

for Sidney Vestry to discuss **HB 76**. No objections heard; privilege was then granted.

On motion of Sen. McCullough **HB 76** with **HA 1**, **HA 2**, and **HA 3** as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 76**—An Act to Incorporate the Town of South Bethany.

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

YEAS: Carney, Conner, Cook, Manning, McCullough, McGinnes, Moore, Steen—8.

NAYS: None.

NOT VOTING: Bookhammer, Davidson, Martin, Robbins, Schlör—5.

ABSENT: Dineen, DuPont, Hoey, Holloway, Kinahan—5.

On the motion of Sen. McCullough the roll call was tabled. Sen. Martin moved that **SB 213** be brought up for final reading and vote.

Sen. Cook introduced the following amendment, **SA 1** to **SB 213** which was given first reading and adopted by voice vote.

On motion of Sen. Martin **SB 213** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 213**—An Act to Amend Section 522, Title 28, Delaware Code, Relating to the Award of Dates and Maximum Racing Days for Harness Racing.

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

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

NAYS: Conner, Robbins—2.

NOT VOTING: Bookhammer, Manning—2.

ABSENT: DuPont, Holloway, Kinahan, McCullough—4.

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

Sen. Steen introduced the following bill, **SB 238** which was given first reading and referred to the committee on Fish, Oyster and Game.

**SB 238**—An Act to Amend Section 106, Title 7, Delaware Code, Relating to Powers and Duties of the Board of Game and Fish Commissioners.

Sen. Steen requested that **SB 235** be stricken from the calendar. Adopted by voice vote.

Sen. Cook moved that the Senate adjourn until Monday,

December 6, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 6:32 P.M.

### 57th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:15 P.M. on Monday, December 6, 1965. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain Zolton Szucs.

By roll call the following Senators were present: Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, McGinnes, Moore, Robbins, Schlor—11.

The following Senators were absent: Bookhammer, DuPont, Kinahan, Manning, Martin, McCullough, Pres. Pro Tem. Steen—7.

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

Sen. Cook introduced the following concurrent resolution, **SCR 36** which was given first reading. Adopted by voice vote.

**SCR 36**—Providing for a Joint Session of the Senate and the House of Representatives.

Senators Manning, Bookhammer, DuPont, Martin, Steen, and McCullough asked to be marked present.

Sen. Davidson reported the following bill from committee: **SB 203**, 5 favorable. **SB 238**, 2 favorable, 3 merits.

The Chair declared the Senate recess for five minutes.

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

### JOINT SESSION

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

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

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

The chair appointed the following committee to escort the Governor to the Senate Chamber: Senators Davidson and Manning, Representatives Keil and Benson.

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

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

The Governor addressed the members of the General Assembly:

The previously named committee escorted the Governor from the Chamber.

Sen. Cook moved for the Joint Session to dissolve—adopted by voice vote.

Joint Session dissolved at 2:55 P.M.

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

Sen. Cook moved that the House Bills be read in tomorrow. Adopted by voice vote.

Sen. Schlör introduced the following bill, **SB 239** which was given first reading and referred to the committee on Revised Statutes.

**SB 239**—An Act to Amend Chapter 45, Title 31 of the Delaware Code, Titled as the Slum Clearance and Redevelopment Authority Law, by Redefining Blighted Area and Defining certain other terms as used in connection with Urban Renewal, to make the Determination of Blighted Areas by Governing Bodies a Basis for Acquiring Land and Improvements thereon for a Public Purpose; to Enable the Governing Bodies of Communities to Provide Conservation and Rehabilitation Projects for Slum and Blighted Areas; to Provide for Neighborhood and Community Wide Renewal Plans; and to Give Additional Powers to the Community or Such Agency as it be Designated to Carry Out the Provisions of this Act.

Sen. Schlör introduced the following bill, **SB 240** which was given first reading and referred to the committee on Corporation Municipal.

**SB 240**—An Act to Amend Chapter 5, Title 22, Delaware Code, Relating to Parking Authorities by Conferring upon such Authorities the Power to Lease the Right to Occupy and use the Space above a Parking Facility for Commercial uses other than Parking and by Conferring upon such Authorities the Power to Contract with Municipalities for Use of Space above Municipal Streets and by Conferring upon such Authorities Limited Power to take by Eminent Domain Proceedings Property already being used for Parking.

Sen. Cook introduced the following bill, **SB 241** which was given first reading and referred to the committee on Revised Statutes.

**SB 241**—An Act Relating to Water, Underwater Lands and Air Use and Conservation; Providing for a Comprehensive Commission to Regulate the use of Water, Underwater Lands and Air; Revising and Consolidating the Laws Relating to water, Underwater Lands and Air; Providing for the Exploration in, and Granting of Rights in Submerged and Subaqueous Lands; Abolishing the Water Pollution, Air Pollution and Geological Commissions and Creating a Water and Air Resources Commission.

Sen. Cook introduced the following bill, **SB 242** which was given first reading and referred to the committee on Education.

**SB 242**—An Act to Amend Chapter 19, Title 14, Delaware Code by Limiting the Amount of Local School Taxes Which Any School District, Any Part of Which Is in Kent County, Shall Collect Unless Authorized by Referendum to Collect a Greater Sum.

Sen. Cook introduced the following bill, **SS 1** to **SB 236** which was given first reading and referred to the Committee on Buildings and Highways.

**SS1** to **SB 236**—An Act to Direct the State Highway Department to Maintain Certain Streets.

Sen. Cook moved to adopt **SS 1** for **SB 236** in lieu of the original bill. Adopted by voice vote.

**SS1** for **SB 236**—An Act to Direct the State Highway Department to Maintain Certain Streets.

On motion of Sen. Davidson, **HB 297** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 297**—An Act to Amend Chapter 3, Title 11, Delaware Code, Prohibiting the Making, Possessing or Transferring of a Device Designed for Unlawful Taking or Appropriating of Telecommunications Service or Other Purposes, and Authorizing Seizure and Destruction or Disposal Thereof.

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

Sen. Lord was invited to sit on the rostrum by Lt. Gov. Tribbitt.

On motion of Sen. Dineen, **SB 224** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 224**—An Act to Repeal Chapter 5, Title 30, Delaware Code, Relating to Collector of State Revenue and Abolishing That Office.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McCullough,



McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

NOT VOTING: Hoey—1.

ABSENT: Kinahan—1.

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

On motion of Sen. Bookhammer, **SB 204** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 204**—An Act to Amend an Act Being Chapter 197, Volume 54, Laws of Delaware as Amended Entitled "An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter Therefor and Prescribing the Powers and Duties of the Commissioners of Rehoboth Beach" to Permit Certain Lease-holders to Vote in an Election to Annex Additional Territory; to Define the Term "Freeholder"; to Permit Certain Lease-holders to Vote in the Annual Election; to Permit Assessment of Improvements on Certain Leaseholds to Permit the Taxation of Certain Improvements Located on Leased Land and to Prescribe Remedies for Collection of Such Taxes; to Define the Term "Owner for the Purposes of Paving, Guttering and Curbing; to Define the Term "Owner" for the Purposes of Street Improvements; to Permit Certain Leaseholders to Vote at Special Elections Relating to the Borrowing of Funds; to Adopt the Motor Vehicle Code and to Prescribe for Violation Thereof.

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

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

NAYS: None.

ABSENT: Cook, Kinahan—2.

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

Sen. Manning (by request) introduced the following Senate amendment, **SA 1** to **HB 438** which was placed with the bill.

Sen. Hoey reported the following bill from committee: **SB 243**—3 favorable, 2 merits.

Sen. Dineen reported the following bills from committee, **SB 234**, 5 merits; **HB 93**, 2 favorable, 3 merits; **HB 305**, 1 favorable, 3 merits, 1 unfavorable; **HB 357**, 4 favorable, 1 merit.

Sen. McCullough reported the following bills from com-

mittee: **SJR 12**, 5 favorable; **SB 212**, 4 favorable, 1 merit.

Sen. Schlor reported the following bill from committee: **HB 302**, 5 favorable.

Sen. Schlor reported the following bills from committee: **HB 360**, 5 favorable; **HB 261**, 5 favorable.

Sen. Robbins reported the following bills from committee: **SB 219**, 4 favorable; **SB 222**, 4 favorable; **SB 117**, 3 favorable, 1 merit.

Sen. Cook asked for the privilege of the floor for Mr. Hennessey to discuss **HB 286**. No objections heard; privilege was then granted.

On motion of Sen. Cook, **HB 286** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 286**—An Act to Amend Chapter 270, Volume 54, Laws of Delaware by Striking from Section 1 thereof the Provision for the Erection of a New Wing at the Main Building at the Delaware State Hospital and by Inserting in Lieu thereof a Provision for the Reconstruction of Certain Sections of the Main Building.

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

Sen. Davidson introduced the following bill, **SB 244** which was given first reading and referred to the Committee on Revised Statutes.

**SB 244**—An Act to Amend Chapter 85, Laws of Delaware 1965; Being Part II, Title 9, Chapter 11, Delaware Code, as Amended, Relating to the Reorganization of the Government of New Castle County by Repealing Subparagraph (8) of Section 1421 of Said Title and Chapter, Thus Decreasing the Powers and Functions of the Department of Public Works.

Sen. Robbins (co-sponsors, Hoey, Cook) introduced the following bill, **SB 245** which was given first reading and referred to the Committee on Finance.

**SB 245**—An Act Making a Supplementary Appropriation for Certain Schools.

Sen. Cook moved that **HB 99** be brought up for final reading and vote. Sen. Cook moved to defer action on **HB 99**. Adopted by voice vote.

Sen. Cook moved that **SB 202** be brought up for final

reading and vote. Sen. Cook moved to table the roll call on **SB 202**.

Sen. Hoey reported the following bill from committee: **HB 245**, 2 favorable, 3 merits.

Sen. Schlör introduced the following Senate amendment, **SA 1** to **SJR 12** which was placed with the resolution.

Sen. Holloway introduced **SB 123** with **SA 1** for final reading and vote.

Sen. Holloway moved that **SA 1** be given final reading. Sen. DuPont moved to defer action on **SB 123** and **SA 1**. Lost by voice vote.

Sen. Holloway moved that **SA 1** to **SB 123** be adopted.

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

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

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

NOT VOTING: McCullough, McGinnes—2.

ABSENT: Kinahan—1.

So the question was decided in the affirmative.

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

**SB 123**—An Act to Amend Section 1303, Title 15, Delaware Code, Relating to Transfer of Names When Election District Divided; Procedure.

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

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

NAYS: Conner, DuPont, Manning—3.

NOT VOTING: Bookhammer—1.

ABSENT: Kinahan—1.

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

Sen. Holloway reported the following bills from committee: **SB 67**, 3 favorable, 1 merit; **HB 343** with **HA 1**, 2 favorable, 1 merit, 2 unfavorable; **HB 391** with **HA 1**, 2 favorable, 3 merits.

Sen. Lord spoke to the Senate.

Sen. Cook moved that the Senate adjourn until Tuesday, December 7, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 6:25 P.M.

## 58th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:37 P.M. on December 7, 1965. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain Zoltan Szucs.

By roll call the following Senators were present: Carney, Conner, Davidson, Dineen, Hoey, Manning, Martin, McCullough, Moore, Robbins, Schlör, Pres. Pro Tem. Steen—12.

The following Senators were absent: Bookhammer, Cook, DuPont, Holloway, Kinahan, McGinnes—6.

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

The following communications were read:

From Mrs. Elizabeth E. S. Williams concerning **HB 433**.

From Sen. Holloway giving Sen. Dineen authority to bring up **SB 179**.

STATE OF DELAWARE  
SENATE  
Dover

December 7, 1965

Honorable Sherman W. Tribbitt  
President of the Senate  
Dover, Delaware

Dear Lieutenant Governor Tribbitt:

This will authorize Senator Russell D. F. Dineen to take any action, whatsoever, in connection with Senate Bill No. 179, as amended; House Bill No. 18 and House Bill No. 43. This action applies to December 7, 1965.

I make this request due to the fact, I am having some difficulty with my speech on this date.

Respectfully,  
Herman W. Holloway  
Senator

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

**HB 94**—An Act to Amend Section 1902, Chapter 19, Title 9, Delaware Code, Increasing the Appropriations of the Levy Court of New Castle County for Fire Companies. (To Revised Statutes).

**HB 216**—An Act to Amend Chapter 9, Title 4, Delaware Code, Relating to Alcoholic Liquors. (To Temperance).

**HB 275** with **HA 2**—An Act to Amend Section 2127, Title 19, Delaware Code, Relating to Workmen's Compensation, by Providing for the Attorney's Fee of an Injured Employee. (To Labor).

The Chair presented the following House Bills, which

were given first and second reading and referred to Committees as follows:

**HS 1 for HB 272**—An Act to Amend Chapter 13, Section 1324, Title 14, Delaware Code, Relating to Salary Schedule for Attendants and Aides. (To Education).

**HS 1 for HB 273**—An Act to Amend Section 1703, Chapter 17, Title 14, Delaware Code by the Addition of a Unit for Mentally Ill Children and the Addition of Three Words and a Definition to Section 3101, Chapter 31, Title 14, Delaware Code. (To Education).

**HB 341**—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of Wycliffe Civic Association, Inc. from Assessment and Taxation. (To Miscellaneous).

**HB 345**—A Supplementary Appropriation Act for the Fiscal Year Ending June 30, 1966, for the Replacement of an Elevated Water Storage Tank, Drilling of an Additional Well, and the Installation of a New Pump at the Sussex Correctional Institution, Georgetown, Delaware. (To Miscellaneous).

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

**HB 348**—An Act to Amend § 901, Chapter 9, Title 19, Delaware Code, Relating to Minimum Wage, by Clarifying the Definition of "Wage." (To Labor).

**HB 356**—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of Blue Rock Community Club from Assessment and Taxation. (To Miscellaneous).

**HB 364 with HA 1**—An Act Making a Supplementary Appropriation to the Delaware Commission for the Aging. (To Finance).

**HB 366 with HA 1**—An Act Amending Chapter 81, Volume 55, Laws of Delaware, by Making an Additional Appropriation to the Delaware Board of Nursing to Defray the Cost of Professional Expenses. (To Finance).

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

**HB 369 with HA 1 and HA 2**—An Act to Provide for the Creation of Sanitary or Water Districts in Kent County, Authorizing the Levy Court of Kent County to Issue Revenue or General Obligation Bonds to Secure the Payment for Improvements Necessary to Water or Sanitary Districts, and Permitting the Levy Court of Kent County to Collect Revenues and Charges for Water and Sewer Services. (To Revised Statutes).

**HB 370** with **HA 1**—An Act Authorizing the Levy Court of Kent County to Construct and Operate Systems for the Collection and Treatment of Sewage and the Collection, Treatment and Distribution of Water, to Borrow Money for the Cost Thereof Pledging the Revenues of the Systems and the General Credit of Kent County, to Make Charges for the Use of the Systems, to Place Liens for Unpaid Charges, and to Cause Inspections of Water and Sewer Facilities. (To Revised Statutes).

**HB 371**—An Act to Establish the Office of the County Engineer of Kent County. (To Revised Statutes).

**HB 389**—An Act to Amend Chapter 5, Title 28, Delaware Code, Relating to Harness Racing. (To Miscellaneous).

The Chair presented **HB 388** with **HA 1** and **HA 2**. Sen. Martin moved to suspend Rule 9 to act on **HB 388** as amended. Adopted by voice vote.

**HB 388**—An Act Making a Supplementary Appropriation to the Department of Correction for the Purpose of Correcting a Deficit in the Salaries and Wages of Employees Account and for the Employment of Five (5) Probation and Parole Officers for the Fiscal Year Ending June 30, 1966.

On motion of Sen. Martin, **HB 388** with **HA 1** and **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 388**—An Act Making a Supplementary Appropriation to the Department of Correction for the Purpose of Correcting a Deficit in the Salaries and Wages of Employees Account and for the Employment of Five (5) Probation and Parole Officers for the Fiscal Year Ending June 30, 1966.

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

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

NAYS: None.

ABSENT: Conner, Kinahan—2.

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

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

**HB 390**—An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing. (To Miscellaneous).

**HB 393**—An Act Making an Appropriation to Camden-Wyoming Fire Company for Maintenance of an Ambulance. (To Finance).

**HB 398**—An Act to Amend Chapter 81, Volume 55,

Laws of Delaware, Entitled "An Act Making Appropriations to the Amount of \$122,707,827.00 for the Expense of the State Government for the Fiscal Year Ending June 30, 1966," and Making a Supplemental Appropriation in the Amount of \$10,200.00 for the Proposed Amendments. (To Finance).

**HB 399**—An Act to Amend Chapter 81, Volume 55, Laws of Delaware, Being Entitled "An Act Making Appropriations to the Amount of \$122,707,827.00 for the Expense of the State Government for the Fiscal Year Ending June 30, 1966," by Making an Additional Appropriation to the Chief Justice for the Supervision of the Justices of the Peace in the Amount of \$7,300.00. (To Finance).

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

**HB 400**—An Act to Authorize "The Mayor and Council of the Town of Selbyville" to borrow \$1,000,000.00 and to Issue Bonds to Secure the Payment Thereof for the Purpose of Providing a Sewage Disposal Plant and System in the Town of Selbyville and to Control and Regulate the Same. (To Corporations Municipal).

**HB 402**—An Act to Amend Article VII, Section 702.3, of the Charter of the City of Newark as Adopted Pursuant to Chapter 260, Volume 53, Laws of Delaware, by Providing for the Appointment of a House Sergeant and Specifying His Duties. (To Corporations Municipal).

**HB 403**—An Act to Amend Article VI, Section 602, of the Charter of the City of Newark as Adopted Pursuant to Chapter 260, Volume 53, Laws of Delaware, by Striking That Limitation Upon Commitment Upon Default of Payment of Fine. (To Corporations Municipal).

**HB 404**—An Act to Amend Section 2731, Title 21, Delaware Code, by Requiring the Motor Vehicle Department to Consider and Act Upon the Recommendations of Certain Alderman. (To Revised Statutes).

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

**HB 408**—An Act to Amend Chapter 77, Title 16, Delaware Code, Relating to Health and Safety and Construction Regulations. (To Public Health).

**HB 410**—An Act to Amend Chapter 53, Title 30, and Chapter 23, Title 11, Delaware Code, Relating to Cigarette Tax. (To Miscellaneous).

**HB 411**—An Act to Amend Title 15, Delaware Code, Relating to Merger of Election Districts. (To Elections).

**HB 415**—An Act to Amend Chapter 197, Volume 54, Laws of Delaware, Entitled "An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter Therefor and Prescribing the Powers and

Duties of the Commissioners of Rehoboth Beach" to Permit Certain Leaseholders to Hold Public Office as Mayor or Commissioner and to Sign Nominating Petitions. (To Corporations Municipal).

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

**HB 416**—An Act to Amend Chapter 197, Volume 54, Laws of Delaware, Entitled "An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter Therefor and Describing the Powers and Duties of the Commissioners of Rehoboth Beach" to Delete the Requirement That the City Manager When Originally Appointed, Shall Not be a Resident of the City of Rehoboth Beach. (To Corporations Municipal).

**HB 417**—An Act to Amend an Act Entitled "An Act to Incorporate the Town of Ocean View in Sussex County, Delaware," the Same Being Chapter 649, Volume 18, Laws of Delaware, as Amended, by Increasing the Amount of Money Which May Be Raised Each Year by Taxation. (To Corporations Municipal).

**HB 418**—An Act to Amend Chapter 163, Volume 55, Laws of Delaware, Entitled: "An Act to Amend Chapter 81, Title 9, Delaware Code, Entitled Limitations Upon Taxing Power by Adding Thereto a New Subchapter Concerning Exemptions From Taxation on Real Property of Citizens and Residents of This State of the Age of 65 or More Years Having an Income Not in Excess of \$3,000 per Year," by Extending the Time for Filing for the Pretax Year 1965. (To Revised Statutes).

**HB 419**—An Act Concerning the Regulation of Proxies of Domestic Stock Insurance Companies. (To Insurance and Banking).

**HB 438**—An Act to Amend Section 404, Article IV, of the Charter of the City of Newark, as Adopted Pursuant to Chapter 260, Volume 53, Laws of Delaware, by Authorizing the Taxation of Telephone, Telegraph and Power Poles and Private Utility Installations. (To Corporations Municipal).

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

**HCR 22**—Relative to the Proposed Amendment to the Constitution of the United States Relating to Succession to the Presidency and Vice-presidency and to Cases Where the President Is Unable to Discharge the Powers and Duties of His Office.

On motion of Sen. Cook, **HCR 22** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HCR 22**—Relative to the Proposed Amendment to the Constitution of the United States Relating to Succession to



the Presidency and Vice-presidency and to Cases Where the President Is Unable to Discharge the Powers and Duties of His Office.

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

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

NAYS: None.

ABSENT: Conner, Kinahan—2.

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

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

**SB 243**—An Act to Amend Chapter 81, Volume 55, Laws of Delaware Entitled "An Act Making Appropriations to the Amount of \$122,707,827.00 for the Expense of the State Government for the Fiscal Year Ending June 30, 1966," and Making a Supplemental Appropriation in the Amount of \$120,000.00 for the Proposed Amendments."

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

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

NAYS: None.

ABSENT: Holloway, Kinahan—2.

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

On motion of Sen. Dineen, **HB 357** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 357**—An Act Proposing an Amendment to Article X, §3 of the Constitution of the State of Delaware Providing That the General Assembly May Make Provision for the Transportation of Students of Non-Public Elementary and High Schools Not Operating for Profit.

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

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

NAYS: Cook—1.

ABSENT: Kinahan—1.

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

Sen. Steen introduced the following bill, **SB 246** which was given first reading.

Sen. Steen moved that Rule 9 be suspended for the purpose of considering **SB 246**. Motion carried.

**SB 246** was withdrawn by Sen. Steen.

**SB 246**—An Act Making an Appropriation to J. Walter Carmean.

Sen. Schlör introduced the following bill, **SB 246** which was given first reading and referred to the Committee on Corporations Municipal.

**SB 246**—An Act to Amend Chapter 232, Volume 52, Laws of Delaware, Entitled "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 of 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."

The Chair presented the following House bill, which was given first and second readings and referred to the Committee on Corporations Municipal.

**HB 401**—An Act to Amend Article VI, Section 602, of the Charter of the City of Newark as Adopted Pursuant to Chapter 260, Volume 53, Laws of Delaware, by Authorizing the Aledrman to Certify Certain Convictions to the Motor Vehicle Department.

On motion of Sen. Bookhammer, **SB 203** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 203**—An Act to Amend Section 873, Title 11, Delaware Code, Relating to Wilful Trespassing and Injury to Real or Personal Property by Making it Applicable to All Counties.

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

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

NAYS: None.

ABSENT: Davidson, Kinahan—2.

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

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

On motion of Sen. Hoey, **SB 222** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 222**—An Act to Amend an Act Entitled "An Act to Provide for the Enlargment and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," Being Chapter 331, Volume 53, Laws of Delaware, by Making Certain Transfers Therein.

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

Sen. Hoey asked for the privilege of the floor for Sidney Shaw relative to **SB 229**. No objections heard; privilege was then granted.

On motion of Sen. Hoey, **SB 229** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 229**—An Act to Appropriate Money to WHYY, Inc.

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

On motion of Sen. Robbins, **SB 245** with title as follows

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

**SB 245**—An Act Making a Supplementary Appropriation for Certain Schools.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Holloway, Kinahan, Manning—3.

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

Sen. McGinnis introduced the following bill, **SB 247** which was given first reading.

**SB 247**—An Act Authorizing and Directing the Levy Court of Kent County to appropriate a Sum of Money to the Kent County S.P.C.A.

Sen. McGinnes moved that Rule 9 be suspended for the purpose of considering **SB 247**. Motion carried.

On motion of Sen. McGinnes, **SB 247** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 247**—An Act Authorizing and Directing the Levy Court of Kent County to appropriate a Sum of Money to the Kent County S.P.C.A.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Cook, Holloway, Kinahan—3.

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

On motion of Sen. Steen, **SB 219** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 219**—An Act to Amend Chapter 171, Volume 54, Laws of Delaware, Entitled, "An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Cer-

tain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions.”

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

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

NAYS: None.

ABSENT: Holloway, Kinahan—2.

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

On motion of Sen. Steen, **SB 238** with title as follows was taken up for consideration and read a second time by Title in order to pass the Senate.

**SB 238**—An Act to Amend Section 106, Title 7, Delaware Code, Relating to Powers and Duties of the Board of Game and Fish Commissioners.

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

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

NAYS: None.

ABSENT: Holloway, Kinahan, Martin, McCullough—4.

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

On motion of Sen. Steen, **SB 220** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 220**—An Act to Amend Section 2804, Title 10, Delaware Code, Relating to Constables for Justices of the Peace by Increasing Their Salary.

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

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

NAYS: None.

ABSENT: Holloway, Kinahan—2.

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

Sen. Hoey reported the following bills from committee: **SB 230**, 2 favorable, 3 merits; **SB 231**, 2 favorable, 3 merits; **HB 169**, 1 favorable, 4 merits; **HB 393**, 2 favorable, 3 merits; **HB 399**, 2 favorable, 3 merits.

Sen. Martin reported the following bills from committee: **HB 348**, 2 favorable, 2 merits; **HB 275** as amended, 2 favorable, 1 merit, 1 unfavorable.

Sen. McGinnes moved that **SS 1** for **SB 52** be brought up for final reading and vote. Sen. Manning moved to defer action on **SS 1** for **SB 52**. Adopted by voice vote.

Sen. Davidson introduced the following amendment, **SA 1** to **SB 234** which was given first reading and adopted by voice vote.

On motion of Sen. Davidson, **SB 234** with **SA 1** with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 234** with **SA 1**—An Act to Amend Section 2942, Title 21, Delaware Code, Relating to Suspension of License for Non-payment of Judgements by Allowing an Occupational License Under Certain Conditions.

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

YEAS: Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, McCullough, McGinnes, Robbins, Steen—11.

NAYS: Manning, Moore—2.

NOT VOTING: Bookhammer, Carney, Martin, Schlör—4.

ABSENT: Kinahan—1.

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

Sen. McGinnes moved that the Senate go into executive session. Motion carried.

Senate returned to order in regular session at 6:40 P.M.

Sen. Davidson introduced the following bill, **SB 248** which was given first reading and referred to the Committee on Revised Statutes.

**SB 248**—An Act to Amend Section 8323, Title 11, Delaware Code, Relating to Eligibility for Pensions by Allowing Memorial Bridge Policemen All of the Same Benefits.

Sen. Robbins introduced the following bill, **SB 249** which was given first reading and referred to the Committee on Education.

**SB 249**—An Act to Amend Section 602 (b), Title 14, Delaware Code, Relating to Tuition Charges.

Sen. Robbins reported the following bill from committee: **HB 361** with **HA 1**, 4 favorable.

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

to **SB 246** which was given first reading and placed with the bill.

Sen. Schlör introduced the following amendment, **SA 1** to **SJR 12** which was given first reading and adopted by voice vote.

On motion of Sen. Schlör, **SJR 12** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SJR 12**—Requesting the Governor to Appoint a Committee to Study the Present Status of Automobile Insurance Companies in Delaware.

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

YEAS: Bookhammer, Carney, Conner, Cook, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—15.

NAYS: None.

ABSENT: Davidson, Kinahan, Steen—3.

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

On motion of Sen. Schlör **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 283, Volume 21, Laws of Delaware, Entitled "An Act to Incorporate the Town of Little Creek."

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

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

NAYS: None.

ABSENT: Kinahan, McCullough, Steen—3.

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

On motion of Sen. Schlör **HB 360** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 360**—An Act to Amend Chapter 279, Volume 53, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Bowers."

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

YEAS: Bookhammer, Carney, Conner, Cook, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—15.

NAYS: None.

ABSENT: Davidson, Kinahan, Steen—3.

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

On motion of Sen. Schlör **HB 261** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 261**—An Act to Amend an Act Entitled “An Act to Incorporate the Town of Ocean View in Sussex County, Delaware,” being Chapter 649, Volume 18, Laws of Delaware, as Amended, to Prescribe Rules for Regulating the Vehicular and Pedestrian Traffic and to Establish Penalties for Violation thereof.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—15.

NAYS: None.

NOT VOTING: Davidson—1.

ABSENT: Kinahan, Steen—2.

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

Sen. Dineen moved to adopt **SA 2** to **SB 179**. **SA 2** to **SB 179** was adopted by voice vote.

On motion of Sen. Dineen **SB 179** with **SA 1** and **SA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 179**—An Act to Amend Chapter 3, Title 4, Delaware Code, Relating to Alcoholic Liquors, by Reorganizing the “Delaware Alcoholic Beverage Control Commission” as the “Liquor Control Commission.”

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

YEAS: Carney, Cook, Davidson, Dineen, Holloway, Martin, McCullough, McGinnes, Moore, Schlör—10.

NAYS: Bookhammer, DuPont, Manning, Robbins—4.

NOT VOTING: Conner, Hoey—2.

ABSENT: Kinahan, Steen—2.

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

Sen. Holloway introduced the following bill, **SB 250** which was given first reading and referred to the committee on Temperance.

**SB 250**—An Act to Amend Section 904, Title 4, Dela-



ware Code, by Providing that Minors 18 years of Age or Older may be Employed in a Restaurant Serving Alcoholic Liquors if not Engaged in the Sale or Service of Alcoholic Liquor.

### 59th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:00 P.M. on Wednesday, December 8, 1965. Lt. Gov. Tribbitt presiding. Prayer by the Chaplain Zoltan Szucs.

By roll call the following Senators were present: Carney, Cook, Davidson, Dineen, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—10.

The following Senators were absent: Bookhammer, Conner, DuPont, Hoey, Kinahan, Manning, McGinnes, Pres. Pro Tem. Steen—8.

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

**HB 155** was given its first reading. Sen. McCullough moved to suspend rule 9 to act on **HB 155**. Adopted by voice vote.

Senators DuPont, Bookhammer, Manning, Conner, and McGinnes asked to be marked present.

On motion of Sen. McCullough **HB 155** with **HA 1** as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 155**—An Act making an Appropriation to the State Highway Department for the Construction of a Sidewalk on the South Side of New Castle Avenue from Ryan Avenue to Halcyon Drive in Garfield Park, New Castle County.

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

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

NAYS: None.

NOT VOTING: Manning—1.

ABSENT: Hoey, Kinahan, Steen—3.

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

Sen. Schlör asked for the privilege of the floor for Judge Herlihy relative to **SB 239**. No objection heard; privilege was then granted.

Sen. Steen and Hoey asked to be marked present.

On motion of Sen. Schlör **SB 239** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 239**—An Act to Amend Chapter 45, Title 31 of the Delaware Code, Titled as the Slum Clearance and Redevelopment Authority Law, by Redefining Blighted Area and Defining Certain other Terms as used in Connection with Urban Renewal, to make the Determination of Blighted Areas by Governing Bodies a Basis for Acquiring Land and Improvements thereon for a Public Purpose; to Enable the Governing Bodies of Communities to Provide Conservation and Rehabilitation Projects for Slum and Blighted Areas; to Provide for Neighborhood and Community Wide Renewal Plans; and to give Additional Powers to the Community or such Agency as it be Designated to Carry Out the Provisions of this Act.

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

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

NAYS: Bookhammer, Manning, Robbins—3.

NOT VOTING: Hoey—1.

ABSENT: Cook, Kinahan—2.

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

Sen. Schlör asked for the privilege of the floor for Mr. Biondi relative to **SB 240**. No objections heard; privilege was then granted.

On motion of Sen. Schlör **SB 240** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 240**—An Act to Amend Chapter 5, Title 22, Delaware Code, Relating to Parking Authorities by Conferring upon such Authorities the Power to Lease the Right to Occupy and use the Space Above any Parking Facility for Commercial uses other than Parking and by Conferring upon such Authorities the Power to Contract with Municipalities for use of Space above Municipal Streets and by Conferring upon such Authorities Limited Power to take by Eminent Domain Proceedings Property already being used for Parking.

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

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

NAYS: None.

NOT VOTING: Bookhammer, Hoey, Robbins—3.

ABSENT: Kinahan, McGinnes—2.

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

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

Sen. Schlör introduced the following amendment, **SA 1** to **SB 246** which was given first reading and adopted by voice vote.

On motion of Sen. Schlör, **SB 246** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 246**—An Act to Amend Chapter 232, Volume 52 Laws of Delaware, Entitled "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 of 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, which being taken, were as follows:

YEAS: Bookhammer, Carney, Conner, Cook, Dineen, DuPont, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—13.

NAYS: Davidson, Manning—2.

ABSENT: Hoey, Kinahan, Steen—3.

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

Sen. Schlör introduced the following amendment, **SA 1** to **SS 1** for **SB 52** which was given first reading and placed with the bill.

Sen. Carney asked for the privilege of the floor for Mr. Peterson relative to **HB 408**. No objections heard; privilege was then granted.

On motion of Sen. Connor to defer action on **HB 408**.

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

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

NAYS: Carney—1.

ABSENT: Kinahan—1.

So the question was decided in the affirmative.

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

Sen. Dineen asked for the privilege of the floor for Mr.

Rubinstein to explain any technical questions concerning **HB 358**. No objections heard; privilege was then granted.

Sen. Robbins introduced the following amendment, **SA 2** to **HB 358** which was given first reading.

On motion of Sen. Dineen to table **SA 2** to **HB 358**.

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

**YEAS:** Conner, Dineen, Holloway, Manning, Martin, Schlör—6.

**NAYS:** Bookhammer, Cook, Davidson, DuPont, Hoey, McCullough, McGinnes, Moore, Robbins, Steen—10.

**NOT VOTING:** Carney—1.

**ABSENT:** Kinahan—1.

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

Sen. Robbins moved the Senate recess to the call of the Chair at 5:20 P.M.

The Senate returned to order at 5:50 P.M., Lt. Gov. Tribbitt presiding.

On motion of Sen. Robbins **SA 2** to **HB 358** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

**YEAS:** Bookhammer, Cook, DuPont, Hoey, McCullough, McGinnes, Moore, Robbins, Steen—9.

**NAYS:** Conner, Dineen, Holloway, Manning, Martin, Schlör—6.

**NOT VOTING:** Carney, Davidson—2.

**ABSENT:** Kinahan—1.

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

On motion of Sen. Cook **SA 1** to **HB 358** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

**YEAS:** Bookhammer, Cook, DuPont, McCullough, McGinnes, Moore, Robbins—7.

**NAYS:** Conner, Dineen, Holloway, Manning, Martin, Schlör—6.

**NOT VOTING:** Carney, Davidson,—2.

**ABSENT:** Hoey, Kinahan, Steen—3.

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

On motion of Sen. Dineen **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 358**—An Act to Secure Equal Rights to Real Prop-

erty and to Provide for the Administration and Enforcement thereof.

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

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

NAYS: Bookhammer, Cook, Davidson, DuPont, Hoey, Manning, McCullough, McGinnes, Moore, Robbins—10.

NOT VOTING: Carney, Steen—2.

ABSENT: Kinahan—1.

On the motion of Sen. Dineen roll call was tabled.

Sen. Martin asked for the privilege of the floor for Mr. Sidney Balick to explain **HB 409** with **HA 1**. No objections heard; privilege was then granted.

On motion of Sen. Martin **HB 409** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 409**—An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation.

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

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

NAYS: None.

ABSENT: Holloway, Kinahan—2.

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

Sen. Martin asked for the privilege of the floor for Mr. Sidney Balick to explain **HB 382**. No objections heard; privilege was then granted.

On motion of Sen. Martin **HB 382** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 382**—An Act to Amend Title 19, Delaware Code, by Repealing Chapter 3 Relating to Female Labor.

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

Sen. Martin asked for the privilege of the floor for Sidney Balick to explain **SB 212**. No objections heard; privilege was then granted.

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

**SB 212**—An Act to Amend Section 516, Title 24, Delaware Code, Relating to the Right of Chiropractists and/or Podiatrists for Compensation Under Certain Insurance Plans.

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

Sen. McCullough reported the following bill from committee: **HB 419**, 5 merits.

Sen. McCullough moved that Rule 9 be suspended for the purpose of considering **HB 419**. Motion carried.

On motion of Mr. McCullough, **HB 419** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 419**—An Act Concerning the Regulation of Proxies of Domestic Stock Insurance Companies.

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

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

NAYS: None.

ABSENT: Davidson, Dineen, Kinahan, Manning—4.

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

Sen. Carney reported the following bill from committee: **HB 216**, 2 favorable, 2 merits.

Sen. Hoey reported the following bill from committee: **HB 398**, 2 favorable, 2 merits.

Sen. Davidson reported the following bills from committee: **HB 374**, 4 favorable, 1 merit; **HB 81**, 4 favorable, 1 merit.

Sen. Robbins reported the following bills from committee: **HS 1** for **HB 273**, 4 favorable; **HS 1** for **HB 272**, 4 favorable.

Sen. Robbins (co-sponsor, Steen) introduced the follow-

ing bill, **SB 252** which was given first reading and referred to the Committee on Revised Statutes.

**SB 252**—An Act Amending Chapter 1, Title 26, Delaware Code, by Adding a Subchapter VI to Provide for the Continuation of Electric Service in Areas Included in Municipalities by Incorporation, Annexation or Otherwise.

Sen. Robbins moved that Rule 9 be suspended for the purpose of considering **SB 252**. Motion withdrawn by Sen. Robbins.

On motion of Sen. Carney, **HB 408** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 408**—An Act to Amend Chapter 77, Title 16, Delaware Code, Relating to Health and Safety and Construction Regulations.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Holloway, Martn, McCullough, McGinnes, Moore, Steen—11.

NAYS: Robbins—1.

NOT VOTING: Bookhammer, Conner, DuPont, Manning—4.

ABSENT: Kinahan, Schlör—2.

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

Sen. McGinnes movde that **SS 1** for **SB 52** be brought up for final reading and vote. Sen. Schlör moved to adopt **SA 1** to **SS 1** for **SB 52**. Sen. Manning moved to table action on **SA 1** to **SS 1** for **SB 52**. Lost by voice vote.

On motion of Sen. Schlör, **SA 1** to **SS 1** for **SB 52** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS: Carney, Cook, Davidson, Dineen, Martin, McCullough, Moore, Robbins, Schlör—9.

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

NOT VOTING: Hoey, McGinnes—2.

ABSENT: Holloway, Kinahan—2.

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

On motion of Sen. McGinnes, **SS 1** for **SB 52** 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 52**—An Act to Amend Chapter 55, Title 29, Delaware Code, by Increasing the Maximum Benefits Pay-

able Thereunder to Employees and to Their Surviving Spouses, and by Adding Thereto a System of Employee Contributions Under Certain Conditions.

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

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

NAYS: Hoey—1.

ABSENT: Kinahan—1.

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

Sen. Manning moved to recess for 1 hour for dinner. Motion lost by voice vote.

Sen. McCullough moved that the Senate adjourn until Thursday, December 9, 1965 at 1:00 P.M. Motion carried and Senate adjourned at 8:00 P.M.

## 60th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:11 p.m. on December 9, 1965. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain Zoltan Szucs.

By roll call the following Senators were present:

PRESENT: Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, McCullough, Moore, Schlör, Pres. Pro Tem. Steen—12.

ABSENT: Bookhammer, Hoey, Kinahan, Martin, McGinnes, Robbins—6.

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

The following communication or memorials were read:

Sen. Steen submitted a communication concerning Delaware State Parks.

Sen. Holloway reported the following bill from committee: **HB 411**, 4 favorable.

Sen. Dineen reported the following bill from committee: **HB 94**, 3 favorable, 1 merit.

Sen. Dineen moved that Rule 9 be suspended for the purpose of considering **HB 94**. Motion carried.

Sen. Robbins asked to be marked present.

On motion of Sen. Dineen **HB 94** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 94**—An Act to Amend Section 1902, Chapter 19, Title 9, Delaware Code, Increasing the Appropriations of the Levy Court of New Castle County for Fire Companies.



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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, McCullough, Moore, Schlör, Steen—11.

NAYS: Robbins—1.

NOT VOTING: Manning—1.

ABSENT: Bookhammer, Hoey, Kinahan, Martin, McGinnes—5.

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

Sen. Dineen reported the following bill from committee: **HB 369** with **HA 1** and **HA 2**, 3 merits.

Sen. Dineen moved that Rule 9 be suspended for the purpose of considering **HB 369** as Amended. Motion carried.

Sen. Dineen asked for the privilege of the floor for Mr. Bryson to explain **HB 369** as amended. No objections heard; privilege was then granted.

On motion of Sen. Dineen **HB 369** with **HA 1** and **HA 2** as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 369** as Amended by **HA 1** as Amended by **HA 2**—  
An Act to Provide for the Creation of Sanitary or Water Districts in Kent County, Authorizing the Levy Court of Kent County to Issue Revenue or General Obligation Bonds to Secure the Payment for Improvements Necessary to Water or Sanitary Districts, and Permitting the Levy Court of Kent County to Collect Revenues and Charges for Water and Sewer Services.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Manning, McCullough, Moore, Robbins, Schlör, Steen—12.

NAYS: None.

NOT VOTING: Holloway.

ABSENT: Bookhammer, Hoey, Kinahan, Martin, McGinnes—5.

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

Sen. Dineen moved that Rule 9 be suspended for the purpose of considering **HB 370** with **HA 1** and **HB 371**. Motion carried.

Sen. Dineen reported the following bills from committee: **HB 370** with **HA 1**, 1 favorable, 3 merits. **HB 371**, 1 favorable, 3 merits.

Sen. Dineen asked for the privilege of the floor for

Mr. Bryson to explain **HB 370** with **HA 1**. No objections heard; privilege was then granted.

Senators Martin, McGinnes, and Hoey asked to be marked present.

On Motion of Sen. Dineen **HB 370** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 370**—An Act Authorizing the Levy Court of Kent County to Construct and Operate Systems for the Collection and Treatment of Sewage and the Collection, Treatment and Distribution of Water, to Borrow Money for the Cost thereof Pledging the Revenues of the Systems and the General Credit of Kent County, to Make Charges for the Use of the Systems, to Place Liens for Unpaid Charges, and to Cause Inspections of Water and Sewer Facilities.

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

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

NAYS: None.

ABSENT: Bookhammer, Hoey, Kinahan—3.

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

Sen. Dineen asked for the privilege of the floor for Mr. Bryson to explain **HB 371**. No objections heard; privilege was then granted.

On motion of Sen. Dineen **HB 371** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 371**—An Act to Establish the Office of the County Engineer 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: Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—16.

NAYS: None.

ABSENT: Bookhammer, Kinahan—2.

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

Sen Dineen reported the following bills from committee: **HB 404**, 2 favorable, 2 merits. **HB 418**, 2 favorable, 2 merits. **SB 252**, 1 favorable, 2 merits.

Sen. Holloway reported the following bill from committee: **SB 237**, 4 merits, 1 unfavorable.

Sen. Bookhammer asked to be marked present.

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

**HB 354** with **HA 1** to Revised Statutes.

**HB 354**—An Act to Amend Chapter 3, Title 9, Delaware Code, Relating to County Capitation Tax.

**HB 352** to Revised Statutes.

**HB 352**—An Act to Amend Title 21, Chapter 27, Delaware Code, Providing that Persons Operating Motorcycles and Motorbikes be Separately Licensed.

**HB 353** with **HA 1** to Revised Statutes.

**HB 353**—An Act Amending Title 21, Section 2151, Delaware Code, Relating to the Registration Fee for Motorcycles.

**HB 449** to Public Health.

**HB 449**—An Act to Amend Part II, Title 9, Delaware Code, Relating to New Castle County, by Adding a Chapter on Public Health.

**HB 344** to Elections.

**HB 344**—An Act to Amend § 3121, Chapter 31, Title 15, Delaware Code, Relating to Primary Elections and Registration Records.

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

**HJR 9**—To Labor.

**HJR 9**—In Reference to the Payment of Costs for Institutional Instruction to Apprentices.

Sen. Martin moved that Rule 9 be suspended for the purpose of considering **HJR 9**. Motion carried.

Sen. Cook moved to defer action on **HJR 9**. Adopted by voice vote.

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

**HB 397** to Finance.

**HB 397**—An Act Appropriating Money to the Delaware Commission for the Blind for Direct Payments to the Needy Blind of the State of Delaware.

**HS 1** for **HB 394** to Claims.

**HS 1** for **HB 394**—An Act to Appropriate Money to Kline Cook Voshell, a Veteran Eligible for the Bonus Paid by the State Pursuant to the Veteran's Military Pay Act No. 11, But who did Not Receive His Bonus.

**HB 413** to Corporations Municipal.

to Reincorporate the Town of Clayton" being Chapter 138, Volume 41, Laws of Delaware, as Amended, to Prescribe Rules for Regulating the Vehicular and Pedestrian Traffic and to Establish Penalties for Violation thereof.

**HB 439** to Fish, Oyster, and Game.

**HB 439**—An Act to Amend Title 7, Delaware Code, Section 703 Relating to Open Season for Game.

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

**HB 373**—An Act to Amend Title 14, § 2901 of the Delaware Code by Making a Provision for the Transportation of Students of non-Public Elementary and High Schools not Operated for Profit along Established School Bus Routes.

Sen. McGinnes moved that Rule 9 be suspended for the purpose of considering **HB 373** as amended. Motion carried.

Sen. McGinnes asked for the privilege of the floor for Representative Bifferato. No objections heard; privilege was then granted.

Sen. DuPont moved to defer action on **HB 373** with **HA 2** until after recess. Lost by voice vote.

On motion of Sen. DuPont to recess for minority caucus.

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

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

NAYS: None.

ABSENT: Hoey, Kinahan—2.

So the question was decided in the affirmative.

Sen. DuPont moved the Senate recess to the call of the Chair at 3:37 P.M.

The Senate returned to order at 4:00 P.M., Lt. Gov. Tribbitt presiding.

On motion of Sen. McGinnes, **HB 373** with **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 373** with **HA 2**—An Act to Amend Title 14, § 2901 of the Delaware Code by Making a Provision for the Transportation of Students of Non-Public Elementary and High Schools Not Operated for Profit Along Established School Bus Route.

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

YEAS: Carney, Conner, Davidson, Dineen, Holloway, Manning, Martin, McCullough, Moore, Schlör—10.

NAYS: None.

NOT VOTING: Bookhammer, DuPont—2.

ABSENT: Cook, Hoey, Kinahan, McGinnes, Robbins, Steen—6.

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

Sen. Dineen introduced the following resolution, **SR 90** which was given first reading and adopted by voice vote.

**SR 90**—Authorizing Payment for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 123rd General Assembly.

Sen. Dineen introduced the following concurrent resolution, **SCR 37** which was given first reading and adopted by voice vote.

**SCR 37**—Making Appropriations to Various Companies for Supplies and Services Rendered the 122nd General Assembly of the State of Delaware.

Sen. Dineen introduced the following resolution, **SR 91** which was given first reading and adopted by voice vote.

**SR 91**—Relating to Amount Due the International Business Machines Corporation for Expenses Incurred by the 123rd General Assembly.

Sen. Dineen introduced the following concurrent resolution, **SCR 38** which was given first reading and adopted by voice vote.

**SCR 38**—Making Appropriations to Various Companies for Supplies and Services Rendered the 123rd General Assembly of the State of Delaware.

Sen. Dineen introduced the following concurrent resolution, **SCR 39** which was given first reading and adopted by voice vote.

**SCR 39**—Authorizing Payment to Capitol Office Equipment Company for Tables.

Sen. Dineen introduced the following resolution, **SR 92** which was given first reading and adopted by voice vote.

**SR 92**—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 123rd General Assembly.

The Chair presented the following House Bill, which was given first and second reading and referred to the Committee on Labor.

**HB 436**—An Act to Amend § 6913, Title 29, Delaware Code, Relating to Wage Provisions in Public Construction Contracts.

The Chair presented the following House Bill, which was given first and second reading and referred to committee.

**HB 406**—An Act Making a Supplemental Appropriation to the Prisoners Aid Society of Delaware for the Operation of the 308 West Residence.

On motion of Sen. Carney, to suspend Rule 9 to act on **HB 406**.

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

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

NAYS: Robbins—1.

NOT VOTING: Dineen, McGinnes—2.

ABSENT: Hoey, Kinahan—2.

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

Sen. Carney asked for the privilege of the floor for Mr. Green relative to **HB 406**. No objections heard; privilege was then granted.

On motion of Sen. Carney, **HB 406** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 406**—An Act Making a Supplemental Appropriation to the Prisoners Aid Society of Delaware for the Operation of the 308 West Residence.

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

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

**HB 396**—An Act Making a Supplementary Appropriation to the Department of Public Welfare.

Sen. Carney moved that Rule 9 be suspended for the purpose of considering **HB 396**. Motion carried.

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

On motion of Sen. Carney, **HB 396** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 396**—An Act Making a Supplementary Appropriation to the Department of Public Welfare.

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

The Chair presented the following House Bill, which was given first and second reading and referred to committee.

**HB 318**—An Act Transferring Money From the Capital Investment Fund and Appropriating Said Money to the Wilmington Institute Free Library for the Purpose of Expanding and Renovating the Main Library Building in Wilmington, Delaware.

Sen. Schlor moved that Rule 9 be suspended for the purpose of considering **HB 318** with **HA 1**. Motion carried.

Sen. Schlor moved to table roll call on **HB 318** with **HA 1**.

Sen. Steen introduced the following bill, **SB 253** which was given first reading.

**SB 253**—An Act Making an Appropriation to J. Walter Carmean.

Sen. Steen moved that Rule 9 be suspended for the purpose of considering **SB 253**. Motion carried.

Sen. Cook moved that **SB 202** be lifted from the table. Sen. Cook withdrew the motion.

On motion of Sen. Steen, **SB 253** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 253**—An Act Making an Appropriation to J. Walter Carmean.

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

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

NAYS: None.

ABSENT: Kinahan, McGinnes, Schlor—3.

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

Sen. Davidson moved that the roll call on **HB 197** be lifted from the table.

On motion of Sen. Davidson, **HB 197** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 197**—An Act to Amend Chapter 5, Title 10, Delaware Code, Relating to Law Clerks for the Court of Chancery.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McCullough, McGinnes—11.

NAYS: Hoey, Robbins, Steen—3.

NOT VOTING: Moore—1.

ABSENT: Bookhammer, Kinahan, Schlör—3.

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

Sen. Davidson asked for the privilege of the floor for Representative Bifferato. No objections heard; privilege was then granted.

On motion of Sen. Davidson, **HB 81** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 81**—An Act to Amend Chapter 3, Title 25, Delaware Code, Relating to Titles and Conveyances.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Manning, Martin, McCullough, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

NOT VOTING: Holloway—1.

ABSENT: Kinahan, McGinnes—2.

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

Sen. Davidson asked for the privilege of the floor for Rep. Bifferato. No objections heard; privilege was then granted.

On motion of Sen. Davidson, **HB 374** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 374**—An Act to Amend Section 704, Title 21, Delaware Code Relating to Jurisdiction of Justices of the Peace.

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

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

NAYS: None.

ABSENT: Kinahan, McCullough, McGinnes—3.

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

Sen. Davidson asked for the privilege of the floor for Rep. Bifferato. No objections heard; privilege was then granted.

On motion of Sen. Davidson, **HB 287** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.



**HB 287**—An Act to Amend Chapter 9, Title 13, Delaware Code, Relating to Adoption.

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

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

NAYS: Hoey—1.

ABSENT: Kinahan, McCullough—2.

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

Sen. Davidson asked for the privilege of the floor for Rep. Bifferato. No objections heard; privilege was then granted.

On motion of Mr. Davidson, **HB 180** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 180**—An Act to Amend Section 1621 of Chapter 16, Title 10, Delaware Code, Relating to the Court of Common Pleas for Sussex County.

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

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

NAYS: None.

NOT VOTING: Bookhammer, Conner, Manning—3.

ABSENT: Dineen, Kinahan—2.

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

Sen. McCullough moved that the roll call on **HB 76** be lifted from the table.

On motion of Sen. McCullough, **HB 76**, 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 76**—An Act to Incorporate the Town of South Bethany.

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

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

NAYS: DuPont—1.

NOT VOTING: Bookhammer, Schlör—2.

ABSENT: Hoey, Kinahan—2.

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

On motion of Mr. Robbins, **HB 361** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 361**—An Act Authorizing the State of Delaware to Borrow Money to Be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and for Improvements to the Public School System of the State and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to the State Board of Education.

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

Sen. Dineen asked for the privilege of the floor for Mr. Hutchinson. No objections heard; privilege was then granted.

On motion of Mr. Dineen, **HB 391** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 391** with **HA 1**—An Act to Amend Section 1704, Title 15, Delaware Code, Directing Each Department of Elections to Remove Names of Persons Disqualified as Voters.

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

On motion of Mr. Schlör, **HB 401** with title as follows

the Charter of the City of Newark as Adopted Pursuant to title in order to pass the Senate.

**HB 401**—An Act to Amend Article VI, Section 602, of the Charter of the City of Newark as Adopted Pursuant to Chapter 260, Volume 53, Laws of Delaware, by Authorizing the Alderman to Certify Certain Convictions to the Motor Vehicle Department.

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

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

NAYS: None.

NOT VOTING: Hoey—1.

ABSENT: Kinahan—1.

Having received the required Constitutional Majority passed the Senate and was ordered to the House for concurrence.

On motion of Sen. Schlör, **HB 402** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 402**—An Act to Amend Article VII, Section 702.3, of the Charter of the City of Newark as Adopted Pursuant to Chapter 260, Volume 53, Laws of Delaware, by Providing for the Appointment of a House Sergeant and Specifying His Duties.

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

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

NAYS: None.

NOT VOTING: Hoey—1.

ABSENT: Kinahan—1.

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

Sen. Schlör asked for the privilege of the floor for Mr. McCann. No objections heard; privilege was then granted.

On motion of Sen. Schlör, **HB 403** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 403**—An Act to Amend Article VI, Section 602, of the Charter of the City of Newark as Adopted Pursuant to Chapter 260, Volume 53, Laws of Delaware, by Striking That Limitation Upon Commitment Upon Default of Payment of Fine.

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

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

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

NAYS: None.

ABSENT: Kinahan—1.

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

Sen. Dineen moved that Rule 9 be suspended for the purpose of considering **HB 404**. Motion carried.

Sen. Dineen asked for the privilege of the floor for Mr. McCann. No objections heard; privilege was then granted.

On motion of Sen. Schlör, **HB 404** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 404**—An Act to Amend Section 2731, Title 21, Delaware Code, by Requiring the Motor Vehicle Department to Consider and Act Upon the Recommendations of Certain Alderman.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, DuPont, Manning, McGinnes, Moore, Schlör—10.

NAYS: Dineen, Hoey, Holloway, Martin, Robbins, Steen—6.

NOT VOTING: McCullough—1.

ABSENT: Kinahan—1.

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

Sen. Cook moved the Senate recess to the call of the Chair at 6:05 P.M. for dinner.

The Senate returned to order at 7:52 P.M., Lt. Gov. Tribbitt presiding.

Sen. Schlör moved that roll call **HB 318** be lifted from table.

On motion of Sen. Schlör, **HB 318** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 318**—An Act Transferring Money From the Capital Investment Fund and Appropriating Said Money to the Wilmington Institute Free Library for the Purpose of Expanding and Renovating the Main Library Building in Wilmington, Delaware.

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

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

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

NAYS: Cook, Hoey, Manning—3.

ABSENT: Kinahan—1.

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

On motion of Sen. Schlör, **HB 415** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 415**—An Act to Amend Chapter 197, Volume 54, Laws of Delaware, Entitled "An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter Therefor and Prescribing the Powers and Duties of the Commissioners of Rehoboth Beach" to Permit Certain Leaseholders to Hold Public Office as Mayor or Commissioner and to Sign Nominating Petitions.

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

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

NAYS: None.

ABSENT: Hoey, Holloway, Kinahan—3.

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

On motion of Sen. Schlör, **HB 416** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 416**—An Act to Amend Chapter 197, Volume 54, Laws of Delaware, Entitled "An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter Therefor and Describing the Powers and Duties of the Commissioners of Rehoboth Beach" to Delete the Requirement That the City Manager When Originally Appointed, Shall Not Be a Resident of the City of Rehoboth Beach.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—13.

NAYS: None.

ABSENT: Cook, DuPont, Hoey, Holloway, Kinahan—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.

On motion of Sen. Schlör, **HB 417** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 417**—And Act to Amend an Act Entitled "An Act to Incorporate the Town of Ocean View in Sussex County, Delaware," the Same Being Chapter 649, Volume 18, Laws of Delaware, as Amended, by Increasing the Amount of Money Which May Be Raised Each Year by Taxation.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—12.

NAYS: None.

ABSENT: Cook, DuPont, Hoey, Holloway, Kinahan, Manning—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 Sen. Schlör, **HB 400** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 400**—An Act to Authorize "The Mayor and Council of the Town of Selbyville" to Borrow \$1,000,000.00 and to Issue Bonds to Secure the Payment Thereof for the Purpose of Providing a Sewage Disposal Plant and System in the Town of Selbyville and to Control and Regulate the Same.

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

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

NAYS: None.

ABSENT: DuPont, Hoey, Holloway, Kinahan—4.

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

Sen. Manning moved to adopt **SA 1** to **HB 438**. Adopted by voice vote.

On motion of Sen. Schlör, **HB 438** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 438**—An Act to Amend Section 404, Article IV, of the Charter of the City of Newark, as Adopted Pursuant to Chapter 260, Volume 53, Laws of Delaware, by Authorizing the Taxation of Telephone, Telegraph and Power Poles and Private Utility Installations.

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

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

NAYS: None.

ABSENT: DuPont, Hoey, Holloway, Kinahan—4.

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

Sen. Schlör reported the following bill from committee: **HB 413**, 4 favorable.

Sen. Schlör moved that Rule 9 be suspended for the purpose of considering **HB 413**. Motion carried.

On motion of Sen. Schlör, **HB 413** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 413**—An Act to Amend an Act Entitled "An Act to Reincorporate the Town of Clayton" being Chapter 138, Volume 41, Laws of Delaware, as Amended, to Prescribe Rules for Regulating the Vehicular and Pedestrian Traffic and to Establish Penalties for Violation Thereof.

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

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

NAYS: None.

ABSENT: DuPont, Hoey, Holloway, Kinahan—4.

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

The Chair presented the following House Bill, which was given first and second reading and referred to the Committee on Corporations Municipal.

**HB 433**—An Act to Incorporate the Village of Arden.

Sen. Cook moved that the roll call on **SB 202** be lifted from the table.

On motion of Sen. Cook, **SB 202** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 202**—An Act to Amend Section 543, Title 4, Dela-

ware Code, Relating to Grounds for Refusal of a License to Sell Alcoholic Liquors.

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

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

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

NOT VOTING: Steen—1.

ABSENT: Kinahan—1.

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

Sen. Cook introduced the following bill, **SB 254** which was given first reading.

**SB 254**—An Act to Amend Section 2143, Title 21, Delaware Code, Relating to Inspection of Motor Vehicles Before Registration by Creating Certain Exceptions.

Sen. Cook moved that Rule 9 be suspended for the purpose of considering **SB 254**. Motion carried.

Sen. Cook asked for the privilege of the floor for Mr. Whitby. No objections heard; privilege was then granted.

On motion of Sen. Cook, **SB 254** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 254**—An Act to Amend Section 2143, Title 21, Delaware Code, Relating to Inspection of Motor Vehicles Before Registration by Creating Certain Exceptions.

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

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

NAYS: None.

ABSENT: Kinahan, Steen—2.

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

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

**HJR 9**—In Reference to the Payment of Costs For Institutional Instruction to Apprentices.

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

YEAS: Bookhammer, Carney, Conner, Cook, Dineen,



DuPont, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

NOT VOTING: Hoey—1.

ABSENT: Davidson, Kinahan—2.

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

Sen. Holloway moved that Rule 9 be suspended for the purpose of considering **HB 423**. Motion carried.

Sen. Holloway asked for the privilege of the floor for Mr. Glennan. No objections heard; privilege was then granted.

On motion of Sen. Holloway, **HB 423** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 423**—An Act Relating to the Corporation Income Tax by Increasing the Interest Rate on Taxes Due.

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

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

NAYS: None.

ABSENT: DuPont, Kinahan, Robbins—3.

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

Sen. Holloway moved that Rule 9 be suspended for the purpose of considering **HB 425**. Motion carried.

**HB 425**—An Act Relating to the Income Tax by Increasing the Interest Rate on Taxes Due.

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

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

NAYS: None.

ABSENT: DuPont, Kinahan—2.

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

Sen. Holloway moved that Rule 9 be suspended for the purpose of considering **HB 427**. Motion carried.

Sen. Holloway asked for the privilege of the floor for

Mr. Glennan. No objections heard; privilege was then granted.

On motion of Sen. Holloway, **HB 427** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 427**—An Act to Amend Title 30, Delaware Code, relating to State Taxes by Requiring Foreign Persons or Firms to Post Bonds Securing the Payment of Taxes Withheld From Employees or Due the State.

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

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

NAYS: None.

ABSENT: DuPont, Kinahan—2.

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

Sen. Holloway moved that Rule 9 be suspended for the purpose of considering **HB 448**. Motion carried.

Sen. Holloway asked for the privilege of the floor for Mr. Glennan. No objections heard; privilege was then granted.

On motion of Sen. Holloway, **HB 448** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 448**—An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to Income Tax.

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

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

NAYS: Manning—1.

ABSENT: Kinahan—1.

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

Sen. Holloway moved that Rule 9 be suspended for the purpose of considering **HB 306** as amended. Motion carried.

Sen. Holloway moved to table roll call on **HB 306** with **HA 1** and **HA 2**.

Sen. Holloway moved that Rule 9 be suspended for the purpose of considering **HB 426**. Motion carried.

Sen. Holloway moved to defer action on **HB 426**.

Sen. Martin asked for the privilege of the floor for Mr.

Gordy relative to **HB 275** as amended. No objections heard; privilege was then granted.

On motion of Sen. Cook **HB 275** with **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

To Defer Action on **HB 275** with **HA 2**

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

YEAS: Bookhammer, Conner, Cook, Davidson, DuPont, Hoey, Manning, McGinnes, Robbins—9.

NAYS: Carney, Dineen, Martin, McCullough, Moore, Schlör, Steen—7.

NOT VOTING: Holloway—1.

ABSENT: Kinahan—1.

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

Sen. Carney reported the following bill from committee: **HB 449**, 4 favorable.

Sen. Carney moved that Rule 9 be suspended for the purpose of considering **HB 449**. Motion carried.

Sen. Carney asked for the floor for Mr. Daniello. No objections heard; privilege was then granted.

On motion of Sen. Carney **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 Part II, Title 9, Delaware Code, Relating to New Castle County, by Adding a Chapter on Public Health.

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

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

NAYS: None.

ABSENT: Kinahan, Steen—2.

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

Sen. Carney reported the following bill from committee: **HB 354** with **HA 1**, 4 favorable.

Sen. Carney moved that Rule 9 be suspended for the purpose of considering **HB 354** with **HA 1**. Motion carried.

On Motion of Sen. Carney **HB 354** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 354** as Amended by **HA 1**—An Act to Amend Chapter 3, Title 9, Delaware Code, Relating to County Capitation Tax.

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

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

NAYS: None.

ABSENT: Bookhammer, Kinahan—2.

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

Sen. Carney reported the following bill from committee: **SB 250**, 2 favorable, 1 merit, 1 unfavorable.

Sen. Dineen reported the following bills from committee: **HB 352**, 4 favorable, 1 merit. **HB 353**, 4 favorable, 1 merit.

Sen. Schlör reported the following bill from committee: **HB 433**, 5 favorable, as amended.

On motion of Sen. Hoey **HB 399** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 399**—An Act to Amend Chapter 81, Volume 55, Laws of Delaware, Being Entitled "An Act making Appropriations to the Amount of \$122,707,827.00 for the Expense of the State Government for the Fiscal Year Ending June 30, 1966" by Making an Additional Appropriation to The Chief Justice for the Supervision of the Justices of the Peace in the Amount of \$7,300.00.

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

YEAS: Bookhammer, Carney, Conner, Cook, Dineen, DuPont, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Steen—13.

NAYS: None.

ABSENT: Davidson, Holloway, Kinahan, McGinnes, Schlör—5.

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

On motion of Sen. Hoey **HB 398** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 398**—An Act to Amend Chapter 81, Volume 55, Laws of Delaware, Entitled "An Act Making Appropriations to the Amount of \$122,707,827.00 for the Expense of the State Government for the Fiscal Year Ending June 30, 1966," and Making a Supplemental Appropriation in the Amount of \$10,200.00 for the proposed Amendments.

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

NAYS: Bookhammer, DuPont, Manning—3.

NOT VOTING: Conner—1.

ABSENT: Holloway, Kinahan—2.

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

On motion of Sen. Hoey **HB 393** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 393**—An Act Making an Appropriation to Camden-Wyoming Fire Company for Maintenance of an Ambulance.

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

YEAS: Bookhammer, Carney, Conner, Cook, Dineen, DuPont, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Davidson, Holloway, Kinahan—3.

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

Sen. Hoey introduced the following amendment, **SA 1** to **SB 230** which was given first reading and adopted by voice vote.

On motion of Sen. Hoey, **SB 230** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 230**—An Act to Amend Section 6606 (a), Title 16, Delaware Code, Relating to Salary of the State Fire Marshal and Making a Supplemental Appropriation Therefor.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Manning, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Holloway, Kinahan, Martin—3.

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

Sen. Hoey moved that Rule 9 be suspended for the purpose of considering **HB 364** with **HA 1**. Motion carried.

Sen. Hoey asked for the privilege of the floor for Mr.

Ramau. No objections heard; privilege was then granted.

On motion of Sen. Hoey, **HB 364** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 364** with **HA 1**—An Act Making a Supplementary Appropriation to the Delaware Commission for the Aging.

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

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

NAYS: None.

ABSENT: Carney, Holloway, Kinahan, Moore—4.

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

Sen. Hoey (co-sponsor, Dineen) introduced the following amendment, **SA 1** to **SB 231** which was given first reading and adopted by voice vote.

On motion of Sen. Hoey, **SB 231** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 231**—An Act Making a Supplemental Appropriation to the State Fire Prevention Commission.

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

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

NAYS: None.

ABSENT: Davidson, Holloway, Kinahan, Martin—4.

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

Sen. Schlör moved that Rule 9 be suspended for the purpose of considering **HB 433** as amended. Motion carried.

On motion of Sen. Schlör, **HB 433** with title as follows was taken up for consideration and read a second time in order to pass the Senate.

**HB 433**—An Act to Incorporate the Village of Arden.

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

YEAS: Bookhammer, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Manning, Martin, McGinnes, Robbins, Schlör, Steen—13.

NAYS: None.

ABSENT: Carney, Holloway, Kinahan, McCullough, Moore—5.

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

Sen. Dineen moved that Rule 9 be suspended for the purpose of considering **HB 462**. Motion carried.

On motion of Sen. Dineen, **HB 462** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 462**—An Act to Amend § 105, Title 15, Delaware Code, Relating to Qualifications of Members of All Departments of Elections.

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

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

NAYS: None.

ABSENT: Holloway, Kinahan, McCullough, Moore—4.

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

On motion of Sen. Robbins, **SB 245** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 245**—An Act Making a Supplementary Appropriation for Certain Schools.

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

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

NAYS: None.

ABSENT: Holloway, Kinahan—2.

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

Sen. McGinnis moved that Rule 9 be suspended for the purpose of considering **HB 420**. Motion carried.

On motion of Sen. McGinnis, **HB 420** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 420**—An Act Making a Supplementary Appropriation to the Governor.

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

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

YEAS: Bookhammer, Carney, Conner, Cook, Dineen, DuPont, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Davidson, Holloway, Kinahan—3.

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

On motion of Sen. McGinnes, **HB 341** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 341**—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of Wycliffe 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: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAYS: None.

ABSENT: Cook, Holloway, Kinahan—3.

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

Sen. Dineen asked for the privilege of the floor for Mr. Gehret. No objections heard; privilege was then granted.

On motion of Sen. Dineen, **HB 461** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 461**—An Act to Amend Chapter 384, Volume 54, Laws of Delaware, Entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and for Improvements to the Public School System of the State and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to Various Agencies of the State" by Enlarging the Purposes for Which the Appropriations to the Youth Services Commission May be Used and Extending the Time in Which to Commence Construction.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Steen—15.



NAYS: None.

ABSENT: Holloway, Kinahan, Schlor—3.

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

On motion of Sen. Robbins, **HS 1** for **HB 272** 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 272**—An Act to Amend Chapter 13, Section 1324, Title 14, Delaware Code, Relating to Salary Schedule for Attendants and Aides.

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

YEAS: Bookhammer, Carney, Cook, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Steen—15.

NAYS: None.

ABSENT: Davidson, Kinahan, Schlor—3.

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

On motion of Sen. Robbins, **HS 1** for **HB 273** 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.

**HS 1** for **HB 273**—An Act to Amend Section 1703, Chapter 17, Title 14, Delaware Code by the Addition of a Unit for Mentally Ill Children and the Addition of Three Words and a Definition to Section 3101, Chapter 31, Title 14, Delaware Code.

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

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

NAYS: None.

ABSENT: Kinahan, Schlor—2.

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

Sen. Steen moved that Rule 9 be suspended for the purpose of considering **HB 456**, **HB 457**, **HB 458**, and **HB 450**. Motion carried.

On motion of Sen. Steen, **HB 456** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 456**—An Act to Establish the Office of the County Engineer of Sussex County.

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

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

**NAYS:** None.

**ABSENT:** Cook, Kinahan, Schlör—3.

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

On motion of Sen. Steen, **HB 457** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 457**—An Act to Provide for the Creation of Sanitary or Water Districts in Sussex County, Authorizing the Levy Court of Sussex County to Issue Revenue or General Obligation Bonds to Secure the Payment for Improvements Necessary to Water or Sanitary Districts, and Permitting the Levy Court of Sussex County to Collect Revenues and Charges for Water and Sewer Services.

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

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

**NAYS:** None.

**ABSENT:** Kinahan, Schlör—2.

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

On motion of Sen. Steen, **HB 458** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 458**—An Act Authorizing the Levy Court of Sussex County to Construct and Operate Systems for the Collection and Treatment of Sewage and the Collection, Treatment and Distribution of Water, to Borrow Money for the Cost Thereof Pledging the Revenues of the Systems and the General Credit of Sussex County, to Make Charges for the Use of the Systems, to Place Liens for Unpaid Charges, and to Cause Inspections of Water and Sewer Facilities.

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

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

DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Steen—15.

NAYS: None.

ABSENT: Davidson, Kinahan, Schlör—3.

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

On motion of Sen. 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 Title 9, Delaware Code, by Adding a Chapter Establishing Pensions for Sussex County Employees.

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

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

NAYS: None.

ABSENT: Kinahan, Schlör—2.

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

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

**HB 168**—An Act Providing for the Imposition of a Property Tax on Mobile Homes Based on Their Actual Value and Requiring the Owner Thereof to Obtain a Placement Permit, the Park Operator to Make Annual Reports Concerning Said Homes and Providing Penalties Against Both the Owner and Court Operator for Their Failure to do so.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Steen—15.

NAY: Manning—1.

NOT VOTING: Bookhammer—1.

ABSENT: Kinahan—1.

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

On motion of Sen. McGinnes, **HB 410** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 410**—An Act to Amend Chapter 53, Title 30, and Chapter 23, Title 11, Delaware Code, Relating to Cigarette Tax.

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

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

NAYS: None.

ABSENT: Kinahan, Manning—2.

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

On motion of Sen. McGinnis, **HB 356** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 356**—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of Blue Rock Community Club from Assessment and Taxation.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins—15.

NAYS: None.

NOT VOTING: Schlör—1.

ABSENT: Kinahan, Steen—2.

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

Sen. Dineen moved that Rule 9 be suspended for the purpose of considering **HB 366** and **HB 367**. Motion carried.

On motion of Sen. Dineen, **HB 366** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 366**—An Act Amending Chapter 81, Volume 55, Laws of Delaware, by Making an Additional Appropriation to the Delaware Board of Nursing to Defray the Cost of Professional Expenses.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins—15.

NAYS: None.

ABSENT: Kinahan, Schlör, Steen—3.

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

On motion of Sen. Dineen, **HB 367** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 367**—An Act Making a Supplementary Appropriation for the Fiscal Year 1964-1965 to the Delaware Board of Nursing to Defray the Cost of Certain Examinations.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins—14.

ABSENT: Davidson, Kinahan, Schlör, Steen—4.

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

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

Sen. Cook moved that Rule 9 be suspended for the purpose of considering **HB 426**. Motion carried.

On motion of Sen. Cook, **HB 426** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 426**—An Act to Amend Chapter 109, Volume 55, Laws of Delaware Entitled, "An Act to Impose a Realty Transfer Tax."

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

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

NAYS: None.

NOT VOTING: Holloway—1.

ABSENT: Bookhammer, Conner, DuPont, Kinahan, Manning, Steen—6.

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

President Tribbitt presented the Secretary of State. Secretary of State Dukes announced that the Governor wished to speak to the Senate. Governor Terry extended Christmas wishes to the Senate and expressed his hope for a Happy New Year.

Sen. Cook moved the Senate recess to the call of the Chair at 12:13 A.M.

### EXTRA-ORDINARY SESSION LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:00 P. M. on January 20, 1966. Lt. Gov. Tribbitt presiding.

Prayer by President Tribbitt.

By roll call the following senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, McGinnes, Moore, Robbins, Schlor, Pres. Pro Tem. Steen—15.

Members Absent—DuPont, Kinahan, Manning—3.

The secretary proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

Elisha C. Dukes, Secretary of State, was admitted bearing a message from the Governor.

Senator McGinnes moved to go into Executive Session. Withdrawn by maker.

Elisha C. Dukes, Secretary of State, was admitted bearing a message from the Governor.

The following message from the Governor was received, given first reading, and assigned to Executive Committee.

Nominating Henry V. P. Wilson, M. D., to be a member of the Board of Trustees of the University of Delaware.

The following message from the Governor was received, given first reading, and assigned to Executive Committee.

Nominating the following to be Justice of the Peace: William Cavanaugh for Kent County; Fred B. Carey for Kent County; Courtney Houston for Kent County; George S. Graham for Kent County; Wallace P. Wooten for Kent County; Tyson Cohee for Kent County; William M. Doughen for Kent County; William J. Hopkins for Sussex County; Richard B. Hardesty, Sr., for Sussex County; Thomas E. Ayers for Sussex County; Hattie E. Sylvia for Sussex County; Claude L. Massey for Sussex County; J. Walter Carmean for Sussex County; Norman D. Baker for Sussex County; Harry J. Schmierer for Sussex County; George E. Case for Sussex County; Thomas J. Orr for Sussex County; Millard F. Murray, Sr., for Sussex County; William A. Booth for Sussex County; Earl K. Williams for Sussex County.

Senator McGinnes moved that the Senate go into Executive Session. Senate went into Executive Session at 3:12 P. M.

Senator Cook moved to recess to the call of the chair at 4:45 P. M.

January 20, 1966

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

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

Henry V. P. Wilson, M. D.  
121 Park Drive  
Dover, Delaware

Elected by the Board of Trustees of the University of Delaware on December 4, 1965, to be a member of that Board for a six-year term to expire December 4, 1971.  
Reappointment.

Respectfully submitted,  
CHARLES L. TERRY, JR.  
Governor

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

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

The Hon. William Cavanaugh, 105 North State Street, Dover, Delaware—to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

Mr. Fred B. Carey, Pear Street, Dover, Delaware—to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

Mr. Courtney Houston, 59 North McKee Road, Dover, Delaware—to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

Mr. George S. Graham, North & Calvin Streets, Harrington, Delaware—to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

Mr. Wallace P. Wootten, Front Street, Frederica, Delaware—to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

Mr. Tyson Cohee, Felton, Delaware—to be a justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

The Hon. William M. Doughten, Lake Drive, Smyrna, Delaware—to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

Mr. William J. Hopkins, 928 West Street, Laurel, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

The Hon. Richard B. Hardesty, Sr., 507 Hickory Lane, Seaford, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Mr. Thomas E. Ayers, 208 Pine Street, Seaford, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

The Hon. Hattie E. Sylvia, 410 Market Street, Bridgeville, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

The Hon. Claude L. Massey, Blades, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Mr. J. Walter Carmean, Frankford, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Mr. Norman D. Baker, Lincoln, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

The Hon. Harry J. Schmierer, West Cedar & Laurel Avenue, Lewes, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Mr. George E. Case, Dewey Beach, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Mr. Thomas J. Orr, 2502 Bayview Avenue, Lewes, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

The Hon. Millard F. Murray, Sr., Millsboro, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Mr. William A. Booth, 323 North Bedford Street, Georgetown, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Mr. Earl K. Williams, 106 Havenlake Drive, Milford, Delaware—to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

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

## 1ST LEGISLATIVE DAY

Prayer by Senator Davidson.



By roll call the following senators were present: Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Robbins, Pres. Pro Tem. Steen—14.

Members absent: Bookhammer, Kinahan, Moore, Schlor—4.

The secretary proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

Senator DuPont reported on the condition of Senator Kinahan.

The following senators asked to be marked present: Dineen, Robbins, Steen.

The following message from the Governor was received, given first reading, and assigned to Executive Committee.

James P. Muir appointment.

George F. Wooten appointment.

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, February 1, 1966

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

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

Mr. George E. Wooten  
323 Hamilton Way  
Smyrna, Delaware

to be a Justice of the Peace  
in and for Kent County, State  
of Delaware, for a four-year  
term from date of confirma-  
tion.

Respectfully submitted,  
CHARLES L. TERRY, JR.  
Governor

S.B. 179 with S.A. 1 and S.A. 2

S.B. 204

S.B. 238

S.S. 1 for S.B. 153

S.S. 1 for S.B. 52

S.B. 221

S.B. 243

S.B. 191

The Governors veto message, which had been delivered to the Senate was presented by the Chair and read into the Record.

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, December 16, 1965

To the Senate of the 123rd General Assembly

of the State of Delaware:

On December 7, 1965, I received Senate Bill 221, entitled:

AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS FOR THE PURPOSE OF PROVIDING AN INCREASE TO CERTAIN EMPLOYEES FOR THE FISCAL YEAR ENDING JUNE 30, 1966.

I respectfully return Senate Bill 221 to the Senate without my approval.

The purpose of this bill is to give full-time employees of the Department of Corrections with one year service a pay increase of twenty-five dollars per month. I cannot approve the bill for the following reasons:

I think it is a bad policy and a bad precedent to increase salaries by means of supplementary appropriations.

The General Assembly annually reviews the State's budget at the time it considers the budget bill. The annual budget is proposed by the Governor after lengthy hearings within the Executive Department. It is enacted by the General Assembly after detailed legislative hearings. Priorities and limitations on Statewide basis are examined in depth at that time. If we are to run the State in an orderly fashion, all salaries should receive an orderly review along with all other budgeted items prior to passage of the annual budget bill. Such an annual review of all salaries is frequent, businesslike, and sound fiscal practice.

On the other hand, if we increase salaries by supplemental appropriations, we are running the State in a disorderly and haphazard manner. The success of one agency becomes an open invitation to others. Political pressure replaces an examination on the merits. Discrimination among agencies develops. It is simply not the proper way to run the State, and I cannot approve such a policy.

I am sympathetic to the legitimate grievances of the employees of the Department of Corrections. They are, in my opinion, deserving of an increase in salary, and I intend to recommend an increase for full-time employees in the budget for fiscal 1967. But I also intend to do everything I can to encourage and achieve sound fiscal management of the State's affairs. In my opinion, the philosophy of salary adjustment contained in Senate Bill 221 is a hindrance to sound fiscal management.

Respectfully submitted,

CHARLES L. TERRY, JR., Governor  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, December 16, 1965

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

On December 16, 1965, I received Senate Bill 243, entitled:

AN ACT TO AMEND CHAPTER 81, VOLUME 55, LAWS OF DELAWARE, ENTITLED "AN ACT MAKING APPROPRIATIONS TO THE AMOUNT OF \$122,707,827.00 FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1966, "AND MAKING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$120,000.00 FOR THE PROPOSED AMENDMENTS."

I respectfully return Senate Bill 243 to the Senate without my approval. I cannot approve this bill for the following reasons:

First, the same reasons cited in my message pertaining to Senate Bill 221 are applicable here and are incorporated by reference.

Second, I have been advised by the Director of the State Highway Department that it would take between \$350,000 and \$400,000 to meet the minimum requirements of Section 2 of Senate Bill 243 during a six month period. Since the bill only authorizes an expenditure of \$120,000.00, it would be impossible to achieve the purposes of the bill with the appropriation provided.

I agree wholeheartedly with the general feeling that hourly pay scales within the Highway Department are extremely low and must be raised. I intend to recommend such an increase to the General Assembly at the time I present my budget recommendations for fiscal 1967.

Respectfully submitted,

CHARLES L. TERRY, JR., Governor  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, December 22, 1965

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

On December 16, 1965, I received Senate Bill 191 entitled:

AN ACT TO AMEND AN ACT BEING CHAPTER 203, VOLUME 25, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO" TO ESTABLISH REGULATIONS FOR VEHICULAR AND PEDESTRIAN TRAFFIC WITHIN THE CORPORATE LIMITS OF THE TOWN OF MILLSBORO AND ESTABLISHING PENALTIES FOR VIOLATION THEREOF.

I respectfully return Senate Bill 191 to the Senate without my approval, for the following reasons:

First, since Senate Bill 191 confers upon an Alderman the power to judge and penalize persons violating the State

motor vehicle law, it appears questionable Constitutionally. See *In re Carter*, 52 Del. (2 Story) 316, Superior Court 1960.

Second, through the vision of this General Assembly, the State of Delaware has taken great steps forward in improving the administration of its Justice of the Peace Courts. This bill represents, in my opinion, a police step backwards in that it creates the very potential evils that the Justice of the Peace reform legislation was designed to correct. This bill would sanction by State statute a town-appointed judge sitting in State criminal motor vehicle offenses with the power to enforce the penalties of the Code in the same manner as a Justice of the Peace. These penalties can run as high as eighteen months imprisonment in cases of drunken driving.

In my opinion, this is not a matter of mere local interest. The State has an interest and responsibility in the proper enforcement of its criminal laws by qualified judges. While I could not say that such enforcement, given geographical difficulties, could never include a role for town Aldermen, I do feel that any such jurisdiction must be limited by general standards which impose some meaningful control. We must recognize that town Aldermen are neither appointed by the Governor nor confirmed by the Senate, and that these procedural requirements are vital elements in the organization of our lower courts on a State level.

Respectfully submitted,

CHARLES L. TERRY, JR., Governor

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, December 22, 1965

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

On December 16, 1965, I received Senate Bill 179 with Senate Amendments 1 and 2, entitled:

AN ACT TO AMEND CHAPTER 3, TITLE 4, DELAWARE CODE, RELATING TO ALCOHOLIC LIQUORS, BY REORGANIZING THE "DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSION" AS THE "LIQUOR CONTROL COMMISSION."

I respectfully return Senate Bill 179 with Senate Amendments 1 and 2 to the Senate. The bill as written preserves the office of all incumbent members of Delaware Alcoholic Beverage Control Commission except Andy B. Clements. Mr. Clements was nominated by me on December 2, 1965, and confirmed by the Senate on December 7, 1965. While I am sure the omission was an oversight caused by the timing of the appointment and the passage of the bill, the bill as now written would have the effect of removing

Mr. Clements from office. I cannot approve such a result.

Respectfully submitted,  
CHARLES L. TERRY, JR., Governor  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, December 22, 1965

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

On December 16, 1965, I received in my office Senate Bill 204, entitled:

AN ACT TO AMEND AN ACT BEING CHAPTER 197, VOLUME 54, LAWS OF DELAWARE AS AMENDED ENTITLED "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFOR AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH" TO PERMIT CERTAIN LEASE-HOLDERS TO VOTE IN AN ELECTION TO ANNEX ADDITIONAL TERRITORY; TO DEFINE THE TERM "FREEHOLDER"; TO PERMIT CERTAIN LEASE-HOLDERS TO VOTE IN THE ANNUAL ELECTION: TO PERMIT ASSESSMENT OF IMPROVEMENTS ON CERTAIN LEASEHOLDS TO PERMIT THE TAXATION OF CERTAIN IMPROVEMENTS LOCATED ON LEASED LAND AND TO PRESCRIBE REMEDIES FOR COLLECTION OF SUCH TAXES; TO DEFINE THE TERM "OWNER" FOR THE PURPOSES OF PAVING, GUTTERING AND CURBING; TO DEFINE THE TERM "OWNER" FOR THE PURPOSES OF STREET IMPROVEMENTS; TO PERMIT CERTAIN LEASEHOLDERS TO VOTE AT SPECIAL ELECTIONS RELATING TO THE BORROWING OF FUNDS; TO ADOPT THE MOTOR VEHICLE CODE AND TO PRESCRIBE FOR VIOLATION THEREOF.

I respectfully return to you Senate Bill Number 204 without my approval.

With regret, I cannot accept the bill as written because Section 8 thereof repeals all of Section 29 (a) of the Charter of the City of Rehoboth. Obviously, the intent was only to repeal subsection (30) of Section 29 (a) and not all of the enumerated powers heretofore given to the City of Rehoboth. This is a fatal defect and one which I regretfully cannot correct. The section repealed by this bill is the key section of the whole charter.

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

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, December 27, 1965

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

On December 16, 1965, I received Senate Bill 238, entitled:

AN ACT TO AMEND SECTION 106, TITLE 7,  
DELAWARE CODE, RELATING TO POWERS  
AND DUTIES OF THE BOARD OF GAME AND  
FISH COMMISSIONERS.

I respectfully return Senate Bill 238 to the Senate without my approval, for the following reason:

According to Title 7, Section 106, of the Delaware Code, the Board of Game and Fish Commissioners is given discretionary power to fix the salaries of all of its employees. I do not believe such discretionary power should be eliminated and an arbitrary statutory standard imposed. The problem is administrative, not legislative.

Respectfully submitted,  
CHARLES L. TERRY, JR., Governor  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, December 27, 1965

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

On December 16, 1965, I received Senate Substitute 1 for Senate Bill 153 with Senate Amendment 1, entitled:

AN ACT TO AMEND CHAPTER 7, TITLE 4, DEL-  
AWARE CODE, RELATING TO THE SALE OF  
ALCOHOLIC LIQUOR.

I respectfully return Senate Substitute 1 for Senate Bill 153 with Senate Amendment 1 to the Senate without my approval. I object to this bill for the following reasons:

First, the designation "restaurants" is too general and too broad. There are some establishments which are licensed as "restaurants" which could more accurately be described as "tap rooms." In my opinion, legislation to permit alcoholic beverages in restaurants on Sundays should establish standards for qualification as a restaurant permitted to sell alcoholic beverages on Sunday.

Second, any such legislation should give the necessary regulatory control to the Alcoholic Beverage Control Commission. This regulatory control should include a special Sunday license for which there would be an appropriate fee. There should be delegated to the Commission the power to determine whether a specific restaurant meets the statutory standards and the Commission should be given discretionary power to determine if the issuance of a Sun-

day license to any applicant is in the public interest.

Respectfully submitted,

CHARLES L. TERRY, JR., Governor  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, January 26, 1966

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

On January 18, 1966, I received Senate Substitutue 1 for  
Senate Bill 52, entitled:

"AN ACT TO AMEND CHAPTER 55, TITLE 29,  
DELAWARE CODE, BY INCREASING THE  
MAXIMUM BENEFITS PAYABLE THEREUN-  
DER TO EMPLOYEES AND TO THEIR SURVIV-  
ING SPOUSES, AND BY ADDING THERETO A  
SYSTEM OF EMPLOYEE CONTRIBUTIONS UN-  
DER CERTAIN CONDITIONS."

After much deliberation, numerous conferences and  
thorough research, I have concluded that S. S. 1 for Senate  
Bill 52 must be returned without my approval. I have  
taken this step with great reluctance in light of the need  
for increased pension benefits for Delaware employees earn-  
ing over \$6,000 annually. However, the bill as written is  
grossly inequitable in one respect, open to question on the  
basis of fairness in at least one other and actuarially un-  
sound.

There have been some who have urged me to ignore  
the inequities and to sign the bill with the understanding  
it will be amended later. I cannot accept that course since  
we all know it is easier to pass a good bill where many have  
a direct stake than to amend a poor one where a minority  
would be affected.

S. S. 1 for Senate Bill 52 has been studied by fiscal offi-  
cers of the State, by actuaries kindly made available by  
the DuPont Company and by many interested parties, pub-  
lic and private. There is unanimous agreement that the  
bill would actually penalize some 15 per cent of the state's  
employees by the simple process of depriving them of their  
contribution to the pension system while not increasing their  
remuneration upon retirement. Obviously, this would be  
an unfair course upon which to base a pension bill even if  
only one employee was thus discriminated against. The  
bill has one further shortcoming of giving a substantial pen-  
sion to employees about to retire without requiring a pro-  
portionately substantial contribution from them.

It is especially pleasing to me in this instance that the  
sponsors of the bill agree with me that a just pension act  
can be written and passed into law and that there is no  
reason whatever that it cannot be done during the even  
year session of the General Assembly about to begin. To

accomplish this end we should simultaneously undertake the following steps:

1. Establish and finance a study committee of experience within the pension field to review the current system, to make recommendations and to create legislation providing for an actuarially sound, completely equitable pension program for those not now adequately covered. Our present pension law, enacted in 1945 and amended periodically on a piece-meal basis, is not a model statute in any respect. It is antiquated, inadequately funded and its soaring costs could easily place us in a situation years hence where we could not meet its obligations.

2. Pass a stop-gap bill, designed along lines of S. S. 1 for Senate Bill 52 but fully correcting its inequities, so that the pension rates for employees earning over \$6,000 exclusive of those now under a contributory retirement program may be raised at the beginning of the next fiscal year.

3. Increase the contribution to be made by those whose retirement is imminent or scheduled during the next 10 years.

I am confident that members of the Senate will agree with me that a better pension system is essential for a progressive Delaware. It is a significant key to the future of the state since with it we can attract qualified personnel and provide deserved benefits for the dignity and security of those dedicated men and women now serving the state. Together with the House and with the cooperation of the citizens of Delaware, I am certain we can achieve the desired end without jeopardizing the financial position of the state.

Respectfully submitted,

CHARLES L. TERRY, JR., Governor

Senator Steen introduced the following resolution, SR 93 which was given first reading and adopted voice vote.

### SENATE RESOLUTION NO. 93

#### IN REFERENCE TO ELECTION OF OFFICERS:

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

**HB 379 and HA 1**—An act to amend Section 758, Chapter 3, Title 11, Delaware Code, relating to disturbing privacy by use of telephone facilities or equipment; to Judiciary.

**HB 440**—An act amending Chapter 69, Title 29, Delaware Code, by requiring that certain buildings and facilities constructed with state funds adhere to certain principles, standards and specifications to make the same accessible to and usable by the physically handicapped, and providing for enforcement; to Revised Statutes.



**HB 430**—An act making a supplementary appropriation to "state share-Social Security contributions"; to Finance.

**HB 325**—An act to amend Subchapter VI, Chapter 5, Title 4, Delaware Code, relating to cancellation or suspension of licenses granted by the Delaware Alcoholic Beverage Control Commission; to Temperance.

**HB 465**—An act to amend Chapter 23, Title 19, Delaware Code by providing that the Industrial Accident Board shall pass upon rates for workmen's compensation insurance; to Labor.

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

**HB 244 with HA 1**—An act to establish the insurance study and revision committee and making an appropriation thereto for a comprehensive review and study of the insurance law of the state for the preparation of a report containing recommended revisions of such law for submission to the General Assembly; to Insurance and Banking.

**HB 424**—An act to amend Chapters 93, 95 and 96, Title 10, Delaware Code by increasing the jurisdiction of the justices of the peace in civil matters to \$1,000.00; to Judiciary.

**HB 90**—An act amending Section 106, Title 7 of the Delaware Code by providing for two wardens to serve in New Castle County; to Fish, Oyster, and Game.

**HB 378**—An act to amend Chapter 3, Title 11, Delaware Code, by adding Section 760 so as to define the crime of malicious obstruction of emergency telephone calls; to Judiciary.

The Chair presented the following Concurrent Resolution, which was given first reading and adopted voice vote:

**HCR 24**—Establishing a joint committee of the House of Representatives and Senate of the 123rd General Assembly for the purpose of studying and making report on possible legislation to render an appropriation to members of the armed forces of the United States resident in Delaware who are veterans of the Viet Nam conflict.

Senator Dineen (co-sponsor Senator Conner) by request introduced the following bill, **SB 255** which was given first reading and referred to the committee on Public Health.

**SB 255**—An act to amend Chapter 10, Title 16, Delaware Code relating to mandatory reporting by physicians and institutions of certain physical abuse of children.

Senator Cook introduced the following concurrent resolution, **SCR 40** which was given first reading and adopted voice vote.

**SCR 40**—Providing for a joint session of the Senate and the House of Representatives.

Senator Cook moved the Senate recess to the call of the chair at 3:25 P. M.

The Senate returned to order at 4:02 P. M. Lt. Gov. Tribbitt presiding.

The Chair presented the following House Concurrent Resolution, which was given its first reading.

Senator Cook moved to adopt **HCR 25**.

**HCR 25**—Providing for the adjournment of the House of Representatives and the Senate. Adopted voice vote.

The Chair presented the following House Joint Resolutions:

Senator Cook moved that Rule 9 be suspended for the purpose of considering **HJR 10**. Motion carried.

**HCR 10**—Authorizing payment to Addressograph Multigraph Corporation for supplies furnished the 122nd General Assembly.

On motion of Senator Cook **HJR 10** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HJR 10**—Commending the public and volunteer workers who participated in public assistance during the recent snowfall:

**YEAS**—Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McCullough, Robbins, Steen—12.

**NAYS**—None.

**ABSENT**—Bookhammer, Hoey, Kinahan, McGinnes, Moore, Schlor—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.

Senator Martin introduced the following bill, **SB 256** which was given first reading and referred to the committee on Temperance.

**SB 256**—An act to amend Section 543, Title 4, Delaware Code, relating to the grounds for refusal of license.

Senator Cook moved that the Senate adjourn until Wednesday, February 9, 1966, at 1:00 P. M. Motion carried and Senate adjourned at 4:10 P. M.

## 2ND LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:02 P. M. on Wednesday, February 9, 1966. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Rev. Addison Smith.

By roll call the following senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont,

Holloway, Manning, Moore, Robbins, Schlör—12.

Members absent—Cook, Hoey, Kinahan, McGinnes, Martin, Pres. Pro Tem Steen—6.

The secretary proceeded to read the journal of the previous days session when Senator Schlör moved that so much be considered the reading of the journal and the journal be approved as read.

Senator McGinnes moved that the Senate go into executive session. Motion carried.

Senate went into executive session at 3:07 P. M.

Senator Dineen introduced the following concurrent resolution, **SCR 41** which was given first reading. Adopted voice vote.

**SCR 41**—An act making an appropriation to the Diamond State Telephone Company for services rendered through January 20, 1966.

Senator Dineen introduced the following resolution, **SR 94** which was given first reading. Adopted voice vote.

**SR 94**—Making an appropriation to the Diamond State Telephone Company for services rendered for the period ending January 11, 1966.

Senator Dineen (Co-sponsor Senator Bookhammer) introduced the following bill, **SB 257** which was given first reading and referred to the committee on Revised Statutes.

**SB 257**—An act to amend § 155, Title 16, Delaware Code, relating to the finances of the Emily P. Bissell Hospital.

Senator Dineen (Co-sponsor Senator Holloway) introduced the following bill, **SB 258** which was given first reading and referred to the Committee on Elections.

**SB 258**—An act proposing amendments to the constitution of the State of Delaware, by providing for the size of the General Assembly.

Senator Cook moved to recess for caucus. Adopted voice vote. Senate recessed at 3:30 P. M.

Senate reconvened at 4:15 P. M.

Senator Schlör introduced the following bill, **SB 259** which was given first reading and referred to the committee on Insurance and Banking.

**SB 259**—An act to amend Chapter 5, Title 18, Delaware Code, relating to cancellation of automobile liability insurance policies.

Senator McCullough reported the following bill from committee:

**HB 244** with **HA 1**—4 favorable; 1 merit.

Senators Steen, Cook, and McCullough asked to be marked present.

Senator Steen introduced the following concurrent resolution, **SCR 42** which was given first reading and referred to the committee on adopted voice vote.

**SCR 42**—Making payment to the National Conference of Senate Legislative Leaders for membership dues for the State of Delaware.

Senator McCullough introduced the following bill, **SB 67** be brought up for final reading and vote.

**SB 67**—An act to amend Chapter 31, Title 15 of the Delaware Code relating to primary elections.

Senator McCullough moved to defer action on **SB 67**. Adopted voice vote.

Senator Cook moved that the Senate adjourn until Thursday, February 10, 1966, at 1:00 P. M.

Motion carried and Senate adjourned at 4:30 P. M.

### 3RD LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:07 P. M. on Thursday, February 10, 1966. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Rev. Addison Smith.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, McCullough, McGinnes, Moore, Robins, Pres. Pro Tem Steen—14.

—14.

Members absent—Cook, Davidson, Martin, Schlor—4.

The secretary proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

Senator Cook moved that the President appoint a Senator for the purpose of notifying the House that the Senate is ready for a joint session.

President Tribbitt appointed Senator Moore.

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

### JOINT SESSION

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

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

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

The chair appointed the following committee to escort the Governor and Senators McGinnes and Manning, Representatives Issacs and Benson to the Senate Chamber.

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

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

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

**MESSAGE**  
**of**  
**THE HONORABLE CHARLES L. TERRY, JR.**  
**to the**  
**SECOND REGULAR SESSION OF THE**  
**ONE HUNDRED TWENTY-THIRD GENERAL ASSEMBLY**  
**of the**  
**STATE OF DELAWARE**

Dover, February 10, 1966

MR. PRESIDENT  
 MR. SPEAKER  
 LADIES AND GENTLEMEN OF THE  
 123RD GENERAL ASSEMBLY  
 FELLOW DELAWAREANS:

While I have been privileged to speak in this forum on several occasions during my year as Governor, this is the first opportunity I have had to address you on the State of the State.

Our State has experienced a real re-awakening in many areas in recent years, and I can see a continuance of this trend for the future. Practically every area of economic, governmental and social activity in the State suggests that we are at a turning point in the development of our natural and human resources.

Our economy, for instance, has taken on new dimensions and is at its highest level in history. Business has never been better in Delaware, and our economic base is becoming broader and more stabilized each day.

The rapid industrialization of our State deserves a major share of the credit for this rebirth. A well-conceived and well-planned program of industrial development has yielded new jobs, larger payrolls and greater opportunities for all our people within the past decade.

And it is my pleasure now, before outlining our fiscal picture, our achievements and needs, to once more congratulate you for the tremendous record of progress that you wrote for Delaware during 1965.

Any summation of the State's condition must begin with the budget and the estimates regarding revenue and expenditures.

Since we share the responsibility for the collection and appropriation of funds, it is my duty, which I am now fulfilling, to present you the facts as I know them. I am pleased that my commentary on the fiscal situation need not be as alarming as it was when I addressed you last February, but neither can we afford to relax our vigilance.

A Budget Act is not a mere statistical document. It

determines in large measure such things as the level of education we intend to provide for our children, the health, welfare, and rehabilitation programs we intend to operate the way we intend to police and maintain our highways, the extent to which we will act to conserve our natural resources, and the kind of recreational facilities we will make available to our citizens. It also determines the share of each family's earnings that must be paid to our State government.

It is not my intent here to go into detail regarding all the programs I think necessary for the legislative year now beginning, since I will, from time to time, as I have done in the past, come before you to outline projects of significance. In fact my remarks here will be confined to the budget, to education, which requires more than 50% of our expenditures, and to the dynamic growth of our State.

Automatic appropriations and the requests of the various agencies of the State for operating expenses during fiscal 1967 total \$153.3 million. Excluding \$1.5 million of book-keeping inflation, this represents \$22.2 million, or a 17% increase over the \$129.6 million we expect to disburse this year.

My estimates of general fund revenue for fiscal 1967, not including extraordinary estate and inheritance taxes, total \$132.7 million, assuming a continued growth in our economy, the obvious and inescapable fact is that all of the agency requests cannot be recommended.

After a careful review of our present agency programs and of the proposed new programs, I am recommending a Budget Appropriation Act of \$136.9 million for fiscal 1967. When this figure is increased by \$5 million for automatic appropriations and \$1.4 million for routine grants-in-aid, and decreased by \$3 million anticipated reversions, the total recommended general fund disbursement is estimated to be \$140.3 million. It should be noted, again for comparative purposes, that this figure is inflated by \$1.5 million as a result of statutory changes in the bookkeeping of certain Mental Health and Welfare Department funds.

The decision to recommend an annual disbursement of \$7.6 million in excess of anticipated annual revenue was not lightly made. But we must remember that just one year ago, the Revenue Study Committee forecasted for fiscal 1967 a seventeen million dollar deficit. Your fiscal responsibility and courage have been a major factor in reversing the alarming growth of our budget imbalance. We must continue our work toward a truly balanced budget, and I intend to recommend further steps to you in this regard. But we also must continue to update and expand the services provided our people.

In fiscal 1967 it is necessary to provide a budget increase of \$2.1 million for the repayment of principal and

interest on our capital building program and an additional \$1.6 million for State employees' pensions. The latter increase is primarily due to the initiation of the Federal Medicare program under Social Security.

My recommended budget provides a 10% increase in the funds appropriated to the Department of Mental Health, in order to assure that new programs in this vital field may be initiated. Increased funds have been provided to meet the federal staffing standards required of the Department of Public Welfare for continued federal financial participation at present levels for the Public Assistance and Child Welfare Service programs.

Appropriations to higher education have been increased by 10% to provide for increased enrollments and to allow for improvement in the quality of our higher educational programs. In the field of Public Education, it has been necessary to make provision for the customary 5% increase in pupil enrollment. I had also set aside a \$250,000 contingency to be used to transport private school pupils at public expense, in the event House Bill 273 was held constitutional. The Supreme Court's advisory opinion was to the contrary.

Our school buildings represent a public investment of many millions of dollars. The inexcusable failure of some school districts to budget for routine maintenance on these buildings often leads to major repair and replacement costs. As a first step in improving this situation, I am recommending an appropriation of \$500,000 earmarked for school building maintenance. This money would be allocated to the districts in an amount up to \$150 per unit of pupils, on the basis of building age and the willingness of the district to make a minimum local effort. It would not diminish the need for a delayed repairs bond bill of \$1 million, but should help us avoid such expenditures in the future.

Some of our State employees are being grossly underpaid, and many others are not receiving salaries really competitive with private employment. Priority in the Budget Act for fiscal 1967 has been placed on improving these salaries within the limitation of available funds, especially for the hourly workers in the Highway Department, Motor Vehicle inspectors, State Police, Corrections Officers, and certain skilled employees. Many agencies are being asked to hold the line this year in their expenditures for services, supplies, and capital outlay, in order to make possible salary improvements which are urgently needed and, I am pleased to say, richly deserved in most cases.

Now let us examine the \$7.6 million of disbursements in excess of current revenues that I am recommended in light of our total financial picture. First, we should make full use of the income produced by the capital investment fund. I am recommending that part of the interest earned and to

be earned on the capital investment fund, **not the principal**, be applied to cover the operational costs of Buena Vista and the Governor's House, and to help defray expenses caused by the recent storm. Further, I am recommending that the balance of this earned interest be applied to the payment of interest due on our capital building program. If this recommendation is approved, our estimated general fund disbursements will be reduced to \$138.8 million and our deficit to \$6.1 million for fiscal 1967.

During the present year, we now anticipate receiving \$6 million in inheritance and estate taxes, or \$4 million more than normal. While this is a "one time" revenue collection, it has nonetheless, together with the adoption of certain revenue measures courageously enacted by you, substantially strengthened our present financial situation. We can now estimate a cash balance on June 30, 1966, of approximately \$17 million. If my recommendations are followed and if supplemental appropriations are held to a minimum, we can close fiscal 1967 with a cash balance of \$10.9 million. This compares with a projected deficit of almost nine million dollars made just one year ago.

It must be emphasized again that the use of excess cash balances cannot be continued. We must close the gap of \$6.1 million between revenues and disbursements during the next year. In order to achieve this goal, our Administration will pursue the following program:

A. Every effort will be made to limit disbursements during fiscal 1967 to the recommended \$140.3 million. All spending proposals will be carefully reviewed and must be justified; major supplementary appropriations must be accompanied by new sources of revenue to support them.

B. I think it important that we enact two bills that were introduced during the odd-year session of the 123rd General Assembly. They are revisions in the personal income tax laws and will yield, according to State Tax Department estimates, which admittedly may be high, from \$5.5 to \$6.5 million in additional revenue.

1.) The revision of the provisions applicable to non-residents' earnings in Delaware generally along the lines intended by House Bill No. 448 which was vetoed because of faulty wording.

2.) The elimination of federal gift taxes paid as a deduction on the Delaware personal income tax as recommended by the Governor's Revenue Study Committee last spring. It should be emphasized that this is **not** a gift tax. Federal income taxes on earnings cannot be deducted after the first \$300 (or \$600 on a joint return). There can be no justification for treating federal gift taxes more favorable. Only Delaware and Missouri now do so among the states that have an income tax.

If these steps are taken, our budget will be close to a



true balance. And our ingenuity and resourcefulness will be capable of making any further progress that is required. And we can do so without a sales tax and without any increase in the rates of either our individual or corporate income taxes. Such an accomplishment will establish this General Assembly as one of the most responsible and respected Legislatures in this Nation and in the history of our State.

It is not possible at this time to detail all of our expectations in the field of education, probably the single most important in the State. The distinguished committee, headed by Chief Justice Wolcott and including six other outstanding citizens of the State, is in the process of a thorough study of our primary and secondary educational establishment, and until we have their report, many recommendations must wait. I think the results will justify our patience.

However, I can inform you that never before in our history has there been closer liaison between the State Department of Public Instruction, the Governor, and the members of the General Assembly. The Department, during the past year, has moved with dispatch to clarify responsibility, establish lines of communication with other agencies, and shift personnel so that individuals may operate more effectively. They have also added new personnel at little state cost through the expedient of taking full advantage of Title V of the Federal Elementary and Secondary Education Act designed to assist the states in meeting their responsibilities. The Department has, in fact, as I pledged it would, used every available federal dollar.

The past year was also significant for educational television. While it will require several years to measure the full effectiveness of the program, the initial reaction from the educational community has been vastly favorable. We have a full staff in operation, a production center producing its own programs, a constant program of research and development, and a sub-center at the University of Delaware to go with the main facility at Delaware State College. Thus we are able to provide quality ETV not only to our secondary schools, but to our College and University. Let me also remind you that we have fully met our commitment to Channel 12 which is supplying programs of general culture for the benefit and edification of all citizens of the State.

Our pupil enrollment is one of the fastest growing in the United States, and it has been no little achievement to have continued to keep those students properly housed and staffed. We shall not relax our standards in those areas.

For the first time in the history of Delaware, we now have a Manual setting forth guidelines for school construction. Along with the process of concurrent audit which

has been instituted, this Manual has enabled us to effect savings in school construction, but more can be done in this field and I plan to propose specific steps after the Wolcott Committee has submitted its report.

We are moving in the field of consolidation, although perhaps too slowly. I can report that the number of districts has diminished from 83 two years ago to 56 today. It is the view of the Superintendent of the State Department that Delaware should have no more than 18 or 20 districts, each offering grades one through 12. Generally speaking, I am inclined to agree, although we should have the report of the Wolcott Committee before establishing definitive standards. Further consolidation will enable us to have better utilization of our staffs.

With the recent approval of the vocational-technical school in New Castle County, we are now equipped with a facility of that type in all three counties. We have an opportunity to make them among the best of their kind in the country, and it is my intention, in cooperation with the State Board of Education, to do exactly that.

We have reached a point of some vital decision making in the development of our programs of higher education.

Throughout their history—and particularly during a long period of renewal and recovery from economic hardship—our institutions of higher learning have been encouraged to broaden the scope and raise the quality of their individual program to the fullest extent possible, while competing for the limited educational dollars which have been available.

Faced with this reality, it is evident that all of our programs of post-high school education will have to be closely and effectively coordinated in the months and years ahead.

Because of the rapidly growing number of our young people who are seeking to qualify for a higher share of the benefits of our growing economy, the development of a system of two-year training institutions has become a major factor in our post-high school program.

Thirty-five years ago only 10% of all jobs required some education or training beyond the high school level, but now economists and educational experts are estimating that by 1970, 68% of the jobs in the nation will require some education beyond the high school level.

Much of that training must be in the technical field, where basic skills are improved upon in keeping with our rate of growth and progress. Accordingly, it is my plan to come before you a little later in the year and outline my proposals for establishment of technical schools and for creation of an independent board to administer them.

Our economy, according to the Development Department and statistics from both private and public sources,

is not only booming but in the forefront among the States of this Union. We have the highest per capita income and the lowest rate of unemployment.

But the key to productivity and usefulness is not jobs alone, but excellence. We want each of our youngsters to have the opportunity to advance to the fullest measure of his capacity in his chosen field of endeavor. We also want large and attractive industry to know they can come to Delaware and find here the trained and competent workmen that they need if they are to operate efficiently and competitively.

In that connection and in cooperation with the Development Department, we are planning a Governor's Conference on Business and Industry in the spring.

Delaware is ideally located in the heart of a gigantic metropolitan area extending from Richmond to Boston, and we must continually prepare ourselves to meet the challenge and take full advantage of the possibilities.

Tourism is also booming in Delaware and it is now one of our largest industries. Let us continue to promote "Wonderful Delaware" and to attract to our State the thousands who are drawn by its history, its stability, its beaches and other natural resources, and its fine reputation as, in the words of Thomas Jefferson, "a jewel among the states." A Governor's Conference on Tourism is also in the planning stages.

Before I conclude, I want to also speak to you regarding several other important actions now pending or under consideration.

In December, I spoke to you regarding the need for a Water Resources Bill combining the functions of the Water and Air Pollution Authorities. The need for that legislation is no less today, and I urge you to move toward its speedy enactment.

The House Operations Committee completed a significant study last year and recommended creation of an expanded legislative council, something which I have also advocated, both during the campaign of 1964 and subsequently. While it would be fundamentally a legislative rather than executive operation, it would cooperate with all departments and greatly increase the efficiency of our work in many areas.

It is time that we proceeded to authorize an insurance law study to rectify many weak points in the existing legislation and to provide greater protection for those using insurance services which today number a vast majority of our population.

I would also remind you that we have underway studies on corporate law, criminal law, government reorganization, and the merit system. Reports from those committees will be forthcoming during this year, and I hope to make them

available to you and the people as soon as they are received. From there we can proceed to a point of legislative action in this abbreviated session, if possible, but certainly during the odd-year session of the 124th General Assembly.

We should also give thought to passing the uniform commercial code. I shall speak subsequently on the subjects of highways and health, mental health, and the judiciary and other areas of State government where detailed discussion would be of benefit.

I do not say 90 day session because you demonstrated in splendid fashion during 1965 that solid work and achievement can be done in less than the allotted span of time with the resultant savings to the taxpayers.

Ladies and gentlemen, I have spoken today longer than is usual for me in these messages.

But I want you to know that I am enthusiastic about the future, that it is promising in all of these areas that I have mentioned and many others, that growth and progress rooted in stability is the rich tradition of the solid citizens of our State. We shall perpetuate it and keep it alive for the youngsters of this age and for future generations, so that their Delaware may be as wonderful, as full of promise and the realization of dreams as is the present one.

We live in a remarkable era when discovery and invention is more in the order of things than ever before, when government is more dedicated than ever before to serving its people, and when the people themselves, secure in their way of life and firm in the dedication to the principles of democracy, live with a longer life expectancy, a more reasonable expectation of a good standard of living and a brighter hope for creativity and usefulness in their lives than at any other time in the history of the world.

Thank you.

The previously named committee escorted the Governor from the Chamber.

Senator Cook moved that the Joint Session disband and return to their respective Houses.

Senate reconvened at 3:45 P. M.

The following Senators asked to be marked present: Martin, Schlor, Conner, Davidson.

Senator Davidson introduced the following bill, **SB 260** which was given first reading and referred to the committee on Judiciary.

**SB 260**—An act to increase the number of Superior Court judges. Be it enacted by the General Assembly of the State of Delaware.

Senators Carney and Moore moved to have their names withdrawn as co-sponsors of **SB 23**.

Senator Carney introduced the following resolution, **SR 95** which was given first reading. Adopted voice vote.

**SR 95**—Expressing the best wishes of the Senate of

the 123rd General Assembly to Mrs. Rose Parisi on her birthday.

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

**HB 445**—An act to amend Chapter 7, Title 4, Delaware Code, relating to the times of the sale of alcoholic liquor. Temperance.

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

Senator Robbins moved to suspend all rules. Withdrawn.

**HB 467**—An act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and for improvements to the public school system of the State and to issue bonds and notes therefor and appropriating the money borrowed to the State Board of Education. To Education.

Senator McCullough moved that **HB 244** with **HA 1** be brought up for final reading and vote.

**HB 244** as amended by **HA 1**—An act to establish the insurance study and revision committee and making an appropriation thereto for a comprehensive review and study of the insurance law of the State for the preparation of a report containing recommended revisions of such law for submission to the General Assembly.

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

**HB 244** as amended by **HA 1**—An act to establish the insurance study and revision committee and making an appropriation thereto for a comprehensive review and study of the insurance law of the State for the preparation of a report containing recommended revisions of such law for submission to the General Assembly.

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

**YEAS**—Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins—14.

**NAYS**—Hoey—1.

**ABSENT**—Kinahan, Schlor, Steen—3.

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

Senator Davidson introduced the following resolution, **SR 96** which was given first reading and adopted voice vote.

**SR 96**—In reference to election of officers.

Senator Davidson reported the following bills from committee:

**HB 90**—1 favorable, 3 merits, 1 unfavorable.

**HB 424**—5 favorable.

**HB 378**—4 favorable, 1 merit.

**HB 379** with **HA 1**—5 favorable.

Senator Moore introduced the following bill, **SB 261** which was given first reading and referred to the committee on Temperance.

**SB 261**—An act to amend Chapter 7, Title 4, Delaware Code, relating to the sale of alcoholic liquor by permitting sales of alcoholic liquors on Sundays under certain conditions.

Senator Carney reported the following bill from committee:

**SB 256**—2 favorable, 2 merits.

**SB 255**—2 favorable, 1 merit.

**HB 445**—2 favorable, 1 merit, 1 unfavorable.

**HB 325**—2 favorable, 2 merits.

**HB 397**—2 favorable, 2 merits.

Senator Holloway introduced the following bill, **SB 262** which was given first reading and referred to the committee on Temperance.

**SB 262**—An act to amend Chapter 3, Title 4, Delaware Code, relating to alcoholic liquors by amending the law relating to the composition of the Alcoholic Beverage Control Commission.

Senator Cook moved that the Senate adjourn until Monday, February 14, 1966, at 1:00 P. M.

Motion carried and Senate adjourned at 4:20 P. M.

#### 4th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:25 P. M. on Monday, February 14, 1966. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Rev. Addison Smith.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Robbins, Pres. Pro Tem Steen—16.

Members absent—McGinnes, Schlor.

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

Senator Dineen introduced the following resolution, **SR 97** which was given first reading and adopted voice vote.

**SR 97**—In reference to election of officers.

Senator Dineen introduced the following resolution, **SR 98** which was given first reading and adopted voice vote.

**SR 98**—In reference to election of officers.

Senator Conner asked to be marked present.

Senator Dineen introduced the following resolution,  
**SR 99** which was given first reading and adopted voice vote.

**SR 99**—In reference to election of officers.

Senator Dineen introduced the following resolution,

**SR 100** which was given first reading and adopted voice vote.

**SR 100**—Authorizing payment for services rendered by attaches and employees of the present session of the 123rd General Assembly.

Senator Dineen announced a public hearing on **SB 241** on Thursday, February 17, 1966.

Senators Cook and Hoey asked to be marked present.

Senator Steen moved that **SB 252** be brought up for final reading and vote.

Senator Steen asked for the privilege for Ralph S. Baker. Granted.

Senator Hoey moved to defer action on **SB 242** until tomorrow.

On motion of Senator Hoey with title as follows was taken up for consideration and read a second time by title in order to pass the Senate to defer **SB 252**.

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

**YEAS**—Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, Moore, Schlör—15.

**NAYS**—Robbins—1.

**MEMBERS ABSENT**—McGinnes, Steen—2.

Senator Carney reported the following bills from committee:

**SB 262**—3 favorable, 1 merit, 1 unfavorable.

**SB 261**—3 favorable, 2 merits.

**SB 72**—3 favorable, 1 merit, 1 unfavorable.

Senator Davidson reported the following bill from committee:

**SB 260**—4 favorable, 1 merit.

Senator Steen moved to recess for caucus. Adopted by voice vote.

Senate recessed at 4:20 P. M. Senate reconvened at 4:52 P. M.

Senator Robbins reported the following bill from committee:

**HB 467**—3 favorable.

Senator Robbins moved to suspend rules to act on **HB 467** with attached debt statement. Adopted voice vote.

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

Senator Robbins moved that Rule 9 be suspended for the purpose of considering **HB 467**. Motion carried.

**HB 467**—An act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and for improvements to the public school system of the State and to issue bonds and notes therefor and appropriating the money borrowed to the State Board of Education.

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

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

NAYS—None.

MEMBERS ABSENT—Hoey, Kinahan, McGinnes, Schlor—4.

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

## OFFICE OF BUDGET DIRECTOR

### DEBT STATEMENT

NOTE: This debt statement to be attached to **HB 467**.

To secretary of the Senate:

- |     |  |                  |
|-----|--|------------------|
| (1) | Amount of bonds and notes pledging faith and credit of the State issued and outstanding .....  | \$249,668,215.00 |
| (2) | Amount of bonds and notes pledging faith and credit of the State authorized but not issued .....   | 80,571,360.00    |
| (3) | Amount of bonds, notes and guaranteed debt authorized by the General Assembly to be guaranteed by or on behalf of the State .....  | 10,053,000.00    |
| (4) | Amount of bonds and notes pledging the faith and credit of the State authorized to supply casual deficiencies of revenue, repel invasion, suppress insurrection, defend the State in war, pay existing debts and provide rehabilitation as a result of disaster .... | -0-              |
| (5) | Total of items (1) thru (4) above .....  | \$340,292,575.00 |
| (6) | Amount of bonds and notes pledging the faith and credit of the State, including guaranteed debt, to be authorized by <b>HB 467</b> .....   | \$ 1,000,000.00  |



(7)	Total of items (5) and (6) above .....	\$341,292,575.00
(8)	Amount of revenue deposited in the General Fund in Fiscal 1965 as defined by Section 7421, Title 29, Delaware Code .....	\$111,433,515.46
(9)	Amount of bonds and notes and guaranteed debt which may be outstanding and authorized but unissued during Fiscal 1966 (3.6 times item No. 8) .....	\$401,160,655.66

Correct As Of February 14, 1966

Issued February 14, 1966

Respectfully submitted,

F. EARL MCGINNES, Budget Director

Senator Steen presided over the Senate as the President had to leave.

Senator Martin reported the following bill from committee:

**HB 436**—3 favorable, 1 merit.

**SB 83**—2 favorable, 2 merits.

Senator Holloway reported the following bill from committee:

**SB 258**—1 favorable, 4 merits.

Senator Cook moved that the Senate adjourn until Tuesday, Feb. 15, 1966, at 1:00 P. M.

Motion carried and Senate adjourned at 5:25 P. M.

## 5TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:15 P. M. on February 15, 1966. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Rev. Addison Smith.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, Moore, Robbins, Schlör, Pres. Pro Tem. Steen—16.

Members absent—Kinahan, McGinnes—2.

The secretary proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

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

**HB 472**—Referred to Finance Committee.

**HB 472**—An act making a supplementary appropriation to the State custodian. Be it enacted by the General Assembly of the State of Delaware.

**HB 135**—Referred to Judiciary Committee.

**HB 135**—An act to amend Chapter 31, Title 10, Delaware Code, relating to commencement of legal actions.

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

**HB 385**—Referred to Judiciary Committee.

**HB 385**—An act to amend Section 8705, Title 10, Delaware Code relating to fees and costs to be charged by the prothonotary by providing that the Superior Court shall decide whether the fee for filing an affidavit of acknowledgement of parentage with certification shall be charged.

**HB 469**—Referred to Public Buildings and Highway Committee.

**HB 469**—An act to amend Chapter 70, Title 6, Delaware Code, by increasing the amount of State credit which may be pledged by the Delaware Industrial Building Commission to twenty million dollars and by clarifying the power of the Industrial Building Commission to issue revenue bonds and by prohibiting conflicts of interest.

The Chair presented the following House Concurrent Resolution which was given first reading and adopted by voice vote.

**HCR 26**—Relative to the return of Representative Norman Eskridge and Senator John Kinahan.

On motion of Senator Davidson **HB 424** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 424**—An act to amend Chapters 93, 95 and 96, Title 10, Delaware Code by increasing the jurisdiction of the justices of the peace in civil matters to \$1,000.00.

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

**YEAS**—Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, Moore, Robbins, Schlör, Steen—15.

**NAYS**—None.

**MEMBERS ABSENT**—Kinahan, McCullough, McGinness—3.

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

Senator Steen moved that **SB 252** be brought up for final reading and vote. Senator Hoey asked permission of the floor for anyone concerned with **SB 252**. Senator Cook moved to recess. Adopted by voice vote.

Senate recessed at 3:26 P. M. Senate re-convened at 4:45 P. M.

Senator Steen moved to defer action on **SB 252** until all members of the Senate were present. Adopted voice vote.

Senator Steen introduced the following resolution,

**SR 101** which was given first reading and adopted by voice vote.

**SR 101**—In reference to election of officers.

Senator Holloway introduced **SA 1** to **SB 262** which was placed with the bill.

On motion of Senator Martin **SB 256** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 256**—An act to amend Section 543, Title 4, Delaware Code, relating to the grounds for refusal of license.

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

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

**NAYS**—None.

**MEMBERS ABSENT**—Bookhammer, Conner, DuPont, Kinahan, Manning, McGinnes—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 Senator Carney, **HB 216** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 216**—An act to amend Chapter 9, Title 4, Delaware Code, relating to alcoholic liquors.

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

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

**NAYS**—None.

**MEMBERS ABSENT**—Bookhammer, Conner, DuPont, Holloway, Manning, McGinnes—6.

On motion of Senator Carney **HB 325** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 325**—An act to amend Subchapter VI, Chapter 5, Title 4, Delaware Code, relating to cancellation or suspension of licenses granted by the Delaware Alcoholic Beverage Control Commission.

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

**YEAS**—Carney, Cook, Davidson, Dineen, Hoey, Holloway, Martin, Moore, Robbins, Schlör, Steen—11.

**NAYS**—None.

**NOT VOTING**—McCullough—1.

MEMBERS ABSENT—Bookhammer, Conner, DuPont, Kinahan, Manning, McGinnes—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 Senator Cook **HB 389** with title as follows was taken up for consideration and read by request a second time by title in order to pass the Senate.

**HB 389**—An act to amend Chapter 5, Title 28, Delaware Code, relating to harness racing.

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

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

NAYS: None.

NOT VOTING: Hoey, McCullough—2.

ABSENT: Bookhammer, Conner, DuPont, Kinahan, Manning, McGinnes—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 Senator Cook (by request) **HB 390** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 390**—An act to amend Chapter 3, Title 28, Delaware Code, relating to horse racing.

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

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

NAYS: None.

NOT VOTING: Hoey, McCullough—2.

ABSENT: Bookhammer, Conner, DuPont, Kinahan, Manning, McGinnes—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.

Senator Holloway moved that **SB 250** be brought up for final reading and vote.

Roll call tabled on the motion of Senator Holloway.

Senator Davidson moved that **HB 379** with **HA 1** be brought up for final reading and vote. Senator Davidson moved to defer action on **HB 379** with **HA 1**.

Senator Hoey moved to return to consideration of **SB 252** and asked privilege of the floor for interested persons.

Senator Steen moved to defer action on **SB 252**.

Adopted by voice vote.

Senator Conner moved to caucus. Adopted by voice vote. Senate recessed at 5:38 P. M.

Senate reconvened at 5:55 P. M.

During roll calls passing the Senate the minority party was absent due to a meeting with the Governor and not by their own choice. The roll calls were on the following bills:

**SB 256, SB 250, HB 216, HB 325, HB 389, HB 390.**

On motion of Senator Steen **SB 252** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

**YEAS:** Bookhammer, Carney, Conner, Dineen, DuPont, Holloway, Martin, McCullough, Moore, Robbins, Schlör, Steen—12.

**NAYS:** Hoey, Manning.

**NOT VOTING:** Cook, Davidson—2.

**ABSENT:** Kinahan, McGinnes—2.

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

On motion of Senator Davidson **SB 260** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 260**—An act to increase the number of Superior Court judges.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Holloway, Manning, Martin, Moore, Schlör, Steen—12.

**NAYS:** None.

**NOT VOTING:** DuPont, McCullough—2.

**ABSENT:** Hoey, Kinahan, McGinnes, Robbins—4.

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

On motion of Senator Moore, **SB 261** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 261**—An act to amend Chapter 7, Title 4, Delaware Code, relating to the sale of alcoholic liquor by permitting sales of alcoholic liquors on Sundays under certain conditions.

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

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

YEAS: Carney, Conner, Cook, Dineen, DuPont, Holloway, Martin, Moore, Schlör, Steen—10.

NAYS: Bookhammer, Davidson, McCullough—3.

NOT VOTING: None.

ABSENT: Hoey, Kinahan, Manning, McGinnes, Robbins—5.

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

On motion of Senator Holloway **SB 250** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 250**—An act to amend Section 904, Title 4, Delaware Code, by providing that minors 18 years of age or older may be employed in a restaurant serving alcoholic liquors if not engaged in the sale or service of alcoholic liquor.

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

YEAS: Bookhammer, Carney, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, Moore, Steen—11.

NAYS: Conner, McCullough, Robbins, Schlör—4.

NOT VOTING: Hoey—1.

ABSENT: Kinahan, McGinnes—2.

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

On the motion of Senator Holloway roll call tabled.

Senator Cook moved to adjourn until Wednesday, February 16, 1966, at 1:00 P. M.

Senate adjourned at 6:18 P. M.

## 6TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:05 P. M. on Wednesday, February 16, 1966. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Rev. A. Smith.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Manning, Martin, McCullough, Moore, Robbins, Schlör, Pres. Pro Tem. Steen—16.

MEMBERS ABSENT: Kinahan, McGinnes—2.

The secretary proceeded to read the journal of the previous days session when Cook moved that so much be considered the reading of the journal and the journal be approved as read.

Senator Davidson reported the following bills from committee:

**HB 439**—1 favorable, 4 merits.

**HB 135**—2 favorable, 3 merits.

**HB 385**—1 favorable, 4 merits.

Senator Dineen reported the following bills from committee:

**HB 338**—2 favorable, 1 unfavorable.

**HB 337**—3 favorable.

**HB 440**—2 merits, 1 unfavorable.

**HS 1** for **HB 394**—4 merits.

**SB 257**—2 favorable, 1 merit.

**SB 206**—2 favorable, 1 merit.

**SB 223**—2 favorable, 1 merit.

Senator Dineen moved that **HB 25** be brought up for final reading and vote. Senator Dineen requested the privilege of the floor for Mr. Howard Jones. Granted.

On motion of Senator Dineen **HB 25** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 25**—An act to amend Title 31 of the Delaware Code relating to the concurrent receipt of different categories of public assistance.

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

**YEAS:** Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Manning, Martin, McCullough, Moore, Robbins, Schlor—13.

**NAYS:** None.

**NOT VOTING:** None.

**ABSENT:** Hoey, Holloway, Kinahan, McGinnes, 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.

Senators Hoey and McCullough asked to be marked present.

On motion of Senator Hoey **HB 397** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 397**—An act appropriating money to the Delaware Commission for the Blind for direct payments to the needy blind of the State of Delaware.

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

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

NAYS: None.

NOT VOTING: Hoey—1.

ABSENT: Kinahan, McGinnes—2.

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

On motion of Senator Davidson **HB 379** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 379**—An act to amend Section 758, Chapter 3, Title 11, Delaware Code, relating to disturbing privacy by use of Telephone facilities or equipment.

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Kinahan, McGinnes—2.

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

On motion of Senator Davidson **HB 378** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 378**—An act to amend Chapter 3, Title 11, Delaware Code, by adding Section 760 so as to define the crime of malicious obstruction of emergency telephone calls.

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

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

NAYS: None.

NOT VOTING: Hoey—1.

ABSENT: Kinahan, McGinnes—2.

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

Senator Dineen introduced **SA 1** to **HB 337** which was placed with the bill.

Senator Dineen introduced **SA 1** to **HB 338** which was placed with the bill.

Senator Davidson moved that **HB** with **HA 1** and **SA 1**



and **SA 2** be brought up for final reading and vote. Senator Davidson introduced **SA 3** to **HB 196** with **HA 1** and **SA 1** and **SA 2** and **SA 3** was placed with the bill but is not a part of the bill. Senator Cook moved to defer action on **HB 196** as amended.

Senator Dineen introduced the following concurrent resolution, **SCR 43** which was given first reading. Adopted voice vote.

**SCR 43**—Making appropriations to various companies for supplies and services rendered the 123rd General Assembly of the State of Delaware.

Senator Dineen introduced the following resolutions, **SR 103**, **SR 104**, **SR 105** which was given first reading. All adopted voice vote.

**SR 103**—Authorizing payment to various companies for supplies and services rendered the 123rd General Assembly of the State of Delaware.

**SR 104**—Authorizing payment for services rendered by attaches and employees of the Senate of the present session of the 123rd General Assembly.

**SR 105**—Appropriating money out of the general fund of the State treasury to pay certain expenses of the present session of the 123rd General Assembly.

Senator Cook moved the Senate to recess. Adopted voice vote. Senate recessed at 4:30 P. M.

Senate reconvened at 4:40 P. M.

Senator McCullough reported the following bill from committee:

**SB 258**—3 favorable, 1 merit.

Senator Holloway moved that **SB 262** be brought up for final reading and vote. Senator Holloway moved that **SA 1** to **SB 262** be adopted. Adopted voice vote. Senator DuPont moved to defer action on **SB 262** with **SA 1**. Lost voice vote.

On motion of Senator Holloway **SB 262** and **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 262**—An act to amend Chapter 3, Title 4, Delaware Code, relating to alcoholic liquors by amending the law relating to the composition of the Alcoholic Beverage Control Commission.

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

YEAS: Carney, Cook, Davidson, Dineen, Hoey, Holloway, Martin, McCullough, Moore, Schlor, Steen—11.

NAYS: Robbins—1.

NOT VOTING: Bookhammer, Carney, DuPont, Manning—4.

**ABSENT:** Kinahan, McGinnes—2.

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

Senator Dineen introduced the following bill, **SB 263** which was given first reading and referred to the committee on Revised Statutes.

**SB 263**—An act to amend Chapter 5, Title 31, Delaware Code, relating to welfare by increasing the amount of public aid to certain persons.

Senator Cook moved that the Senate adjourn until Thursday, February 17, 1966, at 1:00 P. M. Motion carried and Senate adjourned at 5:20 P. M.

Public hearing on **SB 241** Thursday, February 17, 1966, at 2:00 P. M.

### 7TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:28 P. M. on Wednesday, February 16, 1966. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Rev. Addison Smith.

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

Members absent: McCullough—1.

The secretary proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

Senator Cook submitted a committee report on **HB 469**—2 favorable, 2 merits, and 1 unfavorable.

Senator DuPont requested the personal privilege of the floor. Granted.

Senator Dineen moved that **HB 352** be brought up for final reading and vote.

Senator Dineen requested the privilege of the floor for Mr. Whitby. Granted.

Senator Dineen moved to defer action on **HB 352** until next Legislative day. Adopted by voice vote.

Senator Martin (Co-sponsor Senator Manning) introduced the following bill, **SB 264** which was given first reading and referred to the committee on Judiciary.

**SB 264**—An act to amend Section 921, Title 11, Delaware Code, relating to loitering.

**HB 446** was given its first reading and referred to Public Health Committee.

**HB 446**—An act to amend Chapter 26, Title 24, Delaware Code, relating to physical therapy.

**HB 372** was given its first reading and referred to Judiciary Committee.

**HB 372**—An act to amend Chapter 3, Title 11, Delaware Code, by adding a Section 761 defining the crime of willfully furnishing false information concerning bombs.

Senator Cook reported the following bill from committee:

**HJR 7**—4 favorable, 1 merit.

Senator Cook moved that Rule 9 be suspended for the purpose of considering **HJR 9**. Motion carried.

On motion of Senator Cook **HJR 7** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HJR 7**—Establishing a Legislative Building Committee for the purpose of studying and recommending a plan for an addition to Legislative Hall.

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

YEAS: Carney, Conner, Cook, Davidson, Dineen, Hoey, Holloway, Kinahan, Martin, McCullough, Moore, Robbins, Schlör, Steen—14.

NAYS: None.

NOT VOTING: None.

ABSENT: Bookhammer, DuPont, Manning, McGinnes; —4.

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

On motion of Senator Dineen **SB 257** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Cook, McGinnes—2.

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

Senator Carney (Co-sponsor Senator Moore) introduced the following bill, **SB 265** which was given first reading and referred to the committee on Judiciary.

**SB 265**—An act to amend Title 11, Delaware Code entitled "Crimes and Criminal Procedure" by prohibiting fume sniffing.

Senators Steen, Schlör, Robbins, and Hoey asked to be marked present.

Senator Steen introduced the following bill, **SB 266** which was given first reading and referred to the Committee on Finance.

**SB 266**—An act making an appropriation to the State Highway Department, Sussex County Construction Division, for the purpose of constructing a sidewalk from Millsboro School No. 23 to Millsboro School No. 204.

Senator Robbins moved that **SB 117** be brought up for final reading and vote.

Senator Robbins requested the privilege of the floor for Mr. Charles Morris.

Senator Dineen moved to defer action on **SB 117**. Adopted by voice vote.

Senator Dineen moved to suspend Rule 9 to act on **SB 263**. Adopted by voice vote.

Senator Cook moved to defer action on **SB 263**. Adopted by voice vote.

Senator Schlör moved that **SB 259** be brought up for final reading and vote. Senator DuPont introduced **SA 1** to **SB 259**. Senator Schlör moved to table **SA 1** to **SB 259**.

Senator Manning moved to recess for a caucus. Adopted voice vote.

Senate recessed at 4:40 P. M. Senate reconvened at 5:50 P. M.

On motion of Senator Schlör **SB 259** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

To table **SA 1** to **SB 259**.

**SB 259**—An act to amend Chapter 5, Title 18, Delaware Code, relating to cancellation of automobile liability insurance policies.

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

YEAS: Carney, Cook, Dineen, Holloway, Martin, McCullough, Moore, Robbins, Schlör, Steen—10.

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

NOT VOTING: Davidson—1.

ABSENT: Hoey, Kinahan, McGinnes—3.

On motion of Senator Schlör **SB 259** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 259**—An act to amend Chapter 5, Title 18, Delaware Code, relating to cancellation of automobile liability insurance policies.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, Manning, Martin, McCullough, Moore, Schlör, Steen—12.

NAYS: DuPont—1.

NOT VOTING: Holloway, Robbins.

ABSENT: Hoey, Kinahan, McGinnes.

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

**HCR 27** was given its first reading and adopted by voice vote.

**HCR 27**—Making payment to the National Conference of State Legislative Leaders for membership dues for the State of Delaware.

Senator Dineen moved to suspend Rule 9 to act on **HB 340** with **HA 1**. Adopted by voice vote. Senator Dineen requested the privilege of the floor for Mr. Glennon. Adopted by voice vote.

On motion of Senator Dineen **HB 340** and **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 340** as amended by **HA 1**—An act to amend Chapter 11, Title 30, Delaware Code relating to State income tax deductions.

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

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

NAYS: DuPont—1.

NOT VOTING: None.

ABSENT: Bookhammer, Hoey, Kinahan, McGinnes—4.

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

Senator Dineen moved that **HB 306** with **HA 1** and **HA 2** be lifted from the table, at the request of Senator Holloway. Senator Dineen moved to suspend rules to act on **HB 306**. Senator Dineen requested the privilege of the floor for Mr. Glennon. Adopted voice vote.

On motion of Senator Holloway **HB 306** and **HA 1** and **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate. Be lifted from the table.

**HB 306** as amended by **HA 1** as amended by **HA 2**—An

act to amend Chapter 11, Title 30, Delaware Code, relating to information returns to the State Tax Department from those making certain payments.

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

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

**NAYS:** Bookhammer, DuPont, Manning—3.

**NOT VOTING:** Robbins, Schlör—2.

**ABSENT:** Kinahan.

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

On the motion of Senator Holloway roll call tabled.

**HB 334** was given its first reading and referred to Insurance and Banking Committee.

**HB 334**—An act to amend Title 5, Delaware Code, by adding a chapter 31 thereto, relating to secondary mortgage loans.

**HB 476** with **HA 2** was given its first reading and referred to Temperance Committee.

**HB 476**—An act to amend Section 543, Chapter 5, Title 4, Delaware Code, relating to grounds for refusal of license to sell alcoholic liquor.

Senator Schlör (Senator Steen Co-sponsor) introduced **SB 267** which was referred to Revised Statutes Committee.

**SB 267**—An act to amend Title 21, Delaware Code, relating to suspension of license and/or registration for failure to file proof of financial responsibility.

**HB 471** was given its first reading and referred to Finance Committee.

**HB 471**—An act making a supplementary appropriation to the Delaware State Development Department.

On motion of Senator Dineen **SB 263** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 263**—An act to amend Chapter 5, Title 31, Delaware Code, relating to welfare by increasing the amount of public aid to certain persons.

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

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

**NAYS:** None.

**NOT VOTING:** None.

**ABSENT:** Hoey, Kinahan, McGinnes—3.

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

Senator Martin introduced **SB 268** which was referred to Revised Statutes Committee.

**SB 268**—An act to amend Title 26, Delaware Code, relating to telegraph or telephone lines or wires for transmitting electrical current within the corporate limits of the City of Wilmington.

Senator Holloway introduced the following bill, **SB 269**, which was given first reading and referred to the Committee on Agriculture.

**SB 269**—An act to amend Chapter 3, Title 3, Delaware Code, relating to the packaging of precut meats sold in self-service counters of retail stores.

Senator Holloway introduced the following bill, **SB 270** which was given first reading and referred to the Committee on Revised Statutes.

**SB 270**—An act to amend Subchapter III, Chapter 43, Title 21, pertaining to installation of seat belts in every bus used for the transportation of school children.

Senator Holloway (Senators DuPont and Martin Cosponsored) introduced **SB 271** which was referred to Revised Statutes Committee.

**SB 271**—An act to amend §4182, Subchapter XI, Chapter 41, Title 21, Delaware Code, relating to operators of and passengers on motorcycles and motor driven scooters and bicycles.

Senator Cook moved for the Senate to recess to the call of the chair which will be in about a month so that the Finance Committee can have hearings on the budget.

Senate recessed at 6:45 P. M.

The Senate met pursuant to adjournment at 2:05 A. M. on Thursday, March 10, 1966. Lt. Gov. Tribbitt presiding.

Prayer by Senator Davidson.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Pres. Pro Tem. Steen—18.

Members absent: None.

The secretary proceeded to read the journal of the previous days session when Cook moved that so much be considered the reading of the journal and the journal be approved as read.

The following communication submitted by Senator Steen was read:

**STATE OF DELAWARE**  
**SENATE**

Dover, March 10, 1966

Hon. Sherman W. Tribbitt  
Lieutenant Governor of Delaware  
Legislative Hall  
Dover, Delaware

Dear Lieutenant Governor:

House Joint Resolution No. 7, which has been approved by the House and the Senate of the 123rd General Assembly, provides for the appointment of a Legislative Building Committee to recommend a plan for an addition to Legislative Hall. Three members of this committee are to be members of the Senate to be appointed by the President Pro Tem. It is my pleasure to announce the following appointments to this committee:

Kent County—Senator George A. Robbins.

New Castle County—Senator John C. Kinahan.

Sussex County—Senator Curtis W. Steen.

Respectfully yours,

CURTIS W. STEEN, President Pro Tem

A communication was submitted from the Governor announcing his intention to submit the names of nominees for Superior Court judges.

William T. Quillen for Superior Court Judge.

Robert C. O'Hora for Superior Court Judge.

**STATE OF DELAWARE**  
**EXECUTIVE DEPARTMENT**

Dover, February 28, 1966

Dear Mr. President:

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

It is my intention to appoint William T. Quillen, a resident of New Castle County, as an Associate Judge of the Superior Court and to appoint Robert C. O'Hora, a resident of New Castle County, as an Associate Judge of the Superior Court. Both of these appointments are for terms of 12 years each and in accordance with the provision of Senate Bill 260 signed by me on Friday, February 25, 1966.

Respectfully submitted,

CHARLES L. TERRY, JR., Governor

The Honorable Sherman W. Tribbitt  
President of the Delaware State Senate  
Odessa, Delaware

CLT:d

cc: Senate Members of the 123rd General Assembly.



**STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

Dover, March 10, 1966

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

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

William T. Quillen 105 Harmony Street New Castle, Delaware	to be an Associate Judge of the Superior Court of the State of Delaware, for a term of twelve years from date of confirmation. (New Appointment).
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Robert C. O'Hora 133 School Road Alapocas Wilmington, Delaware	to be an Associate Judge of the Superior Court of the State of Delaware, for a term of twelve years from date of confirmation. (New Appointment).
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Respectfully submitted,

CHARLES L. TERRY, JR., Governor

The following messages from the Governor were delivered by Secretary of State Elisha C. Dukes, were read and assigned to Executive Committee:

William T. Quillen for Superior Court Judge.

Robert C. O'Hora for Superior Court Judge.

Howard M. Handelman for Chairman of Del. Alcoholic Beverage Control Commission.

Joseph Anderson Morris for member of Delaware Alcoholic Beverage Control Commission.

James B. Jackson for member of Delaware Alcoholic Beverage Control Commission.

James C. Harkins for member of Delaware Alcoholic Beverage Control Commission.

Robert J. Kennedy for member of the Delaware Alcoholic Beverage Control Commission.

Nutter D. Marvel for member of Public Service Commission.

Charles W. Banks for Justice of the Peace.

**STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

Dover, March 10, 1966

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

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

Howard M. Handelman  
2000 Greenbriar Drive  
Westwood Manor  
Wilmington, Delaware

Joseph Anderson Morris  
1019 West 5th Street  
Wilmington, Delaware

James B. Jackson  
Hazel Road  
Dover, Delaware

James C. Harkins  
2407 Greendale Road, Wood-  
bine  
Wilmington, Delaware

Robert J. Kennedy  
Gills Neck Road  
Lewes, Delaware

to be Chairman of the Delaware Alcoholic Beverage Control Commission, to serve During the Pleasure of the Governor from date of confirmation.

to be a member of the Delaware Alcoholic Beverage Control Commission for a three-year term from date of confirmation.

to be a member of the Delaware Alcoholic Beverage Control Commission for a one-year term from date of confirmation.

to be a member of the Delaware Alcoholic Beverage Control Commission for a two-year term from date of confirmation.

to be a member of the Delaware Alcoholic Beverage Control Commission for a three-year term from date of confirmation.

Respectfully submitted,

CHARLES L. TERRY, JR., Governor

**STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

Dover, March 10, 1966

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

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

Mr. Nutter D. Marvel  
West Market Street  
Georgetown, Delaware

to be a member of the Public Service Commission for a term of six years, to expire September 1, 1971. (Reappt.)

Respectfully submitted,

CHARLES L. TERRY, JR., Governor

**STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

Dover, March 10, 1966

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

In conformity with the Constitution and Laws of the

State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Charles W. Banks  
Frankford,  
Delaware

to be a Justice of the Peace in  
and for Sussex County of the  
State of Delaware, for a four-  
year term from date of con-  
firmation.

Respectfully submitted,

CHARLES L. TERRY, JR., Governor

Senator McGinnes moved that the Senate go into executive session. Motion carried.

Senate recessed at 3:10 P. M.

The Senate was called to order at 3:02 P. M. by President Tribbitt.

Senator Cook moved the Senate adjourn and reconvene into session at 3:02 P. M. Adopted voice vote.

### 8TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:02 P. M. on Monday, April 18, 1966. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Rev. Addison Smith.

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

Members absent: Carney—1.

The secretary proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

On motion of Senator Dineen **HB 352** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 352**—An act to amend Title 21, Chapter 27, Delaware Code, by providing that persons operating motorcycles and motorbikes be separately licensed.

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

**YEAS:** Bookhammer, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McGinnes, Moore—12.

**NAYS:** McCullough, Robbins, Steen—3.

**NOT VOTING:** Schlör—1.

**ABSENT:** Carney, Hoey—2.

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

Senator Dineen asked for the privilege of the floor for Representative Gooding to discuss **HB 353** with **HA 1**.

No objections heard; privilege was then granted.

On motion of Senator Dineen **HB 353** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 353**—An act amending Title 21, Section 2151, Delaware Code, relating to the registration fee for motorcycles.

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

YEAS: Conner, Dineen, Manning, Martin—4.

NAYS: Bookhammer, Cook, DuPont, Holloway, Kinahan, McCullough, McGinnes, Moore, Robbins, Steen—10.

NOT VOTING: Davidson, Schlör—2.

ABSENT: Carney, Hoey—2.

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

The Chair presented the following House Bill, **HB 429** which was given its first reading. Senator McCullough moved to suspend Rule 9 to act on **HB 429**. Motion withdrawn.

**HB 429** was assigned to the Committee on Miscellaneous.

**HB 429**—An act to amend Section 2301, Title 30, Delaware Code, reducing the annual license tax on the occupation of physical therapists and requiring no license tax of physical therapist employed by a non-profit organization.

Senator Cook introduced the following bill, **SB 272** which was given first reading and referred to the committee on Public Lands.

**SB 272**—An act to amend Chapter 45, Title 7, Delaware Code, to grant authority to the State Highway Department to promulgate rules and regulations concerning certain public lands and to impose criminal sanctions for violations thereof.

Senator Cook introduced the following bill, **SB 273** which was given first reading and referred to the Committee on Finance.

**SB 273**—An act making a supplementary appropriation to the State Treasurer.

Senator Dineen moved that **HB 337** be brought up for final reading and vote.

Senator Dineen introduced **SA 1** to **HB 337** which was adopted voice vote.

Senator Dineen moved that **HB 337** be brought up for final reading and vote.

Senator Dineen introduced **SA 1** to **HB 337** which was adopted by voice vote.

On motion of Senator Dineen **HB 337** with **SA 1** with title as follows was taken up for consideration and read a

second time by title in order to pass the Senate.

**HB 337**—An act to create a legislative council.

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

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

NAYS: Hoey, Robbins—2.

NOT VOTING: None.

ABSENT: Carney, McCullough—2.

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

Senator Dineen moved that **HB 338** be brought up for final reading and vote.

Senator Dineen requested the privilege of the floor for Attorney Paul K. Ellis. Granted.

Senator Dineen introduced **SA 1** to **HB 338**. Adopted voice vote.

Senator Dineen moved that **HB 338** be brought up for final reading and vote.

Senator Dineen requested the privilege of the floor for Attorney Paul K. Ellis. Granted.

Senator Dineen introduced **SA 1** to **HB 338**. Adopted voice vote.

On motion of Senator Dineen **HB 338** and **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 338**—An act to amend Part II, Title 29, Delaware Code, by revising the composition of the Legislative Reference Bureau.

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

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

NAYS: Steen—1.

NOT VOTING: McCullough—1.

ABSENT: Carney, Schlör—2.

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

Senator Dineen moved to reconsider **HB 337** with **SA 1**. Adopted voice vote.

Senator Dineen moved to defer action on **HB 337** with **SA 1**. Adopted voice vote.

Senator Holloway moved that **HB 433** be brought up for final reading and vote.

Senator Holloway requested the privilege of the floor for Representative R. J. Wilson. Granted.

Senator Holloway moved to table roll call on **HB 43**.

On motion of Senator Holloway to table roll call on **HB 43**.

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

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

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

**NOT VOTING:** None.

**ABSENT:** Carney, Schlör—2.

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

On the motion of Senator Holloway roll call tabled.

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

Senator McGinnes introduced the following bill, **SB 274** which was given first reading and referred to the committee on Insurance and Banking.

**SB 274**—An act to amend Chapter 51, Title 29, Delaware Code, by providing hospitalization, medical and surgical benefits for state employees.

Senator McGinnes introduced the following bill, (Co-sponsors Dineen, Martin) **SB 275** which was given first reading and referred to the committee on Revised Statutes.

**SB 275**—An act to amend Chapter 55, Title 29, Delaware Code, relating to State Pensions by increasing the maximum benefits payable thereunder to employees and to their surviving spouses, and by adding thereto a system of employee contributions under certain conditions.

Senator Cook moved the Senate recess to the call of the chair at 4:05 P. M.

The Senate returned to order at 4:36 P. M. Ut. Gov. Tribbitt presiding.

A communication was read inviting all members of the Senate to the Policeman's Ball.

Senator Dineen introduced the following bill, **SB 276** which was given first reading and referred to the committee on Revised Statutes.

**SB 276**—An act to amend Section 6516, Title 29, Delaware Code, relating to the filing of certain financial data.

Senator Dineen introduced the following resolution, **SR 106** which was given first reading and referred to the committee on adopted voice vote.

**SR 106**—In reference to election of officers.

Senator Dineen introduced the following bill, **SB 277** which was given first reading and referred to the committee on Revised Statutes.

**SB 277**—An act to amend Chapter 5, Title 31, Delaware Code, relating to "welfare" by limiting the amount of public aid to certain persons.

Senator Dineen introduced the following bill, **SB 279** which was given first reading and referred to the committee on Finance.

**SB 278**—An act to amend Chapter 81, Volume 55, Laws of Delaware entitled "an act making appropriations to the amount of \$122,707,827.00 for the expense of the State Government for the fiscal year ending June 30, 1966," and making no supplemental appropriation for the proposed amendment.

Senator Steen moved that the Senate adjourn until Tuesday, April 19, 1966 at 1:00 P. M.

Motion carried and Senate adjourned at 5:12 P. M.

### 9TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:42 P. M. on Tuesday, April 19, 1966. Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Rev. Addison Smith.

By roll call the following Senators were present: Bookhammer, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Pres. Pro Tem. Steen—15.

Members absent: Carney, Kinahan, Schlör—3.

The secreatry proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

On motion of Senator Cook **HB 160** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 160**—An act to amend Title 16, Delaware Code, relating to narcotics.

Senator Cook moved that Rule 9 be suspended for the purpose of considering **HB 160**. Motion carried.

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

YEAS: Bookhammer, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McCullough, Moore, Robbins, Steen—13.

NAYS: None.

NOT VOTING: None.

ABSENT: Carney, Hoey, Kinahan, McGinnes, Schlör—5.

So the question was decided in the affirmative and the

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

**HB 226** was given its first reading. Senator Cook moved to suspend Rule 9 to act on **HB 226**. Adopted by voice vote. Senator Cook moved to defer action on **HB 226**. Adopted by voice vote.

**HB 226**—An act to amend Chapter 25, Title 24, Delaware Code, relating to pharmacy.

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

**HB 346**—Labor.

**HB 346**—An act to amend § 1301, Chapter 13, Title 19, Delaware Code, relating to the right of public employees to organize, by defining public employee to include any certified professional employee of the Public School System of the State.

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

**HB 479**—First, Oyster, and Game.

**HB 479**—An act to amend Section 1721, Title 7, Delaware Code by changing the number of special dog training areas which may be created in a single county from two to four.

Senator DuPont (Co-sponsors Senator Conner, Senator Manning, Senator Bookhammer) introduced the following bill, **SB 279** which was given first reading and referred to the committee on Finance.

**SB 279**—An act making a supplementary appropriation to the State Highway Department covering the cost of the removal of snow from the public highways of Delaware for the fiscal year ending June 30, 1966.

Senator Cook requested the privilege of the floor. Granted.

Senator Dineen moved that **HB 337** and **SA 1** be brought up for further consideration. Senator Dineen introduced **SA 2** to **HB 337**.

**SA 2** to **HB 337** was placed with the bill. Senator DuPont moved to defer action on **HB 337** with **SA 1**. Adopted by voice vote.

**HB 337**—An act to create a legislative council.

Be it enacted by the General Assembly of the State of Delaware.

Senator Cook introduced the following joint resolution, **SJR 13** which was given first reading and referred to the committee on miscellaneous.

**SJR 13**—Urging the retention and enforcement of Delaware Valley Milk Marketing Order No. 4.



Senator Dineen introduced **SR 107**. Adopted by voice vote.

**SR 107**—In reference to election of officers.

Senator Dineen introduced the following concurrent resolution, **SCR 44** which was given first reading. Adopted voice vote.

**SCR 44**—Making appropriations to various companies for supplies and services rendered the 123rd General Assembly of the State of Delaware.

Senator Dineen introduced the following concurrent resolution, **SCR 45** which was given first reading and adopted voice vote.

**SCR 45**—An act making an appropriation to the Diamond State Telephone Company for services through April 1, 1966.

Senator Dineen introduced **SR 108**.

**SR 108**—Making an appropriation to the Diamond State Telephone Company for services rendered for the period ending March 11, 1966.

Senator DuPont moved to defer action on **SR 108**. Adopted by voice vote.

Senator Dineen introduced the following resolution, **SR 109** which was given first reading. Adopted voice vote.

**SR 109**—Authorizing payment for services rendered by attaches and employees of the Senate of the present session of the 123rd General Assembly.

Senator Dineen introduced the following resolution, **SR 110** which was given first reading and adopted voice vote.

**SR 110**—Appropriating money out of the general fund of the State Treasury to pay certain expenses of the present session of the 123rd General Assembly.

Senator Davidson moved that **HB 129** with **HA 1** be brought up for final reading and vote. Senator Davidson requested the privilege of the floor for Rep. Bifferato. Granted.

Senator Moore moved to defer action on **HB 129** with **HA 1**. Adopted by voice vote.

Senator Dineen submitted the following committee reports:

**SB 264**—4 merits.

**SB 278**—1 favorable, 3 merits.

Senator Bookhammer and Senator Hoey introduced the following bill, **SB 280** which was given first reading and referred to the committee on Finance.

**SB 280**—An act making an appropriation to the State Highway Department for the purpose of immediately controlling and preventing further beach erosion at Broadkill Beach.

The Chair presented the following House bill which was given first reading:

Senator McCullough moved to table **HB 492**. Lost by for the purpose of considering action on **HB 492**. Motion carried.

Senator McCullough moved to table **HB 492**. Lost by voice vote.

**HB 492**—An act to amend an act relating to motor vehicle fees.

**HB 492** was referred to Miscellaneous Committee.

Senator McCullough asked for the privilege of the floor. No objections heard; privilege was then granted.

Senator Cook asked for the privilege of the floor. No objections heard; privilege was then granted.

Senator Cook moved that the Senate adjourn until April 20, 1966 at 1:00 P. M.

Motion carried and Senate adjourned at 4:57 P. M.

### 10TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 P. M. on Wednesday, April 20, 1966. Lt. Gov. Tribbitt presiding. Prayer by the Chaplain, Rev. Addison Smith.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McGinnes, Moore, Robbins, Pres. Pro Tem. Steen—14.

Members absent: McCullough, Schlor—2.

The secretary proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

President Tribbitt introduced five students from Mt. Pleasant High School.

Senator Cook presented a committee report from the Joint Legislative Committee on Delaware Home and Hospital for the Chronically Ill at Smyrna. Senator Cook moved the report be made part of the record.

### STATE OF DELAWARE 123RD GENERAL ASSEMBLY Dover, Delaware

Joint Legislative Committee

On Delaware Home and Hospital  
for the Chronically Ill at Smyrna

Rep. Charles K. Keil  
Chairman

Rep. David S. Benson  
Rep. Glenn W. Busker  
Senator Louise Conner  
Senator Allen J. Cook  
Senator Walter J. Hoey

April 18, 1966

Members of the 123rd General Assembly  
of the State of Delaware  
Legislative Hall  
Dover, Delaware

Ladies and Gentlemen:

In accordance with Senate Concurrent Resolution No. 21, a Joint Legislative Committee conducted a preliminary investigation into the operation of the Delaware Home and Hospital for the Chronically Ill at Smyrna. Initially, the committee met in executive session and heard the views expressed by various people interested in the operation of the Home. The Committee also went to Smyrna and heard the position of the then existing Board, and met with the Board and its Executive Director.

Shortly after this, Governor Charles L. Terry, Jr., in response to inquiries and suggestions made to him, appointed an outstanding group of Delawareans to investigate, study and make recommendations for the Home. At this juncture, the Joint Legislative Committee felt that it would be inappropriate for it to continue on with its study for the reason that the Smyrna Home is essentially an Executive Branch responsibility, and as such, the administration had taken upon itself the appointment of an Executive Department Special Committee, recognizing that there were problems which needed careful study and review. For this reason the Committee has made no public statement or initiated any additional activities since the appointment of the Governor's Committee and the submission of its report.

The Joint Legislative Committee has carefully reviewed the conclusions reached by the Governor's Special Committee and although there is not total agreement with the suggestions and recommendations submitted, we recognize that the Special Committee's report, the study that went into it, and its findings, are indeed noteworthy achievements and show the sincere desire on the part of Delawareans who volunteer their time and effort and services in helping to make Delaware the State that it is.

A new Board has been appointed by Governor Terry and appears to be conscientiously performing its work and responsibilities. For this reason, it would serve no useful purpose to expound in detail on differences between the Governor's Special Committee report and the Joint Legislative Committee Report. For our part, we feel that the Legislative Committee has served its purpose in that it: (1) supported and gave impetus to the passage of the legislation increasing the size of the Board from four to seven, (2) pointed out the defects previously existing in the operation and supervision at the Home, and (3) thereby called

the problem to the attention of the Executive Department to the extent that the Governor's Special Committee was appointed.

The Joint Legislative Committee finds itself in general agreement with the Special Committee's report except that the Joint Legislative Committee finds that the administration of the Home prior to termination of the old Board's control left much to be desired. The Committee feels that the new Board will take necessary corrective action as it deems fit and an extensive itemization of prior administrative problems at this juncture serves no purpose. The Joint Legislative Committee expresses no view as to the present operation of the Home, but is satisfied that the new Board is conscientiously assuming its responsibilities in the way of supervision.

The following specific recommendations are made for Legislative and Board consideration and action:

1. Personal and political favoritism in the admission of patients be eliminated in its entirety.

2. A Medical Director be appointed who will be directly responsible to the Board.

3. Pay scales be raised substantially for medium and lower echelon personnel.

4. A review be made of existing statutes and that the new Board make specific recommendations for legislative change.

5. The critical policy question as to whether admissions should be based upon economic need or whether other variables such as lack of family, nature of disease, should come into play.

6. A job evaluation be made of the top administrative positions to determine whether consolidation of responsibility would be appropriate.

In conclusion, the Joint Legislative Committee applauds Governor Terry's action in appointing the Special Committee to study and make recommendations regarding the Home. We likewise extend our sincere appreciation to the Special Committee for their long hours and service on this project. This Committee would be remiss in its duty if it did not acknowledge its thanks to this General Assembly for its unanimous support in passage of legislation increasing the size of the Board and thereby paving the way for the new Board to take on their responsibilities.

It is our hope that this new Board will serve Delaware well in setting policy and maintaining control of the Delaware Home and Hospital. It is our suggestion that during the next fiscal year the Committee meet with the new Board

to review the status of the Home with respect to legislative changes, and administrative problems if any then exist.

Respectfully submitted,

Charles K. Keil, Chairman  
Rep. David S. Benson  
Rep. Glenn W. Busker  
Senator Louise Conner  
Senator Allen J. Cook  
Senator Walter J. Hoey

Senator Dineen moved that **SB 337** with **SA 1** be brought up for final reading and vote. Senator Dineen moved to adopt **SA 2**. Withdrawn by sponsor.

Senator Dineen introduced **SA 3** to **HB 337** with **SA 1**. Senator Dineen moved to defer action on **SA 3** until **SA 2** is considered. Adopted voice vote.

Senator Dineen moved that **SA 2** and **SA 3** to **HB 337** with **SA 1** be placed with the bill.

Senator Dineen moved to defer action on **HB 337** as amended by **SA 1** until after caucus.

Senators Steen, Conner, Holloway, McGinnes asked to be marked present.

Senator Cook introduced the following bill, **SB 281** which was given first reading and referred to the committee on Finance.

**SB 281**—An act making a supplementary appropriation to the Delaware Commission of Shell Fisheries.

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

**HB 493**—An act to amend Chapter 81, Volume 55, Laws of Delaware, entitled "an act making appropriations to the amount of \$122,707,827.00 for the expense of the State Government for the fiscal year ending June 30, 1966." and making a supplemental appropriation in the amount of \$5,000.00 for the proposed amendment.

The Chair presented the following House bill which was given first reading and referred to Committee as follows: Corporation Private.

**HB 484**—An act to amend Chapter 7, Title 26, Delaware Code, relating to railroads, railways and other public conveyances.

Senator Davidson moved that **HB 129** with **HA 1** be brought up for final reading and vote. Senator Moore introduced **SA 1** to **HB 129** with **HA 1**. Adopted by voice vote.

**HB 129**—An act to prohibit debt adjusting for profit.

On motion of Senator Davidson, **HB 129** with **HA 1** and **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 129**—An act to prohibit debt adjusting for profit.

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

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Cook, McCullough, Schlor—3.

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

On motion of Senator Dineen, **SB 278** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 278**—An act to amend Chapter 81, Volume 55, Laws of Delaware, entitled "an act making appropriations to the amount of \$122,707,827.00 for the expense of the State Government for the fiscal year ending June 30, 1966," and making no supplemental appropriation for the proposed amendment.

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Cook, McCullough, Schlor—3.

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

On motion of Senator Martin, **SB 264** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 264**—An act to amend Section 921, Title 11, Delaware Code, relating to loitering.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McGinnes, Moore, Steen—12.

NAYS: Cook, Robbins—2.

NOT VOTING: Hoey, Kinahan—2.

ABSENT: McCullough, Schlor—2.

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

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

Senator McGinnes introduced the following bill, **SB 282** which was given first reading and referred to the committee on Education.

**SB 282**—An act to amend Chapter 17, Title 14, Delaware Code, relating to education.

Senator Cook moved for the Senate to recess for caucus. Adopted by voice vote.

Senate adjourned at 3:24 P. M. Senate reconvened at 4:45 P. M.

Senator Cook introduced the following bill, **SB 283** which was given first reading and referred to the committee on Education.

**SB 283**—An act to permit Hartly School No. 96 to transfer certain funds from its local debt service account to its local current expense account.

Senator Dineen moved that **HB 337** with **SA 1** be brought up for further consideration. Senator Dineen moved that **SA 2** to **HB 337** with **SA 1** be adopted. Adopted voice vote.

Senator Dineen moved that **SA 3** to **HB 337** with **SA 1** and **SA 2** be adopted. Adopted by voice vote.

On motion of Senator Dineen **HB 337** with **SA 1**, **SA 2**, **SA 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 337** as amended by **SA 1**, **SA 2**, **SA 3**—An act to create a legislative council.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Manning, Martin, McGinnes, Moore—12.

NAYS: Hoey, McCullough, Robbins, Steen—4.

NOT VOTING: Kinahan—1.

ABSENT: Schlor—1.

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

Senator Hoey reported the following bills from committee:

**HB 493**—3 favorable, 2 merits.

**SB 281**—1 favorable, 4 merits.

Senator Dineen reported the following bills from committee:

**SB 270**—1 merit, 4 unfavorable.

**SB 271**—3 merits, 1 unfavorable, 1 favorable.

**SB 277**—4 merits, 1 favorable.

**SB 276**—3 merits, 2 favorable.

**SB 275**—2 merits, 3 favorable.

Senator Carney (Co-sponsor Senator McCullough) introduced the following bill, **SB 284** which was given first reading and referred to the committee on Insurance and Banking.

**SB 284**—An act to amend Chapter 21, Title 5, Delaware Code, relating to small loans by savings banks and saving societies.

Senator McGinnes moved to withdraw **SB 282** to present a corrected bill and asked that the new bill be assigned the same number. **SB 282** referred to Education.

**SB 282**—An act to amend Chapter 17, Title 14, Delaware Code, relating to Education.

Senator Holloway reported that the flag poles in the Senate were being refinished and also steps were being taken to improve sound system.

Senator Cook announced that **SB 241** is being re-drafted and amendments are being made up and asked all interested parties to take part.

Senator Cook moved that the Senate adjourn until Thursday, April 21, 1966, at 1:00 P. M.

Motion carried and Senate adjourned at 5:05 P. M.

### 11TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:40 P. M. on Thursday, April 21, 1966. Lt. Gov. Tribbitt presiding. Prayer by the Chaplain, Rev. Addison Smith.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Pres. Pro Tem. Steen—16.

Members absent: Robbins, Schlor—2.

The secretary proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

Senator Cook submitted communications and petitions from persons and teachers from Dover School District protesting **HB 346**. Senator Cook moved that these communications be made part of the record.

Dover, Delaware  
April 21, 1966

The Honorable Allen J. Cook  
Member of Senate Labor Committee  
Senate Chamber, Legislative Hall  
Dover, Delaware 19901  
Dear Senator Cook:

The Dover Education Association of the Dover Special School District is opposed to the passage of House Bill 346,



and to further express its opposition there are, enclosed, several petitions signed by teachers of the Dover Special School District.

We would appreciate having this communication read before the session of the Senate on April 21, 1966.

Sincerely,  
Cornelia T. Jones  
Legislative Chairman  
Dover Education Association

### DOVER SPECIAL SCHOOL DISTRICT

Dover, Delaware

We, the undersigned, are unalterably opposed to the passage of House Bill 346 which places certified professional employees under provisions of the State Labor Code.

Trudy Williams, 410 Martin St.; Eleanor L. Jones, Dover Middle School; Katharine A. O'Brien, 3700-B Spruce St.; Jane Kraft, 139 King St., No. 13; Lynn H. Dorman, 312 Lakeview Dr.; James R. Adams, 601 Spring Garden St.; Mrs. Pam Pedersen, 3546-B Hawthorne Dr.; E. A. Hap-pollet, Apt. 62, Rodney Apts.; Lola M. Tue, 37 South St., Camden, Del.; Isabel H. Rush, 126 Morris Drive; Alfred W. Johnson, 239 Center St., Camden, Del.; Esther H. Wiley, 960 Monroe Terrace; Carrie Russell, 46 Ann Ave.; Sylvia Whitby, Riverside Tr. Pk., Lot C-3; H. Thomas Welch, 38 Evergreen Drive, Dover; Frank Stewart, 42 Milscher Rd., Dover; H. E. Carney, 1273 E. Division St., Dover; W. John Sanford, 229 Bayard Ave.; Lucinda Y. Fauntlery, 106 Reese St., Dover; George R. Glading, Garden Court Apts., D 14, Dover.

Ann C. Caffey, 835 E. Loockerman; Rita Cohen, 3109 B Walnut; Cynthia W. David, 300 N. State St.; Louis B. Anderson, 516 Nimitz Rd.; M. D. Weston, 1 Weston Dr., Dover; Mary W. Hearn, 12 Clara St.; Lillian R. Soctum, 904 W. North St.; Ann E. Daring, Star Rte. 91 B, Camden; Kathy Waller, P-1 Rodney Apts.; Theresa Holmes, Rt. 2, Box 42, Milford, Del.; Marjorie P. Fisher, 451 Forest St., Dover, Del.; Frances H. Poore, Hartly, Del.; Judy Bennett, 826 E. Loockerman St., Dover, Del.; Jan Hastings, 830 Maple Parkway; Ginnie Gilbert, 3609 B Birch St.; Doris M. Durham, R. D. No. 5, Dover, Del.

Robert V. Bresnahan, 330 MacArthur Dr., Dover, Del.; Donald L. Buckland, 624 Walker Road, Dover; E. K. Hock-ett, 46 Sackarackin Ave., Dover; Eloy S. Holden, North and Drew Sts., Milford, Del.; Elisabeth P. Simpson, 140 Ever-green Dr., Dover; Alice P. Runkel, Dover, Del.; Donna Bierer, Dover, Del.; Jean L. Walters, Dover, Del.; C. Davis Numbers, Dover, Del.; Patricia M. Heather, Dover, Del.; Cornelia T. Jones, 223 S. State St., Dover; Mae A. Bowen, 776 Oak Drive, Dover; Carl T. McKinney, 1510 S. Gov-

ernors Ave., Dover, Del.; Sidney B. Collin, 607 Ross St., Dover, Del.; Margaret Stacey, 813 Carmel Drive, Dover; Hugh W. Price, Jr., 821 School House Lane, Dover.

William J. Parkins, 313 William St., Camden, Del.; Nowell Jones, R. D. 2, Box 173, Noganther; Georgia Boines, 31 N. Bradford St., Dover, Del.; Mrs. John R. Longacre, 139 Old Kings Highway; James C. Bordley, Jr., 29 Center St., Camden, Apt. 5, Del.; Patricia Sullivan, 506 N. Little Cr. Rd., Dover; ? , Rodney Apts. Z-5, Dover, Del.

Martha VanKeuren, 88 Highview Ave.; Mary E. Wagner, 556 Buckson Drive; Christine C. Hopkins, 3 S. Bradford St., Dover, Del.; Alice Landresh, 19 Clara, Dover, Del.; Mary S. Stafford, Marydel, Del.; Sandra M. Maybee, 29 So. Bradford St., Dover, Del.; Ellen H. Harmeson, 510 Penna. Ave., Dover; Barbara Eagar, Rodney Apts., CC-1, Dover; Judi Friesenday, Rodney Apts., L-6, Dover; Florence Brackman, 223 Wyoming Ave.; Earle H. Corkran, Jr., 405 N. State Street, Dover; Joanne Covey, 423 B North New St.; Necochcal Thomas, 52 East Mt. Vernon St.; June Chapman, 422 N. Governors Ave.; Flossie H. Johnson, 900 N. North St.; Leona Hazel, R. D. No. 4, Dover, Del.; Blanche H. Hickerson, R. D. 5, Dover, Del.

Edna K. Lafferty, 1031 S. State St., Dover; Erma M. Baylor, 183 Orchard Ave., Dover; Mathilda Garmize, 67 Upland Ave., Dover; Carol Vogt, 822 Boggs Dr., Dover; Ruth Cchubaty, 148 Pine St., Dover; Louise Karstetter, 625 S. State St., Dover; Helen Klugman, 423-A N. New St., Dover; Marian Preifer, Rodney Apts. BB-3, Dover; Mary G. Stevenson, 8 N. Queen St., Dover; Kay Hudson, 60 Upland Ave., Dover; Elaine B. Mosley, 109 N. Queen St., Dover; Elva N. Easton, 3583 B Hawthorne Drice, Dover.

Dorothy B. Cooper, 627 W. Division St., Dover, Del.; Robert S. Hall, Rodney Apts. P-4, Dover, Del.; Ruth D. Morris, Box 252, Clayton, Del.; Flossye Buckner, 725 W. Division St., Dover, Del.; Mildred Bass, 1075-B Circle Drive, Dover, Del. 19901; Delores Dula, Apt. P- , Rodney Village, Dover, Del.; Alice Robertson, 19 N. Gov. Ave., Dover; Regina E. Scott, 211 N. Queen Street, Dover; Carol N. Smith, 3601-A Birch Street, Dover; Helen C. Hess, 517 Buckson Drive, Dover, Del.; Althea W. Armstrong, 114 Davis Circle, Dover, Del.; Judith A. Bayard, 1639 S. State St., Dover, Del.; Martha S. Higgins, Box 288, R. D. 1, Marydel, Del.

Miss Barbara I. Catichc, 3 N. Bradford (Dover Central), Dover, Del.; Mrs. Beulah H. Rodway, 711 E. Loockerman St., Dover; Mrs. Addelle S. Schmick, 898 Bayard Ave., Dover, Del.; Martin Barnes, 407 N. Bradford St., Dover, Del.; Dorothy E. Derrickson, 418 S. Walnut St., Milford, Del.; Susan B. Young, 29 N. McKee Rd., Dover, Del.; Virginia W. Adams, 1483 John Clark Road, Dover, Del.; Mrs. Dorothy W. D. Carney, 2165 N. DuPont Highway, Do-

ver, Del.; Betty H. Evans, 818 Paul St., Dover, Del.; Jean C. Brewer, 51 John Collins Cir., Dover; Irene M. Beers, 114 Shadow Ct., Dover, Del.; Rose Larimore, 365 Lake Drive, Smyrna; Anita Margo, 151 E. Roosevelt Ave., Dover, Del.; Margaret S. Bowers, R. F. D. No. , Box 266, Felton, Del.; Marian L. Bickford, 529 E. Loockerman St., Dover; Edith J. Baynum, 305 So. Walnut St., Milford, Del.; Sylvia Mae Parsons, 833 Paul St., Dover, Del.; Mary W. Hoffmann, 406 Kings highway, Dover, Del.

The Chair presented the following concurrent resolutions which were given first reading. Adopted by voice vote.

**HCR 28**—That the two Houses of the 123rd General Assembly meet in joint session to hear a message from the Governor.

President Tribbitt introduced former Senator Johnson.

Senator Steen (Co-sponsors Senator Martin, Senator Cook, Senator Holloway) introduced the following bill, **SB 285** which was given first reading and referred to the committee on Judiciary.

**SB 285**—An act to amend Chapter 87, Title 10, of the Delaware Code relating to mileage fees for sheriff.

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

**HB 383**—An act to amend Chapter 17, Title 18, Delaware Code, by removing age limitations on membership in any mutual benefit association.

Senator Dineen (Co-sponsor Senator Conner) introduced **SS 1** for **SB 255** which was assigned to Public Health.

**SS 1** for **SB 255**—An act to amend Chapter 10, Title 16, Delaware Code relating to mandatory reporting by physicians and institutions of certain physical abuse of children.

Senator Dineen (Co-sponsor Senator Manning) introduced **SS 1** for **SB 17** referred to Education Committee.

**SS 1** for **SB 7**—An act to amend Section 1306 and Section 1321 of Chapter 13, Title 14, Delaware Code, relating to State supported salary schedules for school employees.

Senator Dineen introduced the following resolution, **SR 111** which was given first reading and adopted by voice vote.

**SR 111**—Authorizing payment to various companies for supplies and services rendered the 123rd General Assembly of the State of Delaware.

On motion of Senator Dineen **HS 1** for **HB 394** 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 394**—An act to appropriate money to Kline Cook Voshell, a veteran eligible for the bonus paid by the State pursuant to the Veteran's Military Pay Act No. 11, but who did not receive his bonus.

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

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

NAYS: None.

NOT VOTING—McCullough—1.

ABSENT—Hoey, Robbins, Schlör—3.

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

Senator Carney introduced the following bill, **SB 286** which was given first reading and referred to the committee on Finance.

**SB 286**—An act making a supplementary appropriation to the State Board of Health.

On motion of Senator Cook **HB 226** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Cook moved that Rule 9 be suspended for the purpose of considering **HB 226**. Motion carried.

**HB 226**—An act to amend Chapter 25, Title 24, Delaware Code, relating to pharmacy.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Holloway, Kinahan, Manning, Martin, McGinnes, Steen—13.

NAYS: None.

NOT VOTING: Hoey, McCullough, Moore—3.

ABSENT: Robbins, Schlör—2.

On motion of Senator Dineen **SB 277** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 277**—An act to amend Chapter 5, Title 31, Delaware Code, relating to "Welfare" by limiting the amount of public aid to certain persons.

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Hoey, Robbins, Schlör—3.

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

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

On motion of Senator Holloway **HB 493** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 493**—An act to amend Chapter 81, Volume 55, Laws of Delaware, entitled "an act making appropriations to the amount of \$122,707,827.00 for the expense of the State Government for the fiscal year ending June 30, 1966", and making a supplemental appropriation in the amount of \$5,000.00 for the proposed amendment.

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Robbins, Schlor—2.

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

Senator Dineen moved that **SB 276** be brought up for final reading and vote. Senator Cook moved to defer action on **SB 276**. Adopted voice vote.

Senator Davidson introduced the following Senate Substitute, **SS 1** for **SB 130** which was given first reading and referred to the committee on Education.

**SS 1** for **SB 130**—An act to amend Section 1401, Title 14, Delaware Code, entitled "procedures for termination of services of professional employees" by providing for inclusion of school nurses, certified school lunch managers and school lunch supervisors, certified secretaries within the definition of the word teacher.

Senator Davidson introduced the following bill, **SB 287** which was given first reading and referred to the committee on Insurance and Banking.

**SB 287**—An act to amend Chapter 7, Title 24, Delaware Code, relating to the eligibility of chiropractic physicians for compensation from insurance, group hospital services and related plans.

Senator Davidson introduced the following resolution, **SR 112** which was given first reading and adopted voice vote.

**SR 112**—In reference to election of officers.

Senator Davidson reported the following bills from committee:

**SB 265**—5 favorable.

**HB 446**—5 favorable.

Senator Hoey reported the following bill from committee.

**SB 280**—3 favorable, 2 merits.

**SB 273**—2 merits, 3 unfavorable.

Senator Dineen introduced the following resolution, **SR 108** which was given first reading and adopted voice vote.

**SR 108**—Making an appropriation to the Diamond State Telephone Company for services rendered for the period ending March 11, 1966.

Senator Cook introduced the following resolution, **SR 113** which was given first reading and adopted voice vote.

**SR 113**—Expressing the gratitude of the Senate of the 123rd General Assembly to Rev. Addison L. Smith.

Senator Holloway introduced the following bill, **SB 288** which was given first reading and referred to the committee on Temperance.

**SB 288**—An act to amend Chapter 7, Title 4, Delaware Code, relating to the sale of alcoholic liquor for consumption off premises.

The Chair presented the following House Bill which was given first reading and referred to Committee as follows: Fish, Oyster and Game.

**HB 459**—An act to amend §704, Chapter 7, Title 7, Delaware Code, relating to prohibited hunting and trapping devices and methods.

Senator Cook moved that the Senate adjourn until Monday, April 25, 1966, at 1:00 P. M.

Motion carried and Senate adjourned at 4:50 P. M.

## 12TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:25 P. M. on Monday, April 25, 1966. Lt. Gov. Tribbitt presiding.

Prayer by Senator Davidson.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör, Pres. Pro Tem. Steen—18.

Members absent: None.

The secretary proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

Senators Hoey and Steen asked to be marked present.

Senator Cook moved to appoint a committee to notify the House that the Senate is ready for a Joint Session. Senator Holloway was appointed by the President of the Senate.

The Sergeant-at-Arms announced the Speaker and Members of the House of Representatives. They were ad-

mitted and seated. Lieutenant Governor Tribbitt invited the Speaker of the House to a seat on the rostrum.

### JOINT SESSION

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

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

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

The chair appointed the following committee to escort the Governor, Senators Carney and Conner, Representatives Gooding and Heckert to the Senate Chamber.

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

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

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

### ADDRESS ON EDUCATIONAL MATTERS

By

THE HONORABLE CHARLES L. TERRY, JR.

to the

SECOND REGULAR SESSION OF THE  
ONE HUNDRED TWENTY-THIRD GENERAL ASSEMBLY  
of the  
STATE OF DELAWARE

Dover, April 25, 1966

Mr. President

Mr. President Pro Tem

Mr. Speaker

Members of the 123rd General Assembly

Fellow Citizens:

Once again you have afforded me the privilege of this forum to address you upon subjects in which we share great joint responsibility.

In my State of the State Message earlier this year I dwelt at some length on education and informed you that a new program is evolving and can best be implemented after we have received the report of the committee now working under the chairmanship of the Chief Justice. I expect that report in the near future and will share it with you as soon as it is received. As you know that committee is devoting its study to our primary and secondary educational activity.

It is, however, time that we proceed to make two advances that are most urgent.

One is the establishment of a two-year post High School Delaware Institute of Technology offering advanced technical training for our students who are so oriented, and the second is to carry our state into the national educational compact in which 22 of our sister states have already joined.

I believe we should move without delay to create in this session of the General Assembly a board of seven members to administer two technological institutes offering liberal art subjects that are related and transferable to other institutions, but gearing their program to meet the needs of the thousands of Delaware students who want advanced technical training in the numerous opportunities made available by our fantastic technological progress.

The board, as I envision it, would be composed of seven members appointed by the Governor with one member from each of the four major political subdivisions and three members, including a chairman, to serve at large. All would have set terms except the chairman who would serve at the pleasure of the Governor and no more than four would be members of the same political party. The Governor should make the appointments with the advice and consent of the Senate.

The board, once established, would undertake a comprehensive study and survey curriculum, location and cost before proceeding with implementation of the school or schools and to that extent it should have an initial appropriation of \$50,000.

We must not spare expert advice in undertaking such a significant step for the future of our Delaware youth. It would also be my hope and expectation that the board would avail itself of studies already completed, such as that done by the University of Delaware and the revealing study recently carried out by a State Board of Education Committee under the chairmanship of William Carter that looked into the possible future use of the facilities of the Jason School in Georgetown. I can tell you that the survey revealed an overwhelming interest on the part of Sussex County students to attend an institution of higher learning and I am confident the same picture would emerge from any poll made in the other counties or the City of Wilmington.

It would further be desirable and my wish that other state agencies that could assist the board in its work such as the planning office, the budget director, the Department of Public Instruction, the Board of Health and others render all possible assistance.

Earlier I mentioned that location would be a concern of the board. Actually, I foresee the use of the Jason facilities for the Southern Delaware Institute of Technology and leave it to the board to find a suitable site for the North-



ern Institute which would serve the people of Wilmington and New Castle County.

I have further asked that the enabling legislation, which is ready to be introduced, set forth January 2, shortly before the 124th General Assembly will meet, as the date for submission of its report.

Ladies and gentlemen, this will be one of the most important and monumental undertakings of this Assembly. I look forward to the establishment of this board, to its subsequent report and to the creation of the Institute of Technology which will fill a gap long neglected in our higher educational program.

It is also time that we take another forward step in the field of education by joining the national educational compact.

Last September some of your members plus several educators and community leaders went with me to Kansas City for a three-day conference which set the tone for this compact, designed to permit the states of this union to work together in harmony to promote those programs desirable for all Americans but without any degree of Federal encroachment or dominance.

Without the compact the states are doomed to being the junior partner in the state-federal relationships but with the compact we will be the senior partner able to take full advantage of the availability of any Federal funds without at the same time abnegating any of our authority or responsibility to operate our school in the manner which we deem necessary and desirable for our youth.

Here is what the superintendent of our State Department of Public Instruction, Dr. Richard P. Gousha, had to say about the compact, "The educational challenge of this era is too great for educators alone. It must be met by the joint efforts of the executive, legislative, and educational agencies of each state."

Those words are no exaggeration.

Never in the history of American education has there been so much national educational legislation. Never before has there been so much money available for education starting with the infant stage and continuing through to that of the senior citizen.

As I pointed out so many Federal funds are being offered to the states that some people see the threat of Federal control. This possible threat is being met by the interstate compact, the brainchild of Dr. Conant who has done so very much in his various studies of education and the work of Terry Sanford, the able former Governor of the State of North Carolina.

This compact assures that the State will provide the educational leadership that is required. Each state will send a commission consisting of the Governor, two mem-

bers of the General Assembly and four other members including laymen and professional educators to each session of the compact.

Through exchange of information between the states on tested innovations each state will benefit by the successful programs of the others. No state, however, is obligated to adopt or adapt any single program: the compact does not commit the states to act. It commits the states only to their fair share of the expenses. The share being based upon a formula using the state's population and per capita income. Delaware's fee for initial membership is \$4,000 and our annual fee for compact membership will be \$9,000.

Legislation to permit our entry into this historic and worthwhile program has been prepared and will be introduced today.

Finally, I want to speak about our great university at Newark which has constantly improved and expanded its facilities and curriculum to meet the demands of our population, rising at a dramatically rapid pace from an increased birth rate within our borders and a heavy influx of good citizens from our sister states.

The University of Delaware through its able trustees, administration and faculty is striving mightily to meet the challenges of our times, but it must be helped as fully as possible by the people of this State through their Governor and elected representatives.

Because of the immense growth of the university during the past two years it has become necessary to enlarge the facilities pertaining to physical education.

To this end \$1,858,000 has already been given by the Unidel Foundation, a group of public spirited men and women whose generous help to the university in numerous ways has saved the State millions of dollars.

The work on the physical education facilities includes renovation of the old gymnasium to the rear of College Hall, the renovation of Carpenter Field House and the installation of locker rooms, handball courts and a swimming pool.

The contract was offered for bids and the low bid to carry out the planned construction exceeded the outside grant by nearly \$600,000. It is the considered opinion of the university, together with other consultants, that if the bid in hand is not accepted by May 1, a considerable cut-down in plans will have to ensue or the new bid price will be far in excess of the present bid price. The physical education department at the university has trained and graduated many fine young men and women that now occupy important positions in high school and private employment throughout the State.

It is anticipated that by 1970 the present student body of 4,000 will be in the neighborhood of 7,000 so that the

increased facilities are needed not only for the present enrollment but to take care of the measured growth of our splendid institution for a number of years to come.

The university occupies a unique and vital position. It is not only an outstanding place of higher learning in the United States, but is the source that we primarily depend upon for the teachers and administrators who will give excellent instruction and imbue high ideals and aspirations in our own children.

It is only fitting that it should possess the physical attributes that go into the making of a first class university in all respects.

The State planner has examined the urgency of this request. He has found an emergency to exist and has recommended that the proposed bond bill of \$600,000 be enacted to take care of the deficit and enable the university to accept its bid of May 1.

It seems to me that when outside benefactors contribute 80 per cent of the cost of such a project as this, the State can readily justify the payment of \$600,000 to make the facility a reality.

It means that the General Assembly will have to act this week and I sincerely hope that you will not delay, in fact, I strongly recommend that we pass this legislation promptly in order that the university may accept the present bids for construction.

In conclusion let me say that while we expect to do other great things in the field of education when we begin implementation of the Wolcott recommendations, we have the opportunity, in the matters I have recommended here today, to take several forceful, fruitful steps toward improvement of our educational system at all levels.

This General Assembly, on many occasions, has indicated its intense interest in the field of education. Because of your demonstrated concern, I am confident you will not permit these opportunities to go unfulfilled.

Thank you.

The previously named committee escorted the Governor from the Chamber.

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

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

Senator Cook moved the two Houses now separate to re-convene in their respective chambers.

Motion prevailed.

Senator Cook moved the Senate recess to the call of the chair at 3:16 P. M.

The Senate returned to order at 3:30 P. M. Lt. Gov. Tribbitt presiding.

On motion of Senator Cook **SB 273** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 273**—An act making a supplementary appropriation to the State Treasurer.

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: McCullough, McGinnes, Steen—3.

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

On motion of Senator Dineen **SB 276** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 276**—An act to amend Section 6516, Title 29, Delaware Code, relating to the filing of certain financial data.

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

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

NAYS: None.

NOT VOTING: Conner, DuPont, Kinahan, Manning—4.

ABSENT: McCullough—1.

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

On motion of Senator Holloway **HB 43** with title as follows was lifted from table and read a second time by title in order to pass the Senate.

**HB 43**—An act to amend Chapter 33, Title 15, Delaware Code, relating to nominations of candidates by parties.

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

YEAS: Bookhammer, Carney, Cook, Davidson, Dineen, Holloway, Martin, McGinnes, Moore, Schlör—10.

NAYS: Conner, DuPont, McCullough—3.

NOT VOTING: Hoey, Kinahan, Manning, Robbins, Steen—5.

ABSENT: None.

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

On motion of Senator Bookhammer **SB 280** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 280**—An act making an appropriation to the State Highway Department for the purpose of immediately controlling and preventing further beach erosion at Broadkill Beach.

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

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

NAYS: None

NOT VOTING: None.

ABSENT: None.

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

Senator Robbins reported the following bills from committee:

**SB 283**—5 favorable.

**SB 285**—2 favorable, 2 merits, 1 unfavorable.

Senator Robbins (Co-sponsors Senators Kinahan, Conner, Schlör, McGinnes) introduced the following bill, **SB 289** which was given first reading and referred to the committee on Education.

**SB 289**—An act to adopt the compact for education.

Senator Robbins (Co-sponsors Kinahan, Conner, Schlör, McGinnes) introduced the following bill, **SB 290** which was given first reading and referred to the committee on Education.

**SB 290**—An act making an appropriation to the University of Delaware for certain capital improvements, and authorizing the State of Delaware to borrow money and cluded with **SB 290**.

Senator Robbins presented a debt statement to be included with **SB 290**.

Senator Manning (Co-sponsor Senator Martin) introduced the following bill, **SB 291** which was given first reading and referred to the committee on Revised Statutes.

**SB 291**—An act to amend Section 8131, 8132, 8133,

8135 and 8136, Title 9, Delaware Code, relating to exemptions from taxation on real property of citizens and residents of this State of the age of sixty-five or more years having an income not in excess of \$3,000 per year.

Senator Dineen (Co-sponsor Senator Bookhammer) introduced the following bill, **SB 292** which was given first reading and referred to the committee on Revised Statutes.

**SB 292**—An act to amend Title 31, Delaware Code, entitled "Welfare," to provide for the furnishing of medical care to the indigent and medically indigent.

Senator Dineen (Co-sponsor Bookhammer) introduced the following bill, **SB 293** which was given first reading and referred to the committee on Revised Statute.

**SB 293**—An act to appropriate moneys to certain hospitals and the Department of Public Welfare for certain health services.

Senator Dineen introduced the following bill, **SB 294** which was given first reading and referred to the committee on Miscellaneous.

**SB 294**—An act to amend Section 522, Title 28, Delaware Code, relating to the award of dates and maximum racing days for harness racing.

Senator Dineen introduced the following resolution, **SR 114** which was given first reading. Adopted voice vote.

**SR 114**—In reference to election of officers.

On motion of Senator McGinnes **SB 275** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 275**—An act to amend Title 31, Delaware Code, entitled "Welfare," to provide for the furnishing of medical care to the indigent and medically indigent.

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

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

NAYS: McCullough—1.

NOT VOTING: None.

ABSENT: Steen—1.

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

Senator McGinnes introduced the following bill, **SB 295** which was given first reading and referred to the committee on Finance.

**SB 295**—An act making a supplementary appropriation to the Delaware Commission of Shell Fisheries.

Senator Dineen reported the following bill from committee:

**SB 279**—3 favorable, 2 merits.

Senator Cook moved the Senate recess to the call of the chair at 4:15 P. M.

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

Senator Robbins reported the following bill from committee:

**SB 290**—5 favorable.

Senator Robbins moved that Rule 9 be suspended for the purpose of considering **SB 290**. Motion carried.

Debt statement attached to **SB 290** was read in full.

On motion of Senator Robbins **SB 290** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 290**—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.

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

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

NAYS: None.

NOT VOTING: Manning—1.

ABSENT: None.

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

Senator Steen introduced the following bill, **SB 296** which was given first reading and referred to the committee on Revised Statutes.

**SB 296**—An act to amend Chapter 11, Title 30, Delaware Code, so as to define additional terms relating to capital gains and losses and to provide for a 50% deduction for capital gains from gross income.

On motion of Senator Dineen **SB 237** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 237**—An act to amend Section 103 and Section 104, Title 15, Delaware Code, relating to appointment of members of the Departments of Elections for all counties.

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

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

**NAYS:** Bookhammer, Conner, DuPont, Hoey, Kinahan, Manning, Steen—7.

**NOT VOTING:** None.

**ABSENT:** None.

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

Senator Cook introduced the following bill, **SB 297** which was given first reading and referred to the committee on Education.

**SB 297**—An act to amend Section 1108, Subchapter I, Chapter 11, Title 17, of the Delaware Code relating to school bus waiting shelters displaying outdoor advertising signs.

Senator Hoey reported the following bills from committee:

**SB 286**—3 favorable, 2 merits.

**SB 287**—1 favorable, 3 merits, 1 unfavorable.

**HB 472**—4 merits.

Senator Robbins introduced the following substitute bill, **SS 1** for **SB 17** which was given first reading and referred to the committee on Education.

**SS 1** for **SB 117**—An act to amend Chapter 208, Volume 54, Delaware Code, relating to "Education" by providing scholarships for students pursuing courses of higher education not available in state institutions.

Senator Robbins moved that **SS 1** for **SB 117** be adopted in lieu of the original bill. Adopted voice vote.

Senator Robbins introduced the following bill, **SB 298** which was given first reading and referred to the committee on Education.

**SB 298**—An act to amend Title 14 of the Delaware Code, relating to education by providing for negotiations between boards of education and organizations of public school employees.

Senator Schlor introduced the following bill, **SB 299** which was given first reading and referred to the committee on Public Health.

**SB 299**—An act to amend Section 605, Title 24, Delaware Code, by changing the requirements for the licensing as a managing cosmetologists.

Senator Cook moved that the Senate adjourn until Tuesday, April 26, 1966, at 1:00 P. M.

Motion carried and Senate adjourned at 5:09 P. M.

### 13TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:48 P. M. on April 26, 1966. Lt. Gov. Tribitt presiding.

Prayer by the Chaplain, Rt. Rev. Donohue.

By roll call the following Senators were present: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont,



Hoey, Holloway, Kinahan, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlor—17.

Members absent: Pres. Pro Tem. Steen—1.

The secretary proceeded to read the journal of the previous days session when Senator Cook moved that so much be considered the reading of the journal and the journal be approved as read.

Senator Robbins distributed information dealing with the education compact.

## STATE OF DELAWARE DEPARTMENT OF PUBLIC INSTRUCTION

Dover, April 26, 1966

To the Members of the General Assembly:

These pages have been excerpted, for your information, from the minutes of the March 29-30 meeting in Santa Fe, New Mexico, of the Interim Steering Committee of the Education Commission of the States.

This is the commission that has been established by the Compact for Education, and Delaware's membership in this organization is currently under discussion by you in the General Assembly.

As you can see by the minutes, many of the topics under consideration by the committee are of vital importance in Delaware's education picture today. These recommendations by the steering committee will be presented to the Education Commission of the States at its June meeting in Chicago, Ill.

I have been privileged to attend this meeting, and others, as a member of the steering committee, and feel that this Compact offers an exceptional opportunity for Delaware to improve its educational system by sharing ideas with other states. We in the Department of Public Instruction hope you will give this information as much attention as possible.

Richard P. Gousha  
State Superintendent  
RPG/hp  
Encl.

April 25, 1966

To: Members of the General Assembly

From: Dr. Richard P. Gousha,  
State Superintendent of Public Instruction

Excerpts from minutes of March 29-30 meeting in Santa Fe, New Mexico, **Interstate Steering Committee for the Education Commission of the States**

The Steering Committee then began a discussion of the seven initial studies which were recommended to the Steer-

ing Committee by the staff. After a lengthy discussion, the Steering Committee unanimously adopted the first three studies, incorporating a few changes, and ranked them in priority from top to bottom as follows:

## **I. Methods of Financing Elementary and Secondary Education**

State and local governments are entering a new and growing partnership with the Federal Government for the widespread improvement of education. As more and more Americans see education as indispensable to their quest for dignity and opportunity, the responsiveness and cooperation of all levels of government are a vital necessity if the American system of education is to be as strong and productive as possible.

The level of effort by the states varies tremendously. Some states provide over 70 per cent of the total funds for education in the state, while in others, the local government provides the largest share. While the Federal Government is doing more now than ever before, it is inevitable that this participation in public education will increase in the future.

Although the most used index in measuring and comparing states' efforts in providing for the education of its children is the per pupil average expenditure, that index has proved to be misleading in many cases, and fails to give anything like the full picture in almost all cases. We find the range of per pupil expenditures varies greatly, but we see the state with the smallest average expenditure making the greater tax effort in support of education than the state with the highest per pupil average expenditure.

The Steering Committee therefore recommends:

1. That the Commission institute a project to study the various methods used by the states to finance education in the states and to determine the effectiveness of these methods as they apply to the variety of problems and conditions particular to a state.

2. That the study recommend to the Commission alternative methods by which states of varying size, population and wealth can best provide financial support for elementary and secondary education.

3. That the study group may examine the variety of difference federal plans for financing public elementary and secondary education and their impact on state and local financing of education.

\* \* \* \*

## **II. Community-Centered Post High School Education**

In the national quest for improved and extended educational opportunities for all citizens, states and local communities are turning more and more to the establishment

of two-year colleges or two-year campuses of state universities.

Some of the two-year colleges are single function in nature, some are comprehensive, some are terminal. Some are designed to serve the community, some the county, some a district, and some the entire state. Some receive their support from the community, some from the county or counties they serve, some from the state; and some are jointly supported. Control is by local school boards, local college boards or boards of higher education; and some are branches of public universities. Curricula vary from those which are purely academic to those which are almost completely vocational.

More and more professional organizations are urging that education in the freshman and sophomore years be offered free in every state in the nation to all who wish to take advantage of it. Every state without a community college program or a wide expansion of the two-year campuses of a university is now facing, or must soon face, the question of how public education for the first two years after high school can be best organized and financed in that state.

The question also arises as to the best methods for expanding the size and scope of those existing two-year college programs. At present, these institutions are being called upon to meet an almost infinite variety of challenges, including community service programs, industrial development programs, adult education programs, training in technical, vocational, professional and semi-professional skills; and college parallel programs as preparation for transfer to four-year institutions.

With this booming activity in the field, it seems urgent that the Commission authorize a study which would explore in detail the alternatives which face states ready to go about setting up new two-year programs or expanding present programs. The study should encompass financing, curriculum, staffing, entrance requirements, cost to student and other aspects which may appear to the researchers as the study progresses.

\* \* \* \*

### III. What Are the Trends and Needs in Vocational and Technical Education

The unprecedented swiftness with which the technological revolution has brought change upon the American economy makes a study of the whole area of vocational education urgently desirable. Many factors complicate this problem—traditions and procedures vary enormously state by state; the needs of the nation must be balanced with the needs of the individual.

Recent estimates place unemployment of youths under twenty at roughly three times the national unemployment

figure. The number of young people reaching working age is constantly rising—an estimated increase of fifty per cent during the 1960's.

Most unemployment today seems related to lack of basic skills on the part of the unemployed. In an age of specialization, our urban-industrial society demands manpower trained in fundamental techniques of modern production. Training and retraining is essential in order to meet the specialized demands of the changing economy. All of this is necessary if America is to make full use of its productive capacity and human resources.

There are many questions concerning vocational education: Who should take it? What should be included in the curriculum? At what level should it be offered? Should it offer training in specific job skills only? Should training include general skills which will be a good foundation for retrainings necessary in the future? Should education in vocational schools, especially for the young, also include courses in general education?

The Steering Committee recommends the Commission institute a program to study these and other questions which may occur to the researchers as the program progresses. The study should certainly include an examination and evaluation of present federal and state efforts in this field, as well as some measure of the economic costs and dividends of vocational education.

\* \* \* \*

IV. The fourth study which the Steering Committee adopted was suggested by Dr. Holt. The study is to concern a "Study of State Plans for the Coordination of Higher Education."

\* \* \* \*

The fifth in priority was a study concerning "Urban Schools." Governor Campbell suggested that the staff study be expanded to include more than just low-income areas of large center-city schools. On a motion from Mrs. Kading, seconded by Dr. Allen, the staff was asked to expand the study along the lines that Governor Campbell had suggested. The expanded staff study follows:

#### **V. What are the Ways the States Can Attack the Special Problems of Urban Schools**

The country is facing a crisis in our cities where an increasing numbers of youths are out of school and out of work and become an unproductive, alienated and hostile part of our society.

Some of the schools are badly overcrowded and understaffed. Teacher recruitment becomes more and more difficult, and many teachers feel they are not competent and not trained to deal with the special problems they find in

these schools. Many other problems exist which seemingly defy solution.

There are additional problems of transportation of students, rapid growth, the inter-relationship between large school districts and small isolated districts as far as state financing is concerned.

There is the problem of the difference in pay scale between large cities which need to attract the best teachers and small suburban schools which can pay more and therefore do attract the best teachers.

The particular problems of motivation and lack of parental concern should also receive attention, along with economic factors which mitigate against the child's doing his best work or even staying in school.

The Steering Committee therefore recommends the Commission institute a program to study the special problems found in schools in and around our large center-cities, as well as the schools in other urban areas. The study should place special emphasis on gathering information concerning the various ways that different communities handle this problem; should survey current efforts of the federal and local governments; and recommend alternative ways that state government could join the effort most effectively.

The study group should feel free to investigate any questions it deems relevant to this project.

\* \* \* \*

The Steering Committee unanimously recommended that the suggested staff study agenda item # EB6, entitled "Recommendations for State Action Now Available," be incorporated into a preamble to all the studies. The recommendation read:

#### **Recommendations to State Action Now Available**

The Steering Committee recognizes there currently exists in the literature of education many thorough, highly competent, and worthwhile studies and recommendations for state action. Many of the best and most promising studies unfortunately receive only a fraction of the attention they deserve.

Therefore, the Steering Committee recommends that the Commission charge the permanent staff with seeking out the best recommendations and proposals which have been made for state action, and after full aid and consultation with the original research group, presenting them to the Steering Committee for examination. If there is agreement on the Steering Committee as to the value, and if the original research group shall agree to such use, the Steering Committee shall recommend to the Commission that ways be found to help gain the attention and action these studies merit.

\* \* \* \*

VI. After a motion by Dr. Holt and appropriately seconded, the Steering Committee voted unanimously that it would recommend as its sixth project a study of "Techniques employed in the various states to secure communication and understanding among all groups involved in the education process, including legislatures, governors, school boards, PTA's, etc. with emphasis on communication between the political and educational leadership."

\* \* \* \*

The suggested staff study concerning the "Size of the School Districts" was recommended along with all the others, but the Steering Committee decided that it should be given no priority number. This study reads as follows:

### VII. The Size of the School District

Consolidation of small school districts into larger, more efficient units has been a generally accepted goal in the states for a number of years. As is well known, progress has been slow and spotty, so that the percentage of the high schools in the country which are relatively small varies enormously from state to state.

Opinions vary markedly on how large or small a school district should be. What is the range in geographic and population size which can offer a broad variety of courses in the curriculum, adequate facilities for teaching the courses, and a good tax base, along with efficient operation and effective supervision by a local school board? Where geography prevents consolidation, what can be done to provide adequate education through other methods?

Some states have authorized a number of excellent studies in this field. In Georgia, for example, the State Board of Education sponsored a report that has been widely praised for its independence and thoroughness.

The Steering Committee therefore recommends that the Commission authorize a study of school consolidation that would enable the states to exchange information, learn from successful techniques in other states, and generally survey the status of consolidation in the states.

The study group should take full advantage of all other work being done by education organizations on this subject and should feel free to investigate any questions it deems relevant.

\* \* \* \*

The Committee noted that in each case its action on individual studies was to be considered a recommendation to the full Commission when it meets in June, and that action was necessary by the full Commission to initiate any of these studies.

Senator Davidson introduced the following amendment, SA 1 to HB 138 which was adopted voice vote.

On motion of Senator Davidson, **HB 138** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 138**—An act amending Title 11, Chapter 59 of the Delaware Code, relating to the collection and disposition of fines and costs by justices of the peace.

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

YEAS: Bookhammer, Carney, Conner, Cook, Davidson, Dineen, DuPont, Hoey, Martin, McGinnes, Moore, Robbins, Schlör, Steen—14.

NAYS: McCullough—1.

NOT VOTING:—None.

ABSENT: Holloway, Kinahan, Manning—3.

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

Senator Dineen reported the following bill from committee:

**SB 223**—3 favorable, 1 merit.

On motion of Senator Carney, **SB 265** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 265**—An act to amend Title II, Delaware Code entitled "crimes and criminal procedure" by prohibiting fume sniffing.

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Kinahan—1.

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

On motion of Senator DuPont, **SB 279** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 279**—An act making a supplementary appropriation to the State Highway Department covering the cost of the removal of snow from the public highways of Delaware for the fiscal year ending June 30, 1966.

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Kinahan—1.

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

On motion of Senator Steen, **SB 285** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 285**—An act to amend Chapter 87, Title 10, of the Delaware Code relating to mileage fees for sheriff.

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Kinahan—1.

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

Senator Cook moved that **SB 281** be brought up for final reading and vote. Senator Bookhammer moved that action on **SB 281** be deferred. Adopted by voice vote.

On motion of Senator Cook, **SB 283** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 283**—An act to permit Hartly School No. 96 to transfer certain funds from its local debt service account to its local current expense account.

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Kinahan—1.

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

Senator Dineen moved that **HB 440** be brought up for



final reading and vote. Senator Hoey moved to defer action on **HB 440**. Lost by voice vote. Senator Dineen requested the privilege of the floor for Representative Keil. Granted.

On motion of Senator Dineen, **HB 440** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 440**—An act amending Chapter 69, Title 29, Delaware Code, by requiring that certain buildings and facilities constructed with State funds adhere to certain principles, standards and specifications to make the same accessible to and usable by the physically handicapped, and providing for enforcement.

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

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

NAYS: None.

NOT VOTING: None.

ABSENT: Kinahan—1.

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

On motion of Senator Carney, **SB 286** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 286**—An act making a supplementary appropriation to the State Board of Health.

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

YEAS: Bookhammer, Carney, Conner, Davidson, Dineen, DuPont, Hoey, Holloway, Manning, Martin, McCullough, McGinnes, Moore, Robbins, Schlör—15.

NAYS: None.

NOT VOTING: None.

ABSENT: Cook, Kinahan, Steen—3.

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

Senator Dineen introduced the following resolution, **SR 115** which was adopted voice vote.

**SR 115**—In reference to election of officers.

Senator Dineen introduced the following resolution, **SR 116** which was adopted voice vote.

**SR 116**—Authorizing payment for services rendered