Sen. McCullough, **SB 175** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 175**—An act relating to state pensions by permitting certain recipients of state pensions to receive other compensation from the state.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore—12.

NAYS: None.

NOT VOTING: Bookhammer, Hoey, Steen—3.

ABSENT: DuPont, Robbins, Schlör—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.

Sen. Davidson moved to lift the roll call from the table on **HB 237**.

On motion of Sen. Davidson, **HB 237** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 237**—An act to amend Chapter 66, Title 16, Delaware Code, relating to the State Fire Marshal by vesting the Justices of the Peace and the Court of Common Pleas with jurisdiction over offenses committed under that chapter.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—16.

NAY: Hoey—1.

**NOT VOTING:** Steen—1.

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

Sen. Holloway introduced the following bill which was given first reading and referred to the committee on Judiciary.

**SB 189**—An act to provide a referendum on the abolition of capital punishment.

Sen. Holloway asked for the privilege of the floor for personal reasons. No objections heard; privilege was then granted.

Sen. Carney introduced the following bill, which was given first reading and referred to the committee on Buildings & Highways.

**SB 190**—An act to authorize the State Highway Department to extend sidewalks adjacent to Middleboro Road, Maintenance Road 334.

Sen. McCullough moved that **HB 76** be restored to the calendar. Adopted by voice vote.

Sen. Holloway moved that **SB 179** be brought up for final reading and vote. Senator Conner moved to defer action on **SB 179**.

On motion of Sen. Conner, to defer action of **SB 179**.

On the question, the yeas and nays were ordered which being taken were as follows:

**YEAS:** Bookhammer, Conner, Manning, McCullough—4.

**NAYS:** Carney, Cook, Davidson, Hoey, Holloway, Kinnahan, Martin, Moore, Schlör, Steen—10.

**ABSENT:** Dineen, DuPont, McGinnes, Robbins—4.

So the question was decided in the negative and the motion was lost. Roll call was tabled on motion of Sen. Holloway.

Sen. Davidson asked for the privilege of the floor for personal reasons. No objections heard; privilege was then granted.

Sen. Cook moved the Senate recess to the call of the Chair at 7:09 A.M.

Sen. Cook moved that the Senate adjourn from the 50th legislative day and immediately start a new legislative day. Motion carried by voice vote.

The Senate returned to order at 3:22 P.M. (Lt. Gov. Tribbitt) presiding.

### 51ST LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:22 P.M. on Monday, November 22, 1965, Lt. Gov. Tribbitt presiding. Prayer by the Chaplain, Zoltan Szucs.

By Roll Call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Pres. Pro Tem. Steen—15.

Absent—Hoey, Kinahan, Schlor—3.

The Secretary proceeded to read the Journal of the previous day's session when Sen. Cook moved that so much be considered the reading of the Journal and the Journal be approved as read:

The following communication or memorials were read:

Sen. Steen submitted a letter from J. Walter Carmean, Assistant Secretary of Senate announcing his resignation. Senator Steen made a motion to accept his resignation. Adopted by voice vote.

Frankford, Delaware  
Nov. 13, 1965

Delaware State Senate  
Dover, Delaware  
Gentlemen:

Due to circumstances beyond my control I would like to take this opportunity to submit my resignation as Asst. Secretary of the Senate.

The work has been interesting and enjoyable and I regret that I am unable to continue; however, I would like to express my appreciation to the Senate for this position.

Respectfully submitted,

James Walter Carmean

Sen. DuPont submitted a communication from Mrs. Raymond B. Phillips thanking for **HCR 20**.

Communication from family of Senator George F. Schlor.

Your kindness and sympathy  
will always be held  
in grateful remembrance  
by the family of  
George F. Schlor

Communication from Mrs. Raymond Phillips.

901 Highland Ave.  
Wilmington, Del. 19809  
September 9, 1965

Speaker of the House  
President of the Senate  
123rd General Assembly  
Dover, Delaware  
Gentlemen:

I wish to thank the members of both Houses of the 123rd General Assembly for remembering and honoring my husband Raymond B. Phillips by adopting House Concurrent Resolution No. 20 and sending it to me.

Raymond worked hard for everything worth while. He gave his best to his Church, his State, and Federal Gov-

ernment. He was vitally interested in Incodel and water resources. For the past ten years James McCloskey and Ray, with the help of others, devoted themselves to building the Blood Bank of Delaware to what it is today. I still wonder why he had to be taken—but it is not for us to question why.

I have many happy memories of Raymond. When I started breakfast each morning I could see him reading his Bible. He always arose one-half hour early to study it, and he tried to live by it.

I know many will miss him, but not as much as I do.

Again many thanks for your kindness.

Sincerely,

Mrs. Raymond B. Phillips

November 22, 1965

The Governor's veto message, which had been delivered to the Senate along with **SB 106**, was presented by the Chair and read into the Record.

State of Delaware  
Executive Department  
Dover

Charles L. Terry, Jr.  
Governor

June 18, 1965

To the Senate of the 123rd General Assembly  
of the State of Delaware:

On June 10, 1965, I received Senate Bill No. 106, entitled:

AN ACT TO AMEND CHAPTER 9, TITLE 24, DELAWARE CODE, ENTITLED CHIROPODY, BY INCLUDING "PODIATRY" AS AN ALTERNATIVE WITHIN SAID CHAPTER AND BY ADDING A NEW SECTION AFTER SECTION 515 DEALING WITH THE RIGHT TO COMPENSATION FROM INSURANCE AND RELATED PROGRAMS.

I respectfully return Senate Bill No. 106 to the Senate without my approval.

In so doing, I express no opinion on the merits of the legislation. I am returning the bill solely because of the technical and codification difficulties presented by it. In particular, the bill fails to take into account the enactment of 53 Laws of Delaware, Chapter 813 in 1963, now codified in the pocket parts at Title 34, Chapter 5. It is impossible to meaningfully superimpose the legislation contained in Senate Bill No. 106 on the existing codification of Title 34, Chapter 5.

Respectfully submitted,  
Charles L. Terry, Jr.  
Governor

Sen. Dineen reported the following bills from Com-

mittee: **SB 120**, 2 favorable, 2 merits; **SB 119**, 2 favorable, 2 merits; **HB 25**, 2 favorable, 2 merits; **HB 183**, 2 favorable, 2 merits; **HB 289**, 2 favorable, 2 merits.

The Chair presented the following **HS 1** for **HB 235**, which was given first reading and referred to Committees as follows:

**HS 1** for **HB 235**—An act to amend Chapter 70, Title 6, Delaware Code, by increasing the amount of State credit which may be pledged by the Delaware Industrial Building Commission to twenty million dollars and by clarifying the power of the Industrial Building Commission to issue Revenue Bonds and by prohibiting conflicts of interest. Public Buildings and Highways.

Sen. Steen introduced the following bill, **SB 191**, which was given first reading and referred to the Committee on Corporations—Municipal.

**SB 191**—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" to establish regulations for vehicular and pedestrian traffic within the corporate limits of the town of Millsboro and establishing penalties for violation thereof.

Senators DuPont and Cook introduced the following resolution, **SR 78**, which was adopted by voice vote.

**SR 78**—Expressing the sympathy of the Senate of the 123rd General Assembly of the illness of Senator John C. Kinahan.

Sen. Martin reported the following bill from Committee: **SB 182**, 4 favorable, 1 merit.

Sen. Dineen (Co-sponsors Davidson, Steen, Manning, McGinnes, Martin and DuPont) introduced the following bill, **SB 192**, which was given first reading and referred to the Committee on Education.

**SB 192**—An act to amend Chapter 171, Volume 54, Laws of Delaware entitled, "An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions."

Sen. Dineen (co-sponsor Martin) introduced the following bill, **SB 193**, which was given first reading and referred to the Committee on Corporations—Municipal.

**SB 193**—An act to amend Chapter 163, Volume 32, Laws of Delaware, as amended, being an act entitled "An



Act to Further Amend Chapter 92, Volume 23, Laws of Delaware" being an act entitled "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington."

Sen. Dineen introduced the following bill, **SB 194**, which was given first reading and referred to the Committee on Elections.

**SB 194**—An act proposing Amendments to the Constitution of the State of Delaware, by providing for the size of the General Assembly.

Sen. Dineen introduced the following bill, **SB 195**, which was given first reading and referred to the Committee on Revised Statutes.

**SB 195**—An act to amend the fourth paragraph of Section 5501, Chapter 55, Title 29, Delaware Code, by making a change in the definition of "Covered Employment."

On motion of Sen. Robbins, **SB 172** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 172**—An act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of the Milford New Century Club from assessment and taxation.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McGinnes, Moore, Robbins, Schlör—14.

NAYS: None.

NOT VOTING: Cook, McCullough—2.

ABSENT: Kinahan, Steen—2.

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

Sen. Manning asked that **SB 70** be brought up for final reading and vote. Sen. Schlör moved to defer **SB 70** until after caucus. Withdrawn by maker. Sen. Cook moved to defer **SB 70** until tomorrow. Adopted by voice vote.

On motion of Sen. Dineen, **SB 304** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 304**—An act to amend Chapter 28, Title 31, Delaware Code, relating to the Delaware Home and Hospital for the Chronically Ill at Smyrna.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson,

Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—16.

NAYS: None.

ABSENT: Kinahan, Steen—2.

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

Sen. McGinnes introduced **SS 1** for **SB 52** with **SA 1**, which was given first reading and referred to the Committee on Revised Statutes.

**SS 1** for **SB 52**—An act to amend Chapter 55, Title 29, Delaware Code, by increasing the maximum benefits payable thereunder to employees and to their surviving spouses, and by adding thereto a system of employee contributions under certain conditions.

Sen. McGinnis introduced the following bill, **SB 197**, which was given first reading and referred to the Committee on Elections.

**SB 197**—An act to amend Title 15, Delaware Code relating to elections by regulating political party nominating conventions.

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

**HB 313**—An act to amend Title 30, Delaware Code, relating to a tax on hotel, motel and tourist home accommodations. (To Miscellaneous)

**HB 292**—An act to amend § 1522, Chapter 15, Title 9, Delaware Code, relating to the borrowing of money by the Levy Court of New Castle County. (To Revised Statutes)

**HB 309**—An act to amend Chapter 25, Title 14, Delaware Code, by providing for the creation of Vocational High School Districts in New Castle County. (To Education)

**HB 326**—An act relating to the State income tax. (To Miscellaneous)

**HB 305**—An act to amend Chapter 47, Title 7, Delaware Code, relating to the State Park Commission. (To Revised Statutes)

The Chair presented the following House Bill and Concurrent Resolution which were given first reading and referred to Committee as follows:

**HB 290**—An act to amend Chapters 17 and 31, Title 14, Delaware Code, relating to Education. (To Education)

**HCR 21**—Authorizing payment to various companies for supplies and services rendered the 123rd General Assembly of the State of Delaware. (To Claims)

Sen. Holloway introduced the following Senate Amend-

ment, **SA 1** to **SB 65**, which was given first reading and placed with bill.

Sen. Dineen introduced the following bill, **SB 198**, which was given first reading and referred to the Committee on Finance.

**SB 198**—An act making a supplementary appropriation to the State Distribution Agency.

Sen. Davidson moved that **HB 138** be brought up for final reading and vote. Sen. Steen moved to defer action on **HB 138**. Adopted by voice vote.

Sen. Carney (co-sponsors Senators Martin, Moore, Dineen, Holloway) introduced the following bill, **SB 199**, which was given first reading and referred to the Committee on Temperance.

**SB 199**—An act to amend Title 4 of the Delaware Code to permit the sale by food concessionaires of wines and spirits at horse race track meetings in the State of Delaware.

Sen. Cook introduced the following bill, **SB 200**, which was given first reading and referred to the Committee on Revised Statutes.

**SB 200**—An act to amend Chapter 43, Title 9, Delaware Code, relating to pensions for Kent County employees.

Sen. Cook introduced the following bill, **SB 201**, which was given first reading and referred to the Committee on Miscellaneous.

**SB 201**—An act to repeal Section 1164, Title 30, Delaware Code, relating to federal employees and citizens of other states exemption from filing Delaware Income Tax returns.

Sen. Cook, by request, introduced the following bill, **SB 202**, which was given first reading and referred to the Committee on Temperance.

**SB 202**—An act to amend Section 543, Title 4, Delaware Code, relating to grounds for refusal of a license to sell alcoholic liquors.

Sen. Dineen introduced the following resolution, **SR 79**, which was given first reading and adopted by a voice vote.

**SR 79**—Relating to amount due Reproduction Center, Inc. for expenses incurred by the 123rd General Assembly.

Sen. Davidson moved that **HB 138** be brought up for final reading and vote. Sen. Davidson moved to defer **HB 138**.

Sen. Dineen reported the following bill from Committee: **SB 128**, 2 favorable, 2 merits.

Sen. Schlör reported the following bill from Committee: **SB 191**, 5 favorable.

Sen. Cook moved that the Senate adjourn until Tuesday, November 23, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 4:40 P.M.

## 52ND LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:40 P.M. on Tuesday, November 23, 1965, Lt. Gov. Tribbitt presiding.

Prayer by Sen. Davidson.

By roll call the following senators were present: Bookhammer, Carney, Conner, Davidson, Hoey, Holloway, Manning, Martin, McCullough, Moore, Robbins, Schlör, Pres. Pro Tem. Steen—13.

Absent—Cook, Dineen, DuPont, Kinahan, McGinnes—5.

Sen. Cook asked to be marked present.

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

Sen. Schlör reported the following bill from committee: **SB 193**, 5 favorable.

Sen. Robbins reported the following bills from committee: **SB 192**, 4 favorable; **HB 290**, 4 favorable; **HB 309**, 3 favorable, 1 merit.

Messenger from the House.

Sen. Hoey introduced the following resolution, **SR 80**, which was given first reading and adopted by voice vote.

**SR 80**—Authorizing payment to former Lieutenant Governor Eugene Lamot for expenses incurred for State business.

The following senators asked to be marked present: DuPont, Dineen.

Sen. Martin introduced the following concurrent resolution, **SCR 29**, which was given first reading and adopted by voice vote.

**SCR 29**—Expressing the sympathy of the 123rd General Assembly of the State of Delaware upon the death of Frank J. Horthy.

Sen. McGinnes asked to be marked present.

Sen. Bookhammer (co-sponsors, all senators) introduced the following concurrent resolution, **SCR 30**, which was given first reading and adopted by voice vote.

**SCR 30**—Requesting the Delaware River and Bay Authority to name the Delaware approach road to the Lewes-Cape May Ferry "The Theodore C. Freeman Memorial Highway."

Sen. McCullough asked status of **HB 222** and **HB 223**—both out of committee.

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

**HB 358**—An act to secure equal rights to real property and to provide for the administration and enforcement thereof. (To Revised Statutes)

Sen. Steen asked to be marked present.

On motion of Sen. Steen, **SB 191** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 191**—An act to amend Chapter 45, Title 10, Delaware Code, relating to qualifications of jurors and persons exempt and to provide penalties for willful violation.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Hoey, Kinahan—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 Sen. Manning, **SB 70** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 70**—An act to amend Chapter 31, Title 15, Delaware Code, relating to Primary Elections.

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

YEAS: Bookhammer, Conner, Cook, DuPont, Manning, Robbins—6.

NAYS: Steen—1.

NOT VOTING: Carney, Davidson, Dineen, Holloway, Martin, McGinnes, Moore, Schlör—8.

ABSENT: Hoey, Kinahan, McCullough—3.

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

Sen. Dineen introduced the following resolution, **SR 81**, which was given first reading and adopted by voice vote.

**SR 81**—Making an appropriation to the Diamond State Telephone Company for services rendered for the period ending October 11, 1965.

Sen. Dineen introduced the following concurrent resolution, **SCR 31**, which was given first reading and adopted by voice vote.

**SCR 31**—An act making an appropriation to the Diamond State Telephone Company for services rendered through November 5, 1965.

Sen. Dineen introduced the following concurrent resolution, **SCR 32**, which was given first reading and adopted by voice vote.

**SCR 32**—Making appropriations to various companies

for supplies and services rendered the 123rd General Assembly of the State of Delaware.

Sen. Dineen introduced the following resolution, **SR 82**, which was given first reading and adopted by voice vote.

**SR 82**—Relating to amount due International Business Machines Corporation for expenses incurred by the 123rd General Assembly.

Sen. Dineen introduced the following resolution, **SR 83**, which was given first reading and adopted by voice vote.

**SR 83**—Authorizing payment to various companies for typewriters and office furniture supplied the 123rd General Assembly of the State of Delaware.

Sen. McCullough asked for the privilege of the floor for Mr. Randolph Hughes. No objections heard; privilege was then granted.

On motion of Sen. McCullough, **HB 222** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 222**—An act to amend Title 5, Delaware Code, relating to direct-reduction and other loans by building and loan associations by providing that in case of construction loans the first payment shall not be later than eighteen months after the date of the first advance.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Hoey, Kinahan—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.

Sen. McCullough asked for the privilege of the floor for Mr. Randolph Hughes. No objections heard; privilege was then granted.

On motion of Sen. McCullough, **HB 223** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 223**—An act to amend Title 5, Paragraph 1906 of the Revised Code of Delaware, 1953, by permitting building and loan associations in connection with serial shares which are more than six months in arrears either to cancel same and deposit the amount due shareholders in an account in the Farmers Bank of the State of Delaware or invest in an account in the association.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlor, Steen—17.

NAYS: None.

ABSENT:—Kinahan—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.

Sen. Bookhammer (co-sponsor, Steen) introduced the following bill, **SB 204**, which was given first reading and referred to the Committee on Corporations Municipal.

Sen. Bookhammer moved that Rule 9 be suspended for the purpose of considering **SB 204**. Withdrawn.

**SB 204**—An act to amend an act being Chapter 197, Volume 54, Laws of Delaware as amended entitled "An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter Therefor and Prescribing the Powers and Duties of the Commissioners of Rehoboth Beach" to permit certain lease-holders to vote in an election to annex additional territory; to define the term "Freeholder"; to permit certain lease-holders to vote in the annual election; to permit assessment of improvements on certain leaseholds to permit the taxation of certain improvements located on leased land and to prescribe remedies for collection of such taxes; to define the term "Owner" for the purposes of street improvements; to permit certain leaseholders to vote at special elections relating to the borrowing of funds; to adopt the Motor Vehicle Code and to prescribe for violation thereof.

Sen. Holloway reported the following bill from committee: **SB 194**, 3 favorable, 2 merits.

Sen. Cook introduced the following bill, **SB 205** which was given first reading and referred to the Committee on Revised Statutes.

**SB 205**—An act to provide for a referendum on the creation of a "Fair Housing Charter Board."

Sen. Cook introduced the following bill, **SB 206** which was given first reading and referred to the Committee on Revised Statutes.

**SB 206**—An act to amend Title 9, Delaware Code, relating to counties by authorizing the legislative bodies of municipalities and counties of the State to establish planning agencies; to provide for the establishment of a long-range comprehensive planning through the adoption of comprehensive plans; to provide for the regulation of the subdivision of land; and to provide for the regulation of land use by zoning.

Sen. Cook introduced the following bill, **SB 207** which was given first reading and referred to the Committee on Finance.

**SB 207**—An act to amend Subchapter VII, Title 16, Delaware Code, entitled Optometric Clinics, by providing compensation for optometric services rendered in public health clinics and providing for an appropriation therefor.

Sen. Cook introduced the following amendment, **SA 1** to **HB 358**, which was given first reading and placed with the bill.

Sen. DuPont introduced the following joint resolution, **SJR 11** which was given first reading. Sen. DuPont moved that Rule 9 be suspended for the purpose of considering **SJR 11**. Motion carried.

**SJR 11**—Commemorating the receipt by the Pierre S. DuPont High School of Wilmington, Delaware, of the 1965 Francis Bellamy Flag Award.

On motion of Sen. DuPont, **SJR 11** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SJR 11**—Commemorating the receipt by the Pierre S. DuPont High School of Wilmington, Delaware, of the 1965 Francis Bellamy Flag Award.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlor, Steen—17.

NAYS: None.

ABSENT: Kinahan—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.

Sen. McGinnes introduced the following bill, **SB 208** which was given first reading and referred to the Committee on Education.

**SB 208**—An act to provide for State supported kindergartens.

Sen. McGinnes introduced the following bill, **SB 209** which was given first reading and referred to the Committee on Corporations Municipal.

**SB 209**—An act to amend Chapter 108, Volume 47, Laws of Delaware, entitled "An Act Extending the Corporate Limits of the Town of Camden," by adding a new area thereto.

Sen. DuPont introduced the following amendment, **SA 1** to **SB 19** which was given first reading and placed with the bill.

Sen. Manning (by request) introduced the following bill, **SB 210** which was given first reading. Sen. Cook moved that Rule 9 be suspended for the purpose of considering **SB 210**. Motion carried.



**SB 210**—An act to amend Chapter 163, Volume 55, Laws of Delaware, entitled: "An Act to Amend Chapter 81, Title 9, Delaware Code, Entitled Limitations Upon Taxing Power by Adding Thereto a New Subchapter Concerning Exemptions From Taxation on Real Property of Citizens and Residents of This State of the Age of 65 or More Years Having an Income Not in Excess of \$3,000 per Year."

On motion of Sen. Manning, **SB 210** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 210**—An act to amend Chapter 163, Volume 55, Laws of Delaware, entitled: "An Act to Amend Chapter 81, Title 9, Delaware Code, Entitled Limitations Upon Taxing Power by Adding thereto a New Subchapter Concerning Exemptions From Taxation on Real Property of Citizens and Residents of This State of the Age of 65 or More Years Having an Income Not in Excess of \$3,000 per Year."

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McGinnes, Moore, Robbins, Schlor—15.

NAYS: None.

NOT VOTING: McCullough—1.

ABSENT: Kinahan, Steen—2.

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

Sen. Martin introduced the following bill, **SB 211** which was given first reading and referred to the Committee on Printing.

**SB 211**—An act to amend Chapter 67, Title 29, Delaware Code, relative to printing requirements for printing for the State of Delaware.

Sen. Martin introduced the following bill, **SB 212** which was given first reading and referred to the Committee on Insurance and Banking.

**SB 212**—An act to amend Section 516, Title 24, Delaware Code, relating to the right of chiropodists and/or podiatrists for compensation under certain insurance plans.

Sen. Dineen (co-sponsor, Holloway) introduced the following amendment, **SA 1** to **SB 179** which was given first reading and placed with the bill.

**HJR 8** was given its first reading. Sen. Cook moved to suspend Rule 9 to act on **HJR 8**. Adopted by voice vote. Roll call on **HJR 8** revealed 16 yeas, 1 not voting, and 1 absent. Sen. Cook moved to allow Sen. McCullough to change his vote from not voting to yea.

On motion of Sen. Cook, **HJR 8** with title as follows

was taken up for consideration and read a second time by title in order to pass the Senate.

**HJR 8**—In reference to the second anniversary of the passing of John F. Kennedy, the thirty-fifth President of the United States.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—17.

**NAYS:** None.

**ABSENT:** Kinahan—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.

Sen. Dineen reported the following bills from committee: **SB 195**, 2 favorable, 3 merits; **SB 200**, 2 favorable, 3 merits.

Sen. Carney reported the following bill from committee: **SB 199**, 3 favorable, 1 merit.

Sen. Dineen reported the following bill from committee: **HB 292**, 1 favorable, 4 merits.

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

**HB 286**—An act to amend Chapter 270, Volume 54, Laws of Delaware by striking from Section 1 thereof the provision for the erection of a new wing at the main building at the Delaware State Hospital and by inserting in lieu thereof a provision for the reconstruction of certain sections of the main building. (To Buildings and Highways)

**HB 321**—An act to amend Chapter 81, Volume 55, Laws of Delaware entitled "An Act Making Appropriations to the Amount of \$122,707,827.00 for the Expense of the State Government for the Fiscal Year Ending June 30, 1966," and Making a Supplemental Appropriation in the Amount of \$55,000.00 for the Proposed Amendments." (To Finance)

**HB 180**—An act to amend Section 1621 of Chapter 16, Title 10, Delaware Code, relating to the Court of Common Pleas for Sussex County. (To Judiciary)

**HB 261**—An act to amend an act entitled "An Act to Incorporate the Town of Ocean View in Sussex County, Delaware," being Chapter 649, Volume 18, Laws of Delaware, as amended, to prescribe rules for regulating the vehicular and pedestrian traffic and to establish penalties for violation thereof. (To Corporations Municipal)

**SB 191**—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" to establish regulations for vehicular and pedestrian traffic within the corporate limits of the town of Millsboro and establishing penalties for violation thereof. (To Judiciary)

Sen. Cook moved the Senate recess to the call of the Chair at 5:25 P.M.

The Chair announced that the Senate will reconvene on November 29 at 1:00 P.M.

### 53rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 p.m. on Monday, November 29, 1965, Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain Zoltan Szucs.

By roll call the following Senators were Present:

Carney, Conner, Cook, Dineen, DuPont, Holloway, Manning, Martin, McGinnes, Moore, Robbins, Schlör—14.

Absent: Bookhammer, Davidson, Hoey, Kinahan, McCullough, Pres. Pro. Tem. Steen—4.

Sen. Davidson asked to be marked present.

Sen. Hoey asked to be marked present.

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

Sen. Steen asked to be marked present.

On motion of Sen. Dineen **SB 192** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 192**—An Act to Amend Chapter 171, Volume 54, Laws of Delaware entitled, "An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from certain School Districts, and The City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of certain School Districts and The City of Wilmington for the purpose of Raising Money to make such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and creating Local School Building Commissions."

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Bookhammer, Kinahan, McCullough—3.

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

On motion of Sen. Dineen **SB 193** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, Dupont, Hoey, Holloway, Manning, Martin, McGinnes, Moore, Robbins, Schlor, Steen—15.

NAYS: None.

ABSENT: Bookhammer, Kinahan, 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.

Sen. Dineen reported the following bill from committee: **HB 358**, 2 favorable, 1 unfavorable, 1 merit.

Sen. Davidson reported the following bill from committee: **HB 191**, 5 favorable.

Sen. Davidson introduced the following resolution, **SR 84** which was given first reading.

**SR 84**—In Support of Christmas for all Delaware Boys in Viet Nam.

Sen. Davidson moved to withdraw **SR 84** to correct a typographical error.

Sen. McCullough asked to be marked present.

On motion of Sen. Dineen **SB 157** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 157**—An Act to amend § 907, Title 29, Delaware Code, relating to Printing and Distribution of Session Laws.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, Dupont, Hoey, Holloway, Manning, Martin, McGinnes, Moore, Robbins, Schlor, Steen—15.

NAYS: None.

NOT VOTING: McCullough—1.

ABSENT: Bookhammer, Kinahan—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.

Sen. Dineen moved that Sen. McCullough be given the privilege of signing the committee report on **HB 358**.

Sen. Dineen reported the following bill from committee: **HB 358**, 2 favorable, 1 merit, 2 unfavorable.

On motion of Sen. Cook **SB 200** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 200**—An Act to Amend Chapter 43, Title 9, Delaware Code, Relating to Pensions for Kent County Employees.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlor, Steen—15.

NAYS: Hoey—1.

ABSENT: Bookhammer, Kinahan—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.

Sen. Holloway moved that **SB 123** be brought up for final reading and vote.

Sen. Holloway moved to defer action on **SB 123**.

Sen. Davidson moved that **HB 140** be brought up for final reading and vote.

Sen. Davidson moved to defer action on **HB 140**.

Sen. Holloway reported the following bill from committee: **SB 123**, 3 favorable, 2 merits.

Sen. Martin introduced the following bill, **SB 213** which was given first reading and referred to the committee on Miscellaneous.

**SB 213**—An Act to Amend Section 522, Title 28, Delaware Code, Relating to the Award of Dates and Maximum Racing Days for Harness Racing.

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

**HB 290**—An Act to Amend Chapters 17 and 31, Title 14, Delaware Code, Relating to Education.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlor, Steen—16.

NAYS: None.

ABSENT: Bookhammer, Kinahan—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 Sen. Robbins **HB 309** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 309**—An Act to Amend Chapter 25, Title 14, Delaware Code, by Providing for the Creation of Vocational High School Districts 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: Carney, Conner, Cook, Davidson, Dineen, Dupont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Bookhammer, Kinahan—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.

Sen. Cook introduced the following bill, **SB 214** which was given first reading and referred to the committee on Finance.

**SB 214**—An Act Making a Supplementary Appropriation to the State Highway Department.

Sen. Steen moved to recess for a caucus.

The Senate returned to order at 4:42 p.m. Lt. Gov. Tribbitt presiding.

Sen. Hoey introduced the following bill, **SB 215** which was given first reading and referred to the committee on Finance.

**SB 215**—An Act Making a Supplementary Appropriation to the Ellendale School No. 125 for Additional Classroom Space.

Sen. Hoey introduced the following resolution, **SR 85** which was given first reading. Adopted by voice vote.

**SR 85**—Authorizing Payment of Amounts Due the Harrington Journal, Harrington, Delaware, for Supplies Furnished to the 123rd General Assembly.

Sen. Steen introduced the following bill, **SB 216** which was given first reading and referred to the committee on Corporations Municipal.

**SB 216**—An Act to Further Amend Chapter 182 of Volume 45, Laws of Delaware 1944-5, entitled "An Act to Reincorporate The Town Of Delmar" by Increasing the Limit of Floating Debt by which the Council is Authorized to Anticipate Revenue.

Sen. Steen introduced the following bill, **SB 217** which was given first reading and referred to the committee on Corporations Municipal.

**SB 217**—An Act to Amend the Chapter of the Town of Delmar, Chapter 182, Volume 45, Laws of Delaware, Relative to Sewer Rentals.

Sen. Davidson introduced the following resolution, **SR 86** which was given first reading and adopted voice vote.

**SR 86**—In Support of Christmas for all Delaware Boys in Viet Nam.

Sen. Davidson introduced the following amendment **SA 1** to **HB 196** which was given first reading and placed with bill.

Sen. Robbins introduced the following (Co-sponsors: Hoey, DuPont, Manning, Connor, McCullough, Steen, and Cook) **SCR 34** which was given first reading and adopted voice vote.

**SCR 34**—Reimbursing the Legislative Travel Fund of the Delaware Commission on Interstate Co-operation for Expenses Incurred in Connection with the National Conference of State Legislative Leaders.

Messenger from the House stated that the House has passed **HB 168**, **SB 80**, and **SB 86**.

Sen. Cook stated that WHY Y and Sid Shaw of that station will show a film on the signing of the constitution on December 7, 1965.

Sen. Cook reported the following bill from committee: **HS 1** for **HB 235**, 2 favorable, 1 merit, 1 unfavorable. **SB 92**, 4 favorable.

Sen. Cook moved that the Senate adjourn until Tuesday, November 30 at 1:00 p.m. Motion carried and Senate adjourned at 5:10 p.m.

The Senate met pursuant to adjournment at 2:30 P.M. on Tuesday, November 30, 1965, Lt. Gov. Tribbitt presiding.

Prayer by the chaplain Zoltan Szucs.

By roll call the following senators were present.

Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holway, Manning, Martin, McCullough, McGinnes, Robbins—12 present.

Members absent: Bookhammer, Carney, Kinahan, Moore, Schlor, Pres. Pro Tem. Steen—6.

The secretary preceeded to read the Journal of the previous days session when Sen. Cook moved that so much be considered the reading of the Journal and the Journal be approved as read.

Sen. McGinnes, and Dineen asked to be marked present.

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

**HB 168**—An Act Providing for the Imposition of a Property Tax on Mobile Homes based on their actual Value and Requiring The Owner Thereof to Obtain a Placement Permit, The Park Operator to make annual reports concerning Said Homes and Providing Penalties against Both the Owner and Court Operator for Their Failure To Do So—Miscellaneous.

On motion of Sen. Davidson **SB 182** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 182**—An Act to Authorize, Empower and Direct the Governor to Sell Certain Real Estate In Delaware City, Delaware, Owned by The State for the Use of Governor Bacon Health Center and To Authorize and Empower Him To Execute and Deliver a Deed Thereof.

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

YEAS: Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Robbins, Steen—13.

NAYS: None.

ABSENT: Bookhammer, Carney, Kinahan, Moore, Schlör—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.

Sen. Hoey reported the following bills from committee: **SB 214**, 1 favorable, 3 merits; **HB 321**, 3 favorable, 1 merit.

Sen. Davidson asked for the privilege of the floor for Representative Bifferato to explain **HB 191** and four other companion bills. No objections heard; privilege was then granted.

Senators Moore, Schlör, Carney and Steen asked to be marked present.

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

**HB 191**—An Act to Amend Chapter 45, Title 10, Delaware Code, Relating to Qualifications of Jurors and Persons Exempt and to Provide Penalties for Willful Violation.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Bookhammer, Kinahan—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 Sen. Davidson **HB 192** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 192**—An Act to Amend Chapter 45, Title 10, Dela-



ware Code, Relating to Summoning of Jurors in New Castle, Kent and Sussex Counties.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Bookhammer, Holloway, Kinahan—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 Sen. Davidson **HB 194** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 194**—As Amended by **HA 1**—An Act to Amend Chapter 45, Title 10, Delaware Code, Relating to Omission of Names of Jurors Because of Previous Service.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Manning, Martin, McCullough, McGinnes, Robbins, Schlör, Steen—13.

NAYS: Hoey—1.

NOT VOTING: Moore—1.

ABSENT: Bookhammer, Holloway, Kinahan—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.

Sen. Davidson moved that **HB 196** with **HA 1** be brought up for consideration. Sen. Davidson introduced **SA 2** to **HB 196** with **HA 1**—placed with the bill. Sen. Davidson moved to defer **HB 196** as amended.

On motion of Mr. Davidson to defer **HB 196**.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Martin, McCullough, McGinnes, Moore, Robbins, Steen—11.

NAYS: Conner, DuPont, Manning—3.

PRESENT: Bookhammer, Holloway, Kinahan, Schlör—4.

So the question was decided in the affirmative.

Sen. Davidson moved that **HB 197** be brought up for final reading and vote. Sen. Davidson moved to table roll call on **HB 197**. Adopted voice vote.

On motion of Mr. Davidson, **HB 197** with title as fol-

lows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 197**—An Act to Amend Chapter 5, Title 10, Delaware Code, relating to law clerks for the Court of Chancery.

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

YEAS: Carney, Conner, Cook, Davidson, DuPont, Manning, Martin, McCullough, McGinnes—9.

NAYS: Hoey, Robbins, Steen—3.

NOT VOTING: Dineen, Holloway, Moore—3.

ABSENT: Bookhammer, Davidson, Kinahan, Schlör—4.

On motion of Mr. Davidson roll call tabled.

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 Amend Chapter I of Title 17 of the Delaware Code to remove the territorial limitation of authority of the State Highway Department for controlled-access highways.

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

YEAS: Carney, Conner, Cook, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Steen—14.

ABSENT: Bookhammer, Davidson, Kinahan, Schlör—4.

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

Messenger from the House.

Sen. Hoey introduced the following bill, **SB 218** which was given first reading and referred to the Committee on Education.

**SB 218**—An Act to Amend an Act Entitled "An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions." Being Chapter 331, Volume 53, Laws of Delaware, by Making Certain Transfers Therein.

Sen. Steen introduced the following bill, **SB 219** which was given first reading and referred to the Committee on Education.

**SB 219**—An Act to Amend Chapter 171, Volume 54, Laws of Delaware, Entitled, "An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions."

Sen. Dineen asked for the privilege of the floor for Sidney Balick to discuss **HB 15**. No objections heard; privilege was then granted.

On motion of Mr. Dineen **HB 15** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 15**—An Act to Amend Chapter 13, Title 13, Delaware Code, relating to inheritances by illegitimate children.

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

YEAS: Carney, Conner, Dineen, DuPont, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Steen—12.

NAYS: None.

NOT VOTING: Hoey—1.

ABSENT: Bookhammer, Cook, Davidson, Kinahan, Schlor—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.

Sen. Steen moved the Senate recess to the call of the chair at 4:47 P.M.

The Senate returned to order at 4:58 P.M., Lt. Gov. Tribbitt presiding.

Sen. Steen introduced the following bill, **SB 220** which was given first reading and referred to the Committee on Judiciary.

**SB 220**—An Act to Amend Section 2804, Title 10, Delaware Code, relating to constables for Justices of the Peace by increasing their salary.

Messenger from House admitted.

Sen. Martin (co-sponsors, Manning, Holloway) introduced the following bill, **SB 221**.

**SB 221**—An Act making a supplementary appropriation to the Department of Corrections for the purpose of

providing an increase to certain employees for the fiscal year ending June 30, 1966.

On motion of Mr. Martin (co-sponsors, Manning, Holloway) with title **SB 221** as follows was taken up for consideration and read a second time by title in order to pass the Senate.

Sen. Martin moved that Rule 9 be suspended for the purpose of considering **SB 221**. Motion carried by voice vote.

**SB 221**—An Act making a supplementary appropriation to the Department of Corrections for the purpose of providing an increase to certain employees for the fiscal year ending June 30, 1966.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Steen—15.

NAYS: None.

ABSENT: Bookhammer, Kinahan, Schlör—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.

Sen. Carney asked for the privilege of the floor for Mr. O'Donnell. No objections heard; privilege was then granted.

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

**SB 199**—An Act to Amend Title 4 of the Delaware Code to permit the sale by food concessionaires of wines and spirits at horse race track meetings in the state of Delaware.

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

YEAS: Carney, Cook, Dineen, DuPont, Holloway, Martin, McCullough, Moore—8.

NAYS: Conner, Manning, Robbins, Steen—4.

NOT VOTING: Davidson, Hoey, McGinnes—3.

ABSENT: Bookhammer, Kinahan, Schlör—3.

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

On the motion of Mr. Carney, roll call tabled.

Sen. Holloway moved that the original roll call on **SB 179** be stricken. Adopted by voice vote.

Sen. Holloway introduced the following Senate amendment, **SA 1** to **SB 179**, which was given first reading and requested that it be placed before the Senate for consideration.

On motion of Mr. Holloway, **SA 1** to **SB 179** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 179**—An Act to Amend Chapter 3, Title 4, Delaware Code, relating to alcoholic liquors, by reorganizing the "Delaware Alcoholic Beverage Control Commission" as the "Liquor Control Commission."

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

**YEAS:** Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Steen—15.

**NAYS:** None.

**ABSENT:** Bookhammer, Kinahan, Schlor—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.

Sen. Holloway moved that **SB 179** with **SA 1** be brought up for final reading and vote. Senator DuPont moved to defer action of **SB 179** with **SA 1**. Sen. Dineen moved that the deferring action motion be laid on the table. Withdrawn by Sen. Dineen. Sen. DuPont's motion to defer was adopted by voice vote.

Sen. Cook introduced the following **SS 1** for **SB 214** which was given first reading and referred to the Committee on Finance.

Sen. Cook moved to adopt **SS 1** for **SB 214** in lieu of the original. Adopted by voice vote. Sen. Cook moved to suspend Rule 9 to act on **SS 1** for **SB 124**.

**SS 1** for **SB 214**—An Act making a supplementary appropriation to the State Highway Department.

On motion of Mr. Cook to suspend Rule 9 to consider **SS 1** for **SB 214**.

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

**YEAS:** Carney, Conner, Cook, DuPont, Holloway, Manning, McCullough, McGinnes, Moore, Robbins, Steen—11.

**NAYS:** Dineen, Hoey, Martin—3.

**NOT VOTING:** Davidson—1.

**ABSENT:** Bookhammer, Kinahan, Schlor—3.

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

On motion of Mr. Cook, **SS 1** for **SB 214** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SS 1 for SB 214**—An Act making a supplementary appropriation to the State Highway Department.

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

**YEAS:** Cook, Manning, McCullough, McGinnes—4.

**NAYS:** None.

**NOT VOTING:** Carney, Conner, Davidson, Dineen, Dupont, Hoey, Holloway, Martin, Moore, Robbins, Steen—11.

**ABSENT:** Bookhammer, Kinahan, Schlor—3.

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

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

**HB 302**—An Act to Amend Chapter 283, Volume 21, Laws of Delaware, entitled "An Act to Incorporate the Town of Little Creek." (To Corporations—Municipal).

**HB 287**—An Act to Amend Chapter 9, Title 13, Delaware Code, relating to adoption. (To Judiciary).

**HB 357**—An Act Proposing an Amendment to Article X, §3 of the Constitution of the State of Delaware providing that the General Assembly may make provision for the transportation of students of non-public elementary and high schools not operating for profit. (To Revised Statutes).

**HB 359**—An Act Amending Chapter 1, Title 26, Delaware Code by adding a Subchapter VI to provide for the continuation of electric service in areas included in municipalities by incorporation, annexation or otherwise. (To Miscellaneous).

Sen. Hoey reported the following bills from Committee: **SB 198**, 4 merits; **SB 215**, 4 merits; **SB 207**, 4 merits.

Sen. Hoey introduced the following bill, **SB 222** which was given first reading and referred to the Committee on Education.

**SB 222**—An Act to Amend an Act Entitled, "An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," being Chapter 331, Volume 53, Laws of Delaware, by making certain transfers therein.

Sen. Steen moved that **SS 1 for SB 214** be reconsidered and restored to the calendar. Adopted by voice vote.

Sen. Hoey (co-sponsor, Dineen) introduced the following concurrent resolution, **SCR 35**.

**SCR 35**—Authorizing and directing the State Treasurer to pay certain state employees on or before December 23, 1965.

On motion of Mr. Hoey (co-sponsor, Dineen) with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SCR 35**—Authorizing the State Treasurer to pay certain state employees on or before December 23, 1965.

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

YEAS: Carney, Conner, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, Moore—10.

NAYS: Cook, Davidson, McGinnes, Robbins, Steen—5.

ABSENT: Bookhammer, Kinahan, Schlör—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.

Sen. Dineen introduced the following resolution, **SR 87**.

Sen. Cook moved to defer action on **SR 87** to caucus. Adopted by voice vote.

**SR 87**—Authorizing payment for services rendered by attaches and employees of the Senate of the present Session of the 123rd General Assembly.

Sen. Dineen introduced the following resolution, **SR 88**. Adopted by voice vote.

**SR 88**—In reference to election of officers.

Senator McGinnes reported the following bills from Committee: **SB 213**, 2 favorable, 2 merits; **SB 201**, 1 favorable, 3 merits; **HB 326**, 2 favorable, 2 merits.

Sen. Cook reported the following bills from Committee: **HB 180**, 2 favorable, 3 merits; **SB 190**, 2 favorable, 3 merits.

Sen. McGinnes (co-sponsor, Sen. Dineen) introduced the following bill, **SB 223** which was given first reading and referred to the Committee on Revised Statute.

**SB 223**—An Act Establishing Title 5A, Delaware Code, Entitled "Uniform Commercial Code," enacting the Uniform Commercial Code and repealing and revising certain laws of this State relating to commerce and trade.

Sen. Holloway moved that **SB 189** be stricken from the calendar. Adopted by voice vote.

Sen. Cook asked for the privilege of the floor for Mr. Ernest Wilson to discuss **HS 1** for **HB 235**. No objections heard; privilege was then granted.

On motion of Mr. Cook, **HS 1** for **HB 235** with title as

follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HS 1 for HB 235**—An Act to Amend Chapter 70, Title 6, Delaware Code, by increasing the amount of state credit which may be pledged by the Delaware Industrial Building Commission to twenty million dollars and by clarifying the power of the Industrial Building Commission to issue revenue bonds and by prohibiting conflicts of interest.

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

**YEAS:** Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Martin, McCullough, McGinnes, Robbins—11.

**NAYS:** Manning, Steen—2.

**ABSENT:** Bookhammer, Holloway, Kinahan, Moore, Schlör—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.

Sen. Cook moved that the Senate adjourn until December 1, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 6:30 P.M.

### 55TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:48 P.M. on Wednesday, December 1, 1965, Lt. Gov. Tribbitt presiding.

Prayer by Sen. Robbins.

Members present: Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, Moore, Robbins, Schlör, Pres. Pro Tem. Steen—15.

Members absent: Bookhammer, Kinahan, McGinnes—3.

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

Sen. McGinnes asked to be marked present.

On motion of Sen. Dineen, **SB 198** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 198**—An Act making a supplementary appropriation to the State Distribution Agency.

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

**YEAS:** Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—14.



NAYS: DuPont, Manning—2.

ABSENT: Bookhammer, Kinahan—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 Sen. McGinnes, **HB 326** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 326**—An Act relating to the State Income Tax.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Bookhammer, Kinahan—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.

Sen. Dineen reported the following bill from committee: **SS 1** for **SB 52**—4 favorable, 1 merit.

Sen. Schlör reported the following bill from committee: **SB 209**—5 favorable.

Sen. Holloway introduced the following amendment, **SA 1** to **SB 123** which was given first reading and placed with the bill.

Sen. Holloway introduced the following amendment, **SA 2** to **SB 179** which was given first reading and placed with the bill.

Sen. Dineen (co-sponsors, Senators McGinnis, Manning) introduced the following bill, **SB 224** which was given first reading and referred to the Committee on Revised Statutes.

**SB 224**—An Act to Repeal Chapter 5, Title 30, Delaware Code, relating to Collector of State Revenue and abolishing that office.

Sen. Cook moved to recess for a majority caucus. Senate recessed at 3:23 P.M.

The Senate returned to order at 4:42 P.M., Lt. Gov. Tribbitt presiding.

Sen. Davidson reported the following bills from committee: **SB 220**—3 favorable, 2 merits; **HB 245**—3 favorable, 2 merits; **HB 287**—3 favorable, 2 merits.

Sen. Schlör reported the following bills from committee: **SB 216**—5 favorable; **SB 217**—5 favorable.

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

**HB 361** with **HA 1**—An Act authorizing the State of

Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and for improvements to the public school system of the state and to issue bonds and notes therefor and appropriating the money borrowed to the State Board of Education. (To Education).

**HB 337**—An Act to create a Legislative Council. (To Revised Statutes).

**HB 343** with **HA 1**—An Act to Amend Title 15, Delaware Code, relating to Primary elections and nominations of candidates by parties. (To Elections).

**HB 367**—An Act making a supplementary appropriation for the fiscal year 1964-1965 to the Delaware Board of Nursing to defray the cost of certain examinations. (To Finance).

**HB 304**—An Act to Amend Chapter 28, Title 31, Delaware Code, relating to the Delaware Home and Hospital for the Chronically Ill at Smyrna. (Found to have been passed by the Senate).

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

**HB 338**—An Act to Amend Part II, Title 29, Delaware Code, by revising the composition of the Legislative Reference Bureau. (To Revised Statutes).

**HJR 7**—Establishing a Legislative Building Committee for the purpose of studying and recommending a plan for an addition to Legislative Hall. (To Buildings and Highways).

**HB 283**—An Act to permit the Board of Trustees of the Delaware Home and Hospital for the Chronically Ill at Smyrna to dispose of certain property. (To Public Lands).

**HB 362** with **HA 1** was given its first reading. Sen. McGinnes moved to suspend Rule 9 to act on **HB 362** with **HA 1**. Adopted by voice vote.

On motion of Sen. McGinnes, **HB 362** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 362**—An Act to Amend Chapter 81, Volume 55, Laws of Delaware, by making a supplementary appropriation to the Office of the Public Defender.

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

**YEAS:** Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlor—15.

**NAYS:** None.

**ABSENT:** Bookhammer, Kinahan, Steen—3.

So the question was decided in the affirmative and the bill, having received the required constitutional majority,

passed the Senate and was ordered to the House for concurrence.

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

**HB 93**—An Act to Amend Sections 2004 and 2005, Chapter 20, Title 9, Delaware Code, increasing the appropriations of the Levy Court of New Castle County for life saving equipment and maintenance of rescue squads. (To Revised Statutes).

**HB 297**—An Act to Amend Chapter 3, Title 11, Delaware Code, prohibiting the making, possessing or transferring of a device designed for unlawful taking or appropriating of telecommunications service or other purposes, and authorizing seizure and destruction or disposal thereof. (To Judiciary).

**HB 382**—An Act to Amend Title 19, Delaware Code, by repealing Chapter 3 relating to female labor. (To Labor).

Sen. Cook moved that the roll call on **HB 235** be lifted from the table.

On motion of Sen. Cook, **HS 1** for **HB 235** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HS 1** for **HB 235**—An Act to Amend Chapter 70, Title 6, Delaware Code, by increasing the amount of state credit which may be pledged by the Delaware Industrial Building Commission to twenty million dollars and by clarifying the power of the Industrial Building Commission to issue Revenue Bonds and by prohibiting conflicts of interest.

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

**YEAS:** Carney, Conner, Cook, Davidson, Dineen, Dupont, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—14.

**NAYS:** Manning, Steen—2.

**ABSENT:** Bookhammer, Kinahan—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.

Sen. Cook introduced the following bill, **SB 225** which was given first reading and referred to the Committee on Finance.

**SB 225**—An Act making a supplementary appropriation to the Kenton School #9 for additional classroom space.

Sen. Dineen requested that **SR 87** be given further consideration and was adopted by voice vote.

Sen. Davidson introduced the following bill, **SB 226** which was given first reading and referred to the Committee on Miscellaneous.

**SB 226**—An Act to Amend Section 8105, Title 9, Delaware Code, relating to limitations on taxing power.

On motion of Sen. Hoey, **HB 321** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 321**—An Act to Amend Chapter 81, Volume 55, Laws of Delaware entitled "An Act Making Appropriations to the Amount of \$122,707,827.00 for the Expense of the State Government for the Fiscal Year Ending June 30, 1966," and making a supplemental appropriation in the amount of \$55,000.00 for the proposed amendments.

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

**YEAS:** Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, McCullough, McGinnes, Moore, Robbins, Schlör—14.

**NAYS:** None.

**ABSENT:** Bookhammer, Kinahan, Martin, 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.

Sen. Hoey introduced the following bill, **SB 227** which was given first reading and referred to the Committee on Corporations Municipal.

**SB 227**—An Act to Amend an Act Entitled "An Act Changing the Name of 'The Town of Milford', to 'The City of Milford' and Establishing a Chapter Therefore," being Chapter 162, Volume 37, Laws of Delaware, as Amended, by validating an election held in the City of Milford, Delaware on November 6, 1965.

Sen. Hoey introduced the following bill, **SB 228** which was given first reading and referred to the Committee on Corporations Municipal.

**SB 228**—An Act to Amend An Act Entitled "An Act Changing the Name of 'The Town of Milford', to 'The City of Milford' and Establishing a Chapter Therefore," being Chapter 162, Volume 37, Laws of Delaware, as Amended, by changing the qualifications for voters in special elections.

Sen. Hoey introduced the following bill, **SB 229** which was given first reading and referred to the Committee on Finance.

**SB 229**—An Act to appropriate money to WHYY, Inc.

Sen. Hoey introduced the following bill, **SB 230** which was given first reading and referred to the Committee on Finance.

**SB 230**—An Act to Amend Section 6606 (a), Title 16, Delaware Code, relating to salary of the State Fire Marshal and making a supplemental appropriation therefor.

Sen. Hoey introduced the following bill, **SB 231** which

was given first reading and referred to the Committee on Finance.

**SB 231**—An Act making a supplemental appropriation to the State Fire Prevention Commission.

Sen. Holloway introduced the following bill, **SB 232** which was given first reading and referred to the Committee on Judiciary.

**SB 232**—An Act to Amend Chapter 9, Title 10, Delaware Code by establishing the office of Judge Emeritus in the Family Court of the State of Delaware in and for New Castle County and abolishing the office of Master, therein.

Sen. Cook moved that the Senate adjourn until Thursday, December 2, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 5:17 P.M.

The Senate met pursuant to adjournment at 2:47 P.M. on Thursday, December 2, 1965, Lt. Gov. Tribbett presiding.

Prayer by the Chaplain, Zoltan Szucs.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Manning, Moore, Robbins, Schlör—11.

Absent: DuPont, Holloway, Kinahan, Martin, McCullough, McGinnes, Pres. Pro Tem. Steen—7.

The Secretary proceeded to read the Journal of the previous days session when Sen. Cook 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 reading and referred to Committees as follows:

**HB 391** with **HA 1**—An Act to Amend Section 1704, Title 15, Delaware Code, directing each Department of Elections to remove names of persons disqualified as voters. (To Elections).

**HB 317**—An Act to Amend Section 2301, Title 30, Delaware Code, relating to fees for occupational licenses by raising the fee for certified public accountants. (To Miscellaneous).

**HB 360**—An Act to Amend Chapter 279, Volume 53, Laws of Delaware, entitled "An Act to Reincorporate the Town of Bowers." (To Corporations Municipal).

**HB 374**—An Act to Amend Section 704, Title 21, Delaware Code relating to jurisdiction of Justices of the Peace. (To Judiciary).

**HB 409** with **HA 1**—An Act to Amend Chapter 33, Title 19, Delaware Code, relating to unemployment compensation. (To Labor).

The following Senators asked to be marked present: Martin, Steen.

Sen. Carney moved to lift the roll call from table on **SB 199**, A.V.V.

On motion of Sen. Carney, **SB 199** with title as follows

was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 199**—An Act to Amend Title 4 of the Delaware Code to permit the sale by food concessionaires of wines and spirits at horse race track meetings in the State of Delaware.

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

YEAS: Carney, Cook, Dineen, DuPont, Hoey, Holloway, Martin, McCullough, Moore, Schlör—10.

NAYS: Conner, Manning, Robbins, Steen—4.

NOT VOTING: Davidson, McGinnes—2.

ABSENT: Bookhammer, Kinahan—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.

Sen. Carney asked for the privilege of the floor for Mr. Earl McGinnis to discuss **SB 119**. No objections heard; privilege was then granted.

On motion of Sen. Carney, **SB 119** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 119**—An Act to Amend Section 6102, Title 29, Delaware Code, relating to the disposition of monies received by an agency pursuant to the sale of equipment.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Manning, Martin, Moore, Robbins, Schlör, Steen—13.

NAYS: None.

ABSENT: DuPont, Holloway, Kinahan, McCullough, McGinnes—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.

Sen. McCullough asked to be marked present.

Sen. Moore asked for the privilege of the floor for Mr. McGinnis to discuss **SB 120**. No objections heard; privilege was then granted.

On motion of Sen. Moore, **SB 120** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 120**—An Act to Amend Title 29, Delaware Code, by establishing procedures for the sale of state owned materiel.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Manning, Martin, McCullough, Moore, Robbins, Schlör—12.

NAYS: Hoey—1.

NOT VOTING: Steen—1.

ABSENT: DuPont, Holloway, Kinahan, McGinnes—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 Sen. Dineen, **HB 289** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 289**—An Act to Amend Chapter 3, Title 9, Delaware Code, relating to Levy Court districts and election, qualifications and term of Levy Court Commissioners in Kent County.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—13.

NAYS: Bookhammer—1.

NOT VOTING: Conner—1.

ABSENT: DuPont, Holloway, Kinahan—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 Sen. Dineen, **SB 110** with **HA 1** and **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 110**—An Act to Amend Title 31, Delaware Code, by redefining the financial participation of the counties and the state in the state Public Assistance Code.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Manning, Martin, McCullough, Moore, Schlör, Steen—13.

NAYS: None.

ABSENT: DuPont, Holloway, Kinahan, McGinnes, Robbins—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.

Sen. Davidson asked for the privilege of the floor for

Randolph Hughes to discuss **HB 245**. No objections heard; Privilege was then granted.

On motion of Sen. Davidson, **HB 245** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 245**—An Act to Amend Chapter 33, Title 12, Delaware Code, relating to investments of fiduciaries.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Di-neen, Hoey, Manning, Martin, McCullough, Moore, Schlör, Steen—12.

NAYS: None.

ABSENT: Cook, DuPont, Holloway, Kinahan, McGinnes, Robbins—6.

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

Sen. Steen moved the Senate recess to the call of the Chair at 3:32 P.M.

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

Sen. Martin reported the following bills from committee: **HB 382**—3 favorable, 1 merit; **HB 409**—3 favorable, 1 merit.

Elisha Dukes delivered several messages from the Governor.

Sen. Hoey reported the following bills from committee: **SB 229**—2 favorable, 2 merits; **SB 225**—4 merits, 1 unfavorable; **SB 224**—3 favorable, 1 merit.

Sen. Hoey introduced the following bill, **SB 233** which was given first reading and referred to the Committee on Finance.

**SB 233**—An Act making a supplementary appropriation to the Contingency Fund.

The following messages from the Governor were read and referred to Executive:

#### STATE OF DELAWARE

Executive Department

Dover

CHARLES L. TERRY, JR.

Governor

June 18, 1965

To the Senate of the 123rd General Assembly  
of the State of Delaware:

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

Mrs. Hazel Harrington, Felton, Delaware, to be a mem-



ber of the Department of Elections for Kent County, for a term of four years from date of confirmation, succeeding Mrs. Marian Smitheman.

Respectfully submitted,  
Charles L. Terry, Jr.  
Governor

STATE OF DELAWARE  
Executive Department  
Dover

CHARLES L. TERRY, JR.  
Governor

June 23, 1965

To the Senate of the 123rd General Assembly  
of the State of Delaware:

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

Mr. William G. Dorsey, 1105 Woodlawn Avenue, Wilmington, Delaware, to be a member of the State Highway Department for a term to expire May 1, 1968. (Reappointment)

Mr. C. Wardon Gass, 2715 Duncan Road, Brandywine Springs, Wilmington 8, Delaware (Rural New Castle County), to be a member of the State Highway Department for a term to expire June 5, 1968. (Reappointment)

Mr. Frank H. Mackie, Jr., 1103 duPont Road, Westover Hills, Wilmington 16, Delaware, (Rural New Castle County), to be a member of the State Highway Department for a term to expire June 5, 1968. (Reappointment)

Respectfully submitted,  
Charles L. Terry, Jr.  
Governor

STATE OF DELAWARE  
Executive Department  
Dover

CHARLES L. TERRY, JR.  
Governor

June 23, 1965

To the Senate of the 123rd General Assembly  
of the State of Delaware:

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

Mr. R. Glen Mears, Seaford, Delaware, to be a member of the Water Pollution Commission for a term to expire August 1, 1967. (Reappointment)

Mr. Wallace F. McFaul, Jr., 772 East Loockerman Street, Dover, Delaware, to be a member of the Water Pollu-

tion Commission for a term to expire August 1, 1966, succeeding Mr. W. Leslie Wheatley.

Respectfully submitted,  
Charles L. Terry, Jr.

Governor

STATE OF DELAWARE

Executive Department

Dover

CHARLES L. TERRY, JR.

Governor

June 25, 1965

To the Senate of the 123rd General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following names, elected by the Board of Trustees of the University of Delaware to be members of that Board for the terms indicated:

Mr. Edmond duPont, 2106 Grant Avenue, Wilmington, Delaware, for a six-year term to expire June 12, 1971. Succeeding John P. Cann, deceased.

Honorable Otis H. Smith, Lewes, Delaware, for a six-year term to expire December 6, 1970. (Reappointment)

Honorable James M. Tunnell, Jr., 601 Beaver Valley Road, Wilmington, Delaware, for a six year term to expire June 13, 1971. (Reappointment)

Respectfully submitted,  
Charles L. Terry, Jr.

Governor

STATE OF DELAWARE

Executive Department

Dover

CHARLES L. TERRY, JR.

Governor

To the Senate of the 123rd General Assembly  
of the State of Delaware:

July 1, 1965

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

Mr. James T. Ferri, 4403 Channing Road, Brandywine Hills, Wilmington 2, Delaware, to be Commissioner of the Delaware River and Bay Authority for a term to expire July 1, 1970. (Reappointment)

Respectfully submitted,  
Charles L. Terry, Jr.

Governor

STATE OF DELAWARE

Executive Department

Dover

CHARLES L. TERRY, JR.

Governor

December 2, 1965

To the Senate of the 123rd General Assembly  
of the State of Delaware:

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

Andy B. Clements, 224 North State Street, Dover, Delaware, to be a member of the Delaware Alcoholic Beverage Control Commission, for a term to expire May 15, 1970, succeeding Clarence Rash.

Ervin P. Voshell, White Oak Road, Dover, Delaware, to be a member of the Bingo Control Commission, for a term to expire September 1, 1970. (Reappointment)

John T. Gallagher, 600 Lindsay Road, Bellevue Manor, Wilmington 3, Delaware, to be a member of the Delaware Code Revision Commission, for a term to expire February 1, 1969. (Reappointment)

Homer Wright, Magnolia, Delaware, to be a member of the Department of Elections for Kent County, for a term of four years from date of confirmation. (Reappointment)

Respectfully submitted,

Charles L. Terry, Jr.

Governor

STATE OF DELAWARE

Executive Department

Dover

CHARLES L. TERRY, JR.

Governor

December 2, 1965

To the Senate of the 123rd General Assembly  
of the State of Delaware:

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

E. Hobson Davis, 2205 Grant Avenue, Gwynhurst, Wilmington, Delaware, to be State Tax Commissioner for a term to expire November 1, 1969. (Reappointment)

Leroy A. Brill, 2103 Baynard Boulevard, Wilmington, Delaware, to be a member of the State Tax Board, for a four year term from date of confirmation. (Reappointment)

J. Gordon Lane, Selbyville, Delaware, to be a member of the State Tax Board, for a four year term from date of confirmation, succeeding W. Howard Workman.

Preston C. Townsend, Selbyville, Delaware, to be a member of the Board of Trustees of the University of Delaware, for a term to expire June 20, 1971. (Reappointment)

Harold L. Jacobs, 200 North Spring Valley Road, Wilmington 7, Delaware, to be a member of the Water Pollution Commission, for a term to expire August 1, 1968. (Reappointment)

Respectfully submitted,

Charles L. Terry, Jr.

Governor

Sen. Steen introduced the following resolution, **SR 89** which was given first reading and adopted by voice vote.

**SR 89**—In reference to election of officers.

On motion of Sen. McGinnis, **SB 209** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 209**—An Act to Amend Chapter 108, Volume 47, Laws of Delaware, entitled "An Act Extending the Corporate Limits of the Town of Camden," by adding a new area thereto.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

**NAYS:** None.

**ABSENT:** DuPont, Holloway, Kinahan—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.

Sen. Hoey reported the following bill from committee: **SB 233**—5 merits.

Sen. Cook reported the following bills from committee: **HB 286**—3 favorable, 1 merit; **HB 297**—4 favorable; **HB 99**—4 favorable.

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

**SB 216**—An Act to Further Amend Chapter 182 of Volume 45, Laws of Delaware 1944-5, Entitled "An Act to Reincorporate the Town of Delmar" by increasing the limit of floating debt by which the Council is authorized to anticipate revenue.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—14.

**NAYS:** None.

**ABSENT:** DuPont, Hoey, Holloway, Kinahan—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 Sen. Steen, **SB 217** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 217**—An Act to Amend the Charter of the Town of

Delmar, Chapter 182, Volume 45, Laws of Delaware, relative to sewer rentals.

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

**YEAS:** Bookhammer, Carney, Conner, Davidson, Dineen, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—14.

**NAYS:** None.

**ABSENT:** Cook, DuPont, Holloway, Kinahan—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.

Sen. Davidson introduced the following bill, **SB 234** which was given first reading and referred to the Committee on Revised Statutes.

**SB 234**—An Act to Amend Section 2942, Title 21, Delaware Code, relating to suspension of license for non-payment of Judgements by allowing an occupational license under certain conditions.

Sen. Schlör introduced the following joint resolution, **SJR 12**, which was given first reading and referred to the Committee on Banking and Insurance.

**SJR 12**—Requesting the Governor to appoint a committee to study the present status of automobile insurance companies in Delaware.

On motion of Sen. Dineen **HB 292** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 292**—An Act to Amend §1522, Chapter 15, Title 9, Delaware Code, Relating to the Borrowing of Money by the Levy Court of New Castle County.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—14.

**NAYS:** None.

**ABSENT:** DuPont, Holloway, Kinahan, Manning—4.

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

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

**SB 195**—An Act to Amend the Fourth Paragraph of Section 5501, Chapter 55, Title 29, Delaware Code, by making a change in the Definition of "Covered Employment."

On the question "Shall The Bill Pass the Senate?" the

yeas and nays were ordered which being taken were as follows:

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: DuPont, Holloway, Kinahan—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.

Sen. Schlör reported the following bill from committee: **SB 204**, 5 favorable.

Sen. Martin moved that **SB 213** be brought up for final reading and vote. Sen. Martin moved to defer action on **SB 213**. Adopted by voice vote.

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

**SB 207**—An Act to Amend Subchapter VII, Title 16, Delaware Code, entitled Optometric Clinics, by Providing Compensation for Optometric Services Rendered in Public Health Clinics and Providing for an Appropriation therefor.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Martin, McCullough, Moore, Robbins, Schlör, Steen—13.

NAYS: Manning—1.

ABSENT: DuPont, Holloway, Kinahan, McGinnes—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.

Sen. Dineen asked for the privilege of the floor for Representative Keil to discuss **HB 13**. No objections heard; privilege was then granted.

On motion of Mr. Dineen **HB 13** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 13**—An Act to Amend Article III, Section 18, of the Constitution.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: DuPont, Holloway, Kinahan—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.

Sen. Steen introduced the following bill, **SB 235** which was given first reading and referred to the committee on Fish, Oyster, and Game.

**SB 235**—An Act to Amend Section 106, Title 7, Delaware Code, Relating to Powers and Duties of the Board of Game and Fish Commissioners.

Sen. Cook introduced the following bill, **SB 236** which was given first reading and referred to the committee on Buildings and Highways.

**SB 236**—An Act to Direct the State Highway Department to Maintain Certain Streets.

Sen. Cook for Sen. Carney reported the following bill from Committee: **SB 202**, 3 favorable, 1 merit.

On motion of Sen. Cook to table roll call on **HB 86**.

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

YEAS: Carney, Dineen, Martin, McCullough, Schlör—5.

NAYS: Bookhammer, Conner, Manning, Robbins, Steen

—5.

NOT VOTING: Cook, Davidson, Hoey, McGinnes, Moore

—5.

ABSENT: DuPont, Holloway, Kinahan—3.

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

On motion of Sen. Cook **HB 86** with title as follows was taken up for consideration and read a second time by title in order to Pass the Senate.

**HB 86**—An Act to Transfer and Appropriate from the Capital Investment Fund to the State Custodian and State Building and Grounds Commission of the State of Delaware for the Purpose of Providing Air Conditioning for the Legislative Hall.

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

YEAS: Carney, Cook, Dineen, Martin, McCullough, Schlör—6.

NAYS: Bookhammer, Conner, Davidson, Hoey, Manning, McGinnes, Moore, Robbins, Steen—9.

ABSENT: DuPont, Holloway, Kinahan—3.

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

Sen. Dineen (Co-sponsors: McGinnes and Carney) introduced the following bill, **SB 237** which was given first reading and referred to the committee on Elections.

**SB 237**—An Act to Amend Section 103 and Section 104, Title 15, Delaware Code, Relating to Appointment of Members of the Departments of Elections for all Counties.

Sen. McCullough asked for the privilege of the floor for John Williamson to discuss **HB 76**. No objections heard; privilege was then granted.

Sen. Bookhammer asked for the privilege of the floor

for Sidney Vestry to discuss **HB 76**. No objections heard; privilege was then granted.

On motion of Sen. McCullough **HB 76** with **HA 1**, **HA 2**, and **HA 3** as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 76**—An Act to Incorporate the Town of South Bethany.

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

YEAS: Carney, Conner, Cook, Manning, McCullough, McGinnes, Moore, Steen—8.

NAYS: None.

NOT VOTING: Bookhammer, Davidson, Martin, Robbins, Schlör—5.

ABSENT: Dineen, DuPont, Hoey, Holloway, Kinahan—5.

On the motion of Sen. McCullough the roll call was tabled. Sen. Martin moved that **SB 213** be brought up for final reading and vote.

Sen. Cook introduced the following amendment, **SA 1** to **SB 213** which was given first reading and adopted by voice vote.

On motion of Sen. Martin **SB 213** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 213**—An Act to Amend Section 522, Title 28, Delaware Code, Relating to the Award of Dates and Maximum Racing Days for Harness Racing.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Martin, McGinnes, Moore, Schlör, Steen—10.

NAYS: Conner, Robbins—2.

NOT VOTING: Bookhammer, Manning—2.

ABSENT: DuPont, Holloway, Kinahan, McCullough—4.

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

Sen. Steen introduced the following bill, **SB 238** which was given first reading and referred to the committee on Fish, Oyster and Game.

**SB 238**—An Act to Amend Section 106, Title 7, Delaware Code, Relating to Powers and Duties of the Board of Game and Fish Commissioners.

Sen. Steen requested that **SB 235** be stricken from the calendar. Adopted by voice vote.

Sen. Cook moved that the Senate adjourn until Monday,