



STATE OF DELAWARE



JOURNAL
of the
HOUSE OF REPRESENTATIVES

REGULAR SESSION

of the

120TH GENERAL ASSEMBLY

Convened

Tuesday, January 6, 1959

Dover, Delaware

State Doc.

KFD

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1959, C.2

OFFICERS OF THE HOUSE—REGULAR SESSION 1959

Speaker—SHERMAN W. TRIBBITT
 Attorney—WILLIAM G. BUSH, III
 Attorney—MAURICE A. HARTNETT, III
 Attorney—JOSEPH KWIATKOWSKI
 Chief Clerk—KATHRYN R. CROMPTON
 Assistant Chief Clerk—FRANK X. SHOEMAKER
 Chaplain—REV. HARRY L. MAYFIELD
 Reading Clerk—ALICE C. WOODWARD
 Assistant Reading Clerk—SAMUEL MESSICK
 Bill Clerk—FRANK E. DEVINE
 Parliamentarian—IRVIN BRINTON
 Assistant Document Clerk—VIRGIL BORK
 House Messenger—ANGELO PERREGRINO
 House Messenger—WILLIAM P. TURNER
 House Messenger—ROSEMARY TULL
 House Messenger—OLIN VIRDEN, SR.
 House Messenger—DAVID RAY
 House Messenger—VINCENT WARE
 House Messenger—ERNEST BROOKS
 Sergeant-at-Arms—IRA MESSICK
 Sergeant-at-Arms—WILLIE HOLMES
 Sergeant-at-Arms—ROBERT ALLEN WILSON
 Sergeant-at-Arms—ALVIN ADAMS
 Sergeant-at-Arms—LLOYD MINNER
 Sergeant-at-Arms—FRANK INGRAM
 Door Tender—ERNEST S. MATTIFORD
 Door Tender—ROLAND WEST
 Door Tender—C. C. HOPKINS
 Page—BETTY HUDSON
 Page—JOHN LODER
 Cloak Room Attendant—MATTHEW WARRINGTON
 Cloak Room Attendant—NORMAN YOUNGER
 File Clerk—RUTH ROSS
 File Clerk—GEORGE NICKOLSON
 File Clerk—MARSHALL HASTINGS
 File Clerk—LILLIAN WESTON
 File Clerk—NORMAN S. HUDSON
 File Clerk—CLAUDE W. JORDAN
 Stenographer—BEATRICE HUBBARD
 Stenographer—LOIS F. MORGAN
 Stenographer—MARGARET CATHELL
 Stenographer—CLARA CAMPESE
 Mail Clerk—MILDRED A. KEELER
 Majority Leader's Clerk—JOSEPH KELLEHER
 Minority Leader's Clerk—CLIFFORD M. SIMPLER
 Supply Clerk—HERMAN HALLOWAY

MEMBERS OF THE HOUSE OF REPRESENTATIVES NEW CASTLE COUNTY

Wilmington

Dist.

- 1—PAUL F. LIVINGSTON, 511 Pine St., Wilmington
- 2—RUSSELL D. F. DINEEN, 1804 N. Monroe St., Wilmington
- 3—HARRY G. LAWSON, 1406 Riverview Ave., Wilmington
- 4—PAUL E. SHOCKLEY, 731 W. 4th St., Wilmington
- 5—JOSEPH S. LATINA, 206 S. Union St., Wilmington
- 6—T. LEES BARTLESON, 105 N. Road, Lindamere, Wilmington
- 7—F. EARL MCGINNES, JR., Forest Brook Glen, Wilmington
- 8—MRS. MARGARET MANNING, 605 Greenbank Road, Marshallton, Wilmington 8
- 9—CHARLES S. KLEINBACH, Coochs Bridge Rd., RD 1, Newark
- 10—JAMES R. QUIGLEY, Hare's Corner, New Castle
- 11—ROBERT E. PAWSON, 21 Marlin Drive, Brookside Park, Newark
- 12—R. C. DAVIDSON, St. Georges
- 13—SHERMAN W. TRIBBITT, Odessa
- 14—CHESTER GOVE, JR., RD 2, Townsend
- 15—CHARLES R. PRYOR, Clayton

KENT COUNTY

- 1—CHARLES C. KING, Smyrna
- 2—EDWARD LONG, JR., Long Point Road, RD 4, Dover
- 3—EDWARD F. WRIGHT, Clayton
- 4—WILLIAM W. OPDYKE, JR., RD 2, Dover
- 5—CHARLES F. RICHARDS, SR., 314 N. Bradford Street, Dover
- 6—ELMER L. BETTS, Felton
- 7—HARVEY P. FIFER, Box 341, RD 1, Dover
- 8—WILLIAM J. PASKEY, JR., Felton
- 9—GEORGE W. CAIN, Harrington
- 10—GEORGE A. ROBBINS, RD 2, Milford

SUSSEX COUNTY

- 1—CARLTON CLIFTON, RD 1, Milford
- 2—EDGAR ENGLISH, Greenwood
- 3—NORMAN ESKRIDGE, Bridgeville
- 4—R. ALLEN CANNON, Seaford
- 5—PAUL H. KENNEY, Delmar
- 6—JAMES W. CARMEAN, Frankford
- 7—TILGHMAN S. JOHNSON, Roxana
- 8—JOSEPH B. WALLS, Lewes
- 9—WILLIAM E. GRAVES, Gravel Hill Road, Georgetown
- 10—WILLIAM T. BEST, Nassau

COMMITTEES OF HOUSE OF REPRESENTATIVES

Accounts—English, Chairman; Pryor, Opdyke, Livingston, Bartleson.

Agriculture and Forestry—Long, Chairman; Gove, Paskey, Clifton, Best.

Appropriations—King, Chairman; Shockley, Cain, Eskridge, Bartleson.

Charities—Livingston, Chairman; Pryor, Wright, Davidson, Pawson.

Claims—Walls, Chairman; Robbins, Cain, Davidson, Best.

Corporations, Municipal—Shockley, Chairman; Dineen, Betts, Cannon, Lawson.

Corporations, Private—Davidson, Chairman; Latina, Long, Graves, Kleinbach.

Education—Robbins, Chairman; Carmean, Eskridge, McGinnes, Manning.

Elections—Dineen, Chairman; McGinnes, Betts, Graves, Manning.

Federal Relations—Wright, Chairman; Livingston, English, Walls, Fifer.

Fish, Oyster and Game—Gove, Chairman; Paskey, Long, Kenney, Richards.

Insurance and Banking—Pryor, Chairman; Dineen, Betts, Clifton, Lawson.

Judiciary—Shockley, Chairman; Davidson, Opdyke, Carmean, Pawson.

Labor—Latina, Chairman; McGinnes, Eskridge, Quigley, Richards.

Manufacturing and Commerce—Opdyke, Chairman; Davidson, Long, Cannon, Kleinbach.

Military Affairs—Paskey, Chairman; Livingston, Clifton, Davidson, Pawson.

Miscellaneous—Eskridge, Chairman; Pryor, Cain, Robbins, Johnson.

Passed Bills—Kenney, Chairman; Cannon, Best.

Printing—Quigley, Chairman; Carmean, Kenney, Long, Manning.

Public Buildings and Highways—Graves, Chairman; Gove, Eskridge, Opdyke, Kleinbach.

Public Health—McGinnes, Chairman; Paskey, Kenney, Gove, Fifer.

Revenue and Taxation—Cannon, Chairman; McGinnes, Quigley, Wright, Bartleson.

Revised Statutes—Betts, Chairman; Robbins, Walls, English, Johnson.

Rules—Cain, Chairman; Walls, Shockley, Quigley, Lawson.

Supplies—Clifton, Chairman; Graves, Latina, Dineen, Richards.

Temperance—Carmean, Chairman; Latina, Livingston, Pryor, Johnson.

HOUSE RULES OF ORDER

Rule 1—The House of Representatives shall meet every day (Saturday and Sunday excepted) at eleven o'clock A.M. unless otherwise ordered.

Section 2—The House shall not convene in session, nor shall any session of the House continue after ten o'clock P.M., Eastern Standard Time.

Rule 2—Every day, before the House proceeds to other business, the Clerk of the House shall call the names of the members in alphabetical order and shall read the Journal of the preceding legislative day.

Rule 3—In accordance with the provisions of the Constitution, eighteen of the members elected to the House shall constitute a quorum to do business, but a less number may recess or adjourn from day to day.

Rule 4—The daily order of business shall be as follows:

1. Calling of House to Order.
2. Prayer by Chaplain.
3. Calling of Roll.
4. Reading of Journal.
5. Communications from the Speaker and presentations of Petitions and Memorials.
6. Reports from Standing Committees in regular order.
7. Reports from Special Committees in order of appointment.
8. Introduction of new business and first and second readings of bills and resolutions when required by rules.
9. Business on the Calendar.
10. Miscellaneous.

DUTIES OF THE SPEAKER

Rule 5—He shall take the presiding officer's chair at the hour to which the House shall have adjourned and call the members to order.

Rule 6—He shall have general direction of the House

Chamber and shall preserve order and decorum. In debate he shall prevent personal reflection and confine the members to the question under discussion. No member shall have the floor except when recognized by the Speaker.

Rule 7—He shall decide all questions of order or may submit the question to the House. An appeal from his decision may be made by any member, if properly seconded.

Rule 8—He may name a member to perform the duties of presiding officer, but such substitution shall not extend beyond an adjournment, except when the Speaker obtains leave of absence, in which case he may depute a member as Speaker Pro Tempore during such leave, which leave shall not exceed five days.

Rule 9—He shall sign all bills and resolutions requiring the signature of the Speaker in the presence of the House, after their titles shall have been publicly read immediately before signing, and the facts of the signing shall be entered upon the Journal; all writs, warrants and subpoenas issued by the House shall be signed by him and attested by the Clerk.

Rule 10—He shall determine the principal object of a bill or joint resolution and assign such bill or joint resolution to a committee to which such subject matter is appropriate.

Rule 11—He shall appoint all committees unless otherwise ordered by the House.

Rule 12—Every member shall be in his seat at the hour to which the House shall have been adjourned, but any member desiring to be absent from a session may be excused by the presiding officer.

Rule 13—A member shall not be permitted to make a motion or address the Speaker unless such member be at his own desk and when about to communicate any matter to the House or to speak in debate, he shall rise and respectfully address himself to "Mr. Speaker," confining his remarks to the subject before the House and avoiding personal reflections. No member shall speak more than twice on the same subject without leave of the House.

Rule 14—While the Speaker is putting the question or addressing the House or while a member is speaking, no member or other person shall engage in private conversation or be permitted to walk across or out of the House or pass between the Speaker and the member addressing the House.

Rule 15—If any member, in speaking or otherwise transgress the rules of the House, the Presiding Officer shall, or any member may, call him to order; and when a member shall be called to order he shall sit down, and not proceed with-

out leave of the House, which if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

Rule 16—A member shall not be interrupted when speaking, except to a call to order by the Speaker, or by a member through the Speaker or by a member to explain, or by a motion for the previous question, or to adjourn; nor shall any member be referred to by name in debate, unless for transgression of the rules of the House and then by the Speaker only.

Rule 17—The standing committees of the House, consisting of five members each (except the Committee on Passed Bills of three members) to be appointed by the Speaker and to continue during the session, shall be as follows:

- Committee on Accounts
- Committee on Agriculture and Forestry
- Committee on Appropriations
- Committee on Charities
- Committee on Claims
- Committee on Corporations—Municipal
- Committee on Corporations—Private
- Committee on Education
- Committee on Elections
- Committee on Federal Relations
- Committee on Fish, Oyster and Game
- Committee on Insurance and Banking
- Committee on Judiciary
- Committee on Labor
- Committee on Manufacturers and Commerce
- Committee on Military Affairs
- Committee on Miscellaneous
- Committee on Passed Bills
- Committee on Printing
- Committee on Public Buildings and Highways
- Committee on Public Health
- Committee on Revenue and Taxation
- Committee on Revised Statutes
- Committee on Rules
- Committee on Supplies
- Committee on Temperance

Rule 18—Committee meetings shall be held as far as possible when the House is not in session and committee meetings shall not be held while the House is in session without the consent of the Speaker.

Rule 19—Committee reports shall be printed, written or typewritten and if so desired the minority of a Committee may make a report.

Rule 20—The Committee of the Whole shall proceed under the rules of House as far as the same may be applicable.

Rule 21—The Committee on Rules shall have supervision of and give instructions as to their duties to the attaches of the House and shall keep a record of the attendance of said attaches; shall be responsible for the seating of members; shall make assignments of offices and committee rooms, and shall have charge of the furniture and fittings of the House Chamber, offices and committee rooms.

BILLS AND RESOLUTIONS

Rule 22—Every bill and resolution shall be introduced by a member or by order of the House or by report of a committee.

Rule 23—Every bill and resolution, to which the concurrence of both Houses of the General Assembly may be necessary, shall be introduced with an original and at least eight copies, the copies shall be marked "duplicate" and at all times every bill and resolution shall be under the general supervision of the Clerk of the House. Until its passage by the House, the original copy of every bill and resolution shall at all times remain in the custody of the Chairman of the committee to which it was referred or the Clerk of the House. The original of all bills and resolutions shall be either printed or typewritten and backed and no erasures or interlineations shall be allowed.

Rule 24—The title of every bill and joint resolution shall be read twice on the day it is introduced. The bill or joint resolution shall not be otherwise read except upon the request of any member of the House, in which case the bill or joint resolution shall be read in full. All bills and joint resolutions shall be read in full on the day and prior to their submission to the vote of the House.

Rule 25—A bill or joint resolution shall not be passed upon the same day it has been reported to the House by the Committee having charge of such bill or resolution, nor in the absence of the member who introduced the same, without his written consent.

Rule 26—Any resolution carrying an appropriation or disposal of public moneys shall not be passed by the House on the same day that it shall have been introduced and read, excepting resolutions for house expenses.

Rule 27—Every bill and resolution may be amended at any time before final action is taken, and in the substitution of a bill or resolution after it has been referred to a committee, the original bill or resolution shall receive its third read-

ing before any action is taken on the substitute, if so requested by the member who introduced the original bill or resolution.

RULE 28—Every bill or joint resolution which shall have been in committee for a period of ten days or more, shall, upon request of eighteen members of the House, in writing, be reported to the House for a decision, as to its further disposal.

RULE 29—Every bill and resolution, to which the concurrence of both Houses of the General Assembly may be necessary, shall upon its passage in the House be certified to by the Clerk of the House and the date of the passage of the same noted at the foot of the backing thereof. Said bill or resolution shall then be delivered by the Clerk as soon as possible into the custody of the Senate.

MOTIONS

RULE 30—No Bill or Joint Resolution shall be received by the House unless it be prefaced by a brief statement of the purpose of the Bill or Resolution, which shall be known as the title, and shall also contain the text of the Bill or Resolution in full. The original of all Bills and Resolutions shall be typewritten or printed, properly backed and shall contain no erasures or interlineations.

RULE 31—A substitute bill may be introduced under new business or by permission of the Speaker at which time it shall be given a first and second reading. The member introducing the substitute bill must explain briefly wherein the substitute bill differs from the original bill, after which it shall be referred to the proper committee.

RULE 32—Every motion, except to adjourn, shall be entered on the Journal with the name of the mover, and any motion, if so desired by the mover, may be withdrawn before amendment or decision thereon and the proceedings in relation to the same shall be expunged from the Journal.

RULE 33—Every motion, except for leave to introduce a bill or resolution or for reading of the same, the daily adjournment of the House or to refer or postpone any subject, shall, if required by the Speaker or requested by any member, be reduced to writing by the mover, or may be typewritten as the mover may prefer.

RULE 34—Every motion shall be repeated by the Speaker, or presiding officer, before debate or discussion thereon; and if there has been any debate or discussion, the motion shall again be repeated distinctly by the Speaker or presiding officers before putting the question in the following terms: "As many as are in favor of the question say Aye," and, after

the affirmative is expressed, "As many as are opposed, say No."

RULE 35—Every motion shall be decided in a fair and impartial manner by the Speaker or presiding officer; and the vote of a majority of the members present and voting shall prevail, unless contrary to these rules or in conflict with the provisions of the Constitution. The Speaker or presiding officer, if necessary for a fair decision, may cause, or any member may call, for a division, and the members voting in the affirmative shall be required to rise, and after the Clerk has counted and noted those so voting, the question shall be reversed. Excepting when provided by the Constitution the yeas and nays shall be taken, only on motion that the names of those so voting be entered on the Journal.

Rule 36—Every motion to adjourn shall be in order (unless such motion has just immediately been decided, or the House is voting on another question) and shall be decided without debate.

RULE 37—The only motions, except as otherwise provided, that shall be permitted to interrupt the business regularly before the House, are as follows:

A motion to amend, commit or postpone.

A motion to lay on the table.

A motion for the previous question.

RULE 38—A motion for the previous question shall not be entertained except at the request of five members rising for that purpose, and shall be determined without debate; but when the previous question has been called and sustained, it shall not cut off any pending amendment. The vote shall be taken without debate, first on the amendments in their order and then on the main question.

RULE 39—A motion for the reconsideration of a question which has been decided shall be made and seconded by a member who voted with the majority on the original question; and no motion for reconsideration shall be in order unless made on the same day or one of the three next succeeding days of actual session of the House thereafter. In the application of this rule the word "Majority" shall be construed to mean the number of votes that were sufficient to prevail in the decision of the original question.

Section 2—When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the House and been communicated to the Senate, the motion to reconsider shall be accompanied by a motion to request the Senate to return the

same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

CALENDAR

RULE 40—The Clerk of the House shall keep a calendar of business on which shall be placed the number and subject of all bills and resolutions referred to committee and the name of the introducer thereof; and, if reported from committee, the action of the committee thereon. Said bills and resolutions shall be kept on the Calendar until final action is taken thereon, and such as lie over and other matters undisposed of, shall be placed in the order in which they are presented, and a printed copy of the Calendar of both Houses placed on the desk of each member at the opening of the morning session.

RULE 41—The business on the Calendar shall be called at one-thirty o'clock on each day of the session and shall be called in sequence (but the Calendar will not be called if there is any other unfinished business the House was considering at the time of the previous adjournment or any special order for the day is ready for action). If the call of the Calendar is not completed at any session the next session's call shall be resumed at the place on the Calendar where the call was interrupted.

MISCELLANEOUS

RULE 42—Messages from the House shall be conveyed by the Clerk or a member, as the Speaker may direct, and when messages are conveyed to the House by a messenger from the Governor, or by a member of the State Senate, the members of the House shall rise. Messages to the House shall not be received while the House is voting on a question or a member is speaking.

Rule 43—Before any petition or memorial addressed to House shall be presented, a brief statement of the contents shall be made by the introducer, and, upon motion, shall be received at the Clerk's table and read; unless the reference is objected to by a member at the time the petition or memorial is read, it shall be referred without further motion.

