

Legislative Hearings Relating to the Governor's Governmental Reorganization Plans."

Mr. McCullough moved that **SCR 40** be deferred. Motion prevailed.

Messrs. Watson, Nechay and Reilly asked to be marked present.

On motion of Mr. Cook the Senate recessed at call of the Chair at 1:40 P.M. The Senate met at the expiration of the recess at 5:40 P.M., Lt. Gov. Buckson presiding.

Messrs. Correll, Hickman and Simpson asked to be marked present.

Mr. McCullough presented a communication from the DSEA in favor of **SS 1** for **SB 194**.

On motion of Mr. Cook the Senate adjourned at 5:45 P.M. until Thursday, February 25, 1960 at 1 P.M.

102ND LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:20 P.M., on Thursday, February 25, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Mayhew, McCullough, Nechay, Price, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

Members absent—Messrs. Hickman, Hoey, Reilly, Snowden, Watson—5.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Communications: From the executive committee of the Claymont Women's Club in favor of the Governor's Reorganization Plan.

On motion of Mr. Nechay **SB 337** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 337—"An Act to Amend Section 8206, Title 9, Delaware Code, Relating to Expenses of Members and Employees of the Board of Assessment of Kent County."

Mr. Nechay moved that **SB 337** be deferred. Motion prevailed.

Mr. McCullough requested the privilege of the floor which was granted, whereupon he delivered the following statement:

In response to the Senate resolution of Feb. 5, calling the Air Pollution Authority to ascertain the damage caused by discharges from the Tidewater Refinery, the Authority has announced a hearing at Dover at 9:30 A.M. on Saturday, Feb. 27; and has invited all complainants to present statements of fact in writing, and to appear in person.

In view of the fact that many of these complainants have already presented statements of fact in writing, which have been on file with the Authority for over eighteen months, it appears that the Authority could and should take more energetic and effective steps in its investigation. Its action, say many New Castle citizens, in holding its hearing in another county and at a place more than forty miles from the source of the complaints, appears to be a perfunctory compliance with the Senate Resolution.

If the Authority is zealous in its concern for the welfare of the people of Delaware, it should, on the basis of the facts already submitted by complainants, proceed with a thorough investigation. Members or agents of the Authority should observe the effects of the Tidewater fumes on the ground, under various conditions of wind and weather. Residents of New Castle should be urged to call in agents of the Authority when the smell is observable. Any public hearings should be held in the affected area, for the convenience of the witnesses rather than the Authority.

The Authority should procure a chemical analysis of the Tidewater stack gasses, and should consult medical authorities on the effect of these chemicals on health. Assistance of the Weather Bureau should be requested in analysing the effects of prevailing wind and barometric conditions on the dissemination of the stack gasses. Further analysis should be made of the air in New Castle and other affected communities, at a time when maximum pollution is reported.

Messrs. Watson and Hoey asked to be marked present.

On motion of Mr. Cook the Senate recessed at call of the Chair at 1:45 P.M. The Senate met at the expiration of the recess at 5 P.M., Lt. Gov. Buckson presiding.

Mr. Hickman asked to be marked present.

Mr. Cook moved that the Senate adjourn until Monday, February 29, 1960 at 1 P.M. at 5:05 P.M. Motion prevailed.

103RD LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:00 P.M., on Monday, February 29, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Price, Reilly, Simpson, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—12.

Members absent—Messrs. McCullough, Nechay, Snowden, Spicer, Williams—5.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. Cook presented a communication in reference to the old State House.

Mr. McCullough asked to be marked present.

Mr. Cook presented the following communication from Rodney M. Layton, Esq.:

RODNEY M. LAYTON
4072 Du Pont Building
Wilmington, Delaware

February 26, 1960

Honorable Allen J. Cook
Legislative Hall
Dover, Delaware

Dear Senator Cook:

It is the understanding of Governor Boggs that the General Assembly desires that he appear on Tuesday, March 1st, for examination in respect of the principles involved in his recommendations for governmental reorganization, and that on March 2nd the Governor's recommendations for the establishment of a Civil Service for the State will be considered. The Governor is to be assisted in his presentation upon the subject of Civil Service by the Honorable Elliott Kaplan, a member of the executive branch of the government of the State of New York, who has readjusted his other commitments for the purpose of making himself available at Dover on Wednesday, March 2nd. It is the Governor's hope that the date for the consideration of the Civil Service Bill will not further be changed, since Mr. Kaplan, a recognized authority in this field, will, in all likelihood, be unable further to adjust his commitments and the Governor feels that it is important that Mr. Kaplan's knowledge be made available to the General Assembly for the purpose of its deliberations.

In the event that the General Assembly has any other desires with regard to the hearings to be held on Tuesday and Wednesday, March 1st and 2nd, the Governor respectfully asks that he be advised thereof.

Respectfully,

RODNEY M. LAYTON
Counsel to Governor Boggs

Mr. Reilly reported **HB 446** from Labor with 2 favorable and 3 merits.

Messrs. Spicer and Nechay asked to be marked present.

On motion of Mr. Reilly **HB 21** with title as follows was taken up for consideration and read in order to pass the Senate over the Governor's veto. The Governor's veto message was read in full.

HB 21—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate a Rescue Truck."

On the question "Shall the Bill pass the Senate over the Governor's veto?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Tull, Watson—14.

NAYS—0.

NOT VOTING—Mr. Pres. Pro Tem Cook—1.

ABSENT—Messrs. Snowden, Williams—2.

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

Mr. McCullough introduced the following Resolution which on motion of Mr. Cook was deferred:

SR 123—"Relating to a Song Titled 'Delaware' Which Said Song Honors the Fair State of Delaware."

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

HCR 36—"An Act Making Appropriations to Various Companies for Services and Supplies Rendered the 120th General Assembly," to Claims.

HB 480—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power; by Exempting Lands and Improvements of the Klair Estates Civic Association, Inc. from Assessment and Taxation," to Miscellaneous.

HB 475—"An Act to Amend Chapter 154, Volume 52, Laws of Delaware, Relating to Boat Registration and Safety, and Appropriating Funds Therefor," to Fish, Oyster and Game.

Mr. Nechay introduced the following Bill which was given first reading and referred to the Committee on Education.

SB 340—"An Act Appropriating Money to the Harrington Special School District Board of Education."

Mr. Nechay introduced the following Resolution which on further motion by him was adopted:

SR 124—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered through January 11, 1960 for Telephones 6-1113, 6-6111 and 6-1295."

On motion of Mr. Cook the Senate recessed at call of the Chair at 3:45 P.M. The Senate met at the expiration of the recess at 4:50 P.M., Lt. Gov. Buckson presiding.

HB 285 was reported from the Education Committee with 2 favorable and 2 merits.

Mr. Williams asked to be marked present.

Mr. Mayhew reported **HB 475** from Fish, Oyster and Game with 4 favorable.

Mr. McCullough introduced the following Bill which was given first reading and referred to the Committee on Education:

SB 341—"An Act to Amend Title 29, Delaware Code, Entitled 'State Government' in Regard to Retired School Employees."

On motion of Mr. Reilly **SB 324** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 324—"An Act to Authorize and Empower the Wilmington Parking Authority, a 'Parking Authority' Created by 'The Mayor and Council of Wilmington' Pursuant to the Provisions of Chapter 369, Volume 48, Laws of Delaware, to Surrender and Transfer, Grant and Convey unto 'The Mayor and Council of Wilmington', a Municipal Corporation, All its Right, Title, and Interest in and to Certain of the Real Property Situate Between and Bounded by Seventh Street, Eighth Street, French Street and Walnut Street in the City of Wilmington, County of New Castle and State of Delaware."

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered and Mr. Reilly moved that the roll call be tabled. Motion prevailed.

Mr. McCullough moved that Rule 9 be suspended in order to consider **HB 285**. Motion prevailed.

On motion of Mr. McCullough **HB 285** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 285—"An Act to Amend Title 14, Delaware Code, Entitled 'Education' Relating to Procurement of Land for School Sites."

YEAS—Messrs. Correll, duPont, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Hoey, Snowden, Steen, Tull, Watson—6.

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

Mr. Reilly moved that the roll call on **SB 324** be lifted.

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

YEAS—Messrs. Correll, duPont, Mayhew, McCullough,

Nechay, Price, Reilly, Simpson, Spicer, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Hoey, Snowden, 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.

Mr. Nechay introduced **SS 1** for **SB 337** with title same as the original and on further motion by him, the same was adopted in lieu of the original.

On motion of Mr. Nechay **SS 1** for **SB 337** 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 337**—“An Act to Amend Section 8206, Title 9, Delaware Code, Relating to Expenses of Members and Appraisers of the Board of Assessment of Kent County.”

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

YEAS—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—Mr. duPont—1.

NOT VOTING—Mr. Correll—1.

ABSENT—Mr. Snowden—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.

Messrs. Tull, Price, Simpson, and Williams introduced the following Bill which was given first reading and referred to the Committee on Miscellaneous:

SB 342—“An Act to Amend Chapter 5, Volume 52, Laws of Delaware, Relating to the State Fire Marshal.”

Mr. Mayhew moved that Rule 9 be suspended for the purpose of considering **HB 475**. Motion prevailed.

On motion of Mr. Mayhew **HB 475** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 475—“An Act to Amend Chapter 154, Volume 52, Laws of Delaware, Relating to Boat Registration and Safety, and Appropriating Funds Therefore.”

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Tull, Watson, Williams—15.

NAYS—0.

NOT VOTING—Mr. Pres. Pro Tem Cook—1.

ABSENT—Mr. Snowden—1.

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

Mr. Cook requested the privilege of the floor to explain an article appearing in the Delaware State News.

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

HB 481—"An Act Making an Emergency Deficiency Appropriation to the State Treasurer's Office for the Fiscal Year Ending June 30, 1960," to Finance.

HB 368—"An Act to Amend Chapter 147, Volume 51, Laws of Delaware, Relating to Appropriations for Expenses of State Government, by Requiring That All Vouchers for the Payment of Monies Thereunder be Presented Prior to the End of the Fiscal Year," to Finance.

HB 459—"An Act to Amend an Act Entitled 'An Act to Authorize the Recorder of Deeds in and for Sussex County to Make New Indices for Mortgages' as it Appears in Chapter 72, Volume 52, Laws of Delaware," to Revised Statutes.

SB 329 was reported from Committee with 2 favorable and 3 merits; **HCR 36** was reported from Committee with 1 favorable, 3 merits.

Mr. Hickman introduced the following Resolution which on further motion by him was adopted:

SR 125—"Authorizing Payment of Amount Due The Sussex Countian for Printing Senate Calendar."

Mr. duPont moved that Rule 9 be suspended. Motion prevailed.

On motion of Mr. duPont **SB 329** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 329—"An Act to Amend Chapter 47, Title 29, Delaware Code, Entitled Board of Post Mortem Examiners."

Mr. Steen moved that **SB 329** be deferred. Motion prevailed.

On motion of Mr. Cook the Senate adjourned at 5:50 P.M. until Tuesday, March 1, 1960 at 1 P.M.

104TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:20 P.M., on Tuesday, March 1, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Spicer, Steen—7.

Members absent—Messrs. McCullough, Nechay, Price, Reilly, Simpson, Snowden, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—10.

On motion of Mr. Steen the Senate recessed at call of the Chair at 1:25 P.M. The Senate met at the expiration of the recess at 5:25 P.M., Lt. Gov. Buckson presiding.

Messrs. Mayhew, Price, Reilly, Simpson, Nechay, Tull, Watson, Williams and Cook asked to be marked present.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. McCullough introduced the following Resolution which on further motion by him was adopted:

SR 126—"Relating to the Air Pollution Authority of the State of Delaware."

Mr. Simpson introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 343—"An Act Appropriating Money to the Coroner of Kent County for the Sole Purpose of Performing Autopsies."

Messrs. Correll and Reilly introduced the following Bill which was given first reading and referred to the Committee on Education:

SB 344—"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'."

SB 343 was reported from the Finance Committee with 3 favorable and 2 merits.

Mr. Simpson moved that Rule 9 be suspended in order to consider **SB 343**. Motion prevailed.

On motion of Mr. Simpson **SB 343** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 343—"An Act Appropriating Money to the Coroner of Kent County for the Sole Purpose of Performing Autopsies."

Mr. duPont moved that **SB 343** be deferred to act on **SB 330** and **329**. Motion lost.

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

YEAS—Messrs. Correll, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—Mr. duPont—1.

ABSENT—Messrs. Snowden, 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.

On motion of Mr. Cook the Senate adjourned at 6:00 P.M. until Wednesday, March 2, 1960 at 1 P.M.

105TH LEGISLATIVE LAY

The Senate met pursuant to adjournment at 1:30 P.M., on Wednesday, March 2, 1960, Lt. Gov. Buckson presiding:

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—9.

Members absent—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Snowden, Watson—8.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

On motion of Mr. Cook the Senate recessed at call of the Chair at 1:35 P.M. The Senate met at the expiration of the recess at 6:15 P.M., Pres. Pro Tem Cook presiding.

Messrs. McCullough, Hoey, Price, Mayhew asked to be marked present.

Messrs. Steen and Cook introduced the following Resolution which on further motion by him was adopted:

SR 127—"Expressing the Sympathy of the Senate on the Death of Martha Ann Kirwan."

Mr. Nechay introduced the following Resolution which on further motion by him was adopted:

SR 128—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the Senate, Being Expenses Connected with the Present Session of the Senate of the 120th General Assembly."

Mr. Reilly moved that the Senate adjourn until Thursday, March 3, 1960 at 1 P.M. at 6:35 P.M.

106TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1 P.M. on Thursday, March 3, 1960, Lt. Gov. Buckson presiding.

There being no one present other than Lt. Gov. Buckson (a snowstorm was raging outside) the Chair declared a recess until Monday, March 7, 1960 at 1 P.M.

The Senate met at the expiration of the recess at 2:10 P.M., Monday, March 7, 1960, Lt. Gov. Buckson presiding.

Prayer by Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Hoey, McCullough, Price, Reilly, Simpson, Spicer, Tull—10.

Members absent—Messrs. Mayhew, Nechay, Snowden, Steen, Watson, Williams, Mr. Pres. Pro Tem Cook—7.

On motion of Mr. Reilly the Senate adjourned at 2:15 P.M. until Monday, March 7, 1960 at 2:20 P.M.

107TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:20 P.M., on Monday, March 7, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Hoey, McCullough, Price, Reilly, Simpson, Spicer, Tull—10.

Members absent—Messrs. Mayhew, Nechay, Snowden, Steen, Watson, Williams, Mr. Pres. Pro Tem Cook—7.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. Reilly introduced the following Bill which was given first reading and referred to the Committee on Public Health:

SB 345—"An Act to Amend Section 2610, Title 24, Delaware Code, Entitled 'Physical Therapy'."

Mr. Price introduced the following Bill which was given first reading and referred to the Committee on Corporations Municipal:

SB 346—"An Act to Amend an Act Approved February 4, 1935, Entitled 'An Act to Amend an Act Entitled 'An Act Changing the Name of 'The Town of Dover' to 'The City of Dover' and Establishing a Charter Therefor' by Exempting Certain Real Estate from Municipal Taxation'."

Messrs. Williams and Nechay asked to be marked present.

On motion of Mr. Reilly the Senate recessed at call of the Chair at 2:35 P.M. The Senate met at the expiration of the recess at 4 P.M., Lt. Governor Buckson presiding.

The following Bills were introduced by Messrs. duPont and Reilly, given first reading, and referred to Committee on Judiciary:

SB 347—"An Act to Amend Chapter 87, Title 10, Delaware Code, Relating to Fees and Costs."

SB 348—"An Act to Repeal Chapter 91 and Amend Certain Provisions of Chapters 93, 95 and 97 of Title 10, Delaware Code, Pertaining to Justices of The Peace and Provide New Justice of The Peace Courts Having Salaried Justices of The Peace."

SB 349—"An Act to Amend Certain Sections of Chapter 59, Title 11, Code of Delaware, Relating to Justices of the Peace."

SB 350—"An Act to Amend Section 3322, Title 16, Code of Delaware, Relating to the Enforcement of the Pure Food and Drugs Law."

SB 351—"An Act to Amend Section 7703, Title 3, Code of Delaware, Relating to Damage by Stray Livestock."

SB 352—"An Act to Amend Section 1308, Title 7, Code of Delaware, Relating to Enforcement of Game and Fish Laws."

SB 353—"An Act to Amend Section 2701, Title 11, Code of Delaware, Relating to Jurisdiction and Venue."

SB 354—"An Act to Amend Section 906, Title 28, Code of Delaware, Relating to the Regulation of Public Entertainment on Sundays."

SB 355—"An Act to Amend Section 2716, Title 7, Code of Delaware, Relating to Enforcement of Shellfish Laws."

SB 356—"An Act to Amend Section 704, Title 21, Code of Delaware, Relating to Jurisdiction of Motor Vehicle Offenses."

SB 357—"An Act Proposing an Amendment to Article IV, Section 29 of the Constitution of the State of Delaware, Relating to Justices of the Peace."

Mr. Reilly introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 358—"An Act Making an Emergency Supplemental Appropriation to the State Examining Board of Physical Therapist for Examination Expenses."

Messrs. Reilly and duPont introduced the following Bill which was given first reading and referred to the Committee on Revised Statutes:

SB 359—"An Act to Amend Chapter 15, Title 9, Delaware Code Relating to Levy Court of New Castle County."

The following House Bill was introduced, given first reading and referred to Committee on Finance:

HB 348—"An Act Making a Supplementary Appropriation to the Public Archives Commission for the Fiscal Year Beginning July 1, 1959 and Ending June 30, 1960."

Mr. Hickman reported **HB 435** from Committee with 2 favorable and 2 merits.

On motion of Mr. Reilly the Senate adjourned at 4:45 P.M. until Tuesday, March 8, 1960 at 1 P.M.

108TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:20 P.M., on Tuesday, March 8, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hoey, Price,

Simpson, Spicer, Tull, Mr. Pres. Pro Tem Cook—8.

Members absent—Messrs. Hickman, Mayhew, McCullough, Nechay, Reilly, Snowden, Steen, Watson, Williams—9.

The Chair declared a recess in the absence of a quorum, at the call of the Chair.

The Senate met at the expiration of the recess at 5:50 P.M., Pres Pro Tem Cook presiding.

Messrs. Hickman, Mayhew, McCullough, Reilly, Steen and Williams asked to be marked present.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

On motion of Mr. Spicer **HB 435** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 435—"An Act Making a Supplementary Appropriation to the Lewes Memorial Commission for the Fiscal Year Beginning July 1, 1959 and Ending June 30, 1960."

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

YEAS—Messrs. Correll, duPont, Hickman, Price, Reilly, Simpson, Spicer, Tull, Williams—9.

NAYS—Messrs. Hoey, McCullough, Steen—3.

NOT VOTING—Messrs. Mayhew, Mr. Pres. Pro Tem Cook—2.

ABSENT—Messrs. Nechay, Snowden, Watson—3.

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

On motion of Mr. Reilly the Senate adjourned at 6 P.M. until March 9, 1960 at 1 P.M.

109TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:20 P.M., on Wednesday, March 9, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hoey, Price, Simpson, Spicer, Steen, Tull, Mr. Pres Pro Tem Cook—9.

Members absent—Messrs. Hickman, Mayhew, McCullough, Nechay, Reilly, Snowden, Watson, Williams—8.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Messrs. Steen and Cook introduced the following bills which were given first reading and referred to the committee on Judiciary:

SB 360—"An Act Making a Supplementary Appropriation to the Juvenile Court of Kent and Sussex Counties."

SB 361—"An Act Making a Supplementary Appropriation to the Superior Court of the State of Delaware for the Fiscal Year Ending June 30, 1960."

Mr. Nechay asked to be marked present.

SB 346 was reported from committee with 3 favorable.

On motion of Mr. Steen the Senate recessed at call of the chair at 1:40. The Senate met at the expiration of the recess at 5:50 P.M. Pres. Pro Tem Cook presiding.

Messrs. Hickman, Mayhew, and Williams asked to be marked present.

Mr. Mayhew moved that the Senate adjourn at 5:55 P.M. until Thursday, March 10, 1960 at 1 P.M.

110TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:55 P.M., on Thursday, March 10, 1960 Pres. Pro Tem Cook presiding.

Prayer by Mr. Henry Price.

Members present—Messrs. Correll, duPont, Price, Williams, Mr. Pres. Pro Tem Cook—5.

Members absent—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Watson—12.

Since there was not a quorum the chair declared a recess at call of the chair at 2 P.M.

The Senate met at the expiration of the recess at 6:25 P.M. Pres. Pro Tem Cook presiding.

Messrs. Nechay, Hoey, Mayhew, and Simpson asked to be marked present.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

On motion of Mr. Nechay the Senate adjourned at 6:25 P.M. until Monday, March 14, 1960 at 1 P.M.

111TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:25 P.M., on Monday, March 14, 1960 Pres. Pro Tem Cook presiding.

Prayer by the Chaplain Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

Members absent—Messrs. Hickman, McCullough, Snowden, Steen, Watson—5.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Messrs. Hoey and Mayhew introduced the following bill

which was given first reading and referred to the committee on Finance:

SB 362—"An Act to Amend An Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware, in Respect to Appropriations to the Labor Commission of Delaware, The State Highway Department, Soil Conservation Commission, and Department of Public Welfare, By Making Transfers in Certain Appropriation Items to Said Agencies."

On motion of Mr. Price **SB 346** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 346—"An Act to Amend an Act Approved February 4, 1935, Entitled 'An Act to Amend an Act Entitled 'An Act Changing the Name of 'The Town of Dover', to 'The City of Dover, and Establishing a Charter Therefor 'By Exempting Certain Real Estate from Municipal Taxation.'"

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, McCullough, Snowden, Steen, Watson—5.

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

Mr. Hoey reported **SB 362** from committee with 2 Favorable and 2 Merits.

Mr. Hoey moved that rule 9 be suspended in order to consider **SB 362**. Motion prevailed.

Messrs. Watson and Steen asked to be marked present.

On motion of Mr. duPont the Senate recessed for thirty minutes.

The Senate met at the expiration of the recess at 3:05 P. M., Pres. Pro Tem Cook presiding.

On motion of Mr. Hoey **SB 362** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 362—"An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960,' Being Chapter 57, Volume 52, Laws of Delaware, in Respect to Appropriations to the Labor Commission of Delaware, The

State Highway Department, Soil Conservation Commission, and Department of Public Welfare, By Making Transfers in Certain Appropriation Items to Said Agencies."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Pres. Pro Tem—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, McCullough, Snowden—3.

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

Mr. Steen introduced the following bill which was given first reading and referred to the committee on Buildings and Highways:

SB 363—"An Act to Amend Chapter 7, Title 17, Delaware Code Relating to Railroad Crossings Over Highways."

Messrs. Reilly and duPont introduced the following bill which was given first reading and referred to the committee on Revised Statutes:

SB 364—"An Act to Amend and Repeal Certain Sections of Chapter 27, Title 10, Code of Delaware, Relating to Constables and to Provide for Salaried Constables."

The Senate received the report of the Air Pollution Authority in compliance with **SR 117** and **SR 126** and the same was filed with the Secretary of the Senate.

Mr. Nechay requested that **HCR 36** be brought up for consideration and on further motion by him the Resolution was adopted and returned to the House.

Mr. Reilly reported the following bills from the judiciary committee:

SB 361, 3 Favorable, 1 Merits; **SB 360**, 3 Favorable, 1 Merits; **SB 357**, 3 Favorable, 1 Merits; **SB 356**, 3 Favorable, 1 Merits; **SB 355**, 3 Favorable, 1 Merits; **SB 352**, 3 Favorable, 1 Unfavorable; **SB 354**, 3 Favorable, 1 Merits; **SB 351**, 3 Favorable, 1 Merits; **SB 353**, 3 Favorable, 1 Unfavorable; **SB 350**, 3 Favorable, 1 Merits; **SB 349**, 3 Favorable, 1 Merits; **SB 348**, 2 Favorable, 2 Merits; **SB 347**, 4 Favorable.

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

HB 505—"An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware, in Respect to Appropriations to Department of Elections for New Castle,

Kent and Sussex Counties," to Elections.

Mr. Steen moved that rule 9 be suspended in order to consider **SB 360**, **SB 361**, and **SB 363**. Motion prevailed.

On motion of Mr. Steen **SB 360** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 360—"An Act Making a Supplementary Appropriation to the Juvenile Court of 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—Messrs. Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Pres. Pro Tem—10.

NAYS—0.

NOT VOTING—Messrs. Correll, duPont, Hoey, Mayhew—4.

ABSENT—Messrs. Hickman, McCullough, Snowden—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. Steen **SB 361** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 361—"An Act Making a Supplementary Appropriation to the Superior Court of the State of Delaware for the Fiscal Year Ending June 30, 1960."

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

YEAS—Messrs. Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Pres. Pro Tem—10.

NAYS—0.

NOT VOTING—Messrs. Correll, duPont, Hoey, Mayhew—4.

ABSENT—Messrs. Hickman, McCullough, Snowden—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.

SB 363 was reported from committee on Buildings and Highways with 2 Favorable, 3 Merits. Mr. Watson reported **HB 505** from elections with 4 Favorable.

On motion of Mr. Steen **SB 363** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 363—"An Act to Amend Chapter 7, Title 17, Delaware Code Relating to Railroad Crossings Over Highways."

Mr. Spicer moved that **SB 363** be deferred for one week. Motion prevailed.

Mr. Hoey reported **HB 348** from finance with 1 Unfavorable, 3 Merits and 1 Favorable.

Mr. Watson moved that rule 9 be suspended in order to consider **HB 505**. Motion prevailed.

On motion of Mr. Watson **HB 505** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 505—"An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware, in Respect to Appropriations to Department of Elections for 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—Messrs. Correll, duPont, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Pres. Pro Tem—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Hoey, McCullough, Snowden—4.

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

On motion of Mr. Reilly the Senate adjourned at 4:20 P. M. until Tuesday, March 15, 1960.

112TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:00 P. M., on Tuesday, March 15, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain Rev. Ray W. Kirwan.

Members present—Messrs. Correll, Mayhew, Nechay, Price, Reilly, Spicer, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—10.

Members absent—Messrs. duPont, Hickman, Hoey, McCullough, Simpson, Snowden, Steen—7.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

On motion of Mr. Reilly the Senate recessed at call of the chair at 2:05 P. M. The Senate met at the expiration of the recess at 4:45 P. M., Pres. Pro Tem Cook presiding.

Messrs. duPont and Hoey asked to be marked present.

Mr. Reilly moved that the Senate adjourn at 5:50 P. M. until Wednesday, March 16, 1960, at 1 P. M. Motion prevailed.

113TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:45 P. M., on Wednesday, March 16, 1960, Pres. Pro Tem Cook presiding.

Prayer by Rev. W. W. Hamilton.

Members present—Messrs. Correll, duPont, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—9.

Members absent—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Snowden, Steen, Watson—8.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Messrs. Tull, duPont, Williams, and Reilly introduced the following bill which was given first reading and referred to the committee on Public Health:

SB 365—"An Act Making a Supplementary Appropriation to the Department of Public Welfare for the Fiscal Year Ending June 30, 1960."

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

HB 474—"An Act Making an Emergency Deficiency Supplemental Appropriation to the Industrial Accident Board for Court Reporting Fees for the Fiscal Year Ending June 30, 1960," to Labor.

HB 490—"An Act Making an Appropriation to the State Board of Vocational Education for the Training of Volunteer Firemen," to Finance.

HB 518—"An Act to Amend Title 30, Chapter 19, Entitled 'Corporation Income Tax' By Providing for Refunds," to Miscellaneous.

Messrs. Hoey and Nechay asked to be marked present.

Mr. duPont moved that **SB 3** be stricken from the calendar. Motion prevailed.

On motion the Senate recessed at call of the Chair at 1:55 P. M. The Senate met at the expiration of the recess at 5:05 P. M., Pres. Pro Tem Cook presiding.

Mr. Reilly for Mr. Cook introduced the following bill which was given first reading and referred to the committee on Revised Statutes:

SB 366—"An Act to Amend Section 8702, Title 10, Delaware Code, Relating to Fees and Costs of Sheriff."

Mr. Hickman asked to be marked present.

On motion of Mr. Hickman the Senate adjourned at 5:10 P. M. until Monday, March 21, 1960 at 1 P. M.

114TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:00 P. M., on Monday, March 21, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Williams, Mr. Pres. Pro Tem Cook—12.

Members absent—Messrs. Hickman, Hoey, Snowden, Tull, Watson—5.

Without objection the Chair dispensed with the reading of the journal of the previous day's session.

Mr. Simpson presented a communication in favor of appropriating money for the foster children program.

Mr. Reilly reported **HB 474** from committee with 4 Favorable.

Messrs. Watson, Hoey, Hickman and Tull asked to be marked present.

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

SB 213—"An Act to Amend Chapter 17, Title 7, Delaware Code, Relating to the Powers of the Board of Game and Fish Commissioners, to Authorize the Board to Contract with the Delaware Society for the Prevention of Cruelty to Animals for the Performance of the Function of Dog Control Limiting the Contract Price for Such Service Authorizing the Appointment of Deputy Dog Control Officers or Dog Wardens with Power of Arrest and Granting Authority to Dispose of Property to the Society or Permit the Society to Use Such Property."

Mr. Watson moved that **SB 213** be deferred.

Mr. Nechay reported **SB 359** from Revised Statutes Committee with 3 Favorable, 1 Merits.

Mr. duPont moved that rule 9 be suspended in order to consider **SB 359**. Motion prevailed.

On motion of Mr. duPont **SB 359** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 359—"An Act to Amend Chapter 15, Title 9, Delaware Code, Relating to Levy Court of New Castle County."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Tull, Watson, Williams, Pres. Pro Tem—13.

NAYS—Messrs. McCullough, Steen—2.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Snowden—2.

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

Mr. Hickman presented a communication of appreciation from Mr. Snowden.

Mr. Reilly moved that rule 9 be suspended in order to consider **HB 474**. Motion prevailed.

On motion of Mr. Reilly **HB 474** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 474—“An Act Making an Emergency Deficiency Supplemental Appropriation to the Industrial Accident Board for Court Reporting Fees for the Fiscal Year Ending June 30, 1960.”

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Tull, Williams, Pres. Pro Tem—12.

NAYS—0.

NOT VOTING—Mr. Steen—1.

ABSENT—Messrs. Hoey, McCullough, Snowden, Watson—4.

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

On motion of Mr. Price **HB 348** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 348—“An Act Making a Supplementary Appropriation to the Public Archives Commission for the Fiscal Year Beginning July 1, 1959 and Ending June 30, 1960.”

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Pres. Pro Tem—14.

NAYS—Mr. McCullough—1.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Snowden—2.

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

SB 365 was reported from committee with 3 Favorable, 1 Merits.

HB 480 was reported from committee with 4 Favorable.

Mr. Mayhew moved that rule 9 be suspended in order to consider **HB 480**. Motion prevailed.

On motion of Mr. Mayhew **HB 480** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 480—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, By Exempting Lands and Improvements of the Klair Estates Civic 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—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Tull, Watson, Williams, Pres. Pro Tem—13.

NAYS—Mr. Nechay—1.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Snowden, Steen—3.

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

Mr. Reilly moved that rule 9 be suspended in order to consider **SB 365**. Motion prevailed.

On motion of Mr. Reilly **SB 365** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 365—"An Act Making a Supplementary Appropriation to the Department of Public Welfare for the Fiscal Year Ending June 30, 1960."

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

YEAS—Messrs. Correll, duPont, Hickman, Nechay, Price, Reilly, Simpson, Spicer, Tull, Watson, Williams, Pres. Pro Tem—12.

NAYS—Mr. McCullough—1.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Mayhew, Snowden, Steen—4.

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

On motion of Mr. Reilly the Senate recessed at call of the Chair at 3:20 P. M. The Senate met at the expiration of the recess at 3:40 P. M., Pres. Pro Tem Cook presiding.

On motion of Mr. Reilly the Senate adjourned at 3:45 P. M. until Tuesday, March 22, 1960 at 1 P. M.

115TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:40 P.M., on Tuesday, March 22, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. W. W. Hamilton.

Members present—Messrs. Correll, duPont, Mayhew, Price, Reilly, Simpson, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—10.

Members absent—Messrs. Hickman, Hoey, McCullough, Nechay, Snowden, Spicer, Steen—7.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. Reilly moved that the roll call on **SB 296**, which had previously been tabled be lifted from the table. Motion prevailed. Messrs. Mayhew, Cook and Watson changed their vote to yea.

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

YEAS—Messrs. Hickman, Mayhew, McCullough, Price, Reilly, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—10.

NAYS—Messrs. Correll, duPont, Nechay, Simpson—4.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Snowden, Spicer—2.

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

Messrs. Nechay, Spicer and McCullough asked to be marked present.

On motion of Mr. Reilly the Senate recessed at call of the Chair at 1:45 P.M. The Senate met at the expiration of the recess at 5:43 P.M., Pres. Pro Tem Cook presiding.

On motion of Mr. Reilly the Senate adjourned at 5:43 P.M. until Wednesday, March 23, 1960 at 1 P.M.

116TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:20 P.M., on Wednesday, March 23, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Watson, Williams, Mr. Pres. Pro Tem Cook—11.

Members absent—Messrs. Hickman, Hoey, Snowden, Spicer, Steen, Tull—6.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Communications:

From League of Women Voters and a resident of New Castle County urging continued hearings on the reform Bills.

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

HB 504—"An Act to Permit the Town of Laurel to Raise More Revenue," to Corporations Municipal.

HB 493—"An Act to Amend Title 11, Delaware Code, Relating to the Appointment of a Director for the State Board of Corrections," to Judiciary.

Messrs. Mayhew and Reilly reported the following Bills from Committee: **HB 436**, (Judiciary) 4 favorable; **SB 342**, (Miscellaneous) 2 favorable, 1 merits, 1 unfavorable; **HB 518**, (Miscellaneous) 2 favorable, 2 merits.

Mr. Mayhew moved that Rule 9 be suspended in order to consider **HB 518**. Motion prevailed.

On motion of Mr. Mayhew **HB 518** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 518—"An Act to Amend Title 30, Chapter 19, Entitled 'Corporation Income Tax' By Providing For Refunds."

On the question "Shall the Bill pass the Senate?" the yeas and nays having been taken, were as follows:

YEAS—Messrs. Correll, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Watson, Williams, Mr. Pres. Pro Tem Cook—10.

NAYS—0.

NOT VOTING—Messrs. duPont, McCullough—2.

ABSENT—Messrs. Hickman, Snowden, Spicer, Steen, Tull—5.

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

Mr. Reilly moved that the roll call on **HB 161** which had previously been tabled be lifted. Motion prevailed. Messrs. Williams and Cook changed their vote from absent to yea.

On the question "Shall the Bill pass the Senate?" the yeas and nays having been taken, were as follows:

YEAS—Messrs. Correll, duPont, Hickman, Nechay, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—Messrs. Hoey, Mayhew, McCullough, Spicer—4.

ABSENT—Mr. Snowden—1.

So the question was decided in the affirmative and the

Bill having received the required constitutional majority passed the Senate and was returned to the House .

The following Bills were introduced, given first reading, and referred to Committee:

SB 367—"An Act to Amend 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware, by Making Certain Transfers from the Appropriation 'State Employees Pension Plan-Benefits' ", by Mr. Mayhew to Finance Committee.

SB 368—"An Act to Amend Section 1305, Title 29, Delaware Code Relating to Compensation and Term of Executive Director and Secretary and Assistants of the Legislative Reference Bureau," by Mr. Watson, to Revised Statutes.

SB 369—"An Act to Amend Chapter 19, Title 30, Delaware Code, Entitled 'Corporation Income Tax' by Providing for Administration and Enforcement," by Messrs. Williams and Reilly, to Corporations Private.

Mr. Hickman asked to be marked present.

Mr. Nechay introduced the following Resolutions which on further motion by him were adopted:

SR 129—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay allowances as Compensation of the Officers and Employees of the Senate, Being Expenses Connected with the Present Session of the Senate of the 120th General Assembly."

SR 130—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 120th General Assembly."

Mr. Cook introduced the following Resolution which on further motion by him was adopted:

SCR 41—Providing for Adjournment of the Senate and House until Tuesday, April 5, 1960."

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

HB 495—"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, Relating to the Composition and Election of the Town Council of Ocean View," to Corporations Municipal.

HB 496—"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, Relating to Jurisdiction of Offenses Committed in Said Town," to Corporations Private.

Mr. Hoey introduced the following Resolution which on further motion by him was adopted:

SCR 42—Memorializing the Congress of the United States to Safeguard the Sovereignty and the Constitutions of the United States, and of the States, and Basic American Freedom by Defeating U. S. Senate Resolution 94 and U. S. House Joint Resolution 558.”

On motion of Mr. McCullough the Senate recessed at call of the Chair at 3:35 P.M. The Senate met at the expiration of the recess at 5:15 P.M., Lt. Gov. Buckson presiding.

Mr. Reilly reported **SB 310** from Committee with 2 favorable and 1 merits.

On motion of Mr. Reilly the Senate adjourned at 5:20 P.M. until Tuesday, April 5, 1960.

117TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M., on Tuesday, April 5, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Price, Reilly, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

Members absent—Messrs. Hoey, Nechay, Simpson, Snowden, Watson—5.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Messrs. duPont and Correll introduced **SA 1** to **SB 322** which was referred to the Revised Statutes Committee.

On motion of Mr. Mayhew **HB 174** with title as follows was taken up for reconsideration and read in order to pass the Senate:

HB 174—“An Act to Amend Chapter 11, Title 28, Delaware Code, Entitled ‘Bingo’ by Repealing Section With Advertising and Relating to Transportation to and from Authorized Game Locations.”

Messrs. Simpson and Watson asked to be marked present.

On the question “Shall the Bill pass the Senate?” the yeas and nays were ordered, and taken.

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

On motion of Mr. Reilly the Senate recessed at call of the Chair at 2:05 P.M. The Senate met at the expiration of the recess at 4:40 P.M., Lt. Gov. Buckson presiding.

Messrs. Hoey and Nechay asked to be marked present.

Mr. Reilly requested that **HB 446** be taken up for consideration in order to pass the Senate. Mr. Simpson moved that **HB 446** be deferred.

On the question “Shall the Motion pass the Senate?” the

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

YEAS—Messrs. duPont, Hoey, Mayhew, Price, Simpson, Spicer, Steen, Tull, Mr. Pres. Pro Tem Cook—9.

Messrs. Hickman, McCullough, Nechay, Reilly, Watson, Williams—6.

NOT VOTING—Mr. Correll—1.

ABSENT—Mr. Snowden—1.

So the question was decided in the affirmative.

The following Bills were introduced, given first reading, and referred to Committee:

SB 370—"An Act to Amend Chapter 204, Volume 17, Laws of Delaware, Providing for Public Parks by Enlarging the Powers of the Board of Park Commissioners so as to Authorize the Aquisition, Maintenance Operation and Supervision of Recreational Facilities on Park Lands of the Mayor and Council of Wilmington," by Mr. Reilly to Public Lands.

SB 371—"An Act to Repeal an Act Entitled 'An Act to Amend Title 29, Delaware Code, Entitled State Government Relative to the Powers and Duties of the Budget Commission and the Auditor of Accounts', being Chapter 131, Volume 52, Laws of Delaware, Approved July 2, 1959," by Mr. Mayhew, to Revised Statutes.

SB 372—"An Act Authorizing the Disinterment and Reinterment of Bodies in the Cemetery Belonging to and on the Property of the Mt. Olivet Methodist Church in Seaford, Delaware, and Providing that the Property of Mt. Olivet Methodist Church will be Used for Better Religious Advantage," by Mr. Tull, to Public Health.

The following Bills were reported from Committee: **SB 340**, 5 favorable (Education); **SB 367**, 1 favorable, 3 merits (finance); **SB 370**, 3 favorable, 1 merits; 1 unfavorable (Public Lands); **SB 326**, 3 favorable, 2 merits (Public Lands); **HB 495**, 5 favorable; **HB 496**, 5 favorable; **HB 417**, 3 favorable, 2 merits.

Mr. Reilly moved that Rule 9 be suspended in order to consider **SB 370**. Motion prevailed.

On motion of Mr. Simpson the Senate took a 3 minute recess. The Senate met at the expiration of the recess, Lt. Gov. Buckson presiding.

On motion of Mr. Reilly **SB 370** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 370—"An Act to Amend Chapter 204, Volume 17, Laws of Delaware, Providing for Public Parks by Enlarging the Powers of the Board of Park Commissioners so as to

Authorize the Aquisition, Maintenance Operation and Supervision of Recreational Facilities on Park Lands of the Mayor and Council of Wilmington."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Williams, Pres. Pro Tem—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Snowden, Spicer, Watson—4.

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

Mr. Hoey introduced the following bill which was given first reading and referred to the committee on Corporations Private.

SB 373—"An Act to Amend Chapter 1, Title 27, Delaware Code, Entitled 'Religious Societies and Corporation' by Adding Thereto a New Section Relating to the Transfer of Title to the Real Property of Religious Societies and Corporations."

The following message was received from the Governor and read to the Senate:

April 5, 1960

To the Senate of the 120th General Assembly of the State of Delaware:

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

James M. Tunnell, Jr., 3000 Du Pont Building, Wilmington 1, Delaware, elected by the Board of Trustees of the University of Delaware on June 13, 1959, to be a member of the Board of Trustees of the University of Delaware for a term of six years.

George L. Townsend, III, Newark, Delaware, to be a member of the State Tax Board for a term to expire March 23, 1964.

Respectfully submitted,
J. Caleb Boggs
Governor

Mr. Price reported **SB 369** from Corp. Private committee with 4 Favorable and 1 Merits.

Mr. McCullough introduced **SA 1** to **SS1** for **SB 194**

which was referred to the Education Committee.

Mr. Hickman introduced the following resolutions which on further motion by him were adopted.

SR 131—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through March 11, 1960, for Telephones RE 6-1113, RE 6-1295 and RE 6-6111."

SR 132—"An Act Making an Appropriation to International Business Machines Corporation for Repairs to IBM Typewriter."

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

HB 535—"An Act Transferring \$8,000 from Salaries of Directors (120-4000-C5) an Appropriation to the State Board of Education which Appears as Chapter 140, Volume 52, Laws of Delaware, to Cost of Homebound Instruction (101-4000-H3), State Board of Education," to Finance.

HB 392—"An Act to Further Amend Section 1 of an Act Entitled 'An Act Relating to the Government of the City of Wilmington', Being Chapter 178, Volume 18, Laws of Delaware, as Amended by Chapter 740, Volume 19, Laws of Delaware and Chapter 143, Volume 43, Laws of Delaware Relating to the Election of a City Clerk and Bailiff of Council, Defining Their Duties, Terms of Office and Salaries," to Corporations Municipal.

HB 512—"An Act to Authorize the Mayor and Council of Wilmington to Adopt an Ordinance Merging the Wilmington Planning Commission and Wilmington Zoning Commission, and the Functions of These Commissions, into a Single Entity to be Known as the Wilmington Commission on Zoning and Planning, and Establishing Membership Thereof," to Corporations Municipal.

On motion of Mr. Reilly **HB 436** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 436—"An Act to Amend Chapter 17, Title 10, Delaware Code Relating to the Judges of the Municipal Court for the City of Wilmington."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Pres. Pro Tem—12.

NAYS—0.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Snowden, Spicer, Watson, Williams—4.

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

The following bills were reported from committee: **SB 371**, 3 Favorable, 2 Merits (Revised Statutes); **HB 259**, 3 Favorable, 2 Merits; **HB 535**, 2 Favorable, 3 Merits (finance).

On motion of Mr. Reilly the Senate adjourned at 6 P. M. until Wednesday, April 6, 1960 at 1 P. M.

118TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P. M., on Thursday, April 6, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Tull, Williams, Mr. Pres. Pro Tem Cook—11.

Members absent—Messrs. Hickman, McCullough, Snowden, Spicer, Steen, Watson—6.

Without objection the Chair dispensed with the reading of the journal of the previous day's session.

On motion of Mr. Cook the Senate recessed at call of the Chair at 1:50 P. M. The Senate met at the expiration of the recess at 4:30 P. M., Lt. Gov. Buckson presiding.

The Chair introduced the following House Bill and Resolution which were given first reading and referred to committee:

HB 533—"An Act to Amend 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware, By Making Certain Transfers From the Appropriation to the Delaware Racing Commission", to Finance.

HCR 38—"Authorizing the Payment of Certain Expenses for Reporting and Transcribing of the Public Hearings on Proposed Reorganization for the 120th General Assembly," to Claims.

On motion of Mr. Mayhew **SB 367** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 367—"An Act to Amend 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware, by Making Certain Transfers from the Appropriation 'State Employees Pension Plan- Benefits'".

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

YEAS—Messrs. Correll, Mayhew, Nechay, Reilly, Simpson, Tull, Watson, Williams, Pres. Pro Tem—9.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. duPont, Hickman, Hoey, McCullough, Price, Snowden, Spicer, Steen—8.

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

On motion of Mr. Nechay **HB 459** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 459—"An Act to Amend an Act Entitled 'An Act to Authorize the Recorder of Deeds in and for Sussex County to Make New Indices for Mortgages' as it Appears in Chapter 72, Volume 52, Laws of Delaware."

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

YEAS—Messrs. Correll, duPont, Mayhew, Nechay, Reilly, Simpson, Tull, Watson, Williams, Pres. Pro Tem—10.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Hoey, McCullough, Price, Snowden, Spicer, Steen—7.

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

Messrs. Spicer and McCullough asked to be marked present.

On motion of Mr. Cook the Senate adjourned at 4:50 P. M. until Thursday, April 7, 1960.

119TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P. M., on Thursday, April 7, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Mayhew, Price, Reilly, Simpson, Tull, Mr. Pres. Pro Tem—9.

Members Absent—Messrs. Hoey, McCullough, Nechay, Snowden, Spicer, Steen, Watson, Williams—8.

Without objection the Chair dispensed with the reading of the journal of the previous day's session.

On motion of Mr. Reilly **HB 535** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 535—"An Act Transferring \$8,000 from Salaries of Directors (120-4000-C5) an Appropriation to the State Board of Education Which Appears as Chapter 140, Volume 52, Laws of Delaware, To Cost of Homebound Instruction (101-4000-H3), State Board of Education."

Messrs. Watson and Steen asked to be marked present.

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Price, Reilly, Simpson, Tull, Watson, Pres. Pro Tem—10.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Nechay, Snowden, Spicer, Steen, Williams—7.

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

On motion the Senate recessed at call of the Chair at 1:45 P. M. The Senate met at the expiration of the recess at 6 P. M., Pres. Pro Tem Cook presiding.

Messrs. Williams, McCullough, Spicer, Hoey, Steen, Nechay asked to be marked present.

Mr. Mayhew introduced the following resolution which on further motion by him was adopted.

SR 133—"Expressing the Sympathy of the Senate on the Illness of Reading Clerk, Lester Greenly."

Mr. Steen moved that the Senate consider **HB 130**, which had previously been deferred. Mr. Reilly moved that **HB 130** be deferred. Motion prevailed.

On motion of Mr. Reilly the Senate adjourned at 6:15 P. M. until Monday, April 11, 1960 at 1:00 P. M.

120TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:55 P. M., on Monday, April 11, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Steen, Mr. Pres. Pro Tem Cook—10.

Members absent—Messrs. Hickman, Hoey, Nechay, Snowden, Tull, Williams—7.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Communications: One in favor of teachers pay increase.

On motion the Senate recessed at call of the Chair at

2 P. M. The Senate met at the expiration of the recess at 3:55 P. M., Pres. Pro Tem Cook presiding.

Messrs. Watson, Tull, Williams and Hoey asked to be marked present.

Mr. McCullough introduced the following bill which was given first reading and referred to the committee on Public Health:

SB 374—"An Act to Amend Section 4101, Title 16, Delaware Code Relating to Definitions and Standards of Ice Cream."

Mr. Steen introduced the following resolution which on further motion by him was adopted.

SR 134—"In Reference to Election of Officers."

Messrs. McCullough and Watson introduced the following bill which was given first reading and referred to the committee on Elections:

SB 375—"An Act to Amend Chapter 3, Title 9, Delaware Code Relating to the Levy Court Commissioners for New Castle County.

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

HB 540—"An Act to Amend Chapter 5 of Title 28 of the Delaware Code Relating to Harness Racing," to Miscellaneous.

HB 476—"An Act Making a Supplementary Appropriation to the State Board of Examiners and Registration of Architects for the Fiscal Year Ending June 30, 1960," to Finance .

HB 523—"An Act to Amend Chapter 79, Volume 52, Laws of Delaware, Entitled 'An Act to Amend Title 14 of the Delaware Code by Providing for the Election of School-board Members in the Conrad High School District,' by Providing for Appointment of Members From Districts Voting Against Elected School Boards," to Elections.

HB 508—"An Act Empowering the State Highway Department to Enter Upon Privately Owned Lands for the Purpose of Surveys, Repairs, Reconstruction and Operation of Publicly Financed Improvements and to Assign to Said Agencies the Authority to Determine and Maintain Proper Water Levels Back of Sluices, Water Control Structures and Similiar Publicly Financed Installations," to Miscellaneous.

HB 530—"An Act to Amend Chapter 322, Volume 51, Laws of Delaware Relating to the Use of the Old Detention Home as a Temporary Place of Residence for Persons on Probation or Released From Correctional Institutions," to Miscellaneous.

HB 541—"An Act to Amend Chapter 45, Title 21, Dela-

ware Code, Relating to Length of Vehicles," to Buildings and Highways.

HB 522—"An Act to Amend Chapter 77, Volume 52, Laws of Delaware, Entitled 'An Act to Amend Title 14, Delaware Code, Relating to School Board Elections,' by Requiring the Receiver of Taxes of New Castle County to Supply Certain Data to the Department of Elections of New Castle County, by Providing Optional Use of Paper Ballots in Referendum, Limiting Referendum to General Election in 1960, Clarifying Districts Which May Petition for Referendum, and Assessing Costs Therefor," to Elections.

The Chair introduced the following resolution which was adopted.

HCR 37—"Amending House Concurrent Resolution No. 32 Relating to Designating a Part of U. S. Route No. 40 as The General Casimir Pulaski Highway."

The following bills were introduced, given first reading, and referred to committee:

SB 376—"An Act Making an Appropriation to the Delaware Commission on Children and Youth for the Printing and Distribution of the State Whitehouse Conference Committee Report," by Messrs. Williams and Reilly to Finance.

SB 377—"An Act to Amend Chapter 7, Title 9, Delaware Code Providing for the Establishment of Park Districts for the Developing, Equipping, Improving and Maintaining of Parks and Other Recreational Facilities and Activities; and to Carry On Recreational Programs: Authorizing and Regulating the Issuing of District Bonds to Finance Such Projects and providing for the Payment of Such Bonds and the Rights of the Holders Thereof", by Mr. McCullough to Public Lands.

SB 378—"An Act to Amend Chapter 19, Title 30, Delaware Code, Entitled 'Corporation Income Tax' by Providing for Administration and Enforcement," by Messrs. Williams and Reilly to Revised Statutes.

On motion of Mr. Reilly **HB 446** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 466—"An Act to Amend Sections 6913, 6914 and 6915, Title 29, Delaware Code Relating to Wages."

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered, and taken.

On motion of Mr. Reilly and without objection the roll call was tabled.

On motion of Mr. Steen **HB 469** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 469—"An Act to Amend Chapter 81, Title 9, Dela-

ware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of Westview Maintenance Corporation and Suburban 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—Messrs. Correll, duPont, McCullough, Reilly, Steen, Tull, Watson, Williams, Pres. Pro Tem—9.

NAYS—Mr. Simpson—1.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Hoey, Mayhew, Nechay, Price, Snowden, Spicer—7.

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

SB 376 was reported from committee with 2 Favorable, 1 Merits and 1 Unfavorable.

On motion of Mr. Reilly the Senate adjourned at 5:15 P. M. until Tuesday, April 12, 1960 at 1 P. M.

121ST LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:30 P. M., on Tuesday April 12, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. duPont, Hickman, Mayhew, McCullough, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—11.

Members absent—Messrs. Correll, Hoey, Nechay, Price, Snowden, Spicer—6.

Without objection the Chair dispensed with the reading of the journal of the previous day’s session.

On motion of Mr. Tull **SB 326** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 326—“An Act Authorizing the Youth Services Commission to Sell 0.540 Acres of Land to the State Highway Department and to Use the Funds Derived Therefrom.”

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

YEAS—Messrs. duPont, Hickman, Mayhew, McCullough, Reilly, Simpson, Steen, Tull, Watson, Williams, Pres. Pro Tem—11.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Correll, Hoey, Nechay, Price, Snowden, Spicer—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.

Mr. Watson reported **SB 375** from elections with 3 Favorable and 1 Unfavorable.

The Chair presented the following House Resolutions, which were given first reading.

HCR 39—“Authorizing the Payment of Certain Expenses for Reporting and Transcribing of the Public Hearings on Proposed Reorganization for the 120th General Assembly,” to Claims.

HCR 40—“An Act Making Appropriations to Various Companies for Services and Supplies Rendered the 120th General Assembly,” to Claims.

HCR 41—“Authorizing the Payment of Certain Expenses for the Recording of the Public Hearings on Proposed Reorganization for the 120th General Assembly,” to Claims.

On motion of Mr. McCullough **SB 376** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 376—“An Act to Amend Chapter 7, Title 9, Delaware Code Providing for the Establishment of Park Districts for the Developing, Equipping, Improving and Maintaining of Parks and Other Recreational Facilities and Activities: and to Carry on Recreational Programs: Authorizing and Regulating the Issuing of District Bonds to Finance Such Projects and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.”

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Reilly, Simpson, Steen, Tull, Watson, Williams, Pres. Pro Tem—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Nechay, Price, Snowden, Spicer—5.

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

Mr. Mayhew reported **HB 340** from committee with 3 Favorable.

Messrs. Correll and Hoey asked to be marked present.

Mr. Mayhew moved that rule 9 be suspended in order to consider **HB 540**.

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

YEAS—Messrs. Correll, Hickman, Hoey, Mayhew, Simpson, Steen, Tull, Williams, Pres. Pro Tem—9.

NAYS—Messrs. duPont, McCullough, Reilly—3.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Price, Snowden, Spicer, Watson—5.

So the question was decided in the affirmative.

On motion of Mr. Mayhew **HB 540** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

Mr. Mayhew introduced **SA 1** to **HB 540** and moved for its adoption.

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

YEAS—Messrs. Hickman, Hoey, Simpson, Steen, Tull, Williams, Pres. Pro Tem—7.

NAYS—Messrs. duPont, Mayhew, McCullough, Reilly—4.

NOT VOTING—Messrs. Correll, Watson—2.

ABSENT—Messrs. Nechay, Price, Snowden, Spicer—4.

So the question was decided in the negative.

On motion of Mr. Mayhew and without objection **HB 540** was deferred.

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

SB 379—"An Act to Repeal Section 8104, Title 9, Delaware Code, Relating to the Exemption of Industrial Realty within the Limits of the Town of Newport, or Adjacent Thereto, Between the Wilmington and Newport Turnpike and Christiana River So Far as the Road Leading To and Through the Land Known as Conrad's Marsh, or Within the Limits of the City of Delaware City or the City of New Castle, From Assessment or Taxation for State, County, or Municipal Purposes."

Mr. Nechay asked to be marked present.

On motion the Senate recessed at call of the Chair at 3:05 P. M. The Senate met at the expiration of the recess at 4:55 P. M., Lt. Gov. Buckson presiding.

The following bills were introduced, given first reading, and referred to committee:

SB 380—"An Act Authorizing the State of Delaware

to Borrow a Certain Sum of Money for Sundry Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor," by Messrs. Tull, Reilly, duPont and Williams, to Finance.

SB 381—"An Act Appropriating Funds to the Youth Services Commission of Delaware for the Purchasing of Land, Construction and Equipping of an Entirely New, Consolidated Training School," by Messrs. Tull, Reilly, duPont and Williams, to Finance.

On motion of Mr. McCullough **HB 467** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 467—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Castle Hills Civic Association, From Assessment and Taxation."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Reilly, Simpson, Steen, Tull, Williams, Pres. Pro Tem—11.

NAYS—Mr. Nechay—1.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Price, Snowden, Spicer, Watson—5.

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

On motion of Mr. Reilly the Senate adjourned at 5:00 P. M. until Wednesday, April 13, 1960 at 1 P. M.

122ND LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M., on April 13, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Mr. Pres. Pro Tem Cook—9.

Members absent—Messrs. duPont, Hickman, Hoey, McCullough, Nechay, Snowden, Watson, Williams—8.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

On motion of Mr. Reilly the Senate recessed at call of the Chair at 1:40 P.M. The Senate met at the expiration of the recess at 6:05 P.M., Pres. Pro Tem Cook presiding.

Mr. Nechay (by Mr. Hickman) introduced the following Resolution which on further motion by him was adopted:

SR 135—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation to the Officers and Employees of the Senate, Being Expenses Connected with the Present Session of the Senate of the 120th General Assembly."

On motion of Mr. Reilly, Messrs. duPont, Hickman, Hoey, McCullough, Nechay, Watson and Williams were marked present.

On motion of Mr. Steen **SB 297** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 297—"An Act to Amend Section 1151, Title 10, Delaware Code Relating to the Jurisdiction of the Juvenile Court of Kent and Sussex County."

On motion of Mr. Price **SA 1** for **SB 297** was stricken.

Mr. Steen introduced **SA 2** to **SB 297** and moved for its adoption. Motion prevailed.

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

YEAS—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Steen, Tull, Mr. Pres. Pro Tem Cook—10.

NAYS—Messrs. Correll, duPont, Spicer, Williams—4.

NOT VOTING—0.

ABSENT—Messrs. Simpson, Snowden, Watson—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. Reilly the Senate adjourned at 6:20 P.M. until Thursday, April 14, 1960.

123RD LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M., on Thursday, April 14, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Tull, Mr. Pres. Pro Tem Cook—10.

Members absent—Messrs. Hickman, Hoey, Nechay, Snowden, Steen, Watson, Williams—7.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Communications:

From Sussex County contractor opposing **HB 446**.

On motion the Senate recessed at call of the Chair at

1:45 P.M. The Senate met at the expiration of the recess at 4:50 P.M., Pres. Pro Tem Cook presiding.

Messrs. Steen, Nechay, Price, Hickman, Hoey and Watson asked to be marked present.

Messrs. duPont and Reilly introduced the following Resolution:

SCR 43—"Relative to the Death of Motor Vehicle Commissioner Charles G. Moore."

On motion of Mr. Steen **SCR 43** was deferred for certain corrections.

Mr. Spicer moved for a public hearing on **HB 446**. Motion prevailed.

Mr. Simpson moved that the roll call on **HB 446** be kept on the table until after the Public Hearing.

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Price, Simpson, Spicer, Steen, Tull, Mr. Pres. Pro Tem Cook—10.

NAYS—Messrs. Hickman, Reilly—2.

NOT VOTING—Mr. Watson—1.

ABSENT—Messrs. McCullough, Nechay, Snowden, Williams—4.

So the question was decided in the affirmative.

On motion of Mr. Mayhew **HB 540** was taken up again for consideration and read by title in order to pass the Senate:

Mr. Mayhew moved that **SA 1** to **HB 540** be restored. Motion prevailed.

Mr. Reilly moved for a public hearing on **HB 540**.

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

YEAS—Messrs. duPont, McCullough, Reilly, Spicer, Watson, Mr. Pres. Pro Tem Cook—6.

NAYS—Messrs. Hoey, Mayhew, Nechay, Price, Simpson, Steen, Tull—7.

NOT VOTING—Mr. Correll—1.

ABSENT—Messrs. Hickman, Snowden, Williams—3.

So the question was decided in the negative.

Mr. Reilly moved that **HB 540** be deferred.

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

YEAS—Messrs. Correll, duPont, Hickman, McCullough, Reilly, Spicer, Watson, Mr. Pres. Pro Tem Cook—8.

NAYS—Messrs. Hoey, Nechay, Price, Simpson, Steen, Tull—7.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Williams—2.

So the question was decided in the affirmative.

Mr. Reilly introduced the following Bill which was given First reading and referred to the Committee on Fish, Oyster and Game:

SB 382—“An Act to Amend Chapter 17, Title 7, Delaware Code, Relating to the Powers of the Board of Game and Fish Commissioners, to Authorize the Board to Contract with the Delaware Society for the Prevention of Cruelty to Animals for the performance of the Function of Dog Control, Limiting the Contract Price for Such Service, Authorizing the Appointment of Deputy Dog Control Officers or Dog Wardens with Power to Arrest and Granting Authority to Dispose of Property or the Society to Permit the Society to Use Such Property.”

Mr. Nechay reported the following Bills from Committee: **SB 379**, 2 favorable 3 merits (Revised Statutes; **HCR 39**, 4 favorable, (Claims); **HCR 40**, 3 favorable, 1 merits; **HCR 41**, 3 favorable, 1 merits.

Mr. duPont moved that the Chairman of the Labor Committee or the Pres. Pro Tem set the date for the hearing on **HB 446**. Motion prevailed.

Mr. Mayhew reported **HB 530** with 1 favorable and 2 merits.

Mr. Nechay introduced **SB 383** with title as follows which was given first reading and referred to the Revised Statutes Committee:

SB 383—“An Act to Amend Title 10, Delaware Code, Relating to Judicial Records and Indices in Kent County.”

Messrs. Cook and duPont introduced **SCR 44** which on further motion by them was adopted by the Senate and ordered to the House for concurrence.

RELATIVE TO THE DEATH OF MOTOR VEHICLE COMMISSIONER CHARLES G. MOORE.

WHEREAS, the Senate and House of Representatives of the 120th General Assembly of the State of Delaware have learned with regret of the death of Honorable Charles G. Moore, a distinguished citizen and former President Pro Tempore of the 118th General Assembly; and

WHEREAS, Honorable Charles G. Moore served his State faithfully and was as a Senator during the 117th and 118th General Assemblies of the State of Delaware; and

WHEREAS, the members of the Senate and House of Representatives desire to express in this public manner their

own feelings and the sense of loss which is felt throughout the entire state of Delaware;

NOW, THEREFORE,

BE IT RESOLVED by the Senate of the 120th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the members wish to give expression to the regret they experienced at the passing of Honorable Charles G. Moore, a prominent citizen in his community; Motor Vehicle Commissioner, appointed in 1956; a member of the Kent County Levy Court from 1949 - 1950; a Director of the West Dover Trust Company at Hartly and a former member of the Senate; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the Senate and House of Representatives of the 120th General Assembly of the State of Delaware which is extended by sending a copy of this Resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED, that the text of this Resolution be made a part of the Journal of the proceedings of the Senate of the 120th General Assembly of the State of Delaware.

On motion of Mr. Reilly the Senate adjourned at 5:30 P.M. until April 19, 1960 at 1:00 P.M.

124TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 p. m., on Tuesday, April 19, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Nechay, Steen, Mr. Pres. Pro Tem Cook—5.

Members absent—Messrs. Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Snowden, Spicer, Tull, Watson, Williams—12.

On motion of the Chair, in the absence of a quorum, the Senate recessed at call of the Chair at 1:40 p. m. The Senate met at the expiration of the recess at 6:00 p. m., Pres. Pro Tem Cook presiding.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Messrs. Spicer and Steen introduced the following bill which was given first reading and referred to the committee on Corporations Municipal.

SB 384—"An Act to Legalize and Validate the Acts Done and Proceedings Taken by the Mayor and Council of the Town of Milton Authorizing the Issuance of \$444,000 of Bonds of Said Town to Finance the Cost of Improving and Enlarg-

ing the Sewage Disposal System of Said Town and to Authorize the Issuance of Said Bonds and the Pledging of Revenues Derived from Sewer Service Charges and Taxes and Assessments to Secure Their Payment."

The Chair directed the reading of the following House Bills and assigned them to committee as follows:

HB 544—"An Act to Amend Title 6, Delaware Code Entitled 'Commerce and Trade' Relating to Legal Rate of Interest," to Corporations Private.

HB 499—"An Act to Amend Chapter 9, Title 10, Delaware Code by Increasing the Salary of the Judges of the Family Court in and for New Castle County," to Judiciary.

Mr. Hickman introduced the following resolution which on further motion by him was adopted.

SR 136—"Authorizing Payment of Amount Due the Sussex Countian for Printing Senate Calendar."

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

SB 385—"An Act to Amend Section 125, Title 14, Delaware Code Relating to the Sale of Property by the State Board of Education and the Disposition of Proceeds of Said Sale."

Mr. Reilly moved to override the ruling of the Pres. Pro Tem that Mr. Simpson's motion of April 14 to keep **HB 446** on the table until after the public hearing was in order.

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

YEAS—Messrs. McCullough, Reilly—2.

NAYS—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Simpson, Spicer, Steen, Tull, Williams, Pres. Pro Tem—12.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Snowden, Watson—3.

So the question was decided in the negative.

On motion of Mr. Nechay **HCR 39** which had previously been read was adopted by the Senate and returned to the House.

On motion of Mr. Nechay **HCR 41** was read to the Senate, but on Mr. Nechay's motion deferred for further information.

Mr. McCullough requested the privilege of the floor to object to tabling **HB 446**, Mr. Simpson's motion of April 14.

On motion of Mr. Steen the Senate adjourned at 6:25 p. m. until Wednesday, April 20, 1960 at 1 p. m.

125TH LEGISLATIVE DAY

The Senate met pursuant to Adjournment at 1:55 p. m. on April 20, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Price, Reilly, Tull, Williams, Pres. Pro Tem Cook—10.

Members absent—Messrs. Hoey, Nechay, Simpson, Snowden, Spicer, Steen, Watson—7.

Without objection the Chair dispensed with the reading of the journal of the previous days session.

Mr. Simpson asked to be marked present.

The Chair declared a recess at 2 p. m. without objection.

The Senate met at the expiration of the recess at 5:55 p. m., Pres. Pro Tem Cook presiding.

Messrs. Spicer, Steen, Hoey, Nechay and Watson asked to be marked present.

Mr. Steen reported **SB 384** from committee with 3 Favorable.

On motion of Mr. Reilly the Senate adjourned at 6 p. m. until Thursday, April 21, 1960 at 1 p. m.

126TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 p. m. on April 21, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. duPont, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Tull, Hickman, Steen, Watson, Williams, Pres. Pro Tem Cook—16.

Members absent—Mr. Snowden—1.

On motion of Mr. Steen the Senate adjourned at 1:45 p. m. until Monday, April 25, 1960 at 1 p. m.

127TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:50 p. m., on Tuesday, April 25, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hoey, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—12.

Members absent—Messrs. Hickman, McCullough, Nechay, Price, Snowden—5.

Without objection the Chair dispensed with the reading of the journal of the previous day's session.

Communications: Letter of thanks from Mrs. Charles Moore.

At the request of Mr. Steen and without objection **SB 58** was stricken from the calendar.

Mr. Steen introduced the following bill which was given First reading and referred to the Committee on Buildings and Highways.

SB 386—"An Act to Amend Section 2109, Title 21, Delaware Code, Relating to the Period of Registration and Effective Date of Registration of Motor Vehicles."

Messrs. Spicer, Hoey, Mayhew, duPont, Correll and Tull introduced the following bill which was given first reading and referred to the committee on Revised Statutes.

SB 387—"An Act to Amend Section 101, Title 24, Delaware Code, Relating to State Board of Accountancy."

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

HB 514—"An Act to Amend Section 8606 (b), Title 9, Delaware Code, Relating to The Collection of Taxes," to Miscellaneous.

HB 538—"An Act to Amend Sections 6901 and 6902, Title 16, Delaware Code of 1953 So As to Permit and Authorize the Sale and Discharge of Caps of a Kind and Explosive Powder as Herein Defined and Authorized," to Miscellaneous.

On motion of Mr. Mayhew **SB 303** as amended by **HA 1** and **HA 2** with title as follows was taken up for consideration and read by title in order to pass the Senate:

SB 303 as amended by **HA 1** and **HA 2**—"An Act to Reincorporate the Town of Magnolia."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Pres. Pro Tem—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, McCullough, Price, Snowden—4.

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

Mr. Nechay asked to be marked present.

On motion of Mr. Nechay **HCR 41** was taken up for consideration and on his further motion adopted by the Senate.

On motion of Mr. Nechay **HCR 40** was taken up for consideration and on his further motion adopted by the Senate.

Mr. McCullough asked to be marked present.

On motion of Mr. Nechay **HCR 12** was taken up for consideration and on his further motion was adopted by the Senate.

Mr. Mayhew introduced the following bill which was given first reading and referred to the committee on Miscellaneous.

SB 388—"An Act to Amend Section 2707, Title 24, Delaware Code, Relating to Receipts and Disbursements of the Board of Registration for Professional Engineers and Land Surveyors."

On motion the Senate recessed at call of the Chair at 3:20 p. m. The Senate met at the expiration of the recess at 5:05 p. m., Lt. Gov. Buckson presiding.

Mr. Nechay introduced **SCR 45** with title as follows and on his further motion **SCR 45** was adopted by the Senate and sent to the House for concurrence.

SCR 45—"An Act Making an Appropriation to Wesley A. Coote, Court Reporter to Cover Cost of Reports on Public Hearings."

Mr. McCullough reported **SB 385** from committee (education) with 2 Favorable and 2 on Merits.

On motion of Mr. Cook the Senate adjourned at 5:10 p. m. until Tuesday, April 26, 1960.

128TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:45 P.M., on Tuesday, April 26, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hoey, Mayhew, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—10.

Members absent—Messrs. Hickman, McCullough, Nechay, Price, Snowden, Steen, Watson—7.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Messrs. Mayhew and Hoey reported the following Bills from Committee: **HB 514**, 4 favorable, Miscellaneous; **HB 509**, 1 favorable, 2 merits, Finance.

Mr. Hickman asked to be marked present.

On motion of Mr. Reilly the Senate recessed at call of the Chair at 2:50 P.M. The Senate met at the expiration of the recess at 4:50 P.M., Pres. Pro Tem Cook presiding.

Messrs. McCullough and Nechay asked to be marked present.

Mr. Hickman introduced the following Resolutions which on further motion by him were adopted by the Senate:

SR 137—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through April 11, 1960 for Telephones RE 6-6111, RE 6-1295 and RE 6-1113."

SR 138—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the Senate, being Expenses Connected with the Present Session of the Senate of the 120th General Assembly."

The Chair presented the Following House Concurrent Resolution which was read to the Senate, adopted and was returned to the House:

HCR 43—"Fixing the Time for Temporary Adjournment by the House of Representatives and the Senate of the 120th General Assembly of the State of Delaware."

Mr. Tull introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 389—"An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware, in Respect to Appropriations to the Youth Services Commission of Delaware, by Making Transfers in Certain Appropriations Items to Said Agency."

Mr. McCullough moved that the Sergeant at Arms request the Chairman of the Appropriations Committee in the House to come to the Senate to explain why there had been no action in the House on **SCR 37**. Motion prevailed.

On motion of Mr. McCullough **SB 385** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 385—"An Act to Amend Section 125, Title 14, Delaware Code Relating to the Sale of Property by the State Board of Education and the Disposition of Proceeds of Said Sale."

On motion of Mr. McCullough **SB 385** was deferred. Mr. McCullough moved that **SB 385** be stricken. Motion lost.

Messrs. Nechay and Hoey reported **SB378** from Committee, Revised Statutes, with 2 favorable and 2 merits, and **HB 490** with 1 favorable and 3 merits. Finance.

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

HB 542—"An Act to Reincorporate the Town of Newport," to Corporations Municipal.

HB 560—"An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware by Transferring Monies from the Health Items in Division I to Division II—Other costs in Newport School District No. 106," to Finance.

HB 549—"An Act Relating to the Marking of Storage Areas for Explosives and Providing a Penalty for Violations Thereof," to Miscellaneous.

HB 555—"An Act Amending Title 9 Delaware Code Section 303 Relating to the Nomination, Election, Qualifications and Term of Levy Court Commissioners of New Castle County," to Revised Statutes.

HB 548—"An Act to Amend Chapter 204, Volume 17, Laws of Delaware, as Amended and Supplemented, Being an Act Entitled 'An Act to Provide for Public Parks for the Use of the Citizens of Wilmington and its Vicinity by Providing for the Appointment of the Members of the Board of Park Commissioners of Wilmington; Qualification of Members; and Organization of Board," to Corporations Municipal.

Mr. Mayhew moved that Rule 9 be suspended in order to consider **HB 514**. Motion prevailed.

On motion of Mr. Mayhew **HB 514** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 514—"An Act to Amend Section 8606 (b), Title 9, Delaware Code, Relating to the Collection of Taxes."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Price, Snowden, Steen, Watson—4.

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

Mr. Nechay introduced **SS1** for **SB 302** which on further motion by him was adopted.

Mr. Williams moved that Rule 9 be suspended in order to consider **SB 378**. Motion prevailed.

On motion of Mr. Williams **SB 378** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 378—"An Act to Amend Chapter 19, Title 30, Dela-

ware Code, Entitled 'Corporation Income Tax' by Providing for Administration and Enforcement."

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

YEAS—Messrs. Correll, duPont, Hickman, McCullough, Nechay, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Mayhew, Price, Snowden, Steen, Watson—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.

Mr. McCullough moved that **SB 335** be stricken from the calendar. Motion prevailed.

On motion of Mr. Reilly the Senate adjourned at 6:25 P.M. until Monday, May 9, 1960 at 1 P.M. in accordance with **HCR 43**.

129TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:25 P.M., on Monday, May 9, 1960, Lt. Gov. Buckson presiding.

Prayer by Mr. Spicer.

Members present—Messrs. Correll, Price, Spicer, Tull, Mr. Pres. Pro Tem Cook—5.

Members absent—Messrs. duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Reilly, Simpson, Snowden, Steen, Watson, Williams—12.

On motion the Senate recessed at call of the Chair at 1:30 P.M. The Senate met at the expiration of the recess at 6:05 P.M., Pres. Pro Tem Cook presiding.

The following members asked to me marked present: Messrs. duPont, Hickman, Hoey, Mayhew, McCullough, Ne-Reilly, Simpson, Steen, Watson, Williams.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. McCullough introduced the following Resolution which on further motion by him was adopted:

SR 139—"In Reference to Election of Officers."

Mr. Steen reported **SB 386** from Committee with 2 favorable, 1 merits, Buildings and Highways.

On motion of Mr. Reilly the Senate adjourned at 6:10 until Tuesday, May 10, at 1 P.M.

130TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M., on Tuesday, May 10, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Price, Reilly, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—8.

Members absent—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Simpson, Snowden, Steen, Watson—9.

A quorum not being present the Senate recessed at call of the Chair at 1:40 P.M. The Senate met at the expiration of the recess at 6:20 P.M., Pres. Pro Tem Cook presiding.

Messrs. Hoey, Mayhew, McCullough, Nechay, Simpson, and Watson asked to be marked present.

Mr. Nechay introduced the following Concurrent Resolution which on further motion by him was adopted:

SCR 46—"An Act Making an Appropriation to Wesley A. Coote, Court Reporter, to Cover Cost of Reports on Public Hearings."

Messrs. Nechay and Hoey introduced the following Bill which was given first reading and referred to the Committee on Education:

SB 390—"An Act to Amend Title 14, Section 125, Chapter 1, Delaware Code Entitled 'Education' Relating to the Sale of Property by School Districts Other than Special School Districts and Disposition of Proceeds."

Messrs. duPont, Correll, Williams and Simpson introduced the following Bill which was given first reading and referred to the Committee on Public Health:

SB 391—"An Act Establishing a Department of Health and Welfare, Defining its Organization, Powers and Duties."

On motion of Mr. Reilly the Senate adjourned at 6:35 P.M. until Wednesday, May 11, 1960.

131ST LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:40 P.M., on Wednesday, May 11, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Simpson, Spicer, Tull, Mr. Pres. Pro Tem Cook—10.

Members absent—Messrs. Hickman, McCullough, Reilly, Snowden, Steen, Watson, Williams—7.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Messrs. Correll and duPont introduced **SS 1** for **SB 259**,

with title same as the original, which was given first reading and adopted in lieu of the original. On motion of Mr. duPont the original **SB 259** was stricken.

Messrs. Correll and Simpson introduced **SS 1** for **SB 316** with title same as the original and on their further motion the substitute was adopted in lieu of the original. Mr. Simpson moved that the original Bill be stricken. Motion prevailed.

On motion the Senate recessed at call of the Chair at 1:55 P.M. The Senate met at the expiration of the recess at 6:00 P.M., Pres. Pro Tem Cook presiding.

Messrs. McCullough, Reilly, Steen and Williams asked to be marked present.

Messrs. Reilly and Steen reported the following Bills from Committee: **HB 499**, 2 favorable and 3 merits; **HB 512**, 4 favorable.

At this point the Senate no longer had a quorum, whereupon on motion of Mr. Reilly the Senate adjourned at 6:05 P.M. until Thursday, May 12, 1960 at 1 P.M.

132ND LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M., on Thursday, May 12, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Nechay, Price, Reilly, Simpson, Steen, Williams, Mr. Pres. Pro Tem Cook—9.

Members absent—Messrs. Hickman, Hoey, Mayhew, McCullough, Snowden, Spicer, Tull, Watson—8.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. Reilly introduced the following Resolution which on further motion by him was adopted:

SR 140—“CONGRATULATING THE HONORABLE JACOB A. CORRELL AND THE HONORABLE JOHN R. BUTLER UPON THE BIRTH OF THEIR GREAT GRANDDAUGHTER, DAWN RENEE BUTLER.”

WHEREAS, Jacob A. Correll, Republican, New Castle County, married his beloved wife Elizabeth D. Correll on December 18, 1919, and

WHEREAS, the Honorable John R. Butler, Democrat, New Castle County, married his beloved wife Lucy M. Butler on February 25, 1914, and

WHEREAS, both marriages have produced issues to please and delight the Republican and Democratic parents, grandparents and great-grandparents, namely: Jacob A. Correll, Jr., son of the Honorable Jacob A. Correll and Elizabeth

D. Correll and Marjorie Correll, daughter of Jacob A. Correll, Jr., and his beloved wife Virginia; and Charles J. Butler, son of John R. Butler and his beloved wife Lucy M. Butler; Edward Butler, son of Charles J. Butler and his beloved wife Adeline, and

WHEREAS, Edward Butler, Democrat met and courted Marjorie Correll Republican, and

WHEREAS, Edward Butler had the good fortune to win as his wife, Marjorie Correll to the gratification of the Honorable Jacob A. Correll and his beloved wife Elizabeth D. Correll and John R. Butler and his beloved wife Lucy M. Butler, and

WHEREAS, there was born of this marriage on May 7, 1960 at 5:17 A.M. a beloved child Dawn Renee Butler,

NOW THEREFORE

BE IT RESOLVED by the Senate of the 120th General Assembly that the Senate on behalf of its Members and Officers does hereby extend its congratulations to the Honorable Jacob A. Correll, (Republican) and the Honorable John R. Butler (Democrat) and to the members of their families and to Marjorie Correll Butler and Edward Butler, parents of the child upon the birth of Dawn Renee Butler on May 7, 1960, at 5:17 A.M.

BE IT FURTHER RESOLVED that Dawn Renee Butler shall choose her political affiliation without the aid, assistance or comfort of either of her doting great-grandfathers, Jacob A. Correll (Republican) and John R. Butler (Democrat).

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the Senate of the 120th General Assembly of the State of Delaware and a copy be forwarded to the Honorable Jacob A. Correll and Mrs. Correll, Mr. & Mrs. Jacob A. Correll, Jr., the Honorable John R. Butler and Mrs. Butler, Mr. and Mrs. Charles J. Butler, Mr. & Mrs. Edward Butler and Dawn Renee Butler.

Messrs. McCullough, Spicer, Hoey and Mayhew asked to be marked present.

Mr. Steen reported **HB 449** from committee, Corporations Municipal, with 3 favorable; and **HB 450**, Corporations Municipal, with 3 favorable.

On motion of Mr. Steen **HB 512** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 512—"An Act to Authorize the Mayor and Council of Wilmington to Adopt an Ordinance Merging the Wilmington Planning Commission and Wilmington Zoning Commission, and the Function of These Commissions Into a Single Entity to Be Known as the Wilmington Commission on Zoning and Planning, and Establishing Membership Thereof."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Snowden, Tull, Watson—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. Steen **SB 384** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 384—"An Act to Legalize and Validate the Acts Done and Proceedings Taken by the Mayor and Council of the Town of Milton Authorizing the Issuance of \$444,000 of Bonds of Said Town to Finance the Cost of Improving and Enlarging the Sewage Disposal System of Said Town and to Authorize the Issuance of Said Bonds and the Pledging of Revenues Derived from Sewer Service Charges and Taxes and Assessments to Secure Their Payment."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Williams, Mr. Pres. Pro Tem Cook—13.

NAY—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Snowden, Tull, Watson—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. Steen **HB 496** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 496—"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, Relating to Jurisdiction of Offenses Committed in Said Town."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Snowden, Tull, Watson—4.

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

On motion of Mr. Steen **HB 495** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 495—"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, Relating to the Composition and Election of the Town Council of Ocean View."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Snowden, Tull, Watson—4.

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

On motion of Mr. Price **HB 490** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 490—"An Act Making an Appropriation to the State Board of Vocational Education for the Training of Volunteer Firemen."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Snowden, Tull, Watson—4.

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

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

HB 67 with **HA 1**—"An Act to Amend Title 21, Section 2733, Delaware Code Relating to Discretionary Suspension or

Revocation of Driver's License," to Buildings and Highways.

Mr. Nechay reported **SB 390** from Education with 2 favorable and 1 merits.

Mr. Mayhew reported **HB 538** from Miscellaneous with 4 favorable and 1 merits.

Mr. Mayhew moved that Rule 9 be suspended in order to consider **HB 538**. Motion prevailed.

Mr. Hickman asked to be marked present.

On motion of Mr. Mayhew **HB 538** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 538—"An Act to Amend Sections 6901 and 6902, Title 16, Delaware Code of 1953 So As to Permit and Authorize the Sale and Discharge of Caps of a Kind and Explosive Power as Herein Defined and Authorized."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Tull, Watson—3.

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

Mr. Mayhew reported **HB 67** from Committee with 4 favorable.

Mr. Steen moved that Rule 9 be suspended for the purpose of acting on **HB 67** as amended. Motion prevailed.

Mr. Spicer moved that **HB 67** as amended be deferred. On motion of Mr. Simpson the Senate recessed for ten minutes. The Senate met at the expiration of the recess at 3:00 P.M., Pres. Pro Tem Cook presiding.

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

YEAS—Messrs. Correll, duPont, Simpson, Spicer, Williams—5.

NAYS—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Steen, Mr. Pres. Pro Tem Cook—9.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Tull, Watson—3.

So the motion was lost.

On motion of Mr. Steen **HB 67** as amended with title as

follows was given its last reading and taken up for consideration:

HB 67 with **HA 1** and **HA 2**—"An Act to Amend Title 21, Section 2733, Delaware Code Relating to Discretionary Suspension or Revocation of Driver's License."

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

YEAS—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Steen, Mr. Pres. Pro Tem Cook—9.

NAYS—Messrs. Correll, duPont, Simpson, Spicer, Williams—5.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Tull, Watson—3.

So the Bill having received the required constitutional majority passed the Senate and was returned to the House.

Mr. Hickman introduced the following Resolution which on further motion by him passed the Senate:

SR 141—"Appropriation for Postage Stamps for the Senate of the 120th General Assembly."

Mr. Mayhew reported **HB 508** from Committee with 3 favorable.

On motion of Mr. Reilly the Senate adjourned at 6:40 P.M. until Monday, May 16, 1960 at 1 P.M.

133RD LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:45 P.M., on Monday, May 16, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Price, Simpson, Spicer, Steen, Tull, Mr. Pres. Pro Tem Cook—11.

Members absent—Messrs. Hoey, Nechay, Reilly, Snowden, Watson, Williams—6.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. Cook moved that Rule 23 be suspended for the balance of the Legislative day. Motion prevailed.

Mr. duPont requested the privilege of the floor to comment on the expenses of the hearings on the Governor's Bills. Privilege granted.

Mr. Cook requested the privilege of the floor to answer Mr. duPont. Privilege granted.

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

HB 562—"An Act to Amend Title 14, Delaware Code,

Relating to Education, by Limiting the Frequency of Referenda to Authorize Increases in School District Taxes," to Education.

HB 569—"An Act to Amend Chapter 246, Volume 52, Laws of Delaware, Relating to the Appropriation to the Juvenile Court of Kent and Sussex Counties," to Finance.

HS 1 for HB 551—"An Act to Amend Chapter 134, Volume 52, Laws of Delaware, Relating to Tuition Charges and Providing an Exception Therefrom," to Education.

HB 553—"An Act to Repeal Section 8104, Chapter 81, Title 9, Delaware Code, Pertaining to the Exemption of Industrial Realty with the Limits of the Town of Newport, or Adjacent Thereto, Between the Wilmington and Newport Turnpike and Christiana River so Far as the Road Leading to and Through the Land Known as Conrad's Marsh, or Within the Limits of the City of Delaware City or the City of New Castle, from Assessment or Taxation for State, County, or Municipal Purposes," to Corporations Municipal.

The Chair directed that **HCR 44** with title as follows be read to the Senate which upon motion of the Chair was adopted by the Senate and returned to the House.

HCR 44—"Relating to a Joint Committee for Highway Safety."

Mr. Price reported **HB 544** from Committee, Corporations Private, with 5 favorable.

On motion the Senate recessed at call of the Chair at 2:05 P.M. The Senate met at the expiration of the recess at 5:30 P.M., Lt. Gov. Buckson presiding.

Messrs. Reilly, Watson, Hoey, Williams and Nechay asked to be marked present.

Messrs. Cook, Williams, Reilly, Tull and duPont introduced the following Concurrent Resolution which on further motion by Mr. Reilly was adopted by the Senate and ordered to the House for concurrence.

SCR 47—"EXPRESSING THE BEST WISHES OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE 120TH GENERAL ASSEMBLY TO HONORABLE J. CALEB BOGGS ON HIS BIRTHDAY."

WHEREAS, the Members of the Senate and House of Representatives of the 120th General Assembly have learned that May 15 was the birthday of the Honorable J. Caleb Boggs, and

WHEREAS, the Members of the Senate and House of Representatives wish to express their best wishes to Governor Boggs, NOW, THEREFORE,

BE IT RESOLVED by the Senate of the 120th General Assembly of the State of Delaware, the House of Represen-

tatives concurring therein, that the best wishes of its members for the continued good health and happiness of Governor Boggs for many more years are hereby extended to the Governor.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered on the Journals of the Senate and House of Representatives, a copy be delivered to the press and a copy be given to Governor Boggs.

Mr. Mayhew introduced the following Bill which was given first reading and referred to the Committee on Public Lands:

SB 392—"An Act Transferring Funds from the State Building and Grounds Commission to the Library Commission for the State of Delaware for the Improvement of Railroad Station Located on the Easterly Side of the Railroad Tracks at Dover, Delaware."

On motion of Mr. Steen **SB 386** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 386—"An Act to Amend Section 2109, Title 21, Delaware Code, Relating to the Period of Registration and Effective Date of Registration of Motor Vehicles."

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

YEAS—Messrs. Correll, Hickman, Hoey, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—Mr. duPont—1.

NOT VOTING—0.

ABSENT—Messrs. Mayhew, Snowden—2.

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

Messrs. Cook, Reilly, Tull, Williams and duPont introduced the following resolution which on further motion by Mr. duPont was adopted:

Mr. McCullough introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 393—"An Act Making a Supplementary Appropriation to the Rose Hill-Minquadale School District, School District No. 47."

Mr. Steen reported **HB 542** from Committee, Corporations Municipal, with 4 favorable and **HB 541** from Committee, Corporations Municipal, with 5 favorable.

Mr. Nechay requested that **SB 390** be given its final reading, but on the request of Mr. McCullough and without objection the Bill was deferred.

On motion of Mr. Reilly the Senate adjourned at 6 P.M. until Tuesday, May 17, 1960 at 1 P.M.

134TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:00 P.M., on Tuesday, May 17, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

Members absent—Messrs. Hickman, Hoey, Snowden, Steen, Watson—5.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. Simpson presented a communication requesting a public hearing on **HB 548**.

Mr. duPont introduced **SS 2** for **SB 5** which on further motion by him was adopted by the Senate in lieu of the prior substitute, and referred to the Revised Statutes Committee. On motion of Mr. duPont and without objection **SS 1** for **SB 5** was stricken.

On motion of Mr. Price **HB 544** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 544—"An Act to Amend Title 6, Delaware Code Entitled 'Commerce and Trade' Relating to Legal Rate of Interest."

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

YEAS—Messrs. Correll, duPont, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Hoey, Snowden, Steen, Watson—5.

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

Messrs. duPont and Cook introduced the following Bill which was given first reading and referred to the Committee on Buildings and Highways:

SB 394—"An Act to Amend Title 17, Chapter 11 of the Delaware Code Relating to Outdoor Advertising."

Messrs. Steen and Hickman asked to be marked present.

On motion of Mr. Steen **HB 542** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 542 with **HA 1**—"An Act to Reincorporate the Town of Newport."

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Snowden, Watson—3.

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

On motion of Mr. Mayhew **HB 530** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 530—"An Act to Amend Chapter 322, Volume 51, Laws of Delaware Relating to the Use of the Old Detention Home as a Temporary Place of Residence For Persons on Probation or Released From Correctional Institutions."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—Mr. McCullough—1.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Snowden, Watson—3.

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

Mr. Price introduced the following Bill which was given first reading and referred to the Committee on Miscellaneous.

SB 395—"An Act to Amend Section 2108, Title 29, Delaware Code, Relating to Arbor and Bird Day."

On motion the Senate recessed at call of the Chair at 2:35 P.M. The Senate met at the expiration of the recess at 3:40 P.M., Pres. Pro Tem Cook presiding.

Mr. Hickman reported **SB 372** from the Public Health Committee with 4 favorable.

Mr. Hoey asked to be marked present.

Mr. Reilly introduced the following Bill which was given first reading and referred to the Committee on Revised Statutes:

SB 396—"Amendment of Title 3, Chapter 79, Section 7904 Entitled 'Enforcement of Laws for Protection of Animals' and section 7906 Entitled 'Service of Process' of the Delaware Code of 1953 by Adding the Organization Known as Delaware Humane Association to the Said Sections."

Mr. Nechay introduced **SA 1** to **HB 158** which was directed to be placed with the Bill.

On motion of Mr. Mayhew **HB 540** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 540—"An Act to Amend Chapter 5 of Title 28 of the Delaware Code Relating to Harness Racing."

On motion of Mr. Mayhew **SA 1** to **HB 540** was adopted by the Senate.

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

YEAS—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—Messrs. Correll, duPont—2.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Watson—2.

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

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

HB 565—"An Act to Amend Chapter 383, Volume 50, Laws of Delaware, Entitled 'An Act to Appropriate Certain Funds to the Trustees of the Hartly School District to Enable it to Build an Addition to the Hartly School', Relating to the Purpose for Which an Appropriation to Trustees of Hartly School District Can be Used," to Education.

HB 574—"An Act Barring Claims Against a Descendent's Estate in Which No Letters Have Been Granted after Twenty-One Years from Death," to Miscellaneous.

Mr. Steen reported **HB 553** from Corporations Municipal Committee with 4 favorable and 1 merits.

On motion of Mr. Steen **HB 449** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 449—"An Act to Amend Chapter 184 of Volume 43, Laws of Delaware, Being an Act Entitled 'An Act Changing the Name of the Town of Seaford to the City of Seaford', as

Amended by Chapter 265 of Volume 49, Laws of Delaware, by Giving Authority to the City Council of Seaford to Increase the Annual Service Charges for the Use of the Municipal Sewers."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Watson—2.

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

Messrs. Mayhew, McCullough and Hoey reported the following bills from committee: **SB 388**, 4 Favorable, 1 Unfavorable; **SB 395**, 5 Favorable; **SB 344**, 1 Favorable, 4 Merits; **SB 393**, 4 Favorable; **HCR 38**, 3 Favorable, 1 Merits. Mr. Mayhew moved that rule 9 be suspended in order to consider **SB 388**. Motion prevailed. On motion of Mr. Mayhew **SB 388** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 388—"An Act to Amend Section 2707, Title 24, Delaware Code, Relating to Receipts and Disbursements of the Board of Registration for Professional Engineers and Land Surveyors."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Snowden, Watson—2.

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

On motion of Mr. Steen **HB 450** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 450—"An Act to Amend Chapter 184 of Volume 43, Laws of Delaware, Being an Act Entitled 'An Act Changing the Name of the Town of Seaford to the City of Seaford', as Amended, by Giving Authority to the Mayor to Appoint an Assistant Alderman and His Powers and Duties."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Watson—2.

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

On motion of Mr. Hoey **HB 509** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 509—"An Act Authorizing the Transfer of Funds in the Budget of the Delaware State Development Department."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Watson—2.

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

Mr. McCullough moved that rule 9 be suspended in order to consider **SB 393** and **SB 344**. Motion prevailed.

On motion of Mr. McCullough **SB 393** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 393—"An Act Making a Supplementary Appropriation to the Rose Hill-Minquadale School District, School District No. 47."

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

YEAS—Messrs. Correll, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—Mr. duPont—1.

ABSENT—Messrs. Simpson, Snowden, Watson—3.

So the question was decided in the affirmative and the Bill having received the required constitutional majority pass-

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

On motion of Mr. Reilly **SB 344** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 344—"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' "

On motion of Mr. Reilly **SB 344** was deferred.

Messrs. Reilly and Nechay reported **SB 383** from committee with 3 Favorable and 1 Merits, and **SB 307** from committee with 3 Favorable and 1 Merits.

On motion of Mr. Reilly **HCR 32** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HCR 32—"Relating to Designating U. S. Route No. 40 From the Maryland State Line to the Delaware River Memorial Bridge as the General Casimir Pulaski Highway."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Watson—2.

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

Messrs. Mayhew and McCullough reported the following bills from committee: **HB 230**, 4 Favorable, 1 Merits; **HB 465**, 4 Favorable, 1 Merits; **HB 466**, 4 Favorable, 1 Merits; **HB 327**, 4 Favorable, 1 Merits; **HB 565**, 4 Favorable, 1 Merits.

On motion of Mr. Tull **SB 205** as amended by **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate as amended.

SB 205—"An Act to Amend Title 3, Delaware Code, Relating to the Powers and Authority of the State Board of Agriculture."

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

YEAS—Messrs. Correl, duPont, Hickman, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Snowden, Watson—3.

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

On motion of Mr. Tull **SB 342** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 342—"An Act to Amend Chapter 5, Volume 52, Laws of Delaware, Relating to the State Fire Marshal."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem—12.

NAYS—Mr. Steen—1.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. McCullough, Snowden, Watson—3.

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

Mr. Steen moved that rule 9 be suspended in order to consider **HB 553**. Motion prevailed.

On motion of Mr. Steen **HB 553** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 553—"An Act to Repeal Section 8104, Chapter 81, Title 9, Delaware Code, Pertaining to the Exemption of Industry Realty Within the Limits of the Town of Newport, or Adjacent thereto, Between the Wilmington and Newport Turnpike and Christiana River so Far as the Road leading to and Through the Land Known as Conrad's Marsh, or Within the Limits of the City of Delaware City or the City of New Castle, From Assessment or Taxation for State, County, or Municipal Purposes."

Mr. Simpson moved that **HB 553** be deferred. Motion prevailed.

On motion of Mr. Reilly **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 with **HA 1** and **HA 2**—"An Act to Completely Revise, Recodify and Amend Title 11, Delaware Code in Relation to Sentencing, Probation, Parole and Pardon of Adult Offenders; Creating a State Probation and Parole Commission, A State Department of Probation and Parole Services and a Probation and Parole Advisory Board; Procedures With Re-

spect to Executive Clemency; Appropriating Funds and Repealing Contrary Provisions."

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

YEAS—Messrs. Correll, duPont, Hickman, McCullough, Nechay, Steen, Williams—7.

NAYS—Messrs. Hickman, Price, Reilly, Simpson, Spicer, Mr. Pres. Pro Tem Cook—6.

NOT VOTING—Messrs. Mayhew, Tull—2.

ABSENT—Messrs. Snowden, Watson—2.

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

Mr. Steen reported **SB 392** from committee with 4 Favorable and 1 Unfavorable.

Mr. Hickman introduced the following resolution which on further motion by him was adopted.

SR 142—"Relating to Amount Due the Harrington Journal for Printing Incurred by the 120th General Assembly."

Messrs. duPont and Reilly introduced the following bill which was given first reading and referred to the committee on Labor.

SB 397—"An Act to Make Unlawful Certain Discriminatory Practices in Respect to Employment Because of the Ages of the Individuals Seeking or Being in Employment, Creating and Conferring Jurisdiction Upon the 'Division Against Discrimination' in the Labor Commission of Delaware, Providing for the Practice and Procedure to be Followed in the Enforcement of the Act."

Messrs. duPont and Reilly introduced the following bill which was given first reading and referred to the committee on Judiciary:

SB 398—"An Act to Amend Section 8705, Title 12, Delaware Code, Relating to Deposits Received by the Prothonotary."

On motion of Mr. Reilly the Senate adjourned at 5:10 p. m. until Wednesday, May 18, 1960 at 1 p. m.

135TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 4:15 p. m., on Wednesday, May 18, 1960 Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, McCullough, Price, Reilly, Simpson, Spicer, Tull, Watson, Mr. Pres. Pro Tem Cook—10.

Members absent:—Messrs. Hickman, Hoey, Mayhew, Nechay, Snowden, Steen, Williams—7.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Mr. Simpson introduced a communication requesting a public hearing on **HB 548**.

Messrs. Williams, Steen and Nechay asked to be marked present.

Mr. Nechay introduced **SS 1** for **SB 390** which on further motion by him was adopted in lieu of the original.

Mr. Watson reported **HB 522** from elections committee with 2 Favorable and 2 Merits, and **HB 523** from elections committee with 2 Favorable and 2 Merits.

On motion of Mr. Reilly **HB 178** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 178—"An Act to Amend Chapter 27, Title 12, of the Delaware Code, Relating to the Sale of Lands by Executors and Administrators by Providing a Procedure Where the Real Estate is in More Than One County."

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

YEAS—Messrs. Correll, duPont, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Hoey, Mayhew, Nechay, Snowden—5.

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

On motion of Mr. Reilly **HB 189** with title as follows was taken into consideration and read a second time by title in order to pass the Senate:

HB 189—"An Act to Amend Section 3709 of Title 12, Now Relating to Trustees of Non-Resident Mentally Ill Persons, the Amendment to Encompass Fiduciaries of Non-Resident Mentally Ill, Aged, or Infirm Persons."

Messrs. Hoey, Hickman and Mayhew asked to be marked present.

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—Mr. Hoey—1.

ABSENT—Mr. Snowden—1.

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

On motion of Mr. McCullough **HB 553** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 553—"An Act to Repeal Section 8104, Chapter 81, Title 9, Delaware Code, Pertaining to the Exemption of Industrial Reality Within the Limits of the Town of Newport, or Adjacent thereto, Between the Wilmington and Newport Turnpike and Christiana River so Far as the Road leading to and Through the Land Known as Conrad's Marsh, or Within the Limits of the City of Delaware City or the City of New Castle, From Assessment or Taxation for State, County or Municipal Purposes.

Mr. duPont moved that **HB 553** be deferred. Motion lost.

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered.

YEAS—Messrs. Correll, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—Mr. duPont—1.

NOT VOTING—0.

ABSENT—Mr. Snowden—1.

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

Mr. Watson moved that rule 9 be suspended in order to consider **HB 522** and **HB 523**. Motion prevailed.

On motion of Mr. Watson **HB 522** as amended with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 522 with **HA 1**—"An Act to Amend Chapter 77, Volume 52, Laws of Delaware, Entitled 'An Act to Amend Title 14, Delaware Code, Relating to School Board Elections, 'By Requiring the Receiver of Taxes of New Castle County to Supply Certain Data to the Department of Elections of New Castle County, By Providing Optional Use of Paper Ballots in Referendum, Limiting Referendum to General Election in 1960, Clarifying Districts Which May Petition for Referendum, And Assessing Costs Therefor.'"

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

YEAS—Messrs. Correll, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—Messrs. duPont, Simpson, Spicer—3.

NOT VOTING—0.

ABSENT—Mr. Snowden—1.

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

On motion of Mr. Watson **HB 523** with title as follow was taken up for consideration and read a second time by title in order to pass the Senate:

HB 523—“An Act to Amend Chapter 79, Volume 52, Laws of Delaware, Entitled ‘An Act to Amend Title 14 of the Delaware Code by Providing for the Election of School Board Members in the Conrad High School District,’ By Providing for Appointments of Members From Districts Voting Against Elected School Boards.”

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

YEAS—Messrs. Correll, Hickman, Hoey, Hayhew, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—Mr. duPont—1.

NOT VOTING—Mr. Spicer—1.

ABSENT—Mr. Snowden—1.

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

Messrs. Hoey, Steen, Tull, Hickman and Spicer introduced the following bill which was given first reading and referred to the Committee on Public Health:

SB 399—“An Act to Amend Chapter 61, Title 9, Delaware Code, Relating to the Levy Court of Sussex County, By Authorizing the Levy Court of Sussex County to Make An Annual Appropriation to Certain Cities and Towns of Sussex County in Aid of Maintenance of Public Dumping Areas By Said Towns.”

On motion of Mr. Steen **SB 363** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 363—“An Act to Amend Chapter 7, Title 17, Delaware Code Relating to Railroad Crossings Over Highways.”

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

YEAS—Messrs. Hickman, McCullough, Nechay, Price,

Reilly, Steen, Watson, Williams, Mr. Pres. Pro Tem Cook—9.

NAYS—Messrs. Correll, duPont, Hoey, Mayhew, Simpson—5.

NOT VOTING—Mr. Tull—1.

ABSENT—Messrs. Snowden, Spicer—2.

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

On motion of Mr. Nechay **SB 383** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 383—“An Act to Amend Title 10, Delaware Code, Relating to Judicial Records and Indices in Kent County.”

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Spicer—2.

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

On motion of Mr. Nechay **SS 1** for **SB 390** 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 390**—“An Act to Amend Title 14, Delaware Code, Entitled ‘Education’, Relating to the Sale of Property by School Districts and Disposition of the Proceeds Therefrom.”

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—Mr. McCullough—1.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Spicer—2.

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

On motion of Mr. McCullough **SB 375** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 375—"An Act to Amend Chapter 3, Title 9, Delaware Code Relating to the Levy Court Commissioners for New Castle County."

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

YEAS—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Steen, Tull, Watson, Mr. Pres. Pro Tem. Cook—11.

NAYS—Messrs. Correll, duPont, Simpson, Williams—4:
NOT VOTING—0.

ABSENT—Messrs. Snowden, Spicer—2.

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

Messrs. Steen and Hickman introduced the following bill which was given first reading and referred to the committee on Education:

SB 400—"An Act Transferring Funds From the Health Salary Account for the Selbyville School No. 210 to the Other Costs Account and Transferring Funds from the Health Salary Account to the Other Costs Account of the Frankford School District No. 206."

The chair presented a communication opposing **HB 548**.

Mr. Nechay introduced the following resolution which on further motion by him was adopted.

SR 143—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 120th General Assembly.

Mr. Reilly reported **SB 398** from Judiciary with 5 Favorable and **SB 397** from Labor with 5 Favorable.

Messrs. Watson and Correll introduced the following Bill which was given first reading and referred to the committee on Education:

SB 401—"An Act Transferring Funds From the Cafeteria Salary Account, the Janitorial Salary Account and the Capital Outlay Account for the Louis L. Redding Comprehensive School to Other Accounts of Said School."

Mr. McCullough introduced the following bill which was given first reading and referred to the Committee on Corporations Municipal:

SB 402—"An Act to Amend Chapter 81, Title 9, Delaware Code Relating to the Exemption of the Swanwyck Estates Civic Association From Taxation Upon Its Real Property."

On motion of Mr. Cook **HB 565** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 565—"An Act to Amend Chapter 383, Volume 50, Laws of Delaware, Entitled 'An Act to Appropriate Certain Funds to the Trustees of the Hartly School District to Enable it to Build an Addition to the Hartly School', Relating to the Purpose for Which an Appropriation to Trustees of Hartly School District Can Be Used."

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

YEAS—Messrs. duPont, Hickman, Hoey, Mayhew, McCullough, Nechay Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Correll, Snowden, Spicer—3.

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

On motion of Mr. Cook the Senate adjourned at 6:15 p. m. until Thursday, May 19, 1960 at 1 p. m.

136TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:25 p. m., on Thursday, May 19, 1960 Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

Members absent—Messrs. Hoey, Nechay, Snowden, Steen, Watson—5.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Mr. McCullough introduced the following bill which was given first reading and referred to the committee on Miscellaneous:

SB 403—"An Act to Require the Construction of Air Raid Shelters in State Buildings."

Mr. Price introduced the following bill which was given first reading and referred to the committee on Miscellaneous:

SB 404—"An Act to Repeal An Act Entitled 'An Act Establishing the Last Friday in April as Arbor Day' and Which Thereby Made Arbor Day A Legal Holiday, Being Chapter 83, Volume 52, Laws of Delaware."

Mr. Cook introduced the following bill which was given first reading and referred to the committee on Buildings and Highways:

SB 405—"An Act to Amend Chapter 41 of Title 21 of the Delaware Code Pertaining to Driving Regulations for Motor Vehicles."

Mr. Steen asked to be marked present.

On motion of Mr. Mayhew **SB 392** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 392—"An Act Transferring Funds From the State Building and Grounds Commission to the Library Commission for the State of Delaware for the Improvement of Railroad Station Located on the Easterly Side of the Railroad Tracks at Dover, Delaware."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Nechay, Snowden, Watson—4.

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

Mr. Hickman reported **SB 399** from committee with 4 Favorable.

Mr. Hoey asked to be marked present.

Mr. Spicer moved that rule 9 be suspended in order to consider **SB 399**. Motion prevailed.

On motion of Mr. Spicer **SB 399** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 399—"An Act to Amend Chapter 61, Title 9, Delaware Code, Relating to the Levy Court of Sussex County, By Authorizing the Levy Court of Sussex County to Make An Annual Appropriation to Certain Cities and Towns of Sussex County in Aid of Maintenance of Public Dumping Areas By Said Towns."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden, Watson—3.

So the question was decided in the affirmative and the

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

Mr. McCullough reported **SB 400** with 5 Favorable.

Mr. Mayhew requested that **HB 230** be considered a second time in order to pass the Senate. Mr. Steen moved that **HB 230** be deferred. Motion prevailed.

Mr. Nechay asked to be marked present.

Mr. Steen introduced the following bill which was given first reading and referred to the committee on Education:

SB 406—"An Act Making A Supplementary Appropriation to Millsboro School District No. 204 at Millsboro, Delaware, for the Fiscal Year Ending June 30, 1960."

Mr. McCullough reported **SB 406** from committee with 5 Favorable.

Mr. Cook introduced the following bill which was given first reading and referred to the committee on Judiciary:

SB 407—"An Act Relating to the Court of Common Pleas - Kent County; Salaries."

Mr. Reilly moved that the Senate adjourn at 4:05 p. m. until Monday, May 23, 1960 at 1 p. m.

137TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:45 P.M., on Monday, May 23, 1960 Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—14.

Members absent—Messrs. Hoey, Snowden, Watson—3.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Communication from Bishop Brooke Mosley concerning school transfers.

Mr. Simpson introduced **SS 1** for **SB 187** which on further motion by him was adopted in lieu of the original.

Messrs. Simpson, Cook, Price, Nechay and Mayhew introduced the following Bill which was given first reading and referred to the Committee on Revised Statutes:

SB 408—"An Act to Amend Chapter 42, Title 9, Delaware Code, Relating to Appropriation for the Indigent Sick in Kent County."

Messrs. Simpson and Spicer introduced **SR 144**, with title as follows but after discussion and at the request of the sponsors, the Resolution was withdrawn.

SR 144—"Relating to Payment of Mileage."

On motion of Mr. Reilly the Senate recessed at call of the Chair at 3:05 P.M. The Senate met at the expiration of the recess at 4:35 P.M., Pres. Pro Tem Cook presiding.

Mr. Hickman introduced the following Resolution which on further motion by him was adopted:

SR 145—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the Senate, Being Expenses Connected with the Present Session of the Senate of the 120th General Assembly."

Mr. Mayhew reported **SB 404** from Committee (Miscellaneous) with 4 favorable; and **HB 574** from Committee (Miscellaneous) with 2 merits and 1 favorable.

On motion of Mr. Mayhew **HB 508** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 508—"An Act Empowering the State Highway Department to Enter Upon Privately Owned Lands for the Purpose of Surveys, Repairs, Reconstruction and Operation of Publicly Financed Improvements and to Assign to Said Agencies the Authority to Determine and Maintain Proper Water Levels Back of Sluices, Water Control Structures and Similar Publicly Financed Installations."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams—12.

NAYS—0.

NOT VOTING—Mr. Pres. Pro Tem Cook—1.

ABSENT—Messrs. Hoey, McCullough, Snowden, Watson—4.

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

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

HB 515—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, as Amended by Chapter 105, Volume 52, Laws of Delaware, to Provide for the Financing of Capital Improvements Thereunder and Appropriating the Necessary Funds," to Education.

HB 524—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, as Amended by Chapter 332, Volume 51, Laws of Delaware, Relating to the Financing of Capital Improvements of Middletown No. 60 School District Appropriating the Necessary Funds," to Education.

On motion of Mr. Hickman **SB 400** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 400—"An Act Transferring Funds from the Health Salary Account for the Selbyville School No. 210 to the Other Costs Account and Transferring Funds from the Health Salary Account to the Other Costs Account of the Frankford School District No. 206."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Snowden, Watson—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. Mayhew **HB 230** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 230—"An Act to Amend Chapter 13, Title 7, Delaware Code, Entitled 'Enforcement of Game and Fish Laws' Relating to Penalty for Violation of Any Game or Fish Law Excepting Those Specifying a Penalty."

Mr. Mayhew introduced **SA 1** for **HB 230** which on further motion by him was adopted.

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Snowden, Watson—4.

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

On motion of Mr. Mayhew **HB 466** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 466—"An Act to Authorize the Caesar Rodney Spe-

cial School District to Make Certain Tax Refunds.”

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Snowden, Steen, Watson—5.

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

On motion of Mr. Mayhew **HB 465** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 465—“An Act to Authorize the Kent County Levy Court to Make Certain Tax Refunds.”

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Snowden, Steen, Watson—5.

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

Mr. Nechay introduced **SCR 48** which on further motion by him was adopted and ordered to the House for concurrence.

SCR 48—“An Act Making an Appropriation to Wesley A. Coote, Court Reporter, to Cover Cost of Reports on Public Hearing.”

Mr. Steen reported **SB 402** from Committee (Corporations Municipal) with 5 favorable.

On motion of Mr. Steen **SB 406** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 406—“An Act Making a Supplementary Appropriation to Millsboro, School District No. 204 at Millsboro, Delaware for the Fiscal Year Ending June 30, 1960.”

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Ne-

chay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Snowden, Watson—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. Mayhew **HB 327** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 327—"An Act to Amend Chapter 81, Title 9, Delaware Code by Giving the Sussex Chapter of Delaware Humane Association Tax Exemption Status."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—Mr. Nechay—1.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Snowden, Steen, Watson—5.

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

On motion of Mr. Nechay **SB 340** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 340—"An Act Appropriating Money to the Harrington Special School District Board of Education."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Snowden, Watson—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. Reilly the Senate adjourned at 5:20 P.M. until Tuesday, May 24, 1960 at 1 P.M.

138TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:05 p. m., on Tuesday, May 24, 1960 Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Mayhew, McCullough, Reilly, Simpson, Spicer, Williams, Mr. Pres. Pro Tem Cook—9.

Members absent—Messrs. Hickman, Hoey, Nechay, Price, Snowden, Steen, Tull, Watson—8.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Communication: From the Chamber of Commerce in Rehoboth re: mosquitoes.

Mr. Spicer moved that Mr. Murphy, the mosquito commissioner, be invited to the Senate to explain what is being done in regard to mosquito control in Delaware. Motion passed.

Mr. Williams introduced the following **SCR** and moved for its adoption.

SCR 49—"Relative to the Establishment of a Joint Veterans Claims Committee."

The Chair directed a roll call on the resolution. Mr. Reilly moved that the roll call be tabled. Motion prevailed.

On motion the Senate recessed at call of the Chair at 3:20 p. m.

The Senate met at the expiration of the recess at 4:00 p. m., Pres. Pro Tem Cook presiding.

Mr. Cook introduced the following resolution which on further motion by Mr. Reilly was adopted by the Senate:

SCR 146—"Relating to the Death of Charles W. Hardesty."

Mr. Cook introduced the following Bill which was given first reading and referred to the buildings and highways committee:

SB 409—"An Act to Authorize the Governor, The Secretary of State and The State Treasurer to Borrow Money for Liabilities and Expenses of the State Highway Department and Issue Notes of the State of Delaware and Appropriating the Monies so Borrowed to the State Highway Department."

Mr. Hoey introduced the following bill which was given first reading and referred to the finance committee:

SB 410—"An Act Making an Appropriation to the University of Delaware for Certain Capital Improvements, and Authorizing the State of Delaware to Borrow Money and Issue Bonds and Notes Therefor, in the Amount of Two Million Two Hundred Seventy-Seven Thousand Dollars (\$2,277,000).

Mr. Reilly introduced **SS 1** for **SB 311** with title same as the original which on further motion by him was adopted by the Senate in lieu of the original. On motion of Mr. Reilly the Senate adjourned at 4:05 p. m. until Wednesday, May 25, 1960 at 1 p. m.

139TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:45 p. m., on Wednesday, May 25, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Hoey, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

Members absent—Messrs. Mayhew, Snowden, Spicer—3.

Without objection the chair dispensed with the reading of the Journal of the previous day's session.

Communications: Mr. Tull introduced a communication in favor of **HB 534**.

Mr. Hickman introduced **SR 147** which on further motion by him was adopted by the Senate.

SR 147—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through May 11, 1960 for Telephones RE 6-6111, RE 6-1295 and RE 6-1113.

On motion of Mr. Price **SB 404** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 404—"An Act to Repeal an Act Entitled 'An Act Establishing the Last Friday in April as Arbor Day' and Which Thereby Made Arbor Day a Legal Holiday, being Chapter 83, Volume 52, Laws of Delaware."

Mr. Mayhew asked to be marked present.

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Spicer—2.

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

On motion of Mr. Price **SB 395** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 395—"An Act to Amend Section 2108, Title 29, Delaware Code, Relating to Arbor and Bird Day."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Spicer—2.

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

Messrs. McCullough, Reilly, Hickman and Hoey reported the following bills from committee: **SB 407**, Judiciary, 4 Favorable, 4 Merits; **SB 401**, Education, 5 Favorable; **SB 334**, Education, 5 Favorable; **SB 389**, Finance, 3 Favorable, 1 Merits; **HB 476**, 1 Favorable, 3 Merits; **SB 345**, Public Health, 4 Merits.

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

HB 563—"An Act to Amend Title 10, Delaware Code Entitled 'Courts and Judicial Procedures' Relating to Service of Process on Non-Resident Operators of Motor Vehicles and Eliminating the Requirement That Such Service May Be Made Only Where the Non-Resident Was the Owner, Operator or Driver of a Motor Vehicle Not Registered Under the Laws of this State", to Judiciary.

HB 584—"An Act to Amend Title 16 Delaware Code by Adding a New Chapter to That Title Relating to the Storage of Explosives," to Miscellaneous.

HCR 45 with title as follows was directed to be read by the chair and upon question by the chair was adopted by the Senate and returned to the House.

HCR 45—"Fixing the Time for Temporary Adjournment by the House of Representatives and the Senate of the 120th General Assembly of the State of Delaware."

On motion of Mr. McCullough **SB 402** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 402—"An Act to Amend Chapter 81, Title 9, Delaware Code Relating to the Exemption of the Swanwyck Estates Civic Association from Taxation Upon its Real Property."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, McCullough, Price, Reilly, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—Mr. Nechay—1.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Simpson, Snowden, Spicer, Steen—5.

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

Mr. Watson moved that Rule 9 be suspended in order to consider **SB 401**. Motion prevailed.

On motion of Mr. Watson **SB 401** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 401—“An Act Transferring Funds from the Cafeteria Salary Account, the Janitorial Salary Account and the Capital Outlay Account for the Louis L. Redding Comprehensive School to Other Accounts of Said School.”

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

YEAS—Messrs. Correll, duPont, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Hickman, Snowden, Spicer, Steen—4.

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

On motion of Mr. Nechay **HB 158** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 158—“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.’”

Mr. Nechay moved for the adoption of **SA 1** to **HB 158**.

On the question “Shall the Amendment pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Hickman, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—Messrs. Correll, duPont—2.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Snowden, Spicer, Steen—4.

So the question was decided in the affirmative.

Mr. Reilly moved that **HB 158** as amended be deferred. Motion prevailed.

Mr. Cook introduced the following bill which was given first reading and referred to the committee on Buildings and Highways:

SB 411—"An Act to Amend An Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware, By Making A Transfer in Certain Appropriation Items to the Motor Vehicle Division of the State Highway Department."

Mr. Hoey reported **HB 569** from Finance with 2 Favorable, 3 Merits.

Mr. Watson introduced the following bill which was given first reading and referred to the committee on Education:

SB 412—"An Act Making An Appropriation to Townsend School District No. 81 for Certain School Building Repairs."

Mr. Tull moved that Rule 9 be suspended in order to consider **SB 389**. Motion prevailed.

On motion of Mr. Tull **SB 389** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 389—"An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware, in Respect to appropriations to the Youth Services Commission of Delaware, by Making Transfers in Certain Appropriation Items to Said Agency."

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

YEAS—Messrs. Correll, duPont, Mayhew, Nechay, Price, Reilly, Simpson, Tull, Watson, Mr. Pres. Pro Tem Cook—10.

NAYS—0.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Hickman, McCullough, Snowden, Spicer, Steen, Williams—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.

Mr. Reilly moved that Rule 9 be suspended in order to consider **HB 476**. Motion prevailed.

On motion of Mr. Reilly **HB 476** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 476—"An Act Making a Supplementary Appropriation to the State Board of Examiners and Registration of Architects for the Fiscal Year Ending June 30, 1960."

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

YEAS—Messrs. Correll, duPont, Mayhew, Price, Reilly, Simpson, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—10.

NAYS—Mr. Nechay—1.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Hickman, McCullough, Snowden, Spicer, Steen—5.

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

On motion of Mr. Reilly the Senate recessed at call of the chair at 4:35 p. m. The Senate met at the expiration of the recess at 5:25 p. m., Pres. Pro Tem Cook presiding.

Mr. Nechay introduced **SCR 50** and moved for its adoption.

SCR 50—"A Resolution Making an Appropriation to Stewart Lynch, Esq. to Cover Cost as Attorney for the General Assembly in the Recent Public Hearings Proposed by the Honorable J. Caleb Boggs.

Mr. Simpson moved that **SCR 50** be deferred. Motion lost.

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

YEAS—Messrs. Hickman, Hoey, Mayhew, Nechay, Price, Reilly, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—10.

NAYS—Messrs. Correll, duPont, Simpson—3.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Snowden, Spicer, Williams—4.

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

On motion of Mr. Nechay **HB 158** as amended by **SA 1** be taken up for consideration and read a second time by title in order to pass the Senate:

HB 158—"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 and taken. On motion of Mr. Nechay the roll call was tabled.

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

HB 585—"An Act Transferring \$1,000 from Salary of Supervisor of Physical Education an Appropriation of the State Board of Education which Appears as Chapter 140, Volume 52, Laws of Delaware, to an Account for the Purpose of Matching Funds Made Available Under the Provisions of Public Law 85-864 Entitled the 'National Defense Education Act of 1958', State Board of Education," to Education.

HB 561—"An Act to Amend Title 14, Delaware Code, by Providing for the Standardization of School Construction Plans as a Basis for State Aid and by Providing for Alternative School Construction Plans in District Referenda," to Education.

HS 1 for **HB 550**—"An Act to Amend Title 6, Delaware Code Entitled 'Commerce and Trade' by Providing for a New Chapter 43 Relating to Retail Installment Sales," to Miscellaneous.

Mr. Mayhew moved that Rule 9 be suspended in order to consider **HB 569** and **HB 585**. Motion prevailed.

On motion of Mr. Mayhew **HB 569** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 569—"An Act to Amend Chapter 246, Volume 52, Laws of Delaware, Relating to the Appropriation to the Juvenile Court of 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—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Snowden, Spicer, Watson, Williams—5.

So the question was decided in the affirmative and the

Bill having received the required constitutional majority passed the Senate and was returned to the House.

Mr. McCullough reported **HB 585** from Education with 4 favorable.

On motion of Mr. Mayhew **HB 585** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 585—"An Act Transferring \$1,000 from Salary of Supervisor of Physical Education an Appropriation of the State Board of Education Which Appears as Chapter 140, Volume 52, Laws of Delaware, to an Account for the Purpose of Matching Funds Made Available Under the Provisions of Public Law 85-864 Entitled the 'National Defense Education Act of 1958', State Board of Education."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Snowden, Spicer, Watson, Williams—5.

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

Mr. Reilly moved that the Senate adjourn until Monday, June 6, 1960 at 1 P.M. in accordance with **HCR 45**. Motion prevailed.

140TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:20 p. m., on Monday, June 6, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, McCullough, Nechay, Price, Reilly, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—10.

Members absent—Messrs. Hickman, Hoey, Mayhew, Simpson, Snowden, Steen, Watson—7.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Mr. Spicer presented a communication concerning mosquito control.

The following message was received from the Governor.

June 6, 1960

To the Senate of the 120th General Assembly of the State of Delaware:

This is to advise you that in accordance with the provisions of House Joint Resolution No. 5 adopted by the 120th General Assembly of the State of Delaware regarding "The State Song of Delaware" an additional stanza has been selected.

The Committee appointed under the provisions of the Resolution received 95 entries and selected the one submitted by Mr. Donn Devine, 605 West 27th Street, Wilmington 2, Delaware.

The additional stanza to "Our Delaware" is as follows:

"From New Castle's rolling meadows,
Through the fair rich fields of Kent,
To the Sussex shores hear echoes
Of the pledge we now present:
Liberty and Independence
We will guard with loyal care,
And hold fast to freedom's presence
In our home state, Delaware."

In accordance with the provisions of the Resolution, this stanza will be publicized and made available to schools and organizations throughout the State on a trial basis.

Respectfully submitted,
J. Caleb Boggs
Governor

Mr. duPont presented a communication in favor of the merit system bill.

Messrs. Hoey and Mayhew asked to be marked present.

Mr. Cook introduced the following bill which was given first reading and referred to the committee on labor:

SB 413—"An Act to Amend Sections 6913, 6914 and 6915, Title 29, Delaware Code, Relating to Wages."

Messrs. duPont, Correll, Simpson, Snowden, Williams and Spicer introduced the following resolution which on further motion by them was adopted and sent to the House for concurrence:

SCR 51—"Relative to the Death of Former State Senator John N. Longbotham."

On motion of Mr. Reilly **HB 499** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 499—"An Act to Amend Chapter 9, Title 10, Delaware Code by Increasing the Salary of the Judges of the Family Court in and For New Castle County."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Reilly, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, McCullough, Simpson, Snowden, Steen, Watson—6.

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

On motion of Mr. Cook **SB 407** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 407—"An Act Relating to the Court of Common Pleas - Kent County; Salaries."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Reilly, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, McCullough, Simpson, Snowden, Steen, Watson—6.

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

On motion of Mr. Reilly the Senate recessed at call of the Chair at 2:50 P.M. The Senate met at the expiration of the recess at 4:45 p. m., Pres. Pro Tem Cook presiding.

Mr. Simpson asked to be marked present.

On motion of Mr. Reilly the Senate adjourned at 4:47 p. m. until Tuesday, June 7, 1960 at 1 p. m.

141ST LEGISLATIVE DAY

The Senate met pursuant to adjournment at 4:45 P.M., on Tuesday, June 7, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—12.

Members absent—Messrs. Hickman, McCullough, Snowden, Spicer, Steen—5.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Messrs. Reilly and duPont introduced the following Bill which was given first reading and referred to the Committee on Revised Statutes:

SB 414—"An Act to Amend Chapter 81, Title 9, Delaware Code Relating to the Exemption of the Delaware Association of Police from Taxation Upon its Real Property."

Messrs. Williams and Reilly introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 415—"An Act Making a Supplementary Appropriation to the State Board of Corrections for the Fiscal Year July 1, 1960 - June 30, 1961.

Messrs. Simpson and Spicer introduced the following Resolution which was given first reading and referred to the Committee on Miscellaneous:

SR 148—"Relating to Payment of Mileage."

Mr. Williams introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 416—"An Act Making an Appropriation to the Board of Trustees of the Oak Grove School District No. 130, for the Purpose of Constructing a New Exit to the Junior High School Building."

Messrs. Steen and Hickman asked to be marked present.

Mr. Nechay reported **SB 408** from Committee with 3 favorable and 1 merits.

Mr. Cook introduced the following Bill which was given first reading and referred to the Committee on Buildings and Highways:

SB 417—"An Act Authorizing the State Highway Department to Construct, Maintain, Repair, Improve and Operate Self-Liquidating Express Highways from a Point in the Vicinity of the Westerly Approach of the Delaware Memorial Bridge to Points at or near the Pennsylvania and Maryland State Lines: Providing for Financing of Such Express Highways by Revenue Bonds, and Providing for a Toll Road Division of the State Highway Department."

Mr. Hickman introduced the following Resolution which on further motion by him was adopted:

SR 149—"Authorizing Payment of Amount Due The Sussex Countian for Printing Senate Calendar."

On motion of Mr. Nechay **HCR 38** was brought up for consideration and on his further motion was adopted by the Senate and returned to the House.

Mr. Steen reported **SB 417** from Committee with 3 favorable and 2 merits.

On motion of Mr. duPont **SB 397** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 397—"An Act to Make Unlawful Certain Discriminatory Practices in Respect to Employment Because of the Ages of the Individuals Seeking or Being in Employment, Creating and Conferring Jurisdiction Upon the 'Division Against Discrimination' in the Labor Commission of Delaware, Providing for the Practice and Procedure to be Followed in the Enforcement of the Act."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Snowden, Spicer—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.

Messrs. Mayhew, Cook and Correll introduced the following Bill which was given first reading and referred to the Committee on Labor:

SB 418—"An Act to Amend Sections 6913, 6914 and 6915, Title 29, Delaware Code, Relating to Wages."

On motion of Mr. duPont **SB 398** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 398—"An Act to Amend Section 3705, Title 12, Delaware Code, Relating to Deposits Received by the Prothonotary."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Snowden, Spicer—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. Reilly the Senate adjourned at 5:30 P.M. until Wednesday, June 8, 1960 at 1 P.M.

142ND LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:35 p. m., on Wednesday, June 6, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Mr. Pres. Pro Tem Cook—14.

Members absent—Messrs. Snowden, Watson, Williams—3.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

On motion the Senate recessed at call of the chair at 2:45 p. m. The Senate met at the expiration of the recess at 2:46 p. m., Pres. Pro Tem Cook presiding.

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

HB 568—"An Act to Amend Chapter 121, Volume 28, Laws of Delaware Entitled 'An Act Creating a Board of Assessment for the City of Wilmington and Providing the Means and Method by Which Said Board Shall Assess Property Therein for the Purpose of Raising Revenue for City and School Purposes' Relating to Exemption of Real Estate from Taxation," to Corporations Municipal.

HS 1 for HB 581—"An Act to Amend Section 603, Chapter 134, Volume 52, Laws of Delaware, Entitled, 'Exceptions and Claims,' " to Revised Statutes.

HS 1 for HB 516—"An Act to Amend Section 7906, Title 3, Delaware Code, Relating to Service of Process by Adding the Organization Known as Delaware Humane Association to the Section," to Miscellaneous.

HB 537—"An Act to Amend Title 19, Delaware Code, By Prohibiting Any Person, Firm or Corporation, Not Directly Involved In A Labor Strike or Lockout From Recruiting, Securing or Offering to Secure Employment For Persons to Take the Places of Employees Where a Labor Strike or A Lockout Exists; and Providing For Legally Established Employment Service," to Labor.

HB 485—"An Act to Amend Section 3103, Title 6, Delaware Code, Entitled 'Partnership and Association Docket; Duty of Prothonotaries; Fee For Filing Certificate,' " to Revised Statutes.

HB 527—"An Act Revising, Arranging, Consolidating and Codifying the Charter and All Public Laws and Statutes Applicable to the Mayor and Council of Wilmington, A Municipal Corporation, Into and Adopting the Same as a Revised Charter for Said Municipal Corporation," to Corporations Municipal.

Mr. duPont introduced **SS 1** for **HB 527** which was given first reading and referred to the Corporations Municipal Committee.

The chair presented **HCR 47** which was read to the Senate and upon question of the chair was adopted by the Senate and ordered returned to the House.

HCR 47—"Relating to the Necessity of Dredging the Nanticoke River."

Messrs. Watson and Williams asked to be marked present.

On motion of Mr. Reilly the Senate recessed at call of the chair at 3:00 p. m. The Senate met at the expiration of the recess at 4:45 p. m., Pres. Pro Tem Cook presiding.

Mr. Nechay introduced **SA 1** to **SS 1** for **SB 302** which was read to the Senate and placed with the bill for later action.

Mr. Hoey reported **HB 533** from committee with 1 Favorable and 4 Merits.

Mr. Snowden asked to be marked present and was welcomed back by the chair.

Mr. Steen introduced the following bill which was given first reading and referred to the committee on Education:

SB 419—"An Act to Amend 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware in Respect to Appropriations to the State Board of Education and Certain School Districts, by Making Transfers in Certain Appropriation Items Therein."

Mr. Reilly moved that Rule 9 be suspended in order to consider **HB 533**. Motion prevailed.

On motion of Mr. Reilly **HB 533** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 533—"An Act to Amend 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960' Being Chapter 57, Volume 52, Laws of Delaware, By Making Certain Transfers From the Appropriation to the Delaware Racing Commission."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Hickman, Tull—2.

So the question was decided in the affirmative and the

Bill having received the required constitutional majority passed the Senate and was returned to the House.

Mr. Reilly reported **HB 563** from judiciary committee with 4 Favorable.

Mr. Nechay introduced **SA 2** for **SS 1** for **SB 302** which was placed with the original bill.

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

HB 482—"An Act to Amend Title 10, Delaware Code, Relating to Fees and Costs," to Judiciary.

HB 597—"An Act to Amend an Act Entitled 'An Act Changing the Name of 'The Town of Seaford' and Establishing a Charter Therefor', Being Chapter 84, Volume 43, Laws of Delaware, as Amended, by Increasing the Amount of Money Which may be Raised Each Year in Taxes," to Corporations Municipal.

HCR 48—"Relating to a Civil Service Committee to Study the Propriety of Establishing a Civil Service System In and For the State of Delaware," to Miscellaneous.

On motion of Mr. Nechay **SS 1** for **SB 302** 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 302**—"An Act to Establish a Merit System of Personnel Administration in the State Government of the State of Delaware: to Provide for the Implementation and Operation of Such System and to Appropriate Funds."

SA 1 was first considered.

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

YEAS—Messrs. Correll, duPont, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Williams, Mr. Pres. Pro Tem Cook—10.

NAYS—Mr. Mayhew—1.

NOT VOTING—Messrs. Hoey, Watson—2.

ABSENT—Messrs. Hickman, McCullough, Steen, Tull.—4.

So the question was decided in the affirmative.

At the request of Mr. Nechay **SS 1** for **SB 302** was deferred.

Mr. Nechay introduced the following Concurrent Resolution which on further motion by him was adopted by the Senate and ordered to the House for concurrence.

SCR 52—"An Act Making An Appropriation to Wesley A. Coote, Court Reporter, to Cover Cost of Reports on Public Hearings."

On motion of Mr. Nechay the Senate recessed at call of the chair at 5:20 p. m. The Senate met at the expiration of the recess at 5:30 p. m., Pres. Pro Tem Cook presiding.

On motion of Mr. Nechay **SS 1** for **SB 302** as amended was again taken up for consideration and read a second time by title in order to pass the Senate:

Mr. Nechay introduced **SA 3** for **SS 1** for **SB 302** and moved for its adoption. Motion prevailed.

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

YEAS—Messrs. Correll, duPont, Nechay, Reilly Simpson, Snowden, Spicer, Williams, Mr. Pres. Pro Tem Cook—9.

NAYS—Messrs. Hoey, Mayhew, Price, Steen—4.

NOT VOTING—Mr. Watson—1.

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

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

Messrs. Cook and Simpson introduced the following bill which was given first reading and referred to the committee on Finance:

SB 420—"An Act Appropriating Money to the Coroner of Kent County for the Sole Purpose of Performing Autopsies for the Fiscal Year Ending June 30, 1961."

On motion of Mr. Hoey the Senate adjourned at 5:40 p. m. until Thursday, June 9, 1960 at 1 p. m.

143RD LEGISLATIVE DAY

The Senate met pursuant to adjournment at 4:01 P.M., on Thursday, June 9, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

Members absent—Messrs. Hoey, Nechay, Snowden—3.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. McCullough reported the following Bills from Committee: **HB 537**, 4 favorable; **SB 419**, 4 favorable; **SB 341**, 3 favorable, 2 merits.

On motion of Mr. McCullough and without objection **SA 1** to **SB 194** was stricken.

Mr. McCullough introduced **SA 2** to **SS 1** for **SB 194** which was given first reading and placed with the Bill.

Mr. Steen moved that Rule 9 be suspended in order to consider **SB 419**. Motion prevailed.

On motion of Mr. Simpson **SB 408** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 408—"An Act to Amend Chapter 42, Title 9, Delaware Code Relating to Appropriation for the Indigent Sick in Kent County."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Nechay, Snowden, Steen—4.

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

On motion of Mr. Williams the Senate recessed at call of the Chair at 4:20 P.M. The Senate met at the expiration of the recess at 5:05 P.M., Pres. Pro Tem Cook presiding.

Mr. Hoey asked to be marked present.

Messrs. Hoey, Steen, Watson introduced the following Bill which was given first reading and referred to the Committee on Elections:

SB 421—"An Act to Amend Chapter 31, Title 15 of the Delaware Code Relating to Primary Elections."

Mr. Hoey introduced the following Bill which was given first reading and referred to the Committee on Education:

SB 422—"An Act to Amend Title 14, Delaware Code, Entitled 'Education', Relating to General Scholarships at the University of Delaware."

Mr. Steen reported **HB 527** from Committee with 5 favorable.

Mr. Steen introduced the following Bill which was given first reading and referred to the Committee on Miscellaneous:

SB 423—"An Act to Amend Section 5110, Title 30, Delaware Code, Relating to the Bond of Licensed Distributors of Motor Fuel."

Mr. Reilly introduced the following Bill which was given first reading and referred to the Committee on Education:

SB 424—"An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware, by Making a Transfer

in Certain Appropriations Items to the Ellendale School No. 125."

Mr. Watson reported **HS 1** for **HB 550** with 4 favorable and **SB 421** with 3 favorable and 1 unfavorable and **HB 515** with 5 favorable.

Mr. McCullough moved that Rule 9 be suspended in order to consider **SB 341** and **HB 515**. Motion prevailed.

On motion of Mr. McCullough **HB 515** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 515—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, as Amended by Chapter 105, Volume 52, Laws of Delaware, to Provide for the Financing of Capital Improvements Thereunder and Appropriating the Necessary Funds."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Steen, Watson, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden, Spicer, Tull—4.

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

On motion of Mr. McCullough **SB 341** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 341—"An Act to Amend Title 29, Delaware Code, Entitled 'State Government' in Regard to Retired School Employees."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Steen, Watson, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden, Spicer, Tull—4.

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

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

HB 533—"An Act to Amend Chapter 17, Title 24, Delaware Code, Relating to Medicine, Surgery and Osteopathy," to Public Health.

HB 532—"An Act to Amend Chapter 21 and Chapter 29 Relating to Insurance Agents and Brokers and Suretyship," to Banking and Insurance.

On motion of Mr. Reilly the Senate adjourned at 5:20 P.M. until Monday, June 13, 1960 at 1 P.M.

144TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 5:20 P.M., on Thursday, June 9, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Tull, Watson, Mr. Pres. Pro Tem Cook—15.

Members absent—Messrs. Snowden, Williams—2.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. McCullough reported **HB 524** from Committee with 4 favorable.

Mr. McCullough introduced the following Bill which was given first reading and referred to the Committee on Labor:

SB 425—"An Act to Amend Section 5521, Title 29, Delaware Code, Relating to Optional and Mandatory Retirement of Covered Employees of the State of Delaware."

On motion of Mr. Mayhew **SB 371** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 371—"An Act to Repeal an Act Entitled 'An Act to Amend Title 29, Delaware Code, Entitled State Government Relative to the Powers and Duties of the Budget Commission and the Auditor of Accounts', Being Chapter 131, Volume 52, Laws of Delaware, Approved July 2, 1959."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Williams—2.

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

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

SB 334—"An Act to Appropriate Funds to the School Boards for the Maintenance and Repair of Public School Buildings of the State."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—14.

NAYS—Mr. Spicer—1.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Williams—2.

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

Mr. Buckson stepped down from the chair at 4:35 p. m. and Mr. Cook stepped up to the chair and presided. Mr. Reilly moved that Rule 12 be suspended in order to restore **HB 245**. Motion prevailed. On motion of Mr. Reilly **HB 245** was restored.

On motion of Mr. Reilly **HB 537** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 537—"An Act to Amend Title 19, Delaware Code, By Prohibiting Any Person, Firm or Corporation, Not Directly Involved In A Labor Strike or Lockout From Recruiting, Securing or Offering to Secure Employment For Persons to Take the Places of Employees Where a Labor Strike or A Lockout Exists; and Providing For Legally Established Employment Service."

On motion of Mr. Simpson the Senate recessed at call of the chair at 4:45 p. m. The Senate met at the expiration of the recess at 5 p. m., Pres. Pro Tem Cook presiding.

Mr. Simpson introduced **SA 1** for **HB 537** and moved for its adoption.

On motion of Mr. Reilly the Senate recessed at call of the chair at 5:05 p. m. The Senate met at the expiration of the recess at 5:15 p. m., Pres. Pro Tem Cook presiding.

On motion of Mr. Simpson **HB 537** was deferred.

The following bills were reported from committee: **SB 411**, 3 Favorable, 1 Merits; **HS 1** for **HB 581**, 2 Favorable, 3 Merits.

Mr. Cook moved that Rule 9 be suspended in order to consider **SB 411**. Motion prevailed.

The following message from the Governor was received

and read to the Senate, and referred to the Executive Committee:

June 9, 1960

To the Senate of the 120th 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. Louise Mercer, Dover, to be a member of the Delaware Alcoholic Beverage Control Commission for a term to expire May 15, 1965.

Respectfully submitted,
J. Caleb Boggs
Governor

On motion of Mr. Cook **SB 411** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 411—"An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960, Being Chapter 57, Volume 52, Laws of Delaware, by Making a Transfer in Certain Appropriation Items to the Motor Vehicle Division of the State Highway Department.'"

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

YEAS—Messrs. duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Correll, Snowden, Williams—3.

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

Mr. Mayhew reported **HCR 48** from committee with 3 Favorable, 1 Unfavorable.

Mr. Mayhew moved that **HCR 48** be brought up for consideration.

On motion of Mr. Nechay **HCR 48** was deferred.

Mr. Reilly moved that **HB 527** be brought up for consideration and given its final reading in order to pass the Senate. Mr. duPont moved that **SA 1** to **HB 527** be adopted. Mr. Reilly moved that **SA 1** to **HB 527** be tabled. Motion prevailed.

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

yeas and nays were ordered and taken.

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

Mr. Mayhew reported **HB 584** from committee with 3 Favorable and 1 Merits.

On motion of Mr. Reilly **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 with **HA 1** and **HA 2**—"An Act to Completely Revise, Recodify and Amend Title 11, Delaware Code in Relation to Sentencing, Probation, Parole and Pardon of Adult Offenders; Creating a State Probation and Parole Commission, A State Department of Probation and Parole Services and a Probation and Parole Advisory Board; Procedures With Respect to Executive Clemency; Appropriating Funds and Repealing Contrary Provisions."

Mr. Reilly introduced **SA 1** to **HB 245** and on further motion by him the amendment was adopted.

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

YEAS—Messrs. duPont, McCullough, Nechay, Price, Simpson, Spicer, Steen—7.

NAYS—Messrs. Hoey, Reilly, Watson, Mr. Pres. Pro Tem Cook—4.

NOT VOTING—Messrs. Hickman, Mayhew, Tull—3.

ABSENT—Messrs. Correll, Snowden, Williams—3.

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

On motion of Mr. Reilly **HB 245** was restored to the calendar.

On motion of Mr. Reilly **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 to Amend Chapter 77, Title 11, Delaware Code, Relating to Parole."

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

YEAS—Messrs. duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Steen, Tull, Mr. Pres. Pro Tem Cook—12.

NAYS—Mr. Spicer—1.

NOT VOTING—0.

ABSENT—Messrs. Correll, Snowden, Watson, Williams—4.

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

Messrs. McCullough and Reilly introduced the following Bill which was given first reading and referred to the committee on Judiciary:

SB 426—"An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960,' Being Chapter 57, Volume 52, Laws of Delaware by Making Certain Transfers in the Appropriations for the Superior Court and the New Castle County Law Library."

On motion of Mr. Spicer the roll call on **HB 446** which had previously been tabled was lifted from the table whereupon Mr. Spicer requested that his vote on **HB 446** be recorded as not voting. On motion of Mr. Reilly the vote on **HB 446** was again tabled.

Mr. Price introduced the following Bill which was given first reading and referred to the committee on Revised Statutes:

SB 427—"An Act to Amend Sections 141, 158 and 223 of Title 8, Delaware Code Relating to the Delaware Corporation Law."

Mr. Steen requested that **SB 223** be given its last reading and be brought up for consideration in order to pass the Senate. Mr. Spicer moved that **SB 223** be deferred. Motion prevailed.

On motion of Mr. Reilly the Senate adjourned at 6:55 p. m. until Tuesday, June 14, 1960 at 1 p. m.

145TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:05 p. m., on Tuesday, June 14, 1960, Pres. Pro. Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Mr. Pres. Pro Tem Cook—14.

Members absent—Messrs. Snowden, Watson, Williams—3.

The Secretary proceeded to read the journal of the previous day's session when Mr. Reilly moved that so much be considered the reading of the journal and the journal be approved as read. Motion prevailed.

On motion of Mr. Steen **SB 419** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 419—"An Act to Amend 'An Act Making Appropria-

tions for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960', Being Chapter 57, Volume 52, Laws of Delaware in Respect to Appropriations to the State Board of Education and Certain School Districts, by Making Transfers in Certain Appropriation Items Therein."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden, Watson, Williams—4.

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

Mr. McCullough reported **SS 1** for **SB 194** from committee with 2 Favorable, 2 Merits.

On motion of Mr. McCullough **HS 1** for **HB 524** as amended with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for **HB 524**—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, as Amended By Chapter 332, Volume 51, Laws of Delaware, Relating to the Financing of Capital Improvements of Middletown No. 60 School District Appropriating the Necessary Funds."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Watson, Williams—3.

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

Mr. Nechay reported **SB 427** from committee with 3 Favorable and 1 Merits.

Mr. Reilly moved that the roll call on **SCR 49**, which had previously been taken, be lifted from the table. Motion prevailed.

On the question "Shall the Concurrent Resolution pass the Senate?" the yeas and nays being taken, were as follows:

YEAS—Messrs. Correll, duPont, Hickman, Hoey, May-

hew, McCullough, Nechay, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Watson—2.

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

Mr. Mayhew reported **SB 423** from committee (Miscellaneous) with 1 Favorable and 3 Merits.

Mr. McCullough moved that Rule 9 be suspended in order to consider **SS 1** for **SB 194**.

On motion of Mr. McCullough **SS 1** for **SB 194** 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 194**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees."

Mr. McCullough moved for the adoption of **SA 2** to **SS 1** for **SB 194**. Motion prevailed. Mr. Hoey moved that **SS 1** for **SB 194** as amended be deferred. Motion lost. Mr. duPont moved that **SS 1** for **SB 194** as amended be deferred.

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Nechay, Price, Simpson, Snowden, Spicer, Mr. Pres. Pro Tem Cook—10.

NAYS—Messrs. McCullough, Reilly, Steen, Tull, Watson—5.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Williams—2.

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

On motion of Mr. Reilly the Senate recessed at call of the chair at 4:00 p. m. Motion lost.

Mr. Watson asked to be marked present.

Mr. Steen moved that Rule 9 be suspended to consider **SB 423**.

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

YEAS—Messrs. Hickman, Hoey, Mayhew, McCullough,

Nechay, Price, Reilly, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—11.

NAYS—Messrs. Correll, duPont, Simpson, Spicer—4.

NOT VOTING—0.

ABSENT—Messrs. Snowden, Williams—2.

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

On motion of Mr. Steen **SB 423** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 423—"An Act to Amend Section 5110, Title 30, Delaware Code, Relating to the Bond of Licensed Distributors of Motor Fuels."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Simpson, Spicer, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Reilly, Snowden, Williams—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 introduced **HCR 49** and requested the Senate to take action thereon.

HCR 49—"Relating to the Anticipated Revenue of the State of Delaware in the Fiscal Year 1960 - 1961."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, McCullough, Nechay, Price, Spicer, Tull, Watson, Mr. Pres. Pro Tem Cook—11.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Reilly, Simpson, Snowden, Steen, Williams—6.

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

On motion of Mr. Hoey the Senate recessed at call of the chair at 4:10 p. m. The Senate met at the expiration of the recess at 5:43 p. m., Pres. Pro Tem Cook presiding.

The following house matters were introduced by the chair and given first reading and referred to committee as follows:

HB 601—"An Act Transferring Funds from the Salaries and Wages of Employees Account of the State Police to the Equipment Accounts," to Finance.

HB 572—"An Act Appropriating Money to the Mayor and Council of Wilmington for the Use of Its Fire Companies," to Finance.

HB 483—"An Act Amending Sections 8732 and 8773, Title 9, Delaware Code Relating to Fees of the Prothonotary," to Revised Statutes.

HB 603—"An Act to Amend Chapter 3, Title 9, Delaware Code Relating to the Levy Court Commissioners for New Castle County," to Elections.

HS 1 for HB 192—"An Act Requiring All Inspectors Employed by the State of Delaware, Its Counties and Municipalities to Receive Instructions in Safety Code Requirements," to Miscellaneous.

The Chair presented the following HCR which was read to the Senate and adopted and returned to the House:

HCR 42—"Authorizing the Payment of Certain Expenses for Reporting and Transcribing of the Public Hearings on Proposed Reorganization for the 120th General Assembly for the Dates of March 10, March 15, and March 16."

Mr. Watson reported **HB 603** from committee with 3 Favorable and 1 Unfavorable.

Mr. Price introduced the following Bill which was given first reading and referred to the committee on Miscellaneous:

SB 428—"An Act to Amend Section 4501, Title 10, Delaware Code, Relating to the Compensation of Jury Commissioners."

On motion of Mr. McCullough the Senate adjourned at 5:55 p. m. until Wednesday, June 15, 1960 at 1 p. m.

146TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 4:20 p. m., on Wednesday, June 15, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Hoey, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—12.

Members absent—Messrs. Mayhew, McCullough, Nechay, Price, Snowden—5.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

On motion of Mr. Cook Rule 23 was suspended for the balance of the legislative day.

Mr. Reilly reported the following Bills from committee: **SB 425**, 4 Favorable; **SB 426**, 2 Favorable, 2 Merits.

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

HCR 46—"An Act Making an Appropriation to Various Companies for Services and Supplies Rendered the 120th General Assembly of the State of Delaware," to Claims.

HB 591—"An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for Allocation of Funds," to Education.

HB 413—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan By providing for Credit for Other Employment," to Labor.

HB 534—"An Act to Create a State Board of Examiners of Barbers; Regulate Barbering and Appropriate Funds," to Public Health.

HB 570—"An Act Making Appropriations for the Expenses of the State Government For the Fiscal Year Ending June 30, 1961," to Finance.

Mr. McCullough asked to be marked present.

Mr. Cook introduced **SA 1** for **HS 550** which was placed with the Bill.

Messrs. McCullough and Steen reported **HB 561** and **HB 562**, both with 5 Merits, and **HB 597** with 5 Favorable.

Mr. Steen moved that Rule 9 be suspended in order to consider **HB 597**. Motion prevailed.

On motion of Mr. Steen **HB 597** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 597—"An Act to Amend an Act Entitled 'An Act Changing the Name of "The Town of Seaford" and Establishing a Charter Therefor', Being Chapter 84, Volume 43, Laws of Delaware, as Amended, by Increasing the Amount of Money Which may be Raised Each Year in Taxes."

Messrs. Price and Mayhew asked to be marked present.

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden—2.

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

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

HB 594—"An Act to Amend Chapter 170, Volume 43, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Lewes', as Amended, By Increasing the Authority of the Mayor of the Town of Lewes to Impose Fines, and Authorizing the Mayor of Lewes to Appoint An Alderman for the Town of Lewes and Establishing the Authority of the Alderman of the Town of Lewes," to Corporations Municipal.

HB 596—"An Act to Amend Chapter 170, Volume 43, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Lewes' as Amended, By Removing the Limitation on the Authority of the Commissioners to Impose and Establish Fines, and to Extend the Authority of the Police Force of Lewes to One Mile Outside the Town Limits of Lewes," to Corporations Municipal.

HB 595—"An Act to Amend Chapter 170, Volume 43, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Lewes' as Amended, By Increasing the Authority of the Mayor of the Town of Lewes to Impose Fines," to Corporations Municipal.

HB 600—"An Act to Amend An Act Entitled 'An Act to Re-incorporate the Town of Lewes' Relating to Commissioners' Power to Enforce Order," to Corporation Municipal.

Mr. Steen introduced the following Bill which was given first reading and referred to the committee on Buildings and Highways:

SB 429—"An Act to Amend Section 4122, Title 21, Delaware Code, Relating to Stopping at Command of Police Officers."

Mr. Buckson left the chamber at 4:45 p. m. whereupon Mr. Cook took the chair and presided.

Mr. Hoey reported **HB 570** as amended with 1 Favorable, 3 Merits, and **HB 560** with 4 Merits, and **HB 601** with 4 Merits.

On motion of Mr. Hoey the Senate recessed at call of the chair at 4:50 p. m. The Senate met at the expiration of the recess at 5:15 p. m., Pres. Pro Tem Cook presiding.

Mr. Tull reported **HB 532** with 2 Favorable and 2 Merits.

Mr. Hoey moved that Rule 9 be suspended for the balance of the legislative day. Motion prevailed.

On motion of Mr. Hoey **HB 570** with title as follows was

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

HB 570—"An Act Making Appropriations for the Expenses of the State Government For the Fiscal Year Ending June 30, 1961."

Mr. duPont introduced **SA 1** to **HB 570** and moved for its adoption.

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

YEAS—Messrs. Correll, duPont, Simpson, Williams—4.

NAYS—Messrs. Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—10.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden, Spicer—3.

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

Messrs. duPont and Reilly introduced **SA 2** for **HB 570** and moved for its adoption.

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

YEAS—Messrs. Correll, duPont, Reilly, Simpson, Williams—5.

NAYS—Messrs. Hickman, Hoey, Mayhew, Price, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—8.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Nechay, Snowden, Spicer—4.

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

Messrs. Williams and duPont introduced **SA 3** for **HB 570** and moved for its adoption.

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

YEAS—Messrs. Correll, duPont, Hickman, Price, Simpson, Tull, Williams—7.

NAYS—Messrs. Hoey, Mayhew, McCullough, Reilly, Watson, Mr. Pres. Pro Tem Cook—6.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden, Spicer, Steen—4.

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

Mr. duPont introduced **SA 4** to **HB 570** and moved for its adoption.

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

YEAS—Messrs. Correll, duPont, Hickman, Simpson, Tull, Williams—6.

NAYS—Messrs. Hoey, Mayhew, McCullough, Price, Reilly, Watson, Mr. Pres. Pro Tem Cook—7.

ABSENT—Messrs. Nachay, Snowden, Spicer, Steen—4.

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

On the question "Shall the Bill as Amended by **SA 1** and **SA 2** pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden, Spicer—3.

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

On motion of Mr. Watson **HB 603** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 603—"An Act to Amend Chapter 3, Title 9, Delaware Code Relating to the Levy Court Commissioners For New Castle County."

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

YEAS—Messrs. Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Steen, Watson, Mr. Pres. Pro Tem Cook—9.

NAYS—Messrs. Correll, duPont, Williams—3.

NOT VOTING—Mr. Tull—1.

ABSENT—Messrs. Nechay, Simpson, Snowden, Spicer—4.

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

Mr. Steen reported the following bills from committee: **HB 591**, 1 Favorable, 4 Merits; **SB 424**, 5 Merits; **SB 429**, 2 Favorable, 2 Merits.

Mr. Steen introduced the following Bill which was given first reading and referred to the committee on Buildings and Highways:

SB 430—"An Act to Authorize the Construction of A New Highway Crossing at Grade in Cedar Creek Hundred, Sussex County, South of Milford over the Delaware, Maryland and Virginia Branch of the Philadelphia, Baltimore and Washington Railroad Company Leased by the Pennsylvania Railroad Company."

On motion of Mr. Mayhew **HB 601** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 601—"An Act Transferring Funds from the Salaries and Wages of Employees Account of the State Police to the Equipment Account."

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

YEAS—Messrs. Correll, duPont, Mayhew, McCullough, Price, Reilly, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Hoey, Nechay, Simpson, Snowden, Spicer—6.

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

Mr. Reilly introduced the following Bill which was given first reading and referred to the committee on Miscellaneous:

SB 431—"An Act to Appropriate Money to Benjamin Retting, A Resident of the State of Delaware and a Sea Food Peddler."

On motion of Mr. Reilly the Senate adjourned at 7 p. m. until Monday, June 20, 1960 at 1 p. m.

147TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:30 p. m., on Monday, June 20, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, McCullough, Price, Reilly, Simpson, Spicer, Steen, Watson, Williams, Mr. Pres. Pro Tem Cook—11.

Members absent—Messrs. Hickman, Hoey, Mayhew, Nechay, Snowden, Tull—6.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Communications: (1) from the State Board of Health announcing free examinations for diabetis; (2) from Senator Snowden urging the Republican Senators to vote against the Wilmington Code Bill unless it was amended.

Messrs. Tull, Hoey and Mayhew asked to be marked present.

On motion of Mr. Mayhew **SB 392** with **HA 1** was taken up for consideration and read in order to pass the Senate as amended by the House.

SB 392—"An Act Transferring Funds from the State Building and Grounds Commission to the Library Commission for The State of Delaware for the Improvement of Railroad Station Located on the Easterly Side of the Railroad Tracks at Dover, Delaware."

On the question "Shall the Bill as Amended by **HA 1** pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, duPont, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Hickman, Nechay, Snowden, Watson—4.

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

On motion of Mr. Mayhew **HB 574** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 574—"An Act Barring Claims Against a Decedent's Estate in Which No Letters Have Been Granted After Twenty-One Years From Death."

Mr. Mayhew introduced **SA 1** to **HB 574** and moved for its adoption.

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, McCullough, Nechay, Snowden, Watson—5.

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

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, McCullough, Nechay, Snowden, Watson—5.

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

Mr. Steen introduced the following Bill which was given first reading and referred to the committee on Public Health:

SB 432—"An Act Making A Supplementary Appropriation to the Medical Council of Delaware for the Fiscal Year Beginning July 1, 1959 and Ending June 30, 1960."

Messrs. duPont and Reilly introduced the following Bill which was given first reading and referred to the committee on Public Health:

SB 433—"An Act Making A Supplementary Appropriation to the Department of Public Welfare for the Fiscal Year Ending June 30, 1961."

Mr. duPont and Reilly introduced the following Bill which was given first reading and referred to the committee on Education:

SB 434—"An Act Making A Supplementary Appropriation to Youth Services Commission for Ferris School for Boys, Bridge House and Kruse School for the Fiscal Year Ending June 30, 1961."

Mr. Steen reported the following Bills from committees: **HB 600**, 5 Favorable; **HB 596**, 4 Favorable, 1 Merits; **HB 595**, 4 Favorable, 1 Merits; **HB 594**, 4 Favorable, 1 Merits.

On motion of Mr. Reilly the Senate recessed at call of the chair at 4:20. The Senate met at the expiration of the recess at 5:10 p. m., Pres. Pro Tem Cook presiding.

Mr. Reilly reported **HB 413** with 3 Favorable.

Mr. Tull reported **SB 432** with 3 Favorable and 1 Merits.

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

HB 566—"An Act to Amend Title 10, Delaware Code, Entitled 'Courts and Judicial Procedure' in Respect to Chief

Deputy Prothonotaries and Registers in Chancery and Clerks of the Orphans' Court," to Judiciary.

HB 547—"An Act Making An Appropriation to the Dover High School for the Purpose of Rewiring Said School," to Education.

HB 604—"An Act to Amend Section 3105 (b), Title 20, Delaware Code, Entitled 'Civil Defense Powers of the Governor' and Relating to State Auxiliary Civil Defense Police," to Miscellaneous.

HB 552—"An Act to Amend Chapter 7, Title 9, Delaware Code, Providing for the Establishment of Park Districts for the Developing, Equipping, Improving and Maintaining of Parks and other Recreational Facilities and Activities; and to Carry on Recreational Programs; Authorizing and Regulating the Issuing of District Bonds to Finance Such Projects and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof," to Miscellaneous.

HB 564—"An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purposes; Authorizing the Financing of Such Enlargment and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions From Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money To Make Such Contributions: and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," to Finance.

HB 42—"An Act to Amend Chapter 51, Title 29 of the Delaware Code By Authorizing the State Treasurer to Make Certain Pay Roll Deductions and Providing Compensation to the State Therefore," to Revised Statutes.

HCR 50—"A Resolution Making An Appropriation to Stewart Lynch, Esq. to Cover Cost As Attorney for the General Assembly in the Recent Public Hearings Proposed by the Honorable J. Caleb Boggs," to Judiciary.

On motion of Mr. Reilly **HB 537** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 537—"An Act to Amend Title 19, Delaware Code, By Prohibiting Any Person, Firm or Corporation, Not Directly Involved In A Labor Strike or Lockout From Recruiting, Securing or Offering to Secure Employment For Persons to Take the Place of Employees Where a Labor Strike or A Lockout Exists; and Providing For Legally Established Employment Service."

On motion of Mr. Simpson SA 1 to **HB 537** was stricken.

Mr. Simpson introduced **SA 2** to **HB 537** and moved for its adoption.

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

YEAS—Messrs. Correll, duPont, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Mr. Pres. Pro Tem Cook—10.

NAYS—0.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Hickman, McCullough, Nechay, Snowden, Watson, Williams—6.

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

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Mr. Pres. Pro Tem Cook—11.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, McCullough, Nechay, Snowden, Watson, Williams—6.

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

Mr. Reilly introduced the following resolution which on further motion by him was adopted:

SR 150—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the Senate, Being Expenses Connected With the Present Session of the Senate of the 120th General Assembly."

Mr. Reilly reported **HB 566** from committee with 2 Favorable and 1 Merits.

The chair declared the Senate recessed at call of the chair at 6:35 p. m. The Senate met at the expiration of the recess at 6:40 p. m., Pres. Pro Tem Cook presiding.

Mr. Steen moved that Rule 9 be suspended for the balance of the legislative day. Motion prevailed.

On motion of Mr. Steen **SB 432** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 432—"An Act Making A Supplementary Appropriation to the Medical Council of Delaware for the Fiscal Year

Beginning July 1, 1959 and Ending June 30, 1960."

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

YEAS—Messrs. Correll, duPont, Mayhew, Price, Reilly, Simpson, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—10.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman; Hoey, McCullough, Nechay, Snowden, Spicer, Watson—7.

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

On motion of Mr. Steen **SB 223** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 223—"An Act to Amend Title 21, Delaware Code Relating to Suspension of License and/or Registration for Failure to File Proof of Financial Responsibility."

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

YEAS—Messrs. Price, Reilly, Simpson, Tull, Williams—5.

NAYS—Mr. Steen—1.

NOT VOTING—Messrs. Correll, duPont, Hoey, Mayhew—4.

ABSENT—Messrs. Hickman, McCullough, Nechay, Snowden, Spicer, Watson, Mr. Pres. Pro Tem Cook—7.

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

On motion of Mr. Steen **SB 223** was restored to the calendar.

On motion of Mr. Simpson **SB 408** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 408—"An Act to Amend Chapter 42, Title 9, Delaware Code Relating to Appropriation for the Indigent Sick in Kent County."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, Price, Reilly, Simpson, Steen, Tull, Williams—10.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, McCullough, Nechay, Snowden, Spicer, Watson, Mr. Pres. Pro Tem Cook—7.

So the question was decided in the affirmative and the

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

On motion of Mr. Hoey the Senate adjourned at 6:10 p. m. until Tuesday, June 21, 1960 at 1 p. m.

148TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:50 p. m., on Tuesday, June 21, 1960, Pres. Pro Tem Cook presiding.

Prayer by the Chaplain, Rev. Ray W. Kirwan.

Members present—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Price, Reilly, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—13.

Members absent—Messrs. Hoey, Nechay, Simpson, Snowden—4.

Without objection the chair dispensed with the reading of the journal of the previous day's session.

Messrs. duPont, Simpson and Spicer introduced the following Bill which was given first reading and referred to the committee on Miscellaneous.

SB 435—"An Act to Amend Chapter 299, Volume 52, Laws of Delaware, Relating to Mosquito Control and Authorizing the Transfer of Funds Therefore."

On motion of Mr. Reilly **HB 566** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 566—"An Act to Amend Title 10, Delaware Code, Entitled 'Courts and Judicial Procedure' in Respect to Chief Deputy Prothonotaries and Registers in Chancery and Clerks of the Orphans' Court."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Price, Reilly, Watson, Williams, Mr. Pres. Pro Tem Cook—9.

NAYS—Mr. Spicer—1.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Nechay, Simpson, Snowden, Steen, Tull—7.

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

On motion the Senate recessed at call of the chair at 3:15 p. m. The Senate met at the expiration of the recess at 3:40 p. m., Pres. Pro Tem Cook presiding.

Mr. Hickman reported the following bills from committee: **SB 433**, 2 Favorable, 1 Merits, 1 Unfavorable; **HB 534**, 2 Favorable, 2 Merits; **HB 533**, 4 Favorable.

Mr. Williams introduced the following Joint Resolution which was given first reading and referred to the committee on Education:

SJR 13—"Withdrawing from the Southern Regional Education Compact."

On motion of Mr. Reilly **SB 426** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 426—"An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960,' Being Chapter 57, Volume 52, Laws of Delaware by Making Certain Transfers in the Appropriations for the Superior Court and the New Castle County Law Library."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Price, Reilly, Simpson, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Nechay, Snowden, Spicer—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.

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

HB 608—"An Act to Amend Title 21, Authorizing Blue Lights on Vehicles Used By Fire Police," to Revised Statutes.

HB 599—"An Act to Amend Chapter 207, Volume 17, Laws of Delaware, Entitled 'An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington', as Amended, by Further Amending Section 31 Thereof so that the Council Shall Have Power to Provide, by Ordinance or Resolution, for the Sale and Disposition of Abandoned and Surplus Lands and Properties and the Proceeds Therefrom," to Corporations Municipal.

HS 1 for HB 545—"An Act Making an Appropriation to Custodian of State House for Repairs and Refurbishing Legislative Hall," to Finance.

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

HB 500—"An Act to Amend Title 18, Delaware Code, Relating to 'Insurance' by Redefining the Term 'Insurance Company'," to Banking and Insurance.

HCR 51—"An Act Making an Appropriation to Underwood Corporation for Equipment Being Used by the 120th General Assembly." Adopted by voice vote.

Mr. Steen moved that Rule 9 be suspended for the balance of the Legislative Day. Motion prevailed.

Mr. Steen introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 436—"An Act Appropriating Certain Moneys to the Delaware Safety Council to Conduct an Educational Campaign on Street and Highway Safety for the Benefit of the State of Delaware."

Mr. Steen reported the following Bills from Committee: **SB 405**, 2 favorable, 2 merits; **SB 285**, 2 favorable, 1 merits, 1 unfavorable; **SB 394**, 1 favorable, 2 merits, 1 unfavorable; **SB 217**, 2 favorable, 2 merits; **SB 238**, 2 favorable, 2 merits; **SB 272**, 2 favorable, 2 merits; **SB 409**, 2 favorable, 2 merits; **SB 202**, 2 favorable, 2 merits; **SB 203**, 2 favorable, 2 merits.

Messrs. McCullough, duPont, Spicer, Steen and Nechay introduced the following Bill which was given first reading and referred to the Committee on Buildings and Highways.

SB 437—"An Act to Amend Title 12 of the Delaware Code Relating to Driving Regulations and Rules of the Road."

Messrs. McCullough and Williams introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 438—"An Act to Appropriate Funds to the State Board of Education."

Messrs. McCullough and Williams introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 439—"An Act to Appropriate Funds to the State Board of Education for a State Supervisor of Guidance Services."

Messrs. McCullough and Williams introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 440—"An Act Making a Supplementary Appropriation to Youth Services Commission for Full Continuance of Educational Facilities at Ferris School for Boys, Bridge House and Kruse School for the Fiscal Year Ending June 30, 1961."

Messrs. McCullough and Williams introduced the following Bill which was given first reading and referred to the Committee on Finance:

SB 441—"An Act to Appropriate Funds to the State Board of Education for a State Supervisor of Adult and Americanization Education."

Mr. Hoey asked to be marked present.

On motion of Mr. Hickman **HB 583** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 583—"An Act to Amend Chapter 17, Title 24, Delaware Code, Relating to Medicine, Surgery and Osteopathy."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Mayhew, Nechay, Snowden—3.

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

On motion of Mr. Price **SB 427** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 427—"An Act to Amend Sections 141, 158 and 223 of Title 8, Delaware Code Relating to the Delaware Corporation Law."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Reilly, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—10.

NAYS—Mr. Price—1.

NOT VOTING—Messrs. Hoey, Simpson, Spicer, Watson—4.

ABSENT—Messrs. Nechay, Snowden—2.

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

On motion of Mr. Price **SB 427** was restored.

On motion of Mr. Reilly **HB 563** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 563—"An Act to Amend Title 10, Delaware Code Entitled 'Courts and Judicial Procedures' Relating to Service of Process on Non-Resident Operators of Motor Vehicles and Eliminating the Requirement That Such Service May Be Made Only Where the Non-Resident Was the Owner, Operator or Driver of a Motor Vehicle Not Registered Under the Laws of this State."

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

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Nechay, Snowden—3.

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

On Motion of Mr. Hoey **HB 560** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 560—"An Act to Amend An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960", Being Chapter 57, Volume 52, Laws of Delaware, by Transferring Monies From the Health Items in Division I to Division II—Other Costs in Newport School District No. 106."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Nechay, Snowden—2.

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

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

HB 605—"An Act Appropriating Money to Felton School District No. 54," to Finance.

The Chair granted the request of Mr. Price that **SB 427** be restored to the Calendar.

On motion of Mr. Price **SS 1** for **SB 428** was adopted in lieu of the original.

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

HB 69—"An Act Amending Title 9, Section 2005, Delaware Code by Authorizing the Levy Court of New Castle County to Appropriate County Monies to the Port Penn Vol. Fire Co., Inc. for the Maintenance of the Rescue Squad."

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

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Nechay, Snowden, Watson—3.

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

Mr. Mayhew introduced the following Bill which was given first reading and referred to the Committee on Miscellaneous:

SB 442—"An Act to Amend Title 16, Delaware Code Entitled 'Health and Safety' in Regard to Burial, Removal, Cremation or Other Disposition of Dead Bodies."

On motion of Mr. McCullough **SS 1** for **SB 194** 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 194**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to States Supported Salary Schedules for School Employees."

Mr. McCullough introduced **SA 3** for **SS 1** for **SB 194** and moved for its adoption.

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden, Steen, Watson—4.

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

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

YEAS—Messrs. Correll, duPont, Hickman, McCullough, Price, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, Mayhew, Nechay, Reilly, Snowden, Watson—6.

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

On motion the Senate recessed at call of the Chair at 5:05 P.M. The Senate met at the expiration of the recess at 5:30 P.M., Pres. Pro Tem Cook presiding.

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

HB 606—"An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Park Commission's Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Park Commission," to Miscellaneous.

HB 612—"An Act Making an Appropriation to the Board of Public Education of the City of Wilmington to Provide for the Payment of Salaries of Clerical Employees Over and Above the Present Appropriations Available to Said Board for the Fiscal Year Ending June 30, 1961," to Finance.

HB 611—"An Act to Amend Title 9, Delaware Code, with Regard to Powers of the Levy Court of New Castle County," to Revised Statutes.

Mr. Hickman introduced the following Resolution which on further motion by him was adopted:

SR 151—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered for Telephones RE 6-1295, RE 6-1113 and RE 6-6111 for the Period Ending June 11, 1960."

Mr. Hickman introduced the following Resolution which on further motion by him was adopted:

SR 152—"Relating to Amount Due the Harrington Journal for Printing Incurred by the 120th General Assembly."

Messrs. McCullough and Hoey reported the following Bills from Committee: **SB 410**, 2 favorable, 2 merits; **SB 434**, 1 favorable, 3 merits; **SS 1** for **HB 547**, 1 favorable, 2 merits.

On motion of Mr. duPont **SB 434** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 434—"An Act Making a Supplementary Appropriation to Youth Services Commission for Ferris School for Boys, Bridge House and Kruse School for the Fiscal Year Ending June 30, 1961."

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

YEAS—Messrs. Correll, duPont, Hickman, McCullough, Price, Reilly, Simpson, Spicer, Tull, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—Messrs. Hoey, Steen—2.

NOT VOTING—0.

ABSENT—Messrs. Mayhew, Nechay, Snowden, Watson—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. duPont **SB 433** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 433—“An Act Making a Supplementary Appropriation to the Department of Public Welfare for the Fiscal Year Ending June 30, 1961.”

Mr. Price moved that **SB 433** be deferred and referred to the joint finance committee for a full report.

On the question “Shall the Motion pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

YEAS—Hickman, Hoey, Mayhew, McCullough, Price, Steen, Tull, Mr. Pres. Pro Tem Cook—8.

NAYS—Messrs. Correll, duPont, Reilly, Simpson, Spicer, Williams—6.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden, Watson—3.

So the question was decided in the affirmative and the Bill was deferred.

On motion of Mr. McCullough **HS 1** for **HB 547** 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 547**—“An Act Making an Appropriation to the Dover High School for the Purpose of Rewiring Said School.”

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, McCullough, Price, Simpson, Tull, Williams, Mr. Pres. Pro Tem Cook—10.

NAYS—Messrs. Hoey, Spicer, Steen—3.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Reilly, Snowden, Watson—4.

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

On motion of Mr. Steen **HB 594** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 594—"An Act to Amend Chapter 170, Volume 43, Laws of Delaware, Entitled 'An Act to Reincorporate The Town of Lewes', as Amended, by Increasing the Authority of the Mayor of the Town of Lewes to Impose Fines, and Authorizing the Mayor of Lewes to Appoint an Alderman for the Town of Lewes and Establishing the Authority of the Alderman of the Town of Lewes."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Nechay, Snowden, Watson—3.

So the question was decided in the affirmative and the Bill having received the required two-thirds constitutional majority passed the Senate and was returned to the House.

On motion of Mr. Steen **HB 595** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 595—"An Act to Amend Chapter 170, Volume 43, Laws of Delaware, Entitled, 'An Act to Reincorporate the Town of Lewes' as Amended, by Increasing the Authority of the Mayor of the Town of Lewes to Impose Fines."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Nechay, Snowden, Watson—4.

So the question was decided in the affirmative and the Bill having received the required two-thirds constitutional majority passed the Senate and was returned to the House.

On motion of Mr. Steen **HB 596** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 596—"An Act to Amend Chapter 170, Volume 43, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Lewes' as Amended, by Removing the Limitation on the Authority of the Commissioners to Impose and Establish Fines, and to Extend the Authority of the Police Force of Lewes to One Mile Outside the Town Limits of Lewes."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Nechay, Snowden, Watson—4.

So the question was decided in the affirmative and the Bill having received the required two-thirds constitutional majority passed the Senate and was returned to the House.

On motion of Mr. Steen **HB 600** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 600—"An Act to Amend an Act Entitled 'An Act to Re-incorporate the Town of Lewes' Relating to Commissioners' Power to Enforce Order."

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Nechay, Snowden, Watson—4.

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

Mr. Steen introduced the following Bill which was given first reading and referred to the Committee on Buildings and Highways:

SB 443—"An Act to Amend Chapter 1, Title 17, Delaware Code Relating to Salaries of Certain Employees of the State Highway Department."

Mr. Hoey reported **SB 436** from Committee with 3 merits.

On motion of Mr. Hoey **SB 14** 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 as amended by the House:

SB 14 with **HA 1**—"An Act Appropriating Money to Slaughter Beach Volunteer Memorial Fire Company."

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Nechay, Snowden, Watson—4.

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

Mr. Price introduced the following Bill which was given first reading and referred to the Committee on Corporations Municipal.

SB 444—“An Act to Amend the Charter of the Town of Smyrna, Chapter 537, Volume 20, Laws of Delaware, by Authorizing the Council to Extend the Boundaries of Said Town after a Special Election of the Qualified Voters and Real Estate Owners of Their Territory Proposed to be Annexed, or in the Alternative by Petition by Owners of Real Property to the Council of the Town of Smyrna.”

Mr. Hoey introduced the following Bill which was given first reading and referred to the Committee on Revised Statutes:

SB 445—“An Act to Amend Chapter 1 of Title 26 of the Delaware Code Entitled ‘Public Service Commission’ by Excluding the Operator of an Automobile Truck from the Definition of a Public Utility and from Regulation by the Public Service Commission.”

On motion of Mr. Mayhew **HB 584** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 584—“An Act to Amend Title 16, Delaware Code by Adding a New Chapter to That Title Relating to the Storage of Explosives.”

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

YEAS—Messrs. Correll, duPont, Hoey, Mayhew, McCullough, Price, Reilly, Simpson, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hickman, Nechay, Snowden, Watson—4.

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

On motion of Mr. Reilly the Senate recessed at call of the Pres. Pro Tem at 7:20 P.M.

The Senate met at the expiration of the recess as called by the Pres. Pro Tem on Thursday, June 30, 1960 at 2:30 P.M.

On motion of Mr. Reilly the Senate adjourned at 2:31 P.M. until Thursday, June 30, 1960 at 2:35 P.M.

149TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:35 P.M., on Thursday, June 30, 1960, Lt. Gov. Buckson presiding.

Prayer by the Chaplain Rev. Ray W. Kirwan.

Members present—Messrs. duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Watson, Williams, Mr. Pres. Pro Tem Cook—11.

Members absent—Messrs. Correll, Hickman, McCullough, Spicer, Steen, Tull—6.

Without objection the Chair dispensed with the reading of the Journal of the previous day's session.

Mr. Cook moved that Rule 23 be suspended for the balance of the Legislative Day. Motion prevailed.

Mr. Cook introduced the following Bill which was given first reading and referred to the Committee on Revised Statutes:

SB 446—"An Act to Amend Chapter 149 of Volume 29, Laws of Delaware, as Amended, Being an Act Entitled 'An Act to Reincorporate the Town of Cheswold' by Increasing the Amount Authorized to be Raised by Taxation."

Mr. Price introduced the following Bill which was given first reading and referred to the Committee on Revised Statutes:

SB 447—"An Act to Amend Chapter 537, Volume 20, Laws of Delaware (As Amended) Entitled 'An Act to Re-Incorporate the Town of Smyrna'."

Messrs. Reilly and duPont introduced the following Bill which was given first reading and referred to the Committee on Judiciary:

SB 448—"An Act Making Certain Supplementary Appropriations to the Supreme Court of the State of Delaware and the Court of Chancery of the State of Delaware, for the Fiscal Year Beginning July 1, 1960."

Mr. Tull asked to be marked present.

Mr. duPont requested that **SB 397** as amended by the House be brought up for consideration in order to pass the Senate as amended. Mr. Cook moved that **SB 397** as amended be deferred. Motion prevailed.

Mr. Spicer asked to be marked present.

Messrs. Nechay and Hoey reported the following Bills from Committee: **SB 420**, 1 favorable, 2 merits; **SB 446**, 1 favorable, 2 merits; **SB 447**, 3 favorable, 1 merits.

Mr. Cook moved that Rule 9 be suspended in order to consider **SB 420**, **447** and **446**. Motion prevailed.

On motion of Mr. Cook **SB 420** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 420—"An Act Appropriating Money to the Coroner of Kent County for the Sole Purpose of Performing Autopsies for the Fiscal Year Ending June 30, 1960."

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

YEAS—Messrs. duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Correll, Hickman, McCullough, Steen—4.

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

On motion of Mr. Price **SB 447** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 447—"An Act to Amend Chapter 537, Volume 20, Laws of Delaware (As Amended) Entitled 'An Act to Re-Incorporate the Town of Smyrna'."

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

YEAS—Messrs. duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Correll, Hickman, McCullough, Steen—4.

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

On motion of Mr. Cook **SB 446** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 446—"An Act to Amend Chapter 149 of Volume 29,

Laws of Delaware, as Amended, Being an Act Entitled 'An Act to Reincorporate the Town of Cheswold' by Increasing the Amount Authorized to be Raised by Taxation."

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

YEAS—Messrs. duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Correll, Hickman, McCullough, Steen—4.

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

On motion of Mr. Hoey **SB 410** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 410—"An Act Making an Appropriation to The University of Delaware for Certain Capital Improvements, and Authorizing the State of Delaware to Borrow Money and Issue Bonds and Notes Therefor, in the Amount of Two Million Two Hundred Seventy-Seven Thousand Dollars (\$2,277,000)."

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

YEAS—Messrs. duPont, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Correll, Hickman, McCullough, 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.

Messrs. Steen and Hickman asked to be marked present.

On motion of Mr. Reilly **HS 1** for **HB 550** 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 550**—"An Act to Amend Title 6, Delaware Code Entitled 'Commerce and Trade' by Providing for a New Chapter 43 Relating to Retail Installment Sales."

Mr. Cook moved for the adoption of **SA 1** to **HS 1** for **HB 505** which had previously been introduced.

On the question "Shall the Amendment pass the Senate"

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

YEAS—Messrs. Nechay, Snowden, Tull, Mr. Pres. Pro Tem Cook—4.

NAYS—Messrs. duPont, Hickman, Hoey, Mayhew, Price, Reilly, Simpson, Spicer, Steen, Watson, Williams—11.

NOT VOTING—0.

ABSENT—Messrs. Correll, McCullough—2.

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

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

YEAS—Messrs. duPont, Hickman, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0

ABSENT—Messrs. Correll, McCullough—2.

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

Mr. Steen reported the following Bills from the Corporations Municipal Committee: **SB 444**, 3 favorable, 2 merits; **HB 599**, 4 favorable, 1 merits; **HB 568**, 3 favorable, 2 merits.

Mr. Reilly moved that Rule 9 be suspended in order to consider **HB 599** and **HB 568**. Motion prevailed.

On motion of Mr. Reilly **HB 599** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 599—"An Act to Amend Chapter 207, Volume 17, Laws of Delaware, Entitled "An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington", as Amended, by Further Amending Section 31 Thereof so that the Council Shall have Power to Provide, by Ordinance or Resolution, for the Sale and Disposition of Abandoned and Surplus Lands and Properties and the Proceeds Therefrom."

Mr. Hoey moved that **HB 599** be deferred. Motion prevailed.

On motion of Mr. Watson **HB 522** which had been returned to the House by the Governor without his approval, passed the House with three-fifth vote of its membership and ordered to the Senate for concurrence together with a copy of the Governor's objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

The Governor's objections were again read to the Senate as follows:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover

June 3, 1960

To the House of Representatives of the 120th General Assembly of the State of Delaware:

On May 23, 1960, I received House Bill No. 522 with House Amendment No. 1, entitled:

AN ACT TO AMEND CHAPTER 77, VOLUME 52, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND TITLE 14, DELAWARE CODE, RELATING TO SCHOOL BOARD ELECTIONS," BY REQUIRING THE RECEIVER OF TAXES OF NEW CASTLE COUNTY TO SUPPLY CERTAIN DATA TO THE DEPARTMENT OF ELECTIONS OF NEW CASTLE COUNTY, BY PROVIDING OPTIONAL USE OF PAPER BALLOTS IN REFERENDUM, LIMITING REFERENDUM TO GENERAL ELECTION IN 1960, CLARIFYING DISTRICTS WHICH MAY PETITION FOR REFERENDUM, AND ASSESSING COSTS THEREFORE.

This Bill would change the present law which was passed over my veto by providing, among other things, for giving school district election referendum privileges to certain school districts and not to others.

I respectfully return herewith this Bill without my signature because I think laws affecting school district referendums should have the same application in all of the various school districts.

Respectfully submitted,
J. CALEB BOGGS, Governor

On the question "Shall the Bill pass the Senate over the Governor's veto?", the yeas and nays were ordered and taken. Mr. Watson moved that the roll call be tabled. Motion prevailed.

Mr. Price moved that Rule 9 be suspended in order to consider **SB 444**. Motion prevailed.

On motion of Mr. Price **SB 444** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 444—"An Act to Amend the Charter of the Town of Smyrna, Chapter 537, Volume 20, Laws of Delaware, by Authorizing the Council to Extend the Boundaries of Said Town after a Special Election of the Qualified Voters and Real

Estate Owners of Their Territory Proposed to be Annexed, or in the Alternative by Petition by Owners of Real Property to the Council of the Town of Smyrna.”

On motion of Mr. Price **SB 444** was deferred.

Mr. Reilly reported **SB 448** with 2 favorable and 2 merits.

The Chair introduced **HCR 52** with title as follows:

HCR 52—“Fixing the Time for Temporary Adjournment by the House of Representatives and the Senate of the 120th General Assembly of the State of Delaware.”

Mr. Reilly moved for its adoption.

On the question “Shall the Resolution pass the Senate?” the yeas and nays were ordered and taken. Mr. Steen moved that the roll call be tabled. Motion prevailed.

On motion of Mr. Reilly the Senate recessed at call of the Chair at 4:15 P.M. The Senate met at the expiration of the recess at 12:40 A.M. Friday, July 1, 1960, Pres. Pro Tem Cook presiding.

Mr. McCullough asked to be marked present.

On motion of Mr. Watson the roll call on **HB 522** was lifted from the table.

On the question “Shall the Bill pass the Senate over the Governor’s veto?” the yeas and nays having been taken, were as follows:

YEAS—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—11.

NAYS—Messrs. duPont, Simpson, Snowden, Spicer, Williams—5.

NOT VOTING—0.

ABSENT—Mr. Correll—1.

So the question was decided in the affirmative and the Bill having received the required three-fifths constitutional majority passed the Senate and was returned to the House.

Mr. Cook introduced the following Bill which was given first reading and referred to the Committee on Public Health:

SB 449—“An Act to Establish an Emergency Mosquito Control Commission and to Authorize the Borrowing of Money on Short Term Obligations for Emergency Mosquito Control Measures During the Fiscal Year Beginning July 1, 1960 and Ending June 30, 1961.”

Mr. Hickman introduced the following Bill which was given first reading and referred to the Committee on Corporations Municipal:

SB 450—“An Act to Amend an Act Entitled ‘An Act to Incorporate the Town of Bethany Beach and Giving it Authority to Issue Bonds’, Being Chapter 212, Volume 25, Laws

of Delaware, as Amended, by Providing for an Increase in the Amount to be Raised by Taxation."

Mr. McCullough introduced **SA 1** to **SB 437** which was referred to the Buildings and Highways Committee.

Mr. Price introduced **SA 1** to **HB 564** which was referred to the Finance Committee.

On motion of Mr. Reilly **HB 599** was again taken up for consideration and read a second time by title in order to pass the Senate:

Mr. Reilly introduced **SA 1** to **HB 599** and moved for its for its adoption. Motion prevailed.

HB 599—"An Act to Amend Chapter 207, Volume 17, Laws of Delaware, Entitled 'An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington,' as Amended, by Further Amending Section 31 Thereof so that the Council Shall Have the Power to Provide, by Ordinance or Resolution, for the Sale and Disposition of Abandoned and Surplus Lands and Properties and the Proceeds Therefrom."

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

YEAS—Messrs. Hickman, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Correll, duPont—2.

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

Mr. Correll asked to be marked present.

On motion of Mr. Price **SB 444** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 444—"An Act to Amend the Charter of the Town of Smyrna, Chapter 537, Volume 20, Laws of Delaware, by Authorizing the Council to Extend the Boundaries of Said Town after a Special Election of the Qualified Voters and Real Estate Owners of Their Territory Proposed to be Annexed, or in the Alternative by Petition by Owners of Real Property to the Council of the Town of Smyrna."

Mr. Price introduced **SA 1** to **SB 444** which on his further motion was adopted by the Senate.

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

YEAS—Messrs. Correll, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—16.

NAYS—0.

NOT VOTING—0.

ABSENT—Mr. duPont—1.

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

Mr. Simpson introduced **SA 2** to **HB 564** as amended which was referred to the Finance Committee.

On motion of Mr. Reilly **HB 568** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 568—"An Act to Amend Chapter 121 Volume 28 Laws of Delaware Entitled 'An Act Creating a Board of Assessment for the City of Wilmington and Providing the Means and Method by Which Said Board Shall Assess Property Therein for the Purpose of Raising Revenue for City and School Purposes' Relating to Exemption of Real Estate from Taxation."

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

YEAS—Messrs. Correll, Hickman, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—Mr. Hoey—1.

ABSENT—Mr. duPont—1.

So the question was decided in the affirmative and the Bill having received the required two-thirds constitutional majority passed the Senate and was returned to the House.

Mr. Spicer introduced **SA 3** to **HB 564** as amended which was referred to the Finance Committee.

On motion of Mr. McCullough **SB 425** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 425—"An Act to Amend Section 5521, Title 29, Delaware Code, Relating to Optional and Mandatory Retirement 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—Messrs. Correll, Hickman, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—Messrs. Hoey, Watson—2.

ABSENT—Mr. duPont—1.

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

The Chair introduced **HCR 54** with title as follows which was upon the question adopted by the Senate and returned to the House.

HCR 54—“An Act Making Appropriations to Various Companies for Services and Supplies Rendered the 120th General Assembly of the State of Delaware.”

Mr. Hickman introduced **SR 153** with title as follows which upon his further motion was adopted by the Senate.

SR 153—“Authorizing Payment of Amount Due The Sussex Countian for Printing the Senate Calendar.”

Mr. Steen reported **SB 450** from Committee with 5 favorable.

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

HB 615—“An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon the Taxing Power, by Exempting Lands and Improvements of the Trustees of Camden-Wyoming Rotary Club, from Assessment and Taxation,” to Revised Statutes.

HB 609—“An Act Changing Certain Biennial Acts and Duties to Annual Acts and Duties of Agencies, Departments, Divisions and Persons of State Government,” to Revised Statutes.

Mr. duPont moved that the Roll Call on **HB 527** be lifted from the table. Motion prevailed. Mr. duPont moved that **SA 1** for **HB 527** be considered and also be lifted from the table. Motion prevailed. Without objection the Chair directed that the Roll Call on **HB 527** be set aside in order to consider **SA 1** for **HB 527**.

On the question “Shall the Amendment pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, duPont, Hickman, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—Messrs. Hoey, Mayhew, Watson—3.

NOT VOTING—0.

ABSENT—Mr. McCullough—1.

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

Upon motion of Mr. Watson the Secretary commenced reading **HB 527**.

Mr. Reilly moved that so much be considered the reading of the Bill.

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

YEAS—Messrs. Correll, duPont, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—12.

NAYS—Messrs. Hoey, Watson—2.

NOT VOTING—Messrs. Hickman, Mayhew—2.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative.

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

YEAS—Messrs. Correll, duPont, Hickman, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—13.

NAYS—Messrs. Hoey, Mayhew—2.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Watson—2.

So the question was decided in the affirmative and the Bill having received the required two-thirds constitutional majority passed the Senate and was returned to the House.

On motion of Mr. duPont **SB 397** as amended by the House was taken up for consideration and read a second time by title in order to pass the Senate as amended:

SB 397 as amended by **HA 1**—"An Act to Make Unlawful Certain Discriminatory Practices in Respect to Employment Because of the Ages of the Individuals Seeking or Being in Employment, Creating and Conferring Jurisdiction Upon the 'Division Against Discrimination' in the Labor Commission of Delaware, Providing for the Practice and Procedure to be Followed In the Enforcement of the Act."

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

YEAS—Messrs. Correll, duPont, Hickman, Nechay, Price, Reilly, Simpson, Snowden, Tull, Williams, Mr. Pres. Pro Tem Cook—11.

NAYS—Mr. Spicer—1.

NOT VOTING—Messrs. Hoey, Mayhew—2.

ABSENT—Messrs. McCullough, Steen, Watson—3.

So the question was decided in the affirmative and the

Bill as amended having received the required constitutional majority passed the Senate.

On motion of Mr. Reilly **HB 302** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 302—"An Act to Amend Chapter 35, Title 10, Delaware Code, Relating to Attachments."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Watson—3.

So the question was decided in the affirmative and the Bill having received the required two-thirds constitutional majority passed the Senate and was returned to the House.

The Chair introduced **HCR 53** with title as follows which upon the question of the Chair was adopted by the Senate and returned to the House:

HCR 53—"An Act Making an Appropriation to Various Companies for Services and Supplies Rendered the 120th General Assembly."

On motion of Mr. Reilly **HB 301** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 301—"An Act to Amend Section 6108, Title 10, Delaware Code, Relating to Transcript of Trial."

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hoey, McCullough, Watson—3.

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

On motion of Mr. Reilly **HB 176** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 176—"An Act to Amend Chapter 81, Title 10 of the Delaware Code, Relating to Limitations of Actions."

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

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

YEAS—Messrs. Correll, duPont, Hickman, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—14.

NAYS—0.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. McCullough, Watson—2.

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

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

HB 622—“An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department’s Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department,” to Buildings and Highways.

HB 634—“An Act to Amend Title 14, Delaware Code Entitled ‘Education’ Relating to Experience of School Employees for State Supported Salary Schedules,” to Education.

On motion of Mr. Hickman Rule 9 was suspended in order to consider **SB 450**.

On motion of Mr. Hickman **SB 450** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 450—“An Act to Amend an Act Entitled ‘An Act to Incorporate the Town of Bethany Beach and Giving it Authority to Issue Bonds’, Being Chapter 212, Volume 25, Laws of Delaware, as Amended, by Providing for an Increase in the Amount to be Raised by Taxation.”

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Williams, Mr. Pres. Pro Tem Cook—15.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. McCullough, Watson—2.

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

Messrs. Simpson, Spicer and duPont introduced the following Bill which was given first reading and referred to the Committee on Miscellaneous.

SB 451—“An Act Making ‘The Delaware River and Bay

Authority' the Agent of the States of Delaware and New Jersey with Respect to the Control, Operation, Maintenance and Revenues of the Delaware Memorial Bridge and Providing for the Transfer of Control of Said Agent."

Messrs. Simpson, Spicer and duPont introduced the following Bill which was given first reading and referred to the Committee on Miscellaneous:

SB 452—"An Act Providing for the Appointment of Commissioners from the State of Delaware to 'The Delaware River and Bay Authority' Established by Compact Between the State of Delaware and New Jersey; Providing for the Powers, Terms, Removal and Reimbursement of Expenses of Said Commissioners; Providing for a Veto Power by the Governor Over the Commissioners' Action; and Granting Said Commissioners Power to Secure Congressional Approval of Said Compact."

On motion of Mr. duPont the Senate recessed at call of the Chair at 1:55 P.M. The Senate met at the expiration of the recess at 3:30 P.M., Pres. Pro Tem Cook presiding.

On motion and with the concurrence of the Chair **HB 634** was reassigned from the Education Committee to the Miscellaneous Committee.

Messrs. Steen and Hoey reported the following Bills from Committee: **HB 622**, 2 favorable, 2 merits; **HB 615**, 3 favorable; **HB 608**, 3 favorable, 1 merits.

Mr. Nechay introduced the following Resolutions which on further motion by him were adopted:

SR 154—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the Senate, Being Expenses Connected with the Present Session of the Senate of the 120th General Assembly."

SR 155—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 120th General Assembly."

SR 156—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the Senate, Being Expenses Connected with the Present Session of the Senate of the 120th General Assembly."

SR 157—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the Senate, Being Expenses Connected with the Present Session of the Senate of the 120th General Assembly."

On motion of Mr. Reilly the Senate recessed at 3:45 A.M. until call of the Pres. Pro Tem.

SEPTEMBER 26, 1960

The Senate met upon the call of the Pres. Pro Tem at 3:00 P.M. on September 26, 1960, Lt. Gov. Buckson presiding.

Members present—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—17.

Members absent—0.

Prayer by the Chaplain Rev. Ray W. Kirwan.

On motion of Mr. Steen **HB 622** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 622—"An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department."

Mr. duPont moved that **HB 622** be deferred.

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

YEAS—Messrs. Correll, duPont, Nechay, Simpson, Snowden, Spicer, Williams—7.

NAYS—Messrs. Hickman, Hoey, Mayhew, McCullough, Price, Reilly, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—10.

NOT VOTING—0.

ABSENT—0.

So the motion was lost.

On the question "Shall the Bill pass the Senate?" the yeas and nays were ordered and taken but prior to the reading thereof upon motion of Mr. Steen the roll call was tabled.

On motion of Mr. Hoey Rule 9 was suspended for the purpose of considering **HB 564**.

On motion of Mr. Hoey **HB 564** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 564—"An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purposes; 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 motion of Mr. Hoey **SA 1** to **HB 564** was adopted.

On motion of Mr. Hoey **SA 2** to **HB 564** was adopted.

On motion of Mr. Hoey **SA 3** to **HB 564** was adopted

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

YEAS—Messrs. Correll, duPont, Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Simpson, Snowden, Spicer, Steen, Tull, Watson, Williams, Mr. Pres. Pro Tem Cook—17.

NAYS—0.

NOT VOTING—0.

ABSENT—0.

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

Mr. duPont introduced the following Resolution and moved for its adoption:

SR 158—“Relating to An Investigation of the State Highway Department by the Office of the Attorney General.”

Mr. Cook moved to defer **SR 158**. On the question “Shall the motion pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

YEAS— Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Tull, Watson, Mr. Pres. Pro Tem Cook—10.

NAYS—Messrs. Correll, duPont, Simpson, Snowden, Spicer, Williams—6.

NOT VOTING—Mr. Steen—1.

ABSENT—0.

So the motion having received the required constitutional majority passed the Senate.

The following messages were received from the Governor and read to the Senate: and referred to the executive committee:

September 26, 1960

To the Senate of the 120th 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:

C. Fred Fifer, Wyoming, to be a member of the State Board of Agriculture for a term to expire March 1, 1963.

Respectfully submitted,
J. Caleb Boggs, Governor

September 26, 1960

To the Senate of the 120th 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:

Ernest S. Wilson, Sr., Wilmington, to be a member of the Board of Trustees of the University of Delaware for a term to expire August 25, 1966.

Respectfully submitted,
J. Caleb Boggs, Governor

September 26, 1960

To the Senate of the 120th 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:

M. Haswell Pierce, Milford, to be a member of the Atlantic States Marine Fisheries Commission for a term to expire August 12, 1963.

Respectfully submitted,
J. Caleb Boggs, Governor

September 26, 1960

To the Senate of the 120th General Assembly of the State of Delaware:

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

W. Leslie Wheatley, Clayton, to be a member of the Water Pollution Commission of the State of Delaware for a term to expire August 1, 1963.

R. Sudler Emerson, Dover, to be a member of the Bingo Control Commission of the State of Delaware for a term to expire September 1, 1965.

Respectfully submitted,
J. Caleb Boggs, Governor

Mr. Snowden introduced the following Resolution and moved for its adoption:

BE IT RESOLVED by the Senate of the 120th General Assembly of the State of Delaware that the House of Representatives is hereby requested to return to the Senate, House Bill No. 527 as amended for further consideration.

On the question "Shall the Resolution pass the Senate?" the yeas and nays were ordered.

Prior to the completion of the roll call by the announcement of the results thereof Mr. Mayhew moved that the Senate recess until call of the Pres. Pro Tem.

The Chair directed a roll call on the motion which was as follows:

YEAS—Messrs. Hickman, Hoey, Mayhew, McCullough, Nechay, Price, Reilly, Steen, Tull, Watson, Mr. Pres. Pro Tem Cook—11.

NAYS—Messrs. Correll, duPont, Simpson, Snowden, Spicer, Williams—6.

Whereupon the Chair declared the motion carried and the Senate in recess at 5:00 P.M.

STANDING COMMITTEES OF SENATE

Accounts—McCullough, Chairman; Steen, Cook, Watson, Snowden.

Agriculture—Tull, Chairman, Hickman, Cook, Watson, Correll.

Banking and Insurance—Tull, Chairman; Price, Mayhew, McCullough, duPont.

Building and Highway—Steen, Chairman; Watson, Hoey, Nechay, Williams.

Claims—Nechay, Chairman; Hickman, Steen, Watson, Williams.

Corporations—Municipal—Steen, Chairman; Reilly, Tull, Mayhew, Simpson.

Corporations—Private — Price, Chairman; Cook, Tull, Reilly, Spicer.

Education — McCullough, Chairman; Mayhew, Price, Hickman, Williams.

Elections—Watson, Chairman, Price, Hickman, Tull, duPont.

Executive—Hoey, Chairman; Hickman, Nechay, Reilly, Spicer.

Finance—Hoey, Chairman; Hickman, Mayhew, Nechay, Correll.

Fish, Oyster and Game—Mayhew, Chairman, Price, Hickman, Steen, duPont.

Judiciary—Reilly, Chairman; Cook, McCullough, Tull, duPont.

Labor—Reilly, Chairman; Steen, Nechay, McCullough, Williams.

Miscellaneous—Mayhew, Chairman; Hoey, Price, Steen, Williams.

Passed Bills — McCullough, Chairman; Steen, Watson, Price, Snowden.

Printing and Supplies — Hickman, Chairman; Nechay, Steen, Watson, Williams.

Public Health—Hickman, Chairman; Watson, Tull, Cook, Simpson.

Public Lands—Steen, Chairman; Tull, Hoey, Nechay, Correll.

Revised Statutes—Nechay, Chairman; Hoey, Mayhew, Steen, Snowden.

Rules—Watson, Chairman; McCullough, Nechay, Hickman, Snowden.

Temperance—Price, Chairman; Hickman, Hoey, Reilly, Williams.

RULES OF THE SENATE

Rule 1. Order of Business

1. Prayer
2. Roll Call.
3. Reading of Journal.
4. Presentations of petitions, memorials, or communications.
5. Reports of standing and select committees.
6. Introduction of bills and joint resolutions.
7. Concurrent and other resolutions.
8. Bills for third reading.
9. Miscellaneous business.

Rule 2. Convening of Senate

Unless otherwise ordered by a majority of its members, the Senate will convene every day, except Saturday and Sunday, at one o'clock P.M.

Rule 3. Attendance of Members

Section 1. Every member shall be in his place at the time to which the Senate stands adjourned.

Section 2. No Senator shall absent himself from the service of the Senate without leave.

Rule 4. Roll Call; Reading of Journal

Each legislative day and before the Senate proceeds to the consideration of any business, the Secretary shall call the names of the members in alphabetical order, and shall then read the Journal of the preceding legislative day, which shall be approved or corrected by order of the Senate.

Rule 5. Contents of Journal

The proceedings of the Senate shall be briefly and accurately stated on the Journal; messages of the Governor in full; the titles of all bills and resolutions; every motion with the name of the member making the same, except motions for adjournment; the names of the members voting in the affirmative or negative on all roll calls.

Rule 6. Presentation of Petitions, Memorial, or Communications to the Senate

Section 1. After the Journal is read, the Presiding Officer shall lay before the Senate communications or messages from the Governor, reports and communications from Departments, Commissions, or State Boards and other communications addressed to the Senate, and such bills, joint resolutions and other messages from the House of Representatives as may be upon his table, undisposed of.

Section 2. When petitions, memorials and other papers addressed to the Senate are presented by the President, or a member, the contents thereof shall be briefly stated.

Section 3. The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the Governor or the House of Representatives and any question pending at the time shall be suspended for this purpose. Any motion so made shall be determined without debate.

Section 4. Messages from the Governor or from the House of Representatives may be received at any stage or proceedings, except while the Journal is being read, or while a question of order or a motion to adjourn is pending.

Section 5. When a message is brought to the Senate by a member of the House of Representatives or any officer thereof, the members of the Senate shall rise upon their feet, if so directed by the Presiding Officer.

Rule 7. Delivery of Messages from the Senate; Duties of Secretary

Messages shall be delivered to the House of Representatives by the Secretary, or by a Senator or other officer of the Senate directed by the Presiding Officer. The Secretary shall certify previous to delivery the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the Governor all resolutions and other communications which may be directed to him by the Senate.

Rule 8. Preparation of Bills and Resolutions

Section 1. No bill or joint resolution shall be received by the Senate unless it be prefaced by a brief statement of the purpose of the bill or resolution, which shall be known as the title, and shall also contain the text of the bill or resolution in full. The original of all bills and resolutions shall be typewritten or printed, properly backed, and shall contain no erasures or interlineations.

Section 2. Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary, shall be introduced with one original and at least six copies. The original shall at all times remain in the custody of the Chairman of the Committee to which it was referred, or of the Secretary of the Senate; one copy shall at all times be under the general supervision of the Bill Clerk of the Senate; one copy shall be delivered to the Presiding Officer of the Senate; one copy shall be delivered upon introduction to the Majority Leader of the Senate; one copy

upon introduction shall be delivered to the Minority Leader of the Senate; one copy shall be delivered to the member introducing the bill or resolution; and one copy shall be delivered to the representative of the Press who may be present upon the introduction of the bill or resolution. In addition, every Senator shall be provided with a copy of the text of the bill or resolution.

Section 3. All bills for the amendment of any statutes contained in the Delaware Code of 1953 shall be made with reference to the statutes or parts of statutes contained in said Code, and shall conform to the arrangement of said Code.

Rule 9. Procedure Applicable to Bills and Joint Resolutions

Section 1. Every bill and joint resolution when introduced shall be read one time by title only, after which it shall be assigned to the proper committee.

Section 2. No bill or joint resolution shall be put upon its passage on the same day it is reported out of committee, nor in the absence of the member who introduced it, unless by his written consent.

Section 3. When put upon its passage, each bill or joint resolution shall be read again by title only unless the Senate directs a reading in full.

Rule 10. Motions

Section 1. All motions shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before the same shall be debated.

Section 2. Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays.

Section 3. A motion shall be in order at any time to amend or substitute a title to any bill or resolution only in order to correct typographical errors.

Section 4. When a question is pending, no motion shall be received but:

To adjourn.

To adjourn to a certain day, or that when the Senate adjourn it shall be a certain day.

To take a recess.

To proceed to the consideration of executive business.

To lay on the table.

To postpone indefinitely.

To postpone to a certain day.

To commit.

To amend.

Which several motions shall have precedence as they

stand arranged; and the motion to adjourn, to take recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

Rule 11. Voting

Every bill or joint resolution shall be decided by a roll call vote. The names of the senators shall be called alphabetically and each Senator shall without debate answer "yes", or "No", or "Not Voting"; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may change or withdraw his vote prior to said announcement.

Rule 12. Reconsideration

When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

Rule 13. Procedure When Bill or Other Matter Sought to be Reconsidered has been sent to the House of Representatives

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Rule 14. Question of Order

A question of order may be raised at any stage of the proceedings, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. The Presiding Officer may submit any question of order for the decision of the Senate.

Rule 15. Special Order of Business

Any subject may, by a vote of the majority of the mem-

bers elected to the Senate, be made a special order; and when the time so fixed for its consideration arrives, the Presiding Officer shall lay it before the Senate.

Rule 16. Petition Out of Committee

Upon the written request signed by the majority of the members elected to the Senate and directed to the Presiding Officer, any bill, joint resolution or other business, which shall have been referred to a committee, shall be reported to the Senate.

Rule 17. Conduct

Section 1. When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him.

Section 2. No Senator shall interrupt another in debate without his consent, and to obtain such consent he shall first address the Presiding Officer; and no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate which shall be determined without debate.

Section 3. No Senator in debate shall, directly or indirectly by any form of words, impute to any Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

Section 4. If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order; and when a Senator shall be called to order, he shall sit down and not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

Rule 18. Appointment of Committees

The President Pro Tempore shall appoint all committees, unless the Senate shall otherwise direct.

Rule 19. Standing Committees

The following standing committees shall be appointed, to whom business appropriate to them shall be referred: Accounts, Agriculture, Banking and Insurance, Building and Highway, Claims, Corporations—Municipal, Corporations—Private, Education, Elections, Executive, Finance, Fish, Oyster and Game, Judiciary, Labor, Miscellaneous, Passed Bills, Printing and Supplies, Public Health, Public Lands, Revised Statutes, Rules, Temperance.

Rule 20. Committee on Printing; Motions to Print

Every motion or resolution to print documents, reports, bills, or any other matter shall, unless the Senate otherwise

orders, be referred to the Committee on Printing. When a motion is made to commit with instructions, it shall be in order to add thereto a motion to print.

Rule 21. Committee on Elections; Contests

Any contest for a seat in this body shall be referred to the Committee on Elections without debate.

Rule 22. Rules Committee; Supervision of Attaches

The officers, attaches and employees of the Senate shall be under the supervision of the Rules Committee of the Senate in performance of the duties of their respective offices.

Rule 23. Privilege of the Floor

Section 1. No person who is not a member of the Senate shall be granted the privilege of the floor, or be seated or stand in front of the rear line of the last row of members seats from the rostrum, while the Senate is in session, except:

The Governor of the State,

The Secretary of the State,

Ex-Governors of the State,

Ex-Lieutenant Governors of the State,

Ex-State Senators,

Members of the Congress of the United States,

Ex-Members of the Congress of the United States,

Members of the House of Representatives of the State,

Officers and Employees of the Senate,

Officers and Employees of the House of Representatives of the state, or

Official representatives of the Press

Section 2. Notwithstanding anything contained in Section 1 of this Rule, any other person or persons may be granted the privilege of the floor, or of being seated or to stand in front of the rear line of the last row of member seats aforesaid, by and with the consent of this body.

Rule 24. Change or Suspension of Rules

Any rule of the Senate may be changed or suspended by approval of a majority of all members elected to the Senate.

Rule 25. Roberts' Rules of Order

All questions of parliamentary procedure not covered or provided for by the Rules of the Senate or the Constitution of the State of Delaware shall be decided in accordance with the 1951 Revision of Roberts' Rules of Order.

R U L E S**GOVERNING EXECUTIVE SESSIONS OF THE SENATE
OF THE STATE OF DELAWARE**

RULE 1—When about to act on confidential or executive business, the Chamber shall be cleared of all persons except the Secretary and such other officers as the presiding officers shall deem necessary; and all such officers shall be pledged to secrecy.

RULE 2—The Executive proceedings and the confidential legislative proceedings shall be kept in separate Journals.

RULE 3—When nominations shall be made by the Governor of the State, they shall, unless otherwise ordered by the Senate, be referred to a committee to be hereinafter provided for; and the final question on every nomination, shall be, "WILL THE SENATE CONSENT TO THIS NOMINATION?" Which question shall not be put on the same day on which it may be reported by a Committee, unless by the consent of a majority of the members elected to the Senate.

RULE 4—All information communicated, or remarks made by a Senator when acting on nominations concerning the character or qualifications of the person nominated, shall be kept secret; if, however, charge shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a nomination has been made, or that it has been confirmed or rejected, shall not be regarded as a secret.

RULE 5—When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual sessions of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the Governor before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the Governor to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination and shall be a final disposition of such motion.

RULE 6—Nominations, confirmed or rejected by the Senate, shall not be returned by the Secretary to the Governor until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending unless otherwise ordered by the Senate.