RULE 44—The rules of the House shall not be changed or suspended except by a vote of a constitutional majority of the members unless these rules otherwise provide, but in all cases to which they are applicable and in which they are not inconsistent with these rules, the rules of parliamentary practice comprised in Roberts' Rules of Order Revised shall govern the House; and when the rules of parliamentary practice comprised in Jefferson's Manual shall govern insofar as they may be applicable and not inconsistent with these rules.

RULE 45—A question of order may be raised at any stage of the proceedings, and, unless submitted to the House, shall be decided by the Presiding Officer without debate, subject to an appeal to the House. When an appeal is taken any subsequent question of order which may rise before the decision of such appeal, shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. The Presiding Officer may submit any question of order for the decision of the House.

RULE 46—When a skeleton bill is introduced it shall not be assigned to a committee, but it shall be listed on the Calendar as a "Skeleton Bill unassigned." When it has been filled in, it shall be assigned to a committee and take the usual course of other bills. Skeleton bills will not be accepted until three days preceding the deadline for the acceptance of new business.

Committee on Rules

George W. Cain, Chairman
Joseph B. Walls
Paul Shockley
James R. Quigley
Harry G. Lawson

JOINT RULES—1959

RULE 1—Messages from one House of the General Assembly to the other shall be conveyed by such person as a sense of propriety in each House may determine. Announcements shall be made by the Sergeant-at-Arms of the House to which the message is being conveyed, and the message shall be respectfully communicated to the presiding officer by the person or persons conveying the same.

RULE 2—Every bill and resolution upon being messaged from one House to the other shall be receipted for by the Chief Clerk of the House receiving same, and all papers on which the said bill or resolution may be based shall be transmitted at the same time.

RULE 3—Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary shall upon its final passage in both Houses be delivered by the Chief Clerk of the House and/or the Secretary of the Senate, as the case may be, in which such bill or resolution originated into the custody of the Bill Clerk of said House, and it shall be the duty of the Bill Clerk of the Senate and the Bill Clerk of the House of Representatives jointly to see that

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

RULE 4—Disagreement between the two Houses on a bill or resolution, or an amendment to a bill or resolution or over any other matter shall be made subject for conference at the request of either House. A committee, composed of members who voted in the majority on the point or points of difference, shall be appointed in each House, and, at a convenient hour agreed on by their chairmen, shall meet in the conference chamber and state to each other, verbally or in writing, the reasons of their respective House for or against the substitution, amendment or other matter of disagreement, and confer freely thereon. Conferences shall not have power or control over any part of the bill or resolutions or other matter save such point or points over which the Houses disagree.

RULE 5—Every bill and/or resolution, which shall have passed one House and been rejected by the other, shall be returned to the House which had approved it and notice given of its rejection and the same entered on the Journal.

RULE 6—Neither the Senate nor the House shall be permitted to substitute a bill or joint resolution for a bill or joint resolution originating in the other House of the General Assembly.

House Rules Committee

George W. Cain, Chairman

Joseph B. Walls

Paul Shockley

James R. Quigley

Harry G. Lawson

Senate Rules Committee

Jesse F. Watson, Chairman
 Calvin R. McCullough
 Peter Nechay
 Lemuel H. Hickman
 James H. Snowden

APPENDAGE

Votes Required to Enact Bills, Resolutions and Rules

1. Three-fourths vote of all the members elected to each House required.
 - a. To borrow money or create a debt by or on behalf of the State.
 Exceptions: (Require majority vote of elected members)
 1. To supply casual deficiencies of revenue
 2. Repel invasion
 3. Suppress insurrection
 4. Defend the State in war
 5. Pay existing debts
 Article VIII, Section 3
 - b. To appropriate public money to any county, municipality or corporation.
 Article VIII, Section 4
 - c. To issue or loan bonds of this State to any county, municipality or corporation.
 Article VIII, Section 4
 - d. To pledge the credit of the State by guaranteeing or endorsing the bonds of other undertaking of any county, municipality or corporation.
 Article VIII, Section 4
2. Two-thirds vote of all the members elected to each House required:
 - a. To expel a member for disorderly conduct.
 Article II, Section 9
 - b. To lay out, open, alter or maintain roads and highways which form continuous roads or highways through at least a portion of the three counties. (Local laws of this nature cannot be enacted.)
 Article II, Section 9
 - c. To create courts other than consitutional courts.
 Article IV, Section 1

- d. To grant jurisdiction over additional misdemeanors to inferior courts.
Article IV, Section 28
 - e. To initiate impeachment proceedings.
Article VI, Section 1
 - f. To enact or amend the general corporation law.
Article IX, Section 1
 - g. To enact any special act of incorporation.
Article IX, Section 1
 - h. To amend the Constitution.
Article XVI, Section 1
3. Three-fifths vote of all the members elected to each House required:
- a. To override the Governor's veto of any bill or resolution requiring the concurrence of both Houses, except on a question of adjournment.
Article III, Section 18
4. In all other bills and resolutions a majority vote of all the members elected to each House required.
Article II, Section 10
5. Rules
"Each House may determine the rules of its proceedings."
(The vote required is not stated in the Constitution.)
Article II, Section 9

1ST LEGISLATIVE DAY

The House assembled in biennial session in Dover, Delaware, Tuesday, January 6th, 1959, at 11:15 A. M.

The House was called to order by Mr. Shockley.

Prayer by the Rev. Harry L. Mayfield.

Mr. Shockley called the names of the members-elect, who had taken their seats, as follows:

WILMINGTON—NEW CASTLE COUNTY

Representative District No. 1—Paul F. Livingston
 Representative District No. 2—Russell D. F. Dineen
 Representative District No. 3—Harry G. Lawson
 Representative District No. 4—Paul E. Shockley
 Representative District No. 5—Joseph S. Latina

RURAL NEW CASTLE COUNTY

Representative District No. 6—T. Lees Bartleson
 Representative District No. 7—F. Earl McGinnes, Jr.
 Representative District No. 8—Mrs. Margaret Manning
 Representative District No. 9—Charles S. Kleinbach
 Representative District No. 10—James R. Quigley
 Representative District No. 11—Robert E. Pawson
 Representative District No. 12—Robert C. Davidson
 Representative District No. 13—Sherman W. Tribbitt
 Representative District No. 14—Chester Gove, Jr.
 Representative District No. 15—Charles R. Pryor

KENT COUNTY

Representative District No. 1—Charles C. King
 Representative District No. 2—Edward Long, Jr.
 Representative District No. 3—Edward F. Wright
 Representative District No. 4—William W. Opdyke, Jr.
 Representative District No. 5—Charles F. Richards, Sr.
 Representative District No. 6—Elmer L. Betts
 Representative District No. 7—Harvey P. Fifer
 Representative District No. 8—William J. Paskey, Jr.
 Representative District No. 9—George W. Cain
 Representative District No. 10—George A. Robbins

SUSSEX COUNTY

Representative District No. 1—Carlton Clifton
 Representative District No. 2—Edgar English
 Representative District No. 3—Norman Eskridge
 Representative District No. 4—R. Allen Cannon
 Representative District No. 5—Paul H. Kenney
 Representative District No. 6—James W. Carmean
 Representative District No. 7—Tilghman S. Johnson
 Representative District No. 8—Joseph B. Walls
 Representative District No. 9—William E. Graves
 Representative District No. 10—William T. Best

All members were present.

Mr. King nominated Mr. Shockley to be Temporary Speaker. Motion carried.

Mr. King nominated Mr. Carmean as Temporary Clerk. Motion carried.

Mr. King moved that Certificates of Election be received.

Mr. Shockley appointed Messrs. King and Richards to receive certificates.

The Certificates of Election were read, the form of which were as follows:

The State of Delaware, New Castle County, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen Hundred and Fifty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware, SHERMAN W. TRIBBITTS was duly elected Representative for Representative District Number thirteen (13) in said County in the General Assembly: which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 7th day of November, A.D. 1958.

CHARLES L. TERRY, JR.

(Seal)

President Judge

ANDREW D. CHRISTIE

Resident Associate Judge

The State of Delaware, Kent County, ss.

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

IN TESTIMONY WHEREOF, We, Collins J. Seitz and William J. Storey, constituting the Superior Court for Kent County, who have met and ascertained the state of the elec-

tion throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A. D. 1958.

(Seal)

COLLINS J. SEITZ
Chancellor
WILLIAM J. STOREY
Resident Associate Judge

The State of Delaware, Sussex County, ss.

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

IN TESTIMONY WHEREOF, We, James B. Carey and Albert J. Stiftel, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this sixth day of November, A. D., 1958.

(Seal)

ALBERT J. STIFTEL
Associate Judge
JAMES B. CAREY
Resident Associate Judge

Mr. King gave oath of office to Temporary Speaker.

Mr. Shockley gave oath to Temporary Clerk.

Mr. King nominated Mr. Tribbitt for Speaker.

Mr. King moved that the Speaker be elected by a unanimous vote. Motion carried.

Mr. Shockley appointed Mr. King and Mr. Richards to escort Mr. Tribbitt to the Chair.

Mr. Shockley administered the following oath to Mr. Tribbitt:

OATH OF EMPLOYEES

The State of Delaware, County of Kent, ss.

I, Sherman W. Tribbitts, do solemnly swear that I will support the Constitution of the United States, and the Consti-

tution of the State of Delaware, and that I will faithfully discharge the duties of the office of Speaker for the House of Representatives in the General Assembly of the State, according to the best of my ability.

SHERMAN W. TRIBBITT

Sworn and subscribed to this 6th day of January, A.D. 1959.

PAUL E. SHOCKLEY

Temporary Speaker of the House of Representatives

The Temporary Speaker administered the oath of office to the members-elect to the office of Representative, on the following forms:

OATH OF REPRESENTATIVE

Kent County, The State of Delaware, ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District No. 10 in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1958), according to the best of my ability, and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

JAMES QUIGLEY

Sworn to this 6th day of January A. D., 1959, before me.

PAUL E. SHOCKLEY

OATH OF REPRESENTATIVE

Kent County, The State of Delaware, ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District No. 1 in Kent County (to which office I was elected at the General Election held in said State in the year A. D. 1958), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contribute or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

CHARLES C. KING

Sworn to this Sixth day of January A. D. 1959, before me.

PAUL E. SHOCKLEY

OATH OF REPRESENTATIVE

Kent County, The State of Delaware, ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District No. 3 in Sussex County (to which office I was elected at the General Election held in said State in the year A. D. 1958), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

NORMAN A. ESKRIDGE

Sworn to this Sixth day of January A. D., 1959, before me.

PAUL E. SHOCKLEY

House recessed at the call of the Chair.

House was called to order by Mr. Speaker at 2:00 P. M.

Mr. King introduced the following resolution, which on further motion by him, was adopted by a voice vote.

HR 1—"In Reference To The Election Of Officers Of The House."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware that the said House proceed with the nomination and election of the following officers and do elect those whose names appear hereafter in this Resolution to serve in the offices placed opposite their respective names during the pleasure of the 120th General Assembly of the State of Delaware:

Attorney—William G. Bush, 3rd

Attorney—Maurice A. Hartnett, 3rd

Attorney—Joseph Kwiatkowski

Chief Clerk—Kathryn R. Crompton

Assistant Chief Clerk—Frank X. Shoemaker

Chaplain—Rev. Harry L. Mayfield

Reading Clerk—Alice C. Woodward

Assistant Reading Clerk—Samuel Messick

Document Clerk—Frank E. Devine

Assistant Document Clerk—Virgil Bork

House Messenger—Angelo Perregrino

House Messenger—William P. Turner

House Messenger—Rosemary Tull

House Messenger—Olin Virdin, Sr.

House Messenger—David Ray

House Messenger—Vincent Ware
 House Messenger—Ernest Brooks
 Sergeant-at-arms—Ira Messick
 Sergeant-at-arms—Willie Holmes
 Sergeant-at-arms—Robert Allen Wilson
 Sergeant-at-arms—Alvin Adams
 Sergeant-at-arms—Lloyd Minner
 Sergeant-at-arms—Frank Ingram
 Door Tender—Ernest S. Mattiford
 Door Tender—Roland West
 Door Tender—C. C. Hopkins
 Page—Betty Hudson
 Page—John Loder
 Cloak Room Attendant—Matthew Warrington
 Cloak Room Attendant—Norman Younger
 File Clerk—Ruth Ross
 File Clerk—George Nickolson
 File Clerk—Marshall Hastings
 File Clerk—Lillian Weston
 File Clerk—Norman S. Hudson
 File Clerk—Claude W. Jordan
 Stenographer—Beatrice Hubbard
 Stenographer—Lois F. Morgan
 Stenographer—Margaret Cathell
 Stenographer—Clara Campese
 Mail Clerk—Mildred A. Keeler
 Majority Leader's Clerk—Joseph Kelleher
 Minority Leader's Clerk—Clifford M. Simpler
 Supply Clerk—Herman Halloway

Mr. King introduced the following resolution, which on further motion by him was adopted by a voice vote.

HR 2—"Notifying the Senate that the House of Representatives is Organized and ready for business."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the Clerk of said House notify the Senate that the House is organized and ready to receive business.

Mr. King introduced the following resolution, which on further motion by him was adopted by a voice vote.

HR 3—"Appointing A. Committee to Notify the Governor that the House of Representatives is Organized."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the Speaker of the House appoint a committee of 2 members on the part of the House to notify the Governor of the State of Delaware, of the convening of the House of Representatives of the 120th General Assembly, and to inform him that the House is ready to receive any communication that he may

desire to present, or to receive any message that he may choose to deliver at such time as he may designate.

Mr. King introduced the following resolution, which on further motion by him was adopted by a voice vote.

HR 4—"In Reference to Rules of the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly that the Rules of the House of Representatives at the regular session of 1957 be and they hereby are adopted as the temporary rules for the governing of the present Session.

Mr. Speaker administered the Employees Oath to the attaches present named in **HR 1**, as follows:

OATH OF EMPLOYEES

The State of Delaware, County of Kent ss.

I, Kathryn R. Crompton do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Chief Clerk for the House of Representatives in the General Assembly of the State, according to the best of my ability.

Kathryn R. Crompton

Sworn and subscribed to this 6th day of January, A. D., 1959.

Sherman W. Tribbitt

Speaker of the House of Representatives

On motion of Mr. King, the House adjourned until 1:00 P. M. January 8, 1959.

2ND LEGISLATIVE DAY

House met pursuant to adjournment at 12:15 Noon on January 8, 1959.

Prayer by the Rev. Harry L. Mayfield.

Members Present: Messrs. Bartleson, Betts, Best, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker, Tribbitt—35.

Members Absent—None.

The Clerk proceeded to read the Journal of the previous session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion carried.

A message from the Senate informed the House that the

Senate had passed **SCR 1** and **SJR 1** and requested the concurrence of the House.

SCR 1—"That the Two Houses Meet in Joint Session to Hear the Message of the Governor," was read for the first and second time by title only.

Mr. King moved that all rules be suspended in order that **SCR 1** be adopted by a voice vote. Motion carried.

SJR 1—"Appointing a Bill Clerk for the Senate and a Bill Clerk for the House of Representatives to Serve During the 120th Session of the General Assembly," was read for the first and second time by title only.

Mr. Eskridge moved that all rules be suspended in order that **SJR 1** be adopted by a voice vote. Motion carried.

SCR 1 and **SJR 1** having passed the House were ordered returned to the Senate.

On motion of Mr. King the House recessed until the call of the Chair.

In pursuance to **SCR 1** the House convened in the Senate Chamber for a Joint Session.

JOINT SESSION

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

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

Mr. Riley moved that the Senate Rule 22 be suspended during the Joint Session. Motion prevailed.

The Chair appointed Messrs: King and Richards of the House and Messrs: Watson and Snowden of the Senate to the Committee to wait upon the Governor and escort him to the Senate Chamber.

The Sergeant-at-Arms of the Senate admitted the Governor and escorted him to the Senate Chamber.

The President of the Senate invited the Governor to the rostrum and introduced him to the Joint Session.

GOVERNOR'S MESSAGE

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

It is once again my privilege and responsibility to meet with you in joint session and place before you my budget recommendations and a legislative program which I firmly believe will, if enacted, enable the State to move forward with modern government to a new day which Delaware desperately needs.

We must work together to bring about a new day for Delaware.

This is my fourth meeting with the General Assembly at the beginning of a biennial session. I would be a happy man if I could report to you that all is perfect in Delaware. But such is not the case, although there has been much progress and much to be thankful for. I say quite frankly to each of you the business of this session is as urgent as any that has ever confronted a General Assembly in Delaware.

As elected representatives of the people of Delaware we have a real job to do. The reason is a simple one. We are in the midst of a serious financial crisis, and we are trying to meet the needs of a growing state with an antiquated governmental system. As you know, I have in previous messages pointed up these problems. They can no longer be postponed. These problems must be solved without delay.

I am firmly convinced that the people of this State—the fourth fastest growing state in the Nation—are well aware of our financial condition. They are looking to us to put our house in order. They are looking to us to provide the essential services—a better educational system, necessary help to the needy, more recreational facilities, modern highways—and yet keep our economic house in order. They will support us in well-considered programs to improve and modernize our state government so that these problems may be met. More than that, they expect it—and they deserve it.

I would like to make one suggestion at the outset. Let us apply to every proposal at this session of the General Assembly the basic test: Is it good for Delaware? I submit we can apply no other yardstick and still merit public support. I pledge to you my whole-hearted cooperation on constructive measures in the best interests of the people in the State of Delaware.

Every great challenge brings with it great opportunities. We have before us unprecedented opportunities to help create a better way of life for each of our citizens in the future. Individual economic well-being can be substantially increased. Our public education system can be improved for the growing numbers of our young people. Better public health programs can be encouraged. Greater assistance and understanding can be established for our older citizens. Natural resources, including recreational facilities, can be further developed. The economic climate can be strengthened to develop more jobs and to reduce unemployment by attracting new business enterprises and by encouraging profitable and productive expansion of our present industrial and agricultural capacities. There are many other areas where we can up-grade state services to meet rapid changes in our social and economic structure.

DELAWARE'S TWO MAJOR PROBLEMS

However, I am fully convinced that before we can realize the great opportunities that are well within our grasp, two things must be done.

First, we must bring about without delay financial reforms that will put the State on a sound financial footing and establish public confidence in a system of handling money problems efficiently.

Second, we must reorganize the government to meet not only today's complex problems, but the infinitely more complicated ones that will soon face us in the 1960's and 1970's as we continue to grow in this fast-moving Space Age.

As you know, I have initiated a series of public reports on the month-by-month status of state finances. I think that the public's response has already given you a measure of their anxiety on fiscal affairs.

CRITICAL FINANCIAL SITUATION

As of the moment these are the facts on Delaware's financial situation—a situation that can only be described as critical.

At the end of this fiscal year it is estimated that there will be a deficit—an excess of commitments over revenues—of about \$6,500,000.

In only six of the last 13 years have revenues matched expenditures in the State of Delaware. Over the last 13 years the State of Delaware has been saved from even greater deficits by the tax windfalls from certain large estates. Total state expenditures have grown from about \$13,000,000 in 1946 to about \$65,000,000 in 1958.

The State has no adequate system for estimating tax revenues, for preparing logical budgets, or for heading off troubles if revenues begin to fall short of expectations during any fiscal year.

The State of Delaware has an extraordinarily high bonded indebtedness totaling approximately \$156,000,000 for the veterans bonus and capital improvements such as schools and roads.

All of these facts taken together, as they must be, clearly show the urgency of acting and acting wisely for the present and future.

As to the problem of modernizing the state government, this is tied directly to the financial situation. We will be able to effect the needed savings and the financial management necessary to carry out our responsibilities as a state only by improving the structure of government.

DELAWARE'S GROWTH

All of us, from time to time, have occasion to remember when Delaware's budgets and Delaware's problems were relatively simple. But we can't go back to what some people refer to as the good old days. The fact is that Delaware is busting out all over.

Here are some facts: population is up from 299,000 in 1947 to an estimated 454,000 today, an increase in just eleven years of 155,000 persons or over 50%. As I have said, we are the fourth fastest-growing state.

Our school population has increased from about 41,000 in 1947-48 to an estimated 73,000 in 1958-59. Predictions are we'll pass 100,000 in enrollment in a few years.

In 1947-48 there were about 1,800 teachers and administrators at an average salary of about \$2,700 per year. Today there are about 3,500 teachers and administrators at an average salary of about \$5,700 per year. Salaries have more than doubled.

In 1946 there were about 83,000 wage earners covered by unemployment compensation insurance. Their average annual wage rate was \$2,465 with total wages of about \$205,000,000 for that year. In 1958 it is estimated 122,000 wage earners are in covered employment at an annual average wage rate of \$5,080 with total wages for the year of about \$620,000,000. The number of people employed has increased 50 per cent, wages have doubled, and total payrolls in the State have increased about 200 per cent.

In 1945 Delaware farm land had a total value of about \$72,000,000. In 1958, with about 123,000 acres less in farm land, the total valuation was about \$160,000,000.

Personal savings have increased almost 100 per cent since 1946.

The Department of Commerce gives me the following picture of Delaware's growth: total personal income for Delaware residents in 1946 was about \$460,000,000. In 1957, total personal income for Delaware residents was about \$1,200,000,000. These personal income figures might be considered the most comprehensive measure of economic activity.

While this growth may seem amazing, even as we look back upon it, think how incredible it would have been for anyone to have predicted it just fifteen years ago.

While Delaware has experienced great progress, we must never forget that there is unemployment in the State and that there are a substantial number of persons on the welfare rolls. Every effort must be made to meet the needs of these people as we strive further to strengthen our economy.

We can judge in part the future on the basis of the growth of our economy in the past. I, therefore, have con-

fidence in continued great growth and development in Delaware if our state government goes forward with these changing times in a responsible and courageous manner. Otherwise, the people of this State will not receive their full share of better things to come.

Many of the proposals I will make to you today, I have made in past messages to the General Assembly. This time the recommendations combine those previous proposals with important new ones to launch an all-out attack on our fundamental problems. I believe with my whole heart in this program; with my full energies I will work for it.

A NEW DAY FOR DELAWARE

This program will bring a new day for Delaware.

This new day for Delaware will include substantial and long-needed financial reforms to protect the taxpayers. This new day for Delaware means that the state government will live within its income. This new day for Delaware demands constitutional and legislative reforms to create a modern government. This new day for Delaware means the strengthening of state services in certain vital areas of basic human needs. This new day for Delaware means an economic climate that will provide more jobs and new opportunities for working men and women.

It is a program for Delaware that is above partisanship, above political whim. This new day for Delaware needs your support.

It is my privilege to submit to the General Assembly for your consideration as the law requires the Budget Report, the Budget Appropriation Bill, the Contingency Fund Bill and various other usual supplementary appropriation bills.

A BALANCED BUDGET

A balanced budget is recommended for the next biennium. It does not require any new taxes from our citizens. However, it does provide for modest increases in expenditures in many areas of state services. With present revenue estimates, these can be financed by the normal expected growth from the present tax structure and by reductions in expenditures in certain other areas. Where reductions occur, I believe they can be justified.

Let me say that I recognize arguments can be made for increased expenditures over and above those that I have recommended. There is no doubt in my mind that these expenditures will have to increase in the future. A growing state must have an expansion of services to meet the needs of its people. We must also have the courage to pay as we go and stop indiscriminately piling up bonded debt for our children.

I am firmly convinced, however, that we must make no substantial increases in expenditures until our State has re-established a sound financial position. We must not make any further demands on the taxpayers' pocketbooks until there has been a thorough, top-to-bottom study of the entire tax system to bring up-to-date the fiscal affairs report made in 1954 at my request by McKinsey and Company. The McKinsey report and recommendations, as you know, were given to the members of the General Assembly in 1955 and 1957.

The new tax study which I am proposing should make recommendations on how to provide additional needed state services without damaging the economy and, most of all, without creating injustices or inequities in the tax system. We must not blindly authorize state expenditures and then, and only then, look around for some place to find the revenue. Delaware can go ahead with confidence only when its tax system is equitably geared to its economy.

\$138,000,000 BUDGET

With this philosophy as the basis for my budget recommendations, the total expenditures for the next biennium are expected to amount to about \$138,608,549. Estimated revenues for the next two years total \$138,635,000.

Some state services have received slight recommended increases. In order to recommend a balanced budget for the next two years, however, it was necessary to reduce budget requests. Some item by item comparisons of this new budget recommendation with the present biennium will demonstrate how the state government will meet its responsibilities.

INCREASED SERVICES

For example, my budget recommendations for education in the next two years are \$3,400,000 higher than the money provided in the last two years. It is recommended that the University of Delaware funds be raised over what they have been in the past two years.

The University of Delaware has over the years achieved a position of eminence in the field of higher learning. The University's ability to meet future, higher educational needs in Delaware will depend substantially on the establishment of a sound financial condition for the state as a whole.

Many items of the Welfare budget, including such important projects as the Commission for the Blind, Delaware State Hospital, Governor Bacon Health Center, and various programs for the aged, the indigent, the physically and mentally handicapped, and dependent children, have been increased.

In the highway program, budgets for safety and the State Police have been increased. The judicial and legal budget has been increased, including additional money for the Family Court in Wilmington. Both our health programs and our agricultural programs have my recommendation for more money than they received in the past two years. The money available for pensions is increased in line with the statutory requirements. The debt service increase is mandatory. These are the major increases in the Budget.

REDUCED EXPENDITURES

Reductions in expenditures are recommended for highway maintenance, highway construction, mosquito control and election functions. The last item I am recommending be returned to the counties. My recommendations on registration and election functions will be more fully discussed in a special message in the near future. I believe the highway maintenance program can be reduced substantially without any damage to the over-all state road program.

The half-million-dollar reduction in the highway construction budget will not eliminate one foot of highway construction. This particular budget item primarily represents money for highway planning. The high level of expenditures for planning in recent years should have permitted projects to be drawn up well into the future.

For the present biennium, large amounts of money have been appropriated for mosquito control. In recent years these appropriations have not been as effective in reducing this nuisance as we had reason to hope. In fact, at certain times of the year, harassed citizens have expressed the belief that the mosquitoes are, if anything, worse.

In view of this situation, it seems logical that we restudy existing mosquito control methods in an effort to develop new techniques that will be more effective. Pending the outcome of these new studies, which I recommend be made, funds are included for the State to continue a basic program of mosquito control.

I have every confidence that the wisdom of this General Assembly will result in a concurrence that a balanced budget is an essential objective of sound fiscal management in meeting today's and future needs of the State of Delaware.

DEFICIT MUST BE SOLVED

There is another important financial matter to be discussed. That is the anticipated \$6,500,000 deficit for this fiscal year ending June 30, 1959. This is a problem that must be solved. Last year, I made recommendations to the General Assembly to head off this deficit, and the Joint Finance

Committee also made proposals to meet this crisis. However, the General Assembly itself failed to take complete action. This General Assembly has inherited the problem, and I ask you to take up the problem and clear the deficit with appropriate action.

Delaware's credit rating and future bond issues for schools, roads and other necessary capital improvements during the next two years will depend on prompt and proper action to clear up our present deficit. I am informed that the State of Delaware may even have great difficulty in successfully selling the bonds already authorized for highways and school construction, some of which funds will be required this Spring.

This State must be prepared to provide increased and improved services required by its citizens. But when this is viewed against the back-drop of the present unsound financial and organizational situation in the state government, I say we must take first things first. We must establish a governmental structure and sound policies that will permit us to move ahead with confidence in succeeding years.

PROGRAM FOR MODERN GOVERNMENT

This leads directly to the matter of recommendations for modernizing our state government. I am submitting to you an 11-point legislative program that I believe is urgently required to begin meeting effectively the governmental problems of this State.

1. DEPARTMENT OF FINANCE

A Department of Finance is desperately needed. This is a recommendation which I have made several times before. A Department of Finance is essential for a sound financial structure for the State of Delaware.

A Department of Finance for Delaware should have three major divisions: a Division of Accounts, responsible for centralized accounting and auditing; a Division of Purchasing, responsible for centralized purchasing for state agencies; and a Division of the Budget, responsible for preparation and control of the budget and the expenditures under that budget. The Director of this new department, with the Governor's approval, must have the power to order changes in expenditures in case revenues do not meet the estimates at any time during the fiscal year. Also, the head of this new agency should be appointed by and be responsible to the Governor.

What will this new Department mean to the people of this State? It will mean that governmental machinery is available to help prevent financial chaos in the future. It will mean that we can help head off deficits through more accurate estimates of revenue and greater control of expen-

ditures. It will mean that there can be sensible, long-range planning of state finances to meet the growing needs of our people. And, finally, it will provide for greater economy, perhaps as much as \$5,000,000 over a ten-year period. A majority of the states have this type of sound financial organization. We need it in Delaware.

2. CONSTITUTIONAL REFORMS

I recommend that the General Assembly take action to place before the people of the State of Delaware, through the ballot in 1960, the question: "Should there be a convention to revise the Constitution of the State of Delaware."

Many changes in the life and character of Delaware have occurred since the time of the adoption of the present Constitution in 1897. That was 62 years ago, and not since that time has this basic structure of Delaware's sovereignty been reviewed by representatives of its citizens chosen for that particular purpose.

This document represents the fundamental compact among the people of this State by which they agree with each other upon the form and character of the government to which they will be subject. The time has come when the people are entitled to a re-examination of that compact.

Many areas of proper constitutional revision suggest themselves for consideration by such a convention. Prominent among them should be the consideration of a limit upon the power of the legislative and executive branches to contract indebtedness of the State. Additionally, a convention should consider a prohibition upon the use of windfall or nonrecurring revenues for ordinary operating expenses. I believe they must be for capital improvements and debt reduction.

Of equal or greater importance is the establishment of firm constitutional controls which would assure to each of the legislative, executive and judicial branches of the state government the preservation of its power and of the fundamental principle of checks and balances upon which the security of our governmental system depends. Each branch should be absolutely barred from usurping the prerogatives of either of the others.

The convention should also consider the constitutional requirements of direct primary elections for the selection of candidates for elective political office.

Such convention should consider the often recommended constitutional provision requiring that all revenues derived from taxes and fees paid by highway users be made available for highway purposes only.

FOUR CONSTITUTIONAL AMENDMENTS

Since the revision of the Constitution by a convention called for that purpose must await the next general election and a necessary time thereafter, I recommend for immediate adoption the following amendments to the Constitution:

First—I recommend the amendment of Article 2, Section 4 of the Constitution to provide for annual sessions of the General Assembly.

We have seen a tremendous growth in the population of this State and with it a growth in the number of problems, which must be handled by the state government, calling for an increasing amount of its services. In particular, the greater demands upon the finances of this State make it desirable that legislative attention be maintained on an annual basis in respect to revenues and expenditures.

This measure has already been enacted by the 119th General Assembly and only requires action by this session to put it into effect commencing with the 121st General Assembly.

Second—I recommend that re-apportionment of representation in the General Assembly be established by appropriate constitutional amendment. Such an amendment might well follow the principle upon which the federal legislature is apportioned by establishing a geographical equality of representation in the Senate and an apportionment by population numbers in the House of Representatives. Such a structure would guarantee an equal voice with all other parts of the State in the passage of legislation in the Senate and would offer protection from any abuse of power.

Third—I recommend the adoption of appropriate legislation to establish Home Rule. Home Rule is nothing more than self-government for incorporated towns and cities; and all of us support that principle. Is it fair and democratic government when the representatives of one part of the State sit in daily judgment of the affairs of an incorporated municipality of another part far removed geographically, and completely different in local interest?

Fourth—I recommend the adoption of an appropriate constitutional amendment prohibiting retroactive taxation.

I sincerely commend these constitutional matters to the attention of the General Assembly.

3. A SWEEPING REVENUE STUDY

A sweeping, top-to-bottom study is required at once to bring up-to-date the 1954 McKinsey fiscal report and determine the best methods by which the State can finance the increased needs for services which are developing as our population grows. Our present tax system has grown with-

out sufficient recognition of long-range planning. Every effort should be made to gear the tax programs to the State's economy, and this new study would indicate where inequities exist in the present tax structure.

These and many other fundamental questions of tax policy should be studied by the appropriate committee in the General Assembly. In conducting this searching examination of our tax system, this committee, I believe, should take extensive public testimony from individuals and organizations which represent a true cross-section of our State.

The necessary state services for its citizens cannot go forward on a sound basis until this study has been made. This study is especially important because, compared with other states, the state government in Delaware performs an unusually large proportion of the public services. I hope you will give this recommendation speedy and favorable consideration.

4. A NEW FIRE CODE

For further protection of lives and property in Delaware from the always-present menace of fire, I recommend passage at this session of legislation which would make possible the formulation of an urgently needed state fire code.

We must do everything within our power to protect our citizens from a holocaust like the recent dreadful fire in a Chicago school. The recent tragic fire in Clayton serves to bring home to us the need for further efforts in the area of state-wide fire prevention.

5. DEPARTMENT OF LABOR

A Department of Labor is a necessary improvement in the organization of our state government. This Department would coordinate the child labor laws, industrial safety, and other laws and regulations affecting working conditions. It would also help establish the climate and the processes that will enable the State to maintain its present harmonious relationships between management and labor.

6. PUBLIC SCHOOL SYSTEM

The public school system of this State also requires modernization if it is adequately and equitably to serve the educational needs of our children. The existence of numerous small school districts having less than a twelve year educational program creates adjustment problems for the students involved and for school officials and administrators. There is now in preparation a modernization of Delaware's school laws which will be submitted for consideration to the General Assembly at an early date. These revisions should add materially to the effectiveness of Delaware's public school system.

7. DEPARTMENT OF PUBLIC WORKS

A new Department of Public Works should replace the present Highway Department which is misnamed in the light of its present activities. The Highway Department is no longer a highway agency but includes many diverse activities such as beach erosion, dam and bridge building, mosquito control, motor vehicle registration, drainage problems, and the State Police. From a financial and administrative point of view this new Department would more appropriately represent the multitude of present activities of the Highway Department. I shall develop this recommendation later in a special message.

8. STATE POLICE

The State Police should be removed from the control of any state agency which has other responsibilities and especially from any agency where there exists the possibility for a serious conflict of interest and political domination. I recommend that the State Police be placed under a separate and independent commission.

9. WATER RESOURCES COMMISSION

A Water Resources Commission should be established to tackle the increasingly serious problems of Delaware's water supply. Much planning has already been done, and these plans should be moved forward and others started under the direction of a permanent commission.

10. NEW WEIGHTS AND MEASURES LAW

A new Weights and Measures law should be enacted without delay to provide new safeguards for housewives and all consumers and new standards to help businessmen and farmers. The administration of the law should be placed under the State Board of Agriculture instead of the present assignment to part-time persons in the three counties. Above all, the new law should have teeth in it to carry out its intent and provide its benefits and protection to the people.

11. COMMISSION FOR THE AGING

My final legislative recommendation is for the enlargement of the mission of the Board of the State Welfare Home and Hospital for the Chronically Ill. This agency should have full and broad authority to provide adequate attention to the problems of the growing number of our senior citizens. The greater longevity and more old people in the population must be accompanied by social and economic change, both to benefit those with more and more time at their disposal and to further strengthen the health of our economy. With this additional scope of responsibility this Board would be the nucleus of the State's effort in making sure that every possible attention is given to better ways of meeting the needs and utilizing the resources of the aging population.

This additional authority should enable the Board to appoint an Advisory Committee so that adequate representation may be given to all of the many and complex considerations involved in this important and serious responsibility. Such enlarged authority should also meet the standards of a Commission for the aging recognized by other states and the federal government.

This recommendation is especially important in view of Public Law No. 908 of the 85th Congress which provides that the President shall call a White House Conference on Aging. This Conference is to be held in January 1961. Certain funds from the federal government will be made available to assist the states in preparation for this White House Conference and other planning in connection with the aging problem.

CAMPAIGN FOR MODERN GOVERNMENT

These eleven recommendations form the basis of a program which will lead toward financial responsibility and an improved governmental structure for efficient, effective, good government in Delaware. I have made provision in my budget for the operation of these new government organizations. It is essential that a sound financial condition in Delaware be re-established in order to provide the basis for our future progress. Every effort must be made to modernize the government of the State of Delaware to meet its responsibilities more efficiently and economically. There are a number of other important improvements, including a job classification and merit pay system that will have to be achieved to complete the reorganization of the state government. However, the proposals in this eleven point program represent the most immediate needs. I ask you to join me in a campaign to bring about this new day for Delaware.

Delaware is at a crossroads—if we take the route of complacency and inaction, the situation will decay and we will be swamped by the growing needs of our people. If we take the route of bold action, we can in the next two years lay the foundation for a government that can help the people grasp the great opportunities that lie ahead of them, and above all, a government that can help usher in a new day for Delaware.

In the last twelve years I have made five state-wide campaigns. I am starting out here today on my sixth. But this is not a political campaign for elective office. This campaign, which I will carry into every community of the State, is a campaign for modern government in Delaware. I ask you to join with me in this campaign by acting affirmatively on these constructive plans.

With God's help we can bring about this new day for Delaware.

The previously named Committee escorted the Governor from the Chamber.

Mr. President moved that the Secretary of the Senate and the Chief Clerk of the House compare their Journals. Motion prevailed.

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

Mr. Riley moved that the two Houses now separate to reconvene in their respective Chambers. Motion prevailed.

Mr. Speaker called the House to order at 3:05 P. M.

Mr. King presented **HR 5**—"In Reference to the Election of Officers of the House."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware the said House proceed with the nomination and election of the following officers and do elect those whose names appear hereafter in this Resolution to serve in the offices placed opposite their respective names during the pleasure of the 120th General Assembly of the State of Delaware:

Parliamentarian—Irring H. Brinton
which was read for the first and only time and on further motion of Mr. King was adopted by a voice vote.

The Chair administered the oath of office to Irving H. Brinton and Alvin Lyons.

OATH OF EMPLOYEES

The State of Delaware, County of Kent ss.

I, Irving H. Brinton do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Parliamentarian for the House of Representatives in the General Assembly of the State, according to the best of my ability.

Irving H. Brinton

Sworn and subscribed to this 8th day of January, A. D. 1959.

Sherman W. Tribbitt

Speaker of the House of Representatives

Mr. King presented **HR 6**—"Appropriation for Postage Stamps for the House of Representatives of the 120th General Assembly."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the sum of \$500 be and the same is hereby appropriated out of the General Fund of the State of Delaware for the pur-

chase of postage stamps to be used for the official business of the House of Representatives of the 120th General Assembly.

BE IT FURTHER RESOLVED, that the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such postage stamps out of said appropriation upon warrants approved by the Executive Director of the Legislative Reference Bureau." which was read for the first and only time and on further motion of Mr. King was adopted by a voice vote.

Mr. King presented **HR 7**—"Authorizing the Legislative Reference Bureau to Furnish Stationery and Other Supplies."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the Legislative Reference Bureau hereby is authorized and directed to furnish to the Members of the House of Representatives, the Speaker's Clerk, the Chief Clerk, the Assistant Chief Clerk, the Attorneys for the House of Representatives, the Reading Clerks and the Bill Clerks, stationery and other supplies, the cost of which shall not exceed the sum of \$25.00 for each," which was read for the first and only time and on further motion of Mr. King was adopted by a voice vote.

Mr. King presented **HR 8**—"Authorizing the Legislative Reference Bureau to Supply the 1953 Delaware Code Annotated and Pocket Parts Thereto and a Copy of Volumes 49, 50 and 51 Laws of Delaware to Members of the House of Representatives and Certain Officers Thereof."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly that the Legislative Reference Bureau is instructed to furnish one copy of the 1953 Delaware Code, annotated and pocket parts thereto and a copy of Volumes 49, 50 and 51, Laws of Delaware, to each member, the Speaker's Clerk, the Chief Clerk and the Attorneys of said House respectively," which was read for the first and only time and on motion of Mr. King was adopted by a voice vote.

Mr. King presented **HR 9**—"Extending the Privileges of the Floor to Certain Persons."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly, that the privileges of the Floor be accorded to the ex-members of the House, members and ex-members of the Senate, members and ex-members of the United States Senate and the United States House of Representatives, the Governor, other State Officers, and Representatives of the Press, and the privileges of the Floor to address the House or to confer with members may be granted to others by a majority vote of the House," which was read for the first and only time and on motion of Mr. King was adopted by a voice vote.

Mr. King presented **HR 10**—"Authorizing the Committee on Printing to Purchase Name Cards for Use of Members and Identification Cards for Use of Members and Attaches of the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware that the Committee on printing is directed to purchase name cards for the use of the members and identification cards for the use of the members and attaches of the House of Representatives," which was read for the first and only time and on motion of Mr. King was adopted by a voice vote.

The following bills were introduced, read for the first and second time by title only and referred to committee as follows:

HB 1—"An Act Making Appropriations For the Expenses of the State Government For Each of the Two Fiscal Years Ending June 30, 1960 and June 30, 1961 and Authorizing the Allocation of Funds," by Richards; to Appropriations.

HB 2—"An Act Making Appropriations For Certain Contingencies, For the Respective Years of the Biennium July 1, 1959 to June 30, 1961, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of Budget Commission in Relation Thereto," by Bartleson; to Appropriations.

The Speaker announced the following Committee appointments:

ACCOUNTS—English, Chairman; Pryor, Opdyke, Livingston, Bartleson.

AGRICULTURE AND FORESTRY—Long, Chairman; Gove, Paskey, Clifton, Bartleson.

APPROPRIATIONS—King, Chairman; Pryor, Cain, Eskridge, Bartleson.

CHARITIES—Livingston, Chairman; Pryor, Wright, Davidson, Pawson.

CLAIMS—Walls, Chairman; Robbins, Cain, Davidson, Best.

CORPORATIONS - MUNICIPAL—Shockley, Chairman; Dineen, Betts, Cannon, Lawson.

JUDICIARY—Shockley, Chairman; Davidson, Opdyke, Carmean, Pawson.

CORPORATIONS-PRIVATE—Davidson, Chairman; Latina, Long, Graves, Kleinbach.

EDUCATION—Robbins, Chairman; Carmean, Eskridge, McGinnes, Manning.

ELECTIONS—Dineen, Chairman; Livingston, Betts, Graves, Manning.

FEDERAL RELATIONS—Wright, Chairman; Livingston, English, Walls, Fifer.

FISH, OYSTERS AND GAME—Gove, Chairman; Paskey, Long, Kenney, Richards.

INSURANCE AND BANKING—Pryor, Chairman; Dineen, Betts, Clifton, Lawson.

PUBLIC BUILDINGS AND HIGHWAYS—Graves, Chairman; Gove, Eskridge, Opdyke, Kleinbach.

LABOR—Latina, Chairman; McGinnes, Eskridge, Quigley, Richards.

MANUFACTURERS AND COMMERCE—Opdyke, Chairman; Davidson, Long, Cannon, Kleinbach.

MILITARY AFFAIRS—Paskey, Chairman; Livingston, Clifton, Davidson, Pawson.

MISCELLANEOUS—Eskridge, Chairman; Pryor, Cain, Robbins, Johnson.

PRINTING—Quigley, Chairman; Carmean, Kenney, Long, Manning.

PUBLIC HEALTH—McGinnes, Chairman; Paskey, Kenney, Gove, Fifer.

REVENUE AND TAXATION—Cannon, Chairman; McGinnes, Quigley, Wright, Bartleson.

REVISED STATUTES—Betts, Chairman, Robbins, Walls, English, Johnson.

RULES—Cain, Chairman; Walls, Shockley, Quigley, Lawson.

SUPPLIES—Clifton, Chairman; Graves, Latina, Dineen, Richards.

TEMPERANCE—Carmean, Chairman; Latina, Livingston, Pryor, Johnson.

PASSED BILL—Kenney, Chairman; Cannon, Best.

On motion of Mr. King the House adjourned until 1:00 P. M. Monday, January 12, 1959.

3RD LEGISLATIVE DAY

House met pursuant to adjournment at 1:15 P. M. on Monday, January 12, 1959.

Prayer by Mr. Eskridge.

Members Present—Bartleson, Betts, Best, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker, Tribbitt—35.

Members Absent—None.

The Clerk proceeded to read the Journal of the previous Session when Mr. Eskridge moved that so much be considered

the reading of the Journal, and the Journal be approved. Motion carried.

The following bills were introduced, given first and second reading, the second by title only, and referred to committee as follows:

HB 3—"An Act Appropriating Money to American Legion, Sussex Post Number 8 in Sussex County, with which to Operate and Maintain an Ambulance," by Walls and Best; to Appropriations.

HB 4—"An Act Proposing an Amendment in the Constitution of the State of Delaware by Inserting at the End Thereof an Article Providing for Municipal Home Rule," by Kleimbach, Richards, Best, Dineen, Davidson, Eskridge, Lawson; to Corporations Municipal.

HB 5—"An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection with the Holding of Boys' State and Girls' State," by Gove; to Appropriations.

HB 6—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware," by Opydke; to Appropriations.

HB 7—"An Act to Appropriate Money to the Belvedere Volunteer Fire Company," by Bartleson, Livingston, McGinnes; to Appropriations.

HB 8—"An Act Proposing an Amendment to Article 8 of the Constitution of the State of Delaware Entitled 'Revenue and Taxation'," by Lawson; to Revenue and Taxation.

HB 9—"An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict who Died while in the Service of the Army, Navy, Marine Corps, Air Force or Coast Guard of the United States or who Dies from Disease, Wounds or Disabilities Resulting from such Service," by Dineen; to Appropriations.

HB 10—"An Act Appropriating Certain Moneys to Kent and Sussex County Fair Incorporated, for Prizes," by Paskey; to Appropriations.

HB 11—"An Act Making Appropriations to the Veterans of Foreign Wars, Department of Delaware for the Furnishing of Services to Veterans and Their Dependents," by Latina; to Appropriations.

HB 12—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware which Maintain and Operate an Ambulance," by Clifton; to Appropriations.

HB 13—"An Act Appropriating Certain Money to Palmer Home, Inc.," by Long; to Appropriations.

HB 14—"An Act Appropriating Money to Layton Home

for Aged Colored Persons," Livingston, Lawson, Dineen; to Appropriations.

HB 15—"An Act to Amend Chapter 9, Title 10, Delaware Code (Known as the Family Court Act) by Requiring the Court to Keep Its Expenses Within General Assembly Appropriations," by Shockley; to Appropriations.

HB 16—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware," by Shockley; to Appropriations.

HB 17—"An Act Appropriating Money to the American Legion, Department of Delaware," by Carmean; to Appropriations.

HB 18—"An Act Making Appropriations to the American Legion, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents," by Graves; to Appropriations.

HB 19—"An Act Appropriating Money to the Disabled American Veterans of Delaware," by English; to Appropriations.

HB 20—"An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware," by Wright; to Appropriations.

HB 21—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware, which Maintain and Operate a Rescue Truck," by Quigley; to Appropriations.

HB 22—"An Act Calling for the Submission to the Qualified Electors of the State at the Next General Election of the Question of a Convention to Revise and Amend the Constitution," by Kleinbach, English; to Revised Statutes.

HB 23—"An Act Appropriating Money to Sussex Memorial Post No. 7422 V. F. W. at Millsboro, with which to Operate and Maintain an Ambulance," by Kenney; to Appropriations.

HCR 1—"Appropriating Money to Several Companies for Services and Supplies of the 119th General Assembly," by King and Lawson, was given its first and second readings, second by title only and referred to Appropriations Committee.

On motion of Mr. King the House adjourned at 4:35 P. M. until 1:00 P. M. Tuesday, January 13, 1959.

4TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:15 on Tuesday, January 13, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Law-

son, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker, Tribbitt—34.

Absent—Mr. English—1,

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion carried.

Mr. King called for a recess at 1:25 P. M.

The House reconvened at 3:45 P. M.

Mr. Walls introduced **HR 11**—"Authorizing the Legislative Reference Bureau to Furnish Stationary and Supplies to certain Officers and Attaches of the House of Representatives."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that the Legislative Reference Bureau be and it hereby is authorized and directed to furnish to all those officers and attaches of the House of Representatives other than those specifically provided for in other Resolutions, stationery and other supplies as ordered by them respectively, the cost of which shall not exceed the sum of \$10.00 for each such officer or attache during the first 30 legislative days of the present Session," which was read for the first and only time and on further motion by Mr. Walls was adopted by a voice vote.

On motion of Mr. King the House adjourned at 4:00 P. M. until 1:00 P. M. Thursday, January 15, 1959.

5TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:05 P. M. on Thursday, January 15, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Bartleson, Betts, Best, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker, Tribitt—35.

Members Absent—None.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal. Motion prevailed.

On motion of Mr. Eskridge the House recessed at 1:15 P. M.

The Speaker called the House to order at 3:45 P. M.

The following bills were introduced, given first and second

reading, second by title only and referred to committee as follows:

HB 24—"An Act to Amend Title 4, Section 903, Delaware Code by Forbidding the Use or Possession of Alcoholic Liquor in any Building in which the General Assembly is Convening," by Gove and Pryor; to Temperance.

HB 25—"An Act Proposing an Amendment to Article 8 of the Constitution of the State of Delaware Entitled 'Revenue and Taxation' by Adding a New Section 9 Thereto," by Fifer and Shockley; to Revenue and Taxation.

HB 26—"An Act to Amend Title 29 of the Delaware Code by Adding Increases in the Federal Social Security Benefits to the Retirement Benefits of State Employees," by Shockley; to Miscellaneous.

HB 27—"An Act to Amend Chapter 3, Title 28, Delaware Code, Entitled 'Horse Racing' and Chapter 5, Title 28, Delaware Code, Relating to Harness Racing by Providing for the Disposition of Outstanding Parimutual tickets not claimed within 60 Days," by Manning and Dineen; to Revised Statutes.

HB 28—"An Act to Amend Title 1, Delaware Code, Relating to a Contract for the Compilation, Revision, Annotation, Printing and Binding of the Pocket Parts," by Richards; to Printing.

HB 29—"An Act to Provide an Amendment to Article II, Section II, of the Constitution of the State of Delaware," by Bartleson and Manning; to Revised Statutes.

HB 30—"An Act to Amend Chapter 21, Title 3, Delaware Code, Entitled 'Commercial Fertilizers', by Repealing the Present Provisions and Substituting New Administrative and Substantive Provisions," by Walls and Best; to Agriculture and Forestry.

HB 31—"An Act to Amend Chapter 15, Title 3, Delaware Code, Entitled 'Seeds' by Repealing the Present Provisions and Substituting New Administrative and Substantive Provisions," by Best, Walls and Fifer; to Agriculture and Forestry.

HB 32—"An Act to Amend Title 14 of the Delaware Code Relating to Education by Providing Uniform Regulations for the Payment of Teachers out of Local Funds," by Latina; to Education.

HB 33—"An Act to Appropriate Money to the Port Penn Fire Company," by Davidson and Richards; to Appropriations.

HB 34—"An Act to Amend Subchapter V, Entitled 'Controlled-Access Highways' of Chapter 1, Title 17, of the Delaware Code, to Facilitate the Establishment of Privately-Owned Competitive Commercial Enterprises for Serving

Motorists on Service Roads Parallel to Controlled-Access Highways," by Walls; to Public Buildings and Highways.

HB 35—"An Act to Amend Chapter 3, Title 18, Delaware Code, relating to the State Insurance Commissioner," by Carmean; to Insurance and Banking.

HB 36—"An Act to Amend Title 14, Section 1318, Delaware Code of 1953, Relating to Sick Leave and Absences of School Employees, by Providing for Leave of Absence for Employees Elected to the General Assembly," by Latina; to Education.

HB 37—"An Act to Amend Title 14, Section 309, Delaware Code Relating to School Board Elections," by Carmean; to Education.

A Former Member of the House of Representatives, Mr. Henry Snedeker was introduced to the Members of the House and invited to the Rostrum by Speaker Tribbitt.

Mr. King on behalf of Appropriations Committee, reported the following bills, favorably, **HB 3, HB 5, HB 6, HB 7, HB 9, HB 10, HB 11, HB 12, HB 13, HB 14.**

Mr. Cain introduced **HR 12**—"Adopting Permanent Rules for the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware that the permanent Rules of Order of the House of Representatives of the 119th General Assembly are hereby adopted as the permanent rules of this House, which was read for the first and only time and on further motion by Mr. Cain was adopted by a voice vote.

On motion of Mr. King the House adjourned at 4:59 P.M. until Monday, January 19, 1959.

6TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:05 P.M. on Monday, January 19, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

Members Absent—None.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion carried.

On Motion of Mr. King, the House recessed at 1:20 P.M.

The House reconvened at 3:20 P.M.

HJR 1—"Re A Joint Committee for Highway Safety," was introduced by King and Richards, given first and second reading by title only and referred to Miscellaneous Committee.

The following bills were introduced, given first and second reading by title only and referred to committee as follows:

HB 38—"An Act Agreeing to a Proposed Amendment to the Constitution of the State of Delaware to Increase the Annual Salaries of the Members of the General Assembly," by King, Lawson; to Appropriations.

HB 39—"An Act Prohibiting the Use of State Owned Vehicles and Equipment for Hire or for Personnel Use and Providing Penalties Therefore; Duties of State Highway Department; Exceptions; Penalties," by Eskridge, Richards; to Revised Statutes.

HB 40—"An Act to Amend Title 14 of the Delaware Code by Providing a Procedure in the Event it is Necessary to Reduce the Number of Teachers in a District," by Latina; to Education.

HB 41—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Posting of A Refund When Appealing from an Order of the Commission," by McGinnes; to Miscellaneous.

HB 42—"An Act to Amend Chapter 51, Title 29 of the Delaware Code by Authorizing the State Treasurer to Make Certain Pay Roll Deductions and Providing Compensation to the State Therefore," by Dineen and McGinnes; to Revised Statutes.

HB 43—"An Act Appropriating Money to Selbyville American Legion Post No. 39, at Selbyville, Del., with which to Operate and Maintain an Ambulance," by Johnson and Walls; to Appropriations.

HB 44—"An Act Making a Deficiency Appropriation to Selbyville American Legion Post No. 39 at Selbyville, for the Biennium Ending June 30, 1959 with which to Operate and Maintain an Ambulance," by Johnson and Walls; to Appropriations.

Mr. Lawson presented **HSB 1** to **HB 8**—"An Act Proposing an Amendment to Article 8 of the Constitution of the State of Delaware Entitled "Revenue and Taxation", which was given first and second reading, second by title only and referred to committee on Revenue and Taxation.

Mr. Cannon introduced **HR 13**—"Providing for a Special Committee to study the Status of Insurance Coverage of every Type, Class and Description within the various Departments, Agencies and Offices of the State Government and School Districts of the State of Delaware."

WHEREAS, the members of the House of Representa-

tives of the 120th General Assembly are interested in reviewing the present status of insurance coverage of every type, class and description within the various departments, agencies and offices of the State Government and the school districts of the State of Delaware; AND

WHEREAS, the House of Representatives is of the opinion that such study would better educate and inform the members of the House of Representatives as to the type of legislation needed to provide for sound insurance coverage for the various State departments, agencies and offices and school districts; NOW THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly that the Speaker appoint a committee of three members of the House, one of whom shall be Chairman for the following purposes:

1. To make an intensive and complete study of the present insurance coverage of every type, class and description for the various departments, agencies and offices of the State Government and the school districts of the State of Delaware.

2. To submit a report as to the soundness of the present insurance program adopted by the various departments, agencies and offices of the State Government and the school districts of the State of Delaware.

3. To recommend changes and future policy which should be adopted by said departments, agencies and offices and school districts in contracting for insurance coverage.

4. To formulate and submit proposals and recommendations for legislation to improve any existing deficiencies in the insurance coverage for the various departments, agencies and offices of the State Government and the school districts of the State of Delaware.

5. To formulate and submit recommendations for legislation as to any matter concerning insurance coverage for the various departments, agencies and offices of the State Government and the school districts of the State of Delaware which the committee, in the course of its study and investigation, find desirable and necessary.

BE IT FURTHER RESOLVED that the aforesaid committee be known as the Special Insurance Committee of the House of Representatives and it submit a report to the House of Representatives upon completion of its survey; which was read for the first and only time and on motion of Mr. Cannon was adopted by a voice vote.

On motion of Mr. King, the House adjourned at 4:45 P.M. until Tuesday, January 20th, 1959 at 1:00 P.M.

7TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:15 P.M. on Tuesday, January 20th, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinness, Opdyke, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

Members Absent—None.

The Clerk processed to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion carried.

Mr. King on behalf of committee on appropriations reported **HB 38**, favorable 4 members.

The following bills were introduced, given first and second reading, second by title only, and referred to committees as follows:

HB 45—"An Act to Authorize the Townsend School District to Make Certain Tax Refunds," by Gove; to Appropriations.

HB 46—"An Act to Amend Chapter 84, Title 9, of the Delaware Code Relating to the Salary of the Receiver of Taxes and County Treasurer in Sussex County," by Graves and Best; to Revised Statutes.

HB 47—"An Act to Authorize the Levy Court of Kent County and the Harrington Special School District to make Certain Tax Refunds," by Cain; to Appropriations.

HB 48—"An Act to Amend the Charter of the City of Wilmington as Amended by Changing the Term of Office of Mayor and Certain other Elected Officers of the City of Wilmington and by Reconstituting "The Council", " by Lawson; to Corporation Municipal.

HB 49—"An Act Appropriating Money to Blades School District No. 172," by Cannon; to Appropriations.

HB 50—"An Act Creating a Department of Labor and Industrial Relations for the State under the Supervision and Direction of a Commissioner, Transferring the Industrial Accident Board to Said Department, Abolishing the Labor Commission of Delaware and Transferring the Powers and Duties Thereof to Said Department and Prescribing the Powers and Duties of Said Department, Its Commissioner and Divisions; Providing the Punishment for Violations and Enforcements; Appropriations," by Latina; to Labor.

Mr. Cannon reported on behalf of Committee on Revenue and Taxation, **HSB 1** to **HB 8**, 5 favorable.

Mr. Eskridge on behalf of committee on Miscellaneous, **HJR 1**, 5 favorable.

Mr. King moved, and Mr. Eskridge seconded a motion that House rules be suspended in order that **HB 38** be taken up for consideration, be given its third and final reading in order to pass the House.

HB 38—"An Act Agreeing to a Proposed Amendment to the Constitution of the State of Delaware, to Increase the Annual Salary of the Members of the General Assembly."

On the Question, "Shall this Bill Pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright and Mr. Speaker Tribbitt—33.

NAYS—Mr. Bartelson and Mrs. Manning—2.

HB 38 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. King moved that **HB 3**—"An Act Appropriating Money to American Legion, Sussex Post Number 8 in Sussex County, with which to Operate and Maintain an Ambulance," be taken up for consideration and read for a third time in order to pass the House.

On further motion of Mr. King, action on **HB 3** was deferred.

A Message from the Senate informed the House that the Senate had passed **SCR 2** and requested the concurrence of the House.

On motion of Mr. King, the House adjourned at 4:15 P.M. until Wednesday, January 21, at 1:00 P.M.

8TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:40 P.M., on Wednesday, January 21, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

ABSENT—None.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion carried.

The following bills were reported favorably by the major-

ity of the committee as follows: **HB 16**, **HB 17**, **HB 20**, **HB 23**; by Appropriations.

HCR 2 presented by Mr. Eskridge, "Appointing Clifford E. Hall as Accountant for the Joint Finance Committee and Helen N. Jones as Secretary for the Joint Finance Committee of the 120th General Assembly of the State of Delaware." Mr. King moved that rules be suspended and that **HCR 2** be given its third and final reading. Motion carried. **HCR 2** passed by voice vote.

The following bills were introduced, given first and second readings, second by title only, and referred to committees as follows:

HB 51—"An Act Appropriating Funds for Payments upon Judgement of Alice B. Dorsey, Leighton S. Dorsey, Beatrice P. Dorsey and William G. Dorsey against the State of Delaware, Obtained in a Suit in Tort arising out of a Collision with a Vehicle of the Delaware National Guard on August 2, 1955," by King; to Appropriations.

HB 52—"An Act to Amend Chapter 23, Title 19, Delaware Code, Entitled Workmen's Compensation, by Increasing the Compensation for Total Disability," by Latina; to Labor.

HB 53—"An Act to Amend Chapter 13, Title 25, Delaware Code, Relative to the Responsibility for Maintenance of Partition Fences," by Gove and Pryor; to Agriculture and Forestry.

HB 54—"An Act to Amend Chapter 81, Title 9, Delaware Code Relating to the Limitations upon Taxing Power, By Exempting Lands and Improvements of the Collins Park Community and Civic Association, Inc., from Assessment and Taxation," by Quigley; to Revenue and Taxation.

On motion of Mr. Cain, **HB 6**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware," was taken up for consideration and given its third reading in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed.

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Mr. English and Mr. Shockley—2.

On motion of Mr. McGinnes, **HB 7**—"An Act to Appropriate Money to the Belvedere Volunteer Fire Company," was taken up for consideration and given its third reading in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinback, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Mr. English—1.

Not Voting—Mr. Shockley.

Mr. Walls requested **HB 3**, brought up for consideration, **HB 3** had been deferred on January 20, 1959,—“An Act Appropriating Money to American Legion, Sussex Post Number 8 in Sussex County, with which to Operate and Maintain an Ambulance.”

On the question, "Shall the Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. English—1.

On motion of Mr. Paskey, **HB 10**—“An Act Appropriating Certain Moneys to Kent and Sussex County Fair Incorporated, for Prizes,” was given its third reading in order that it might pass the House.

On the question "Shall this bill pass the House? the roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright and Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. English—1.

On motion of Mr. Gove, **HB 5**—“An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in connection with the Holding of Boys State and Girls State,” was read for the third time in order that it might pass the House.

On the question "Shall this bill pass the House? the roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright and Mr. Speaker Tribbitt—33.

NAYS—Mrs. Manning.

ABSENT—Mr. English—1.

On motion of Mr. Long, **HB 13**—"An Act Appropriating Certain Money to Palmer House, Inc.," was given its third reading in order that it might pass the House."

On the question "Shall this bill pass the House? the roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. English—1.

HB 6, HB 7, HB 3, HB 10, HB 5 and **HB 13** having passed the House were ordered to the Senate for concurrence.

Mr. Livingston moved that **HB 14**—"An Act Appropriating Money to Layton Home for Aged Colored Persons," be read for the third and final time and be considered in order to pass the House.

On the question, "Shall the Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

ABSENT—Mr. English—1.

HB 14 having passed the House was ordered to the Senate for concurrence.

A Message from the Senate informed the House that the Senate had passed House Bills **7-14-38** and were returning same also **SJR 3** and **SCR 2** and requested the concurrence of the House.

Mr. King presented **HR 14**—"Relative to the Death of Former Representative T. Jackson Snow."

WHEREAS, the House of Representatives of the 120th General Assembly of the State of Delaware has learned with

regret of the passing of T. Jackson Snow, a former member of the House; and

WHEREAS, former State Representative T. Jackson Snow served his State faithfully and well during his term in the General Assembly of the State of Delaware, and

WHEREAS, the members of the House desire to express in this public manner their own feelings and the sense of loss which is felt throughout the entire State of Delaware; NOW, THEREFORE

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of T. Jackson Snow, a prominent figure in his community and a former member of the House of Representatives; and

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

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 120th General Assembly of the State of Delaware, which was read and on further motion by Mr. King was adopted by a voice vote.

Mr. Walls presented **HR 15**—"Relating to Classification, Titles, and Compensation Rates for Officers of the House."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware that all persons elected as officers of the House of Representatives shall be subject to the following classifications and shall receive one of the following titles, and for their services shall receive compensation for each day that the House is in session in accordance with the following schedule:

TITLE	DAILY RATE
ATTORNEYS	\$75.00
CHIEF CLERK	33.00
CHIEF SECRETARIES TO ATTORNEYS ...	27.50
BILL CLERK	27.50
PARLIAMENTARIAN	27.50
ASSISTANT CHIEF CLERK	25.00
READING CLERK	25.00
ASSISTANT READING CLERK	25.00
STENOGRAPHER	25.00
MAJORITY LEADERS CLERK	25.00
MINORITY LEADERS CLERK	25.00
CHAPLAIN	20.00
HOUSE MESSENGER	20.00

SERGEANT-AT-ARMS	20.00
DOOR TENDER	20.00
PAGE	20.00
CLOAK ROOM ATTENDANT	20.00
FILE CLERK	20.00
MAIL CLERK	20.00
SUPPLY CLERK	20.00

which was read and on further motion of Mr. Walls was adopted by a voice vote.

Mr. Walls present **HR 16**—"Authorizing Payments for services rendered by Attaches and Employees of the House of Representatives of the Present session of the 120th General Assembly."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 1st Legislative Day and including the 10th Legislative Day, of the current session.

William G. Bush, 3rd	\$375.00
Maurice A. Hartnett, 3rd	375.00
Joseph Kwiatkowski	750.00
Kathryn R. Crompton	330.00
Frank X. Shoemaker	250.00
Rev. Harry L. Mayfield	200.00
Alice C. Woodward	250.00
Samuel Messick	250.00
Frank E. Devine	275.00
Virgil Bork	250.00
Angelo Perregrino	200.00
William P. Turner	200.00
Rosemary Tull	200.00
Olin Virdin, Sr.	200.00
David Ray	200.00
Vincent Ware	200.00
Ernest Brooks	200.00
Ira Messick	200.00
Willie Holmes	200.00
Robert Allen Wilson	200.00
Alvin Adams	200.00
Lloyd Minner	200.00
Frank Ingram	200.00
Ernest S. Mattiford	200.00
Roland West	200.00
C. C. Hopkins	200.00
Betty Hudson	200.00

John Loder	200.00
Matthew Warrington	200.00
Norman Younger	200.00
Ruth Ross	200.00
George Nickolson	200.00
Marshall Hastings	200.00
Lillian Weston	200.00
Norman S. Hudson	200.00
Claude W. Jordan	200.00
Beatrice V. Hubbard	275.00
Lois F. Morgan	250.00
Margaret Cathell	250.00
Clara Campese	275.00
Mildred A. Keeler	200.00
Joseph Kelleher	250.00
Clifford M. Simpler	250.00
Herman Halloway	200.00
Irving H. Brinton	220.00
Thomas Gray	150.00

which was read and on further motion of Mr. Walls adopted by a voice vote.

HB 55—"An Act Appropriating Money to the Port Penn Vol. Fire Co., Inc., in New Castle County," by Tribbitt; to Appropriations.

HB 56—"An Act Making an Appropriation to the State Board of Health for Mosquito Control in Suburban New Castle County," by Quigley; to Appropriations.

HB 57—"An Act to Amend Chapter 13, Title 14, Delaware Code, Entitled "State Supported Salary Schedules for School Employees," by Defining the Term 10 Months Per Year," by Davidson; to Education.

HB 58—"An Act to Amend Chapter 23, Title 19, Delaware Code, Entitled Workmen's Compensation by Increasing the Compensation During Partial Disability," by Dineen, to Labor.

Mr. Eskridge presented **HJR 2**—"Relating to Mileage," read for the first and second time by title only and referred to Claims.

Mr. King reported favorably the following Bills, **15-21-33**.

On motion of Mr. King, the House adjourned at 4:50 P.M. until 1:00 P.M., Thursday, January 22, 1959.

9TH LEGISLATIVE DAY

House met pursuant to adjournment on Thursday, January 22, 1959, at 1:40 P.M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members present—Messrs. Bartleson, Best, Betts, Cain,

Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—33.

Members Absent—Mr. Opdyke and Mr. Shockley—2.

The Clerk proceeded to read the Journal of the previous session when Mr. King moved that so much be considered the reading of the Journal, and that the Journal be approved. Motion prevailed.

HJR 2 was reported favorably by entire Committee on Claims. On Motion by Mr. Eskridge, rules were suspended for the purpose of passing **HJR 2**. **HJR 2**—"Relating to Mileage," was read for the third and final time.

On the question, "Shall the Resolution pass the House?" the roll call revealed the following:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gover, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Long, (Mrs.) Manning, McGinnes, Paskey, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—31.

MEMBERS ABSENT—Livingston, Opdyke, Pawson and Shockley—4.

HJR 2 having received the constitutional majority, passed the House and was sent to the Senate for concurrence. **SCR 2** was given third and final reading—"Relating to the Employment and Compensation of Multilith Operators," and on motion by Mr. Eskridge was adopted by voice vote.

HB 47 was reported favorably by 4 members of the Appropriation Committee.

The Speaker administered the Employees Oath to Clifford E. Hall, Accountant and Helen Jones, Secretary of the Joint Finance Committee.

The House recessed at 1:55 P.M. to the call of the Chair.

Mr. Speaker called the House to order at the expiration of the recess.

HSB 1 for **HB 8** was given third and final reading and on motion of Mr. Lawson was deferred.

The following bills were introduced, given first and second reading, second by title only, and referred to committee as follows:

HB 59—"An Act to Amend Chapter 457, Laws of Delaware, by Providing Additional Projects which may be Acquired and Financed Thereunder; Authorizing the Execution of Leases and Purchase Agreements with respect to any such Projects; Providing for the Sale of Bonds Issued Thereunder;

Providing that no Approval of the Preceedings of "The Council" and the Board of Harbor Commissioners Thereunder shall be Required; Providing for the Security of Bonds Issued Thereunder; Declaring the Carrying out of the Powers therein Authorized to Constitute a State and Public Purpose; Exempting Property Acquired and Bonds Issued Thereunder from Taxation; Providing for the Manner of the Construction of Projects Thereunder; Limiting the Institution of Actions Attacking Proceedings Thereunder; and Making Other Provisions in Connection with the Foregoing," by Shockley, Livingston, Dineen, Latina and Lawson; to Revenue and Taxation.

HB 60—"An Act to Amend Title 28, Delaware Code, Relating to Horse and Dog Racing in the State of Delaware," by Quigley, Walls, Wright, Kenney and English; to Miscellaneous.

HB 61—"An Act to Amend Chapter 529, Volume 50 Laws of Delaware, Entitled School Building Program Act of 1955 by Designating the Area Where in a School within the School District for the City of Wilmington shall be Constructed," by Shockley, Livingston, Dineen, Latina and Lawson; to Corporations Municipal.

HB 62—"An Act to Amend Chapter 283, Volume 51 Laws of Delaware, Entitled Appropriation Providing for a Bond Issue for Enlargement and Improvement of Public School by Designating the Area wherein Facilities for Orthopedically Handicapped within the School District of the City of Wilmington shall be constructed," by Shockley, Livingston, Lawson, Latina and Dineen; to Corporations Municipal.

HB 63—"An Act Amending Title 30, Delaware Code, Entitled "State Taxes" Relating to Income Tax Deductions," by McGinnes; to Revenue and Taxation.

HB 64—"An Act Making a Deficiency Appropriations to the State Treasurer for the Purpose of Making Refunds of License Fees Relating to Electrical Contractors," by King; to Appropriations.

HB 65—"An Act Making a Deficiency Appropriations to Various Divisions of State Government for the Fiscal Year Ending June 30, 1959," by King; to Appropriations.

HB 66—"An Act Amending Title 11, Delaware Code, Relating to the Discharge of Firearms," by Kleinbach, Quigley; to Judiciary.

HB 67—"An Act to Amend Title 21, Section 2733, Delaware Code Relating to Discretionary Suspension or Revocation of Driver's License," by Latina; to Revised Statutes.

HB 68—"An Act Appropriating Money to the Delaware Society for the Prevention of Cruelty to Animals," by Pryor and Manning; to Appropriations.

HB 69—"An Act Amending Title 9, Section 2005, Delaware Code by Authorizing the Levy Court of New Castle

County to Appropriate County Monies to the Port Penn Vol. Fire Co., Inc. for the Maintenance of a Rescue Squad," by Tribbitt; to Judiciary.

SJR 3—"Urging the Federal Communications Commission to Assign Former Channel 12, WVUE-TV as an Educational Outlet," to Education.

On motion of Mr. King, the House adjourned at 4:45 P.M. until Friday, January 23, at 1:00 P.M.

10TH LEGISLATIVE DAY

House met pursuant to adjournment on Friday, January 23, 1959, at 1:29 P.M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Eskridge, Fifer Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

Members Absent—Mr. Carmean—1.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and that the Journal be approved. Motion prevailed.

A letter from the Hon. J. Caleb Boggs was read as follows:

STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, Del., January 23, 1959

The Honorable Sherman W. Tribbitt
Speaker of the House of Representatives
120th General Assembly of the State of Delaware
Dover, Delaware

Dear Mr. Speaker:

The continuing appropriation effect of the municipal aid fund further emphasizes the urgency of the top-to-bottom revenue study which I have recommended strongly to the General Assembly.

It was my firm understanding from discussions leading to its enactment that the Legislature would review this legislation from time to time in light of the experience under it and the budget situation.

Since the Attorney General has held that it is a continuing appropriation, I think it is even more important that the General Assembly take a new look at this law. I believe

the law should be strengthened to carry out its true purpose, street construction and maintenance, and should be amended immediately to remove the continuing appropriation provisions. It is not a sound fiscal policy for the State to be bound year after year by this kind of appropriation without the opportunity for determination by the Governor and the Legislature in view of the current financial condition of the State.

I am and always have been in favor of the municipal aid fund as a means of assisting municipalities in improving their streets and roads. But this and every other appropriation must be considered, not by itself but in relation to the State's over-all financial condition.

If the municipal aid program goes forward this year, the budget I have submitted to the General Assembly is, obviously, thrown out of balance. My responsibility, as I see it, is to insure that Delaware moves forward toward a sound financial footing.

In the light of the State's present financial plight, the Legislature must either amend the law or provide the money to pay for the appropriation.

Sincerely,
J. Caleb Boggs
Governor

On motion of Mr. King, the Assembly by voice vote had the above letter spread upon the Journal.

The following bills were introduced, given first and second readings, the second by title only, and referred to committees as follows:

HB 70—"An Act to Amend Title 29, Delaware Code Entitled State Government Relative to the Powers and Duties of the Budget Commission and the Auditor of Accounts," by McGinnes; to Revised Statutes.

HB 71—"An Act to Amend Chapter 9, Title 10, Delaware Code (known as the Family Court Act) by Re-defining 'Family' as Respects the Court's Jurisdiction," by Dineen and Johnson; to Judiciary.

HB 72—"An Act to Amend Chapter 9, Title 10, Delaware Code (Known as the Family Court Act) by Deleting the Provision Providing for Appointment of Judges for Unexpired Terms," by Dineen and Johnson; to Judiciary.

HB 73—"An Act to Amend Chapter 27, Title 21, Delaware Code Relating to Mandatory Revocation of Motor Vehicle Operators Licenses," by Latina; to Revised Statutes.

HB 74—"An Act to Amend Chapter 13, Title 14, Delaware Code, Entitled State Supported Salary Schedules for School Employees by Defining Certain Terms within the Chapter and Designating the Applicability of the Chapter," by Latina; to Education.

The House recessed at 1:45 P.M.

The Speaker called the House to order at 2:45 P.M.

Mr. Cannon asked for the floor for personal privilege.

HS 1 for HB 6 was introduced by Mr. Shockley, Mr. Dineen, Mr. Latina and Mr. Lawson, given its first and only reading. On Motion by Mr. Shockley rules were suspended for the purpose of passing **HSB 1 for HB 6**. On the Question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Shockley, Walls, Wright, Mr. Speaker Tribbitt—23.

ABSENT—Messrs. Cannon, Carmean, Johnson—3.

NOT VOTING—Messr. Bartleson, Best, Fifer, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Richards, Robbins—9.

HSB 1 for HB 6 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HSB 1 for HB 62 was introduced by Messrs. Shockley, Dineen, Latina and Lawson, given first and second reading. On motion of Mr. Shockley, **HSB 1 for HB 62** was adopted. On further motion of Mr. Shockley rules were suspended for the purpose of passing **HSB 1 for HB 62**. On the Question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Shockley, Walls, Wright, Mr. Speaker Tribbitt—23.

ABSENT—Messrs. Bartleson, Cannon, Carmean, Johnson—4.

NOT VOTING—Messrs. Best, Fifer, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Richards, Robbins—8.

HS 1 for HB 62 passed the House and was ordered to the Senate for concurrence.

A Message received from the Senate informed the House that the Senate had passed **SCR 3** and asked the concurrence of the House.

On behalf of the Revised Statutes Committee, Mr. Betts reported **HB 39** with **HA 1** favorable.

On motion of Mr. Quigley **HB 21**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware which Maintain and Operate a Rescue Truck," be taken up for consideration, and read for the third time in order to pass the House.

On the Question, "Shall the Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Clifton,

Davidson, Dineen, English, Fifer, Gove, Graves, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

ABSENT—Messrs. Cannon, Carmean, Eskridge and Johnson—4.

HB 21 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were introduced, given first and second reading, the second by title only, and referred to committees as follows:

HB 75—"An Act Providing for the Method of Computing the Pension of Jennie C. Johnson, Widow of a Deceased Employee of the State of Delaware," by Manning and Eskridge; to Miscellaneous.

HB 76—"An Act to Amend Chapter 23, Title 19, Delaware Code, Entitled Workmen's Compensation, Relating to Compensation During a Period of Incapacity," by McGinnes and Latina; to Labor.

HB 77—"An Act Proposing an Amendment to Article 2, Section 25 of the Constitution of the State of Delaware Relating to Zoning in Kent County," by Richards and King; to Revised Statutes.

HB 78—"An Act to Amend Title 30, Chapter 19, Entitled "Corporation Income Tax" by Providing for Refunds," by Richards; to Corporations Private.

HB 79—"An Act to Amend Title 14, Delaware Code Relating to School Board Elections," by Gove and McGinnes; to Education.

HB 80—"An Act to Amend Chapter 20, Title 9, Delaware Code, Entitled "Ambulance and Rescue Service," by Bartleson and McGinnes; to Revised Statutes.

HB 81—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware," by Shockley; to Appropriations.

HA 1 to **HB 65** was presented by Mr. Bartleson read for the first and only time and on motion of Mr. Bartleson was adopted by a voice vote.

Mr. Graves reported **HB 34**, favorable.

A Message from the Senate informed the House that the Senate had passed **SCR 4** and was requesting the concurrence of the House.

SCR 4—"Providing for the Rescinding of the Senate Concurrent Resolution No. 3 and Providing Further for the Adjournment of the Senate and House Until Monday, February 2, 1959 at 1 o'clock P. M." was read for the first and second time by title only.

On motion of Mr. King, all rules were suspended and **SCR 4** was adopted by a voice vote.

The House adjourned at 5:50 P. M. until Monday, February 2, at 1:00 P. M.

11TH LEGISLATIVE DAY

The House met pursuant to adjournment on Monday, February 2, 1959 at 1:25 P. M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—34.

Absent—Mr. English.

The Clerk proceeded to read the Journal of the previous session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Eskridge on behalf of Miscellaneous Committee reported **HB 75**, 5 favorable.

Mr. Betts on behalf of Committee on Revised Statutes reported **HB 73**, 4 favorable.

HJR 3 was given first and second reading, second by title only—"An Act Creating Joint Committee to Study the Salaries of the Employees of the State of Delaware and Report to the General Assembly," by Manning; assigned to Miscellaneous Committee.

On motion of Mr. Cain, **HB 47**—"An Act to Authorize the Levy Court of Kent County and the Harrington Special School District to Make Certain Tax Refunds," was taken up for consideration and read a third time in order to pass the House.

On the Question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

ABSENT—Messrs. English and Livingston—2.

HB 47 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Carmean, **HB 23**—"An Act Appropriating Money to Sussex Memorial Post No. 7422, V.F.W. at Millsboro, with which to Operate and Maintain an Ambulance,"

was taken up for consideration and read a third time in order to pass the House.

On the Question, "Shall the Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

ABSENT—Mr. English—1.

HB 23 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Latina, **HB 11**—"An Act Making Appropriations to the Veterans of Foreign Wars, Department of Delaware for the Furnishing of Services to Veterans and Their Dependents," was taken up for consideration and read for a third time in order to pass the House.

On the Question, "Shall the Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

ABSENT—Messrs. Betts and English—2.

HB 11 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Kenney, **HB 17**—"An Act Appropriating Money to the American Legion, Department of Delaware," was taken up for consideration given a third reading in order to pass the House.

On the Question, "Shall the Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker, Tribbitt—33.

ABSENT—Mr. English—1.

NOT VOTING—Mr. Best—1.

HB 17 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House recessed at 2:30 P. M.

The Speaker called the House to order at 4:15 P. M.

HA 1 to **HB 9** was introduced by Mr. Dineen, given first and only reading and adopted by voice vote.

On motion of Mr. Dineen, **HB 9** with **HA 1**—"An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict Who Dies while in the Service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or Who Dies from Disease, Wounds or Disabilities Resulting from such Service," was taken up for consideration and read a third time in order to pass the House.

On the Question, "Shall the Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

ABSENT—Mr. English—1.

HB 9 with **HA 1** to **HB 9** having received the constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, **HB 15**—"An Act to Amend Chapter 9, Title 10, Delaware Code (Known as the Family Court Act) by Requiring the Court to Keep its Expenses Within General Assembly Appropriations," was taken up for consideration and read a third time in order to pass the House.

On the Question, "Shall the Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

ABSENT—Messrs. English, Fifer, (Mrs.) Manning, Quigley—4.

HB 15 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Cannon, on behalf of Revenue and Taxation Committee, reported **HB 59**, 5 favorable.

Mr. Robins on behalf of Committee on Education, reported **HB 37**, 5 favorable.

Mr. Latina on behalf of Committee on Labor, reported **HB 50**, 5 favorable.

Mr. Latina on behalf of Labor Committee, reported **HB 52**, 5 favorable.

Mr. Robbins on behalf of Education Committee, reported **HB 79**, 4 favorable.

HA 2 to **HB 65** was introduced by Mr. Richards, given its first and only reading and was adopted by voice vote.

HCR 3, introduced by Mr. Clifton and Mr. Graves—"Appropriating Money to Several Companies for Services and Supplies of the 120th General Assembly," was given its first and second reading, second by title only and referred to Claims Committee.

HCR 4, introduced by Mr. Clifton and Mr. McGinnes—"Appropriating Money to Several Companies for Services and Supplies of the 120th General Assembly," was given its first and second reading, second by title only and referred to Claims Committee.

Mr. Clifton and Mr. Latina presented **HR 17**—"Relating to Amount Due Richard H. Barnes, Bookbinder, for Printing House Bill Book - Part 1 and House Bill Book - Part 2.

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware, that the State Treasurer be and hereby is authorized and directed to pay Richard H. Barnes, Bookbinder, the sum of \$230 covering cost of printing House Bill Book - Part 1 and House Bill Book - Part 2, which is a part of the expense of the House in the present Session," which was read for the first and only time and on motion of Mr. Clifton, was adopted by a voice vote.

Mr. Johnson presented **HR 18**—"Relative to the Death of Former Representative Lester M. Kaufman."

WHEREAS, the House of Representatives of the 120th General Assembly of the State of Delaware has learned with regret of the passing of Lester M. Kaufman, a resident of Ocean View and a former member of the House from the Seventh Representative District of Sussex County; and

WHEREAS, former State Representative Lester M. Kaufman served his State faithfully and well during the 119th General Assembly of the State of Delaware; and

WHEREAS, the member of the House desire to express in this public manner their own feelings and sense of loss which is felt throughout the entire State of Delaware; **NOW, THEREFORE**,

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Lester M. Kaufman, a prominent figure in his community and a former member of the House of Representatives; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the House

of Representatives of the 120th General Assembly of the State of Delaware which is extended by sending a copy of this resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 120th General Assembly of the State of Delaware." which was read for the first and only time and on motion of Mr. Johnson was adopted by a voice vote.

HA 1 to HB 51 was introduced by Mr. Richards and after receiving its first and only reading, on further motion by Mr. Richards was adopted by voice vote.

The following bills were introduced, given their first and second reading, second by title only, and referred to committees as follows:

HB 82—"An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to State Police and Detectives by Creating and Establishing a Separate State Police Department," by Mr. Richards; to Judiciary.

HB 83—"An Act to Amend Chapter 13, Title 14, Delaware Code Relating to State Supported Salary Schedules for School Employees," by Cannon; to Education.

HB 84—"An Act to Amend Chapter 11, Title 30, Delaware Code, Entitled "Income Tax"; by Lawson; to Revenue and Taxation.

HB 85—"An Act to Amend Title 15, Delaware Code, by Transferring the Functions Presently Performed by the Clerk of the Peace in Each County in General Elections to the Department of Elections for Each County," by Dineen; to Elections.

HB 86—"An Act to Amend Title 15, Delaware Code, by Providing that the Department of Elections Shall Designate the Election Officer Who Shall Serve as Inspector of Elections and Providing Compensation to said Inspector for Attending Instruction Sessions," by Dineen; to Elections.

HB 87—"An Act to Amend Title 15, Section 307, Delaware Code, by Providing that the Names of Registered Voters Who Have Not Voted for Two Consecutive General Elections Shall be Stricken During a Year Other Than a General Election Year," by Dineen; to Elections.

HB 88—"An Act to Amend Title 14, Delaware Code, by Providing for Payment to Milford Special School District for Pupils From Other Districts Attending the Milford High School, Authorizing Taxation by Districts of Pupils' Residence for Such Purpose, and Special Elections Affecting the Costs of the Milford High School," by Robbins and Clifton; to Education.

HB 89—"An Act to Repeal Paragraph 3919, Title 10, Delaware Code, Relating to Limitations of Liability of Newspapers for Libel," by Shockley; to Judiciary.

HB 90—"An Act to Amend Title 15, Delaware Code, Providing for the Issuance of Voter Identification Cards, and Providing an Appropriation Therefore," by Dineen; to Appropriations.

HB 91—"An Act Appropriating Money to Christiana School District No. 44," by Kleinbach; to Appropriations.

HB 92—"An Act to Amend Title 10, Delaware Code, by increasing the Jurisdiction of Justices of the Peace in Civil Actions," by Cannon; to Judiciary.

HB 93—"An Act to Amend Title 10, Delaware Code, by permitting the Courts of Common Pleas of New Castle, Kent and Sussex Counties to have Jurisdiction Over Civil Actions in Which the Amount, in Controversy Does Not Exceed \$2,000. Instead of \$1,000. As At Present," by Cannon; to Judiciary.

HB 94—"An Act to Amend Title 15, Section 1106, Delaware Code, by Providing That Public Notice of Registration of Voters Need Be Given for the First Day of Registration Only," by Dineen; to Elections.

HB 95—"An Act to Amend Title 15, Section 3148, Delaware Code, by Making Uniform the Compensation of Officers and Clerk in Primary and General Elections," by Dineen; to Elections.

HB 96—"An Act to Amend Title 15, Section 1751, Delaware Code, by Changing the Time for Change of Party Designation by Registered Voters," by Dineen; to Elections.

HB 97—"An Act to Amend Title 15, Section 1105 (a), Delaware Code, by Changing the Dates for the Registration of Voters," by Dineen; to Elections.

HB 98—"An Act to Amend Title 15, Section 1746 and 1747, Delaware Code, by Repealing the Requirement That Voters Who Transfer Their Registration be Notified of the Transfer," by Dineen; to Elections.

HB 99—"An Act to Appropriate Certain Funds to the Selbyville School District to Enable It to Purchase Certain Lands Adjoining Selbyville School No. 32," by Johnson and Graves; to Appropriations.

HB 100—"An Act Proposing an Amendment to Article 2, Section 25, of the Constitution of the State of Delaware, Relating to Zoning in Sussex County," by Johnson and Walls; to Revised Statutes.

On motion of Mr. King, House adjourned at 5:35 until 1 P. M. on Tuesday, February 3, 1959.

12TH LEGISLATIVE DAY

The House met pursuant to adjournment on Tuesday, February 3, 1959, at 1 P. M.

Prayer by Mr. Eskridge.

Members Present—Messrs. Bartleson, Cain, Eskridge, King and Shockley—5.

Members Absent—Messrs. Best, Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—30.

The House was on visitation to State Institutions.

There being no quorum present, Mr. King moved that the House adjourn until 10:00 A. M., Wednesday, February 4, 1959.

13TH LEGISLATIVE DAY

The House met pursuant to adjournment at 10:00 A. M. on Wednesday, February 4, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Betts, Best, Cain, Clifton, Davidson, English, Eskridge, Gove, Graves, Johnson, Kenney, King, Latina, Lawson, Long, (Mrs.) Manning, Opdyke, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—28.

Members Absent—Messrs. Cannon, Carmean, Dineen, Fifer, Kleinbach, Livingston, McGinnes—7.

Mr. Walls on behalf of Claims Committee, reported **HCR 3**, 4 favorable.

Mr. Walls on behalf of Claims Committee, reported **HCR 4**, 4 favorable.

The Secretary of the Senate informed the House that the Senate had passed **SB 2** and requested the concurrence of the House, which was presented by the Chair, given first and second reading by title only, and referred to committee as follows:

SB 2—"An Act Agreeing to a Proposed Amendment to the Constitution of the State of Delaware Relating to the Time and Frequency of Sessions of the General Assembly," to Revised Statutes.

A message from the Senate informed the House that the Senate had passed House Bills **14-3-7-38** and **HCR 2** and were returning same to House.

On motion of Mr. King, the House adjourned until 10:00 A. M., on Thursday, February 5. The House adjourned in

order that the members might attend a luncheon and make a visit to the State Welfare Home.

14TH LEGISLATIVE DAY

The House met pursuant to adjournment at 10:55 A. M. on Thursday, February 5, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Latina, Lawson, Long, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—26.

Members Absent—Messrs. Cannon, Dineen, English, Kleinbach, Livingston, (Mrs.) Manning, McGinnes, Pawson, Shockley—9.

The Clerk proceeded to read the journal of the previous session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Best on behalf of Committee on Revised Statutes, reported **SB 2**, 4 favorable.

The Speaker announced that he was about to sign **HB 14**, **HB 38**, **HB 7** and **HCR 2**.

HCR 3, on motion of Mr. Clifton was given its third and final reading, and on further motion by Mr. Clifton was adopted by voice vote.

HCR 4, on motion of Mr. Clifton was given its third and final reading, and on further motion by Mr. Clifton was adopted by voice vote.

The following bills were introduced, given first and second reading, second by title only and referred to committees as follows:

HB 101—"An Act to Amend Title 17, Chapter 1, Delaware Code, and Relating to Controlled-Access Facilities Through Farms and Other Private Rural Property and to Controlled-Access Facilities and Other Public Ways Through Incorporated Cities and Towns; by Providing for Overpasses and Underpasses; and by Providing Limitation of Jurisdiction Over Park Land and Other Public Property and Private Property," by Latina; to Building and Highways.

HB 102—"An Act to Amend Title 14, Delaware Code, by Creating a "Public School Construction Commission" and Defining of Powers and Duties Thereof, and Revoking Certain Powers and Duties of the State Board of Education and Making an Appropriation to the "Public School Construction Commission," by Tribbitt and King; to Appropriations.

Mr. Dineen presented **HR 19**—"Request to the Senate of

the 120th General Assembly of the State of Delaware to return House Bill Number 61, House Substitute Number 1, for House Bill 61, House Bill Number 62 and House Substitute Number 1, for House Bill Number 62 for Reconsideration.

WHEREAS, the House of Representatives desires to give reconsideration to House Bill No. 61, House Substitute No. 1 for House Bill No. 61, House Bill No. 62 and House Substitute No. 1 for House Bill No. 62;

NOW THEREFORE BE IT RESOLVED, by the House of Representatives of the 120th General Assembly, that the Senate respectfully be requested to return the aforementioned bills to the House of Representatives for reconsideration, which was read for the first and only time and was adopted by voice vote on motion by Mr. Dineen.

On motion of Mr. King, the House adjourned at 12:55 until 1:00 P. M., on Monday, February 9, 1959.

15TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:30 P. M., on Monday, February 9, 1959.

Prayer by Mr. Eskridge.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livignston, Long, (Mrs.) Manning, McGinnes, Opdyke, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

Absent—Mr. Davidson—1.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion carried.

Mr. Betts on behalf of Revised Statutes Committee, reported **HB 80**, 5 favorable.

Mr. Shockley introduced **HA 1** to **HB 59**, which was presented by the Chair and on further motion by Mr. Shockley, was adopted by voice vote.

HB 59 with **HA 1**—"An Act to Amend Chapter 457, Laws of Delaware, by Providing Additional Projects which may be Acquired and Financed Thereunder; Authorizing the execution of Leases and Purchase Agreements with Respect to any such Projects; Providing for the Sales of Bonds Issued Thereunder; Providing that no Approval of the Proceedings of The Council' and the Board of Harbor Commissioners Thereunder Shall be Required; Providing for the Security of Bonds Issued Thereunder; Declaring the Carrying Out of the Powers Therein Authorized to Constitute a State and Public Purpose; Ex-

emptying Property Acquired and Bonds issued Thereunder from Taxation; Providing for the Manner of the construction of Projects Thereunder; Limiting the Institution of Actions Attacking Proceedings Thereunder; and making Other Provisions in Connection with the Foregoing;" was given third and final reading and taken up for consideration in order to pass the House.

On the question "Shall **HB 59** with **HA 1** to **HB 59** pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

ABSENT—Mr. Davidson—1.

HB 59 with **HA 1** to **HB 59** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HB 37—"An Act to Amend Title 14, Section 309, Delaware Code relating to School Board Elections," on motion by Mr. Carmean was brought up for consideration and read for a third time in order to pass the House.

On the question, "Shall **HB 37** pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

ABSENT—Mr. Davidson—1.

HB 37 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Chairman of Passed Bills, Mr. Kenney, reported having delivered to the Governor for his approval the following **HB 7**, **HB 14**, **HB 38** and **HCR 2**.

Mr. Shockley on behalf of Judiciary Committee, reported **HB 66**, **HB 69**, **HB 71**, **HB 72**, 4 favorable and on **HB 89**, 3 favorable, 1 on merits.

On motion of Mr. King, House recessed at 2:00 P. M.

Chair call the House to order at 4:45 P. M.

A message from the Senate informed the House that the Senate had passed **SCR 6**—"Relative to National Defense Week and the Reserve Officers Association of the United States," and asked that the House concur. On motion by Mr. Shockley, rules were suspended in order to pass **SCR 6** which

was adopted by voice vote.

The Secretary of the Senate informed the House that the Senate had passed **SCR 7**—"Providing for a Joint Session and Exercise in Commemoration of the Birthday Anniversary of Abraham Lincoln," and asked the concurrence of the House.

On motion of Mr. Shockley, rules were suspended in order that **SCR 7** might pass the House and on further motion of Mr. Shockley **SCR 7** was adopted by voice vote.

The Chair appointed Mr. Carmean and Mr. Pawson as members of the committee for the Joint Session on Lincoln's Birthday.

The Chair announced that he was about to sign **HR 1, HR 2, HR 3, HR 4, HR 5, HR 6, HR 7, HR 8, HR 9, HR 10, HR 11, HR 12, HR 13, HR 14, HR 15, HR 16, HR 17** and **HR 18**.

A message from the Senate informed the House that **SJR 2** had passed the Senate and asked for the concurrence of the House—"An Act Providing for the Appointment of a Civil War Centennial Commission to Commemorate This Event in the State of Delaware," was given its first and second reading, second by title only, and referred to Miscellaneous Committee.

The Secretary of the Senate informed the House that the Senate had passed **SJR 4** and asked the concurrence of the House, **SJR 4**—"Opposing Any Increase in the Federal Gasoline Tax," was given its first and second reading, second by title only, and referred to Revenue and Taxation Committee.

Mr. Gove moved that **HB 79**—"An Act to Amend Title 14, Delaware Code, relating to School Board Elections," be read for the third and final time and be considered in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—26.

NAYS—Messrs. Bartleson, Best, Lawson, (Mrs.) Manning—4.

PRESENT—Messrs. Johnson and Pawson—2.

ABSENT—Mr. Davidson—1.

NOT VOTING—Messrs. Kleinbach and Richards—2.

HB 79 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HCR 5—"Appropriating Money to Several Companies for Services and Supplies of the 120th General Assembly," was introduced by Clifton, given first and second reading, second

by title only and was referred to Appropriation Committee.

HS 1 for **HB 36** was introduced by Mr. Latina, given first and second reading, second by title only, and referred to Education Committee.

The following bills were introduced, given first and second reading, second by title only and referred to committees as follows:

HB 103—"An Act to Amend Title 15, Delaware Code to Provide for Registration of Voters in the Offices of the Department of Elections for Each County," by Dineen; to Elections.

HB 104—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations upon Taxing Power, by Exempting Lands and Improvements of the Brookside Community, Inc., from Assessment and Taxation," by Pawson and Dineen; to Revenue and Taxation.

HB 105—"An Act to Amend Chapter 16, Title 9, Delaware Code by Increasing the Compensation of the Public Building Superintendent for the City of Wilmington and For New Castle County," by Shockley; to Revised Statutes.

HB 106—"An Act to Amend Chapter 9, Title 10, Delaware Code by Increasing the Salary of the Judges of the Family Court in and for New Castle County," by Shockley; to Judiciary.

HB 107—"An Act to Amend Chapter 19, Title 11, Delaware Code Relating to Arrest and Detention," by Graves; to Judiciary.

HB 108—"An Act to Amend Title 15, Delaware Code, Providing that the Department of Elections shall Select Primary Election Officers and Clerks," by Dineen; to Elections.

HB 109—"An Act Amending Title 17, Delaware Code, Entitled "Highways" Relating to Increasing the Penalty for Disposing Trash within a Certain Distance of the Highway," by Fifer; to Public Buildings and Highways.

HB 110—"An Act Providing that Each School District Shall Install a Flashing Red Light Within 150 Feet of Each Roadway Entrance to the Building Thereof," by Fifer; to Education.

HB 111—"An Act to Amend Title 15, Delaware Code by Providing that Clerks and Officers of Election Serving Outside of the District in Which they are Registered to Vote may Leave the Polling Place on Election Day to Vote; and Providing that Clerks of Election May be Appointed Outside of the Election District but Within the Representative District in which They Serve," by Dineen; to Elections.

HB 112—"An Act to Amend Title 29, Section 6906 Delaware Code, by Requiring Delaware Labor on All Public Im-

provement Contracts," by Latina; to Revised Statutes.

HB 113—"An Act to Amend Title 14, Delaware Code by Providing for Payment to Middletown Special School District for Pupils from Other Districts Attending the Middletown High School, Authorizing Taxation by Districts of Pupils' Residence for Such Purpose," by Tribbitt and King; to Education.

HB 114—"An Act to Amend Chapter 11, Title 30, Delaware Code, Entitled "Income Tax"," by Tribbitt; to Revenue and Taxation.

HB 115—"An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to State Taxes," by Richards; to Revenue and Taxation.

HB 116—"An Act to Amend Title 15, Chapter 55, Delaware Code, Relating to Absentee Voting," by English; to Elections.

On motion of Mr. King, House adjourned at 5:30 P. M. until Thursday, February 12, 1959, at 1:00 P. M.

16TH LEGISLATIVE DAY

House met pursuant to adjournment on Thursday, February 12, 1959 at 1:30 P. M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—28:

Members Absent—Messrs. Davidson, Dineen, Latina, Lawson, McGinnes, Quigley, Shockley—7.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion carried.

The following letters from the Governor were delivered to the House:

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

February 12, 1959

To The House of Representatives of the State of Delaware:

On February 9, 1959, I received House Bill No. 7, entitled:
**AN ACT TO APPROPRIATE MONEY TO THE
BELVEDERE VOLUNTEER FIRE COMPANY.**

I respectfully return herewith this Bill without my ap-

proval.

This Bill is a supplementary appropriation in the sum of \$1,750 annually for each of the fiscal years beginning July 1, 1959, and July 1, 1960, to be used for the prevention and extinguishment of fires and for the maintenance of apparatus and equipment.

I am returning this Bill without my approval because under the statutes of this State providing for passage of Supplementary Appropriation Bills, it has not been legally passed by either the House or the Senate and is not properly before me at this time for approval. In support of this reason I cite the Delaware Code Title 29, Chapter 63, Sections 6337-6339, which provide, among other things, "... neither House shall consider further or special appropriations, except in case of emergency, which fact shall be clearly stated in the appropriation bill therefor, until the Budget Appropriation Bill shall have been finally acted upon by both Houses." ... "Any further or special appropriations shall be known as Supplementary Appropriations." ... "No Supplementary Appropriation Bill shall be passed, if when added to the appropriations already authorized, the aggregate appropriations exceed in amount the State revenue from all sources for the ensuing biennial period as set forth in the budget."

From the above it seems apparent that no matter how meritorious a Supplemental Appropriation Bill may be, and I believe the purpose of the Bill to be meritorious, it cannot be passed by either House until the Budget Appropriation Bill has been acted upon unless it clearly shows in the Bill that it is an emergency measure.

Although this procedure has not always been observed in the past, the critical financial status of the State at the moment is such that we must strictly comply with the law and good business procedure and do everything to the best of our ability to see that the financial integrity of the State of Delaware is preserved.

After the Budget Appropriation Bill has been enacted and such other Deficiency Appropriations as may be necessary, I shall be happy to consider Supplementary Appropriation Bills on their merits and within the anticipated revenue available for appropriations.

Respectfully submitted,

J. CALEB BOGGS, Governor

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

February 12, 1959

To The House of Representatives of the State of Delaware:

On February 9, 1959, I received House Bill No. 14, entitled:
**AN ACT APPROPRIATING MONEY TO LAYTON
 HOME FOR AGED COLORED PERSONS.**

I respectfully return herewith this Bill without my approval.

This Bill is a supplementary appropriation in the sum of \$10,000 for operation expenses for the biennium beginning July 1, 1959, and ending June 30, 1961, for the Layton Home for Aged Colored Persons.

I am returning this Bill without my approval because under the statutes of this State providing for passage of Supplementary Appropriation Bills, it has not been legally passed by either the House or the Senate and is not properly before me at this time for approval. In support of this reason I cite the Delaware Code Title 29, Chapter 63, Sections 6337—6339, which provide, among other things, "... neither House shall consider further or special appropriations, except in case of emergency, which fact shall be clearly stated in the appropriation bill therefor, until the Budget Appropriation Bill shall have been finally acted upon by both Houses."... "Any further or special appropriations shall be known as Supplementary Appropriations."... "No Supplementary Appropriation Bill shall be passed, if when added to the appropriations already authorized, the aggregate appropriations exceed in amount the State revenue from all sources for the ensuing biennial period as set forth in the budget."

From the above it seems apparent that no matter how meritorious a Supplementary Appropriation Bill may be, and I believe the purpose of this Bill to be meritorious, it cannot be passed by either House until the Budget Appropriation Bill has been acted upon unless it clearly shows in the Bill that it is an emergency measure.

Although this procedure has not always been observed in the past, the critical financial status of the State at the moment is such that we must strictly comply with the law and good business procedure and do everything to the best of our ability to see that the financial integrity of the State of Delaware is preserved.

After the Budget Appropriation Bill has been enacted and such other Deficiency Appropriations as may be necessary, I shall be happy to consider Supplementary Appropriation Bills on their merits and within the anticipated revenue available for Appropriations.

Respectfully submitted,

J. CALEB BOGGS, Governor

Motion made by Mr. King that letters from the Governor be spread upon the Journal. Motion carried.

Speaker announces that he is about to sign **SJR 1, SCR 1, SCR 2.**

House recessed at 1:45 P. M. to attend Joint Session in the Senate to hear a message from the Rev. Park W. Huntington.

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

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

Mr. Reilly moved that Senate Rule 36 be suspended during the Joint Session. Motion prevailed.

Mr. Reilly moved that the Chair appoint a Joint Committee to notify the Rev. Huntington that a Joint Session is organized and to escort the Speaker to the Rostrum. Motion prevailed.

The Chair appointed Messrs. Hickman, DuPont, King and Richards to the Joint Committee.

The Sergeant-at-Arms announced the presence of the Glee Club from Delaware State College who were admitted.

The Sergeant-at-Arms announced the presence of the Rev. Huntington with the Joint Committee, who were admitted and escorted the Speaker to the Rostrum.

The Chair introduced the Glee Club under the direction of Mrs. Grant who gave several selections.

The Chair then introduced the Rev. Park W. Huntington, who delivered the following message:

Today we honor the birthday of ABRAHAM LINCOLN who was born 150 years ago in a tiny log cabin in Hardin County, Kentucky. Fifty six years later, at the moment when America had been stirred to its greatest rejoicing with the Civil War ended and the Union saved, a SHOT was fired in Washington that plunged America into deepest mourning and sorrow.

It is altogether fitting and proper that in February—the natal month of Abraham Lincoln and George Washington—that we pause to recall anew the high and noble ideals to which they so rigidly adhered, to pay due reverence to the strong, yet kindly nature that guided these two outstanding characters in our nation's history.

Washington, whom the nation has fittingly made the symbol of the spirit which founded America! Lincoln, whom the nation has fittingly made the symbol of the spirit which preserved the Union! Truly these two leaders symbolize for us all the hopes, the dreams and the aspirations; all the courage and sacrifices which the establishment and the preserva-

tion of our Country entailed.

Even more than that, Washington and Lincoln symbolized for us the purpose, the plan and the determination that inspired the inception and the protection of a new venture in democracy—the establishment of a great TRADITION of freedom, of justice, of equality and of respected rights of every individual.

Let us then NOT forget that through great personal sacrifice this noble tradition was initiated and only through many sacrifices was it preserved. We, today, are the possessors of this sacred trust and it behooves every citizen to protect it and to pass it to successive generations, that America may always remain a land of freedom, a nation of equal opportunity and a haven of respected rights of all.

In our hour of confusion, in our day of uncertainty and in our weeks of grave international crises, every American citizen faces a great responsibility in safe-guarding his or her birthright of liberty. Each one of us must be MILITANT GUARDIANS of our heritage or it may be taken from us.

We are engaged today in a great ideological struggle with the godless tyranny of Communism and the atheistic leadership of the Kremlin in Moscow. We are battling the forces of deceit and trickery in our endeavor to win and to lead the backward nations and the recently established independent countries to a way of freedom and equality for all. It is a struggle, yes even a test, whether democracy with its recognition of man's dignity and destiny as creatures of God, shall long endure.

We have need, therefore, for the inspiration of Lincoln's fervent devotion, rock-like loyalty and lofty patriotism; if we are to perpetuate the sources from which all our civic blessings flow.

If Abraham Lincoln's philosophy of patriotism were reduced to a few simple words, those words might be—

"TO LIVE FOR- WHAT AMERICA STANDS FOR".

That, I believe, was the keynote of Lincoln's entire life. He had an overwhelming appreciation of the benefit of liberty handed down to him by the founding fathers. He realized that it was merely a legacy. He had no part in the acquirement or the establishment of it. But he felt with all consuming fervor that it was his individual obligation as a good citizen to do his part to safeguard and to perpetuate that heritage.

To a close friend Lincoln confided:

"How hard it is to die and to leave one's country no better than if one had never lived for it!"

With those simple words Lincoln left a yardstick for all Americans with which to measure their loyalty and to test

their devotion to the best and finest government under the sun. It is a rule that Americans should use today.

Too many citizens are merely living **IN** America and not living **FOR** America. Too many people are merely endeavoring to extract personal gains **FROM** America rather than to give of their best **TO** America.

We cannot discharge our individual obligations to our community, state and nation by a passive citizenship or a selfish purpose.

We must not forget that America became a land of freedom because of aggressive action and continuing sacrifices by generations of patriots, who thought of country **FIRST** and themselves **LAST**. Let all of us be reminded that America will remain the land of the free, only through continued aggressive defense of its liberty and unselfish devotion to its cause.

Lincoln was only 26 when he addressed the Young Men's Lyceum at Springfield, Illinois, but the passage of time has not dimmed the brilliancy of his thoughts nor rendered his words less applicable to the present. Let us just imagine that we are spectators at that Springfield meeting back in 1835. Young Lincoln is speaking:

"We find ourselves in the peaceful possession of the finest portion of the earth-----"

We find ourselves under the government of a system of political institutions conducting more essentially to the ends of civil and religious liberty, than any of which the history of former times tells us-----"

Referring next to the blessings and the legacy that the founding fathers bequeathed American Lincoln continues:

"Theirs was the task to uprear . . . a political edifice of liberty and equal right; 'tis ours only to transmit these to the latest generation that fate shall permit the World to know. . . ."

Gratitude to our fathers, justice to ourselves, duty to posterity, and love for our species in general, all imperatively require us faithfully to perform this task."

Why these words might well be heard coming out of your radio or television. They are so potent and applicable today.

What then is our **TASK**?

Where shall we fortify against the **DANGER** that threatens within and without?

Where shall we start to **FERRET OUT** and **CORRECT** the injustices, the inequalities and the cancerous-like growths of materialistic selfishness?

Lincoln must have forseen the gangster, the trouble maker, the political leech, the law breaker, for he told his Spring-

field audience:

"I hope I am over wary; but if I am not, there is even now something of ill omen amongst us. I mean the increasing disregard for law which pervades the country

I know the American people are much attached to their government; I know they would endure evils long and patiently before they would ever think of exchanging it for another,—yet, not withstanding, all this, if the laws be continually despised and disregarded, if their rights to be secure in their persons and property are held by no better tenure than the caprice of a mob,—the alienation of their affections from the government is the natural consequence."

The ever recurring question arises . . . "How shall we fortify against these DANGERS that would break down and destroy our freedoms and liberties? I think the answer is a simple one.

Let every American, every lover of liberty, every well wisher to his posterity swear by the blood of our nation's defenders NEVER to violate in the least the laws of our country and NEVER to tolerate their violation by others.

As the patriots of 1776 did to support the Declaration of Independence and the defenders of 1861-1865 did to preserve our Union, so to the support of our Constitutional Laws and to the defense of our Precious Liberties—let every American pledge his life, his property and his sacred honor. Let every man, woman and child be made to realize that to violate the law, whether local, state or federal is to trample on the blood of his forefathers and to destroy the charter of his own and his children's liberty.

Let reverence for the laws be breathed by every American-mother to the Lispering babe in her lap; let it be taught in schools and colleges; let it be written in our educational courses; let it be preached from the pulpit, yes even proclaimed in legislative halls and enforced in our courts of justice.

In fact, I plead today that reverence for law and respect for authority become the political religion of the nation; and let all— young and old, rich and poor, colored and white—sacrifice unceasingly, if need be, for these principles upon the altar of justice and righteousness.

I repeat-----

"LIVE FOR—WHAT AMERICA STANDS FOR", is just as vital a slogan for good citizenship today as it was 123 years ago.

If we would honor Lincoln worthily today it must be through our increasing effort to compel his memory to be a source of ever-increasing blessing in those directions to which he contributed his deepest thoughts and his profoundest sen-

timents, and we should be inspired by the loving ardor that warranted his sublime sacrifice at the altar of his country and humanity.

Let us look but briefly at this man and try to explain the place he has gained in the hearts and affection of all peoples around the world.

The very nickname-HONEST ABE— by which Lincoln is best known has become a household word of advice. His honesty, his sincerity and his genuineness shall always be remembered. He was loved and respected for his integrity.

Let every politician, every industrialist, every labor leader, every office holder, every citizen- yes every youth— remember that honesty is the foundation of all virtue which all else is of no avail.

Lincoln's righteous convictions that God rules in the kingdoms of men was the controlling factor in both his private and public career as was evidenced by his repeating the words of the Psalmist (29) at an appropriate time,

“the judgement of the Lord are true and righteous altogether.”

Lincoln stood by his convictions and no one could purchase or trade those principles. He remarked,

“I do the very best I know how- the very best I can; and I mean to keep on doing so until the end . . .”

Let us have faith that right makes might and in that faith let us, to the end, dare to do our duty as we understand it.”

Today the life of Lincoln challenges the manhood and the womanhood, the boyhood and girlhood of the world to be courageous and effective and persistent in righting the wrongs and correcting the evils that are eating away at the very foundation stones of our body politic, namely:

those slaves of selfishness, avarice and greed;
 those worshippers of materialism, fame and fortune;
 those dispensers of hate and gossip;
 those discouragers that cry and whine for more hand-outs.

Certainly like the Centurion standing by the Cross on Calvary we, too, can repeat about Lincoln the same words as spoken of the Great Master,

“TRULY THIS WAS A RIGHTEOUS MAN”

American cannot claim Lincoln as hers alone, for Lincoln fought and died for a universal principle that makes the whole world his kin. Secretary Stanton, sitting at the bedside of Lincoln as he died, remarked with a catch in his voice but with solemn and prophetic utterance-----

"NOW HE BELONGS TO THE AGES".

Yes the Great Emancipator sleeps today under sunny skies. The pathways to his tomb in Springfield and to his monument at Washington are worn by feet of innumerable pilgrims coming from all walks and conditions of life, even from all nations around the world.

What a challenge to us to serve America and our fellow-men, when in spirit we hear him say-----

"With malice toward none, with charity for all, with firmness in the right as God gives us the right----

Let us strive on to finish the work we are in:

to bind up the nation's wounds
to care for him who shall have borne the battle
to care for his widow and orphan
to do all which may achieve and cherish a just and
lasting peace among ourselves and with all nations".

Let us whether Catholic, Jew or Protestant; whether white, black or yellow maintain and integrate the best that is in each of us to the discouragement and discordance of what— from the standpoint of the welfare of all our people— is **OBJECTIONABLE**.

Let us cauterize and eliminate from the body politic every agent and influence that works either selfishly or against our government.

Let us, as Lincoln so magnanimously did, subordinate our pernicious prejudices to the advancement of more patriotic purposes and brotherly considerations.

Micah, the prophet of old, said—

"What doth the Lord require of thee, but to do justly, love mercy and walk humbly with thy God".

This prophecy has not found a purer modern exposition in flesh and blood, than that practiced by the greatest of American Presidents. We, too, can emulate Lincoln's example and practice this prophecy in our daily lives by being fair in all our dealings and four square in our pledges and promises to our fellowmen; by showing love for others and practicing mercy where kindness and consideration are needed and by acknowledging God and serving in His Kingdom of Righteousness in thought, word and deed.

No better tribute could be spoken of us.

No finer epitaph could be inscribed on our final resting place because of our loyalty and devotion to America; because of the helpful deeds performed by us and the kindly words spoken by us, than the wish expressed by the immortal Lincoln as a memorial of his life and I pray it may be our memorial too-----

"I WANT IT SAID OF ME
 THAT I PLUCKED A THISTLE
 AND PLANTED A FLOWER
 WHERE I THOUGHT A FLOWER WOULD GROW".

The Joint Committee, previously appointed, escorted Mr. Huntington from the Senate.

Mr. Reilly moved that the Secretary of the Senate and the Chief Clerk of the House compare Journals. The Secretary of the Senate announced that the Journals were in accord.

Mr. Reilly moved that the Joint Session is over and the Members of the House return to House Chamber.

House reconvenes at 2:45 P. M.

Mrs. Manning moved that **HB 75**—"An Act Providing for the Method of computing the Pension of Jennie C. Johnson, Widow of a Deceased Employee of the State of Delaware," be read for the third and final time and be considered in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Robbins, Walls, Wright, Mr. Speaker Tribbitt—25.

ABSENT—Messrs. Cannon, Davidson, Dineen, Latina, Lawson, McGinnes, Quigley, Shockley—8.

NOT VOTING—Messrs. English and Richards.

HB 75 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HSB 1 for **HB 27**, was introduced by Mrs. Manning, given first and second reading, second by title only and referred to Revised Statutes Committee.

The Chair recognized Former Representative William E. Lester and invited him to the Rostrum.

The Secretary of the Senate informed the House that the Senate had passed **SCR 8** and **SCR 9** and asked the concurrence of the House.

SCR 8—"An Act Authorizing the State Treasurer to Make Payments to the Diamond State Telephone Company For Services Ending January 11, 1959," was read for the first and second time by title only and referred to Claims.

SCR 9—"Appropriating Money to Several Companies for Services and Supplies of the 120th General Assembly," read

for the first and second time by title only and referred to Claims.

Mr. Walls presented **HR 20**—"Authorizing the Payment of Certain Expenses for the Repair of an Electric Typewriter Being used by the House of Representatives of the 120th General Assembly."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the sum of Fourteen Dollars and Ninety-Five Cents (\$14.95) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay International Business Machines Corporation, Wilmington, Delaware, for certain expenses incident to the repair of an electrical typewriter connected with and necessary to the work of the present session, which was read for the first and only time and on motion of Mr. Walls was adopted by a voice vote.

The following bills were introduced, given first and second readings, second by title only and referred to committee as follows:

HB 117—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan," by King and Tribbitt; to Revised Statutes.

HB 118—"An Act to Amend Title 29, Delaware Code, "Entitled State Government" by Providing for Identifications Markings on Certain State Property," by Cain, Betts, Robbins; to Revised Statutes.

HB 119—"An Act to Authorize the Recorder of Deeds in and for Sussex County to make New Indices for Mortgages," by Graves; to Judiciary.

HB 120—"An Act to Amend Chapter 16, Title 10, Delaware Code, Entitled "Court of Common Pleas for Sussex County", Relating to Salaries of Clerk and other Officers," by Graves (by request) to Judiciary.

HB 121—"An Act to Amend Chapter 19, Title 30, Delaware Code, Entitled "Corporation Income Tax" Relating to the Computation of Taxable Income," by Richards; to Revenue and Taxation.

On motion of Mr. King, House adjourned at 4:00 P. M. until 1:00 P. M., Monday, February 16, 1959.

17TH LEGISLATIVE DAY

House met pursuant to adjournment on Monday, February 16, 1959 at 1:30 P. M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain,

Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinness, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

Members Absent—None.

The Clerk proceeded to read the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. King on behalf of Committee on Appropriations reported **HB 102**, 5 favorable.

On motion of Mr. Shockley, **HB 16** was stricken from the calendar.

On motion of Mr. Richards, **HB 82** was stricken from the calendar.

On motion of Mr. Shockley, **HS 1** for **HB 61** stricken from the calendar.

On motion of Mr. Shockley, **HS 1** for **HB 62** stricken from the calendar.

The Secretary of the Senate informed the House that the Senate had passed **SB 16** and **SCR 5** and requested the concurrence of the House, which when presented by the chair were given first and second readings and referred to committee as follows:

SB 16—"An Act to Further Amend an Act entitled "An Act to Renew the Act to Incorporate the Artisans' Saving Bank and the Acts Supplementary Thereto," by providing for an Increase in the Number of Managers and by Providing for the Designation and Powers of Committees and for the Election of Vice Presidents, One of Whom Shall be a Manager, and to Establish and Operate Branches or Branch Offices," Corporations Private.

SCR 5—"Appropriating Money to Several Companies for Services and Supplies Rendered the 120th General Assembly," Appropriations.

On motion of Mr. King, the House recessed at 1:55 P. M. The Chair called the House to order at 3:15 P. M.

Mr. Quigley presented **HR 21**—"Authorizing The Payment of Certain Expenses for Roll Call Books and Bill Backers for the House of Representatives of the 120th General Assembly."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that the sum of Three Hundred Twenty Five Dollars (\$325.) is hereby appropriated out of any money in the State Treasury, not

otherwise appropriated, to pay the Harrington Journal, Harrington, Delaware for roll call books and bill backers connected with and necessary to the work of the present session., which was read for the first and only time and on further motion of Mr. Quigley was adopted by a voice vote.

Mr. Cannon on behalf of Committee on Revenue and Taxation, reported **SJR 4**, 5 favorable.

Mr. Eskridge on behalf of Miscellaneous Committee, reported **SJR 2**, five favorable, and on further motion of Mr. Eskridge, **SJR 2**—"An Act providing for the Appointment of a Civil War Centennial Commission to Commemorate this Event in the State of Delaware," was adopted by voice vote, after suspending rules for this purpose.

Mr. King on behalf of Appropriations Committee, reported **HB 102**, 5 favorable.

On motion of Mr. Shockley, **HB 89**—"An Act to Repeal Paragraph 3919, Title 10, Delaware Code, Relating to Limitations of Liability of Newspapers for Libel," was given its third and final reading and brought up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—26.

NAYS—Messrs. Bartleson, Best, Fifer, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Richards—8.

ABENT—Mr. Johnson—1.

HB 89 having received its constitutional majority, passed the House, and was sent to the Senate for concurrence.

Mr. Betts on behalf of Revised Statutes Committee, reported **HB 118**, 5 favorable.

On motion of Mr. Latina, **HB 50**—"An Act Creating a Department of Labor and Industrial Relations for the State under the Supervision and Direction of a Commissioner, Transferring the Industrial Accident Board to Said Department, Abolishing the Labor Commission of Delaware and Transferring the Powers and Duties Thereof to Said Department and Prescribing the Powers and Duties of Said Department, Its Commissioner and Divisions; Providing the Punishment for Violations and Enforcement; Appropriations," was given its third reading and brought up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Cannon, Clifton, Dineen, Fifer, Gove, Kleinbach, Latina, Lawson, Livingston, (Mrs.) Manning, McGinnes, Opdyke, Pawson, Quigley, Richards, Shockley, Walls, Wright—20.

NOT VOTING—Messrs. Betts, Carmean, Davidson, English, Eskridge, Graves, Kenney, King, Long, Pryor, Robbins, Mr. Speaker Tribbitt—12.

PRESENT—Mr. Cain—1.

ABSENT—Mr. Johnson and Mr. Paskey—2.

Passed and sent to the Senate for concurrence.

On motion of Mr. Bartleson, **HB 80**—"An Act to Amend Chapter 20, Title 9, Delaware Code, Entitled "Ambulance and Rescue Service," was read for the third time, brought up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon,, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

ABSENT—Mr. Johnson and Mr. Latina—2.

HB 80 having received its constitutional majority, passed the House, and was sent to the Senate for concurrence.

HA 1 to **HB 60** was introduced by Mr. Quigley, given first and second reading by title only and assigned to Miscellaneous Committee.

Mr. King and Mr. Tribbitt presented **HA 1** to **HB 69** was given first and only reading and adopted by voice vote.

On motion of Mr. King, **HB 69** with **HA 1**—"An Act Amending Title 9, Section 2005, Delaware Code by Authorizing the Levy Court of New Castle County to Appropriate County Monies to the Port Penn Vol. Fire Company, Inc. for the Maintenance of the Rescue Squad," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Kenney, King, Kleinbach, Latina, Lawson, Liv-

ingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Wright, Mr. Speaker Tribbitt—33.

ABSENT—Mr. Johnson and Mr. Walls—2.

HB 69 with **HA 1** to **HB 69**, having received its constitutional majority, passed the House and was sent to the Senate for concurrence.

The following bills were introduced, given first and second reading, second by title only, and referred to committees as follows:

HB 122—"An Act to Amend Title 14, Delaware Code by Creating a "Public School Construction Commission" and Defining Powers and Duties Thereof, and Revoking Certain Powers and Duties of the State Board of Education and Making an Appropriation to the "Public School Construction Commission," by McGinnes; to Education.

HB 123—"An Act to Amend Chapter 25, Title 10, Delaware Code by Increasing the Compensation of the Register in Chancery and Clerk of the Orphans' Court in and for New Castle County," by Latina; to Judiciary.

HB 124—"An Act to Amend Chapter 96, Title 9, Delaware Code by Increasing the Compensation of the Recorder of Deeds in and for New Castle County," by Latina; to Judiciary.

HB 125—"An Act to Amend Chapter 25, Title 12, Delaware Code by Increasing the Compensation of the Register of Wills in and for New Castle County," by Latina; to Judiciary.

HB 126—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware," by Shockley; to Appropriations.

HB 127—"An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to State Police and Detective by Creating and Establishing a Separate State Police Department and State Police Commission," by Richards; to Revised Statutes.

HB 128—"An Act to Amend Title 15, Delaware Code by Providing for the Issuance of Voter Identification Cards," by Dineen; to Elections.

HB 129—"An Act to Amend Title 15, Delaware Code providing that the Department of Elections shall Select Primary Election Officers and Clerks," by Dineen; to Elections.

On motion of Mr. King, the House adjourned at 5:45 P. M. until Thursday, February 19, at 1 P. M.

18TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:45 P. M. on Thursday, February 19, 1959.

Prayer by the Chaplin, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—34.

Absent—Mr. Shockley—1.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Message from the Senate was received **SB 22** passed and request concurrence of the House.

SB 22—"An Act to Amend Title 9, Delaware Code Providing for the Establishment of Park Districts for the Developing, Equipping, Improving and Maintaining of Parks and Other Recreational Facilities and Activities; and to Carry on Recreational Programs; Authorizing and Regulating the Issuing of District Bonds to Finance Such Projects and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof," was read first and second time by title only and assigned to: Public Buildings and Highways.

HS 1 for **HB 83**, introduced by Mr. Cannon, was given first and second reading, second by title only and referred to Education Committee.

HS 1 for **HB 63**, introduced by Mr. McGinnes, was given first and second reading, second by title only and referred to Revenue and Taxation Committee.

The Chair announced that the following members of the House were appointed to serve on the Delaware Commission of Interstate Cooperation for a two year term ending February 1, 1961; Representative James R. Quigley, Representative Charles L. Richards and Representative William E. Graves.

Mr. McGinnes request that **HB 90** be stricken was granted.

Mr. Lawson's request that **HS 1** for **HB 8** be stricken was granted.

Mr. King presented **HR 22**—"In Reference to the Election of An Assistant Multigraph Machine Operator."

BE IT RESOLVED, By the House of Representatives of the 120th General Assembly of the State of Delaware that the said House proceed with the nomination and election of Leland Watson, as an Assistant Multigraph Machine Operator to serve in such office during the pleasure of the 120th General Assembly of the State of Delaware," which was read for the first and only time and on motion of Mr. King was adopted by a voice vote.

Mr. Tribbitt presented **HR 23**—"Expressing the Sympathy of the House of Representatives of the Illness of Judge Charles L. Terry, Jr., of the Superior Court of the State of Delaware."

WHEREAS, the members of the 120th General Assembly of the State of Delaware have learned that Judge Charles L. Terry, Jr., of the Superior Court of the State of Delaware is ill, and

WHEREAS, the members of the House of Representatives desire to express and extend their regret and sympathy to Judge Charles L. Terry, Jr., NOW THEREFORE

BE IT RESOLVED, that the members of the House of Representatives of the 120th General Assembly of the State of Delaware do hereby express their sincere wishes for a complete and speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the House of Representatives of the 120th General Assembly of the State of Delaware and a copy be forwarded to Judge Charles L. Terry, Jr., which was read for the first and only time and on motion of Mr. King was adopted by a voice vote.

Mr. Tribbitt presented **HR 24**—"Expressing the Sympathy of the House of Representatives on the Illness of G. Lester Cleaver, Levy Court Commissioner in and for New Castle County, State of Delaware."

WHEREAS, the members of the 120th General Assembly of the State of Delaware have learned that G. Lester Cleaver, Levy Court Commissioner in and for New Castle County, State of Delaware is ill, and

WHEREAS, the members of the House of Representatives desire to express and extend their regret and sympathy to G. Lester Cleaver, NOW THEREFORE

BE IT RESOLVED, that the members of the House of Representatives of the 120th General Assembly of the State of Delaware do hereby express their sincere wishes for a complete and speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the House of Representatives of the 120th General Assembly of the State of Delaware and a copy be forwarded to G. Lester Cleaver,

which was read for the first and only time and on motion of Mr. King was adopted by a voice vote.

Mr. King on behalf of Appropriations Committee, reported **HCR 5**, 3 favorable.

Mr. Davidson on behalf of Corporation Private Committee, reported **SB 16**, 5 favorable.

Mr. Dineen on behalf of Election Committee reported **HB 87** and **HB 128**, 5 favorable.

Mr. Eskridge on behalf of Miscellaneous Committee, reported **HB 60** with **HA 1** to **HB 60**, 2 favorable and 1 on merits.

On motion of Mr. Kleinbach, **HB 66**—"An Act Amending Title 11, Delaware Code, Relating to the Discharge of Firearms," was read for the third and final time and brought up for consideration.

On motion of Mr. Cannon **HB 66**, was deferred.

On motion of Mr. Cannon **SJR 4**, was read for the third and final time and brought up for consideration in order to pass the House, on further motion by Mr. Cannon **SJR 4** was adopted by voice vote.

On motion of Mr. Dineen, **HB 71**—"An Act to Amend Chapter 9, Title 10, Delaware Code (Known as the Family Court Act) by Re-Defining 'Family' as Respects the Court's Jurisdiction," was given its third and final reading and brought up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—32.

ABSENT—Messrs. Pawson, Quigley and Shockley—3.

HB 71 having received its constitutional majority, passed the House, and was sent to the Senate for concurrence.

On motion of Mr. Dineen, **HB 72**—"An Act to Amend Chapter 9, Title 10, Delaware Code (Known as the Family Court Act) by Deleting the Provision Providing for Appointment of Judges for Unexpired Terms," was given its third and final reading and brought up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pryor,

Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—31.

ABSENT—Messrs. Pawson, Quigley and Shockley—3.

NOT VOTING—Mr. English—1.

HB 72 having received its constitutional majority, passed the House and was sent to the Senate for concurrence.

The following bills were introduced, given first and second reading by title only and referred to committee as follows:

HB 130—"An Act to Amend Title 30, Delaware Code, Chapter 11, Relating to Income Taxes by Exempting Certain Non-Residents from the Application Thereof," by Tribbitt; to Revenue and Taxation.

HB 131—"An Act Proposing an Amendment to Article 8 of the Constitution of the State of Delaware Entitled 'Revenue and Taxation'," by Lawson; to Revenue and Taxation.

HB 132—"An Act to Amend Chapter 19, Title 30, Delaware Code, as Amended, Relating to Corporation Income Tax," by Lawson; to Corporation Private.

HB 133—"An Act to Amend Title 14, Delaware Code, to Provide for Side-walks Leading to School Sites," by Manning and McGinnes; to Education.

HB 134—"An Act to Amend Chapter 167, Volume 37, Laws of Delaware, Entitled 'An Act to Incorporate the Town of Slaughter Beach' Relating to Duties and Powers of Alderman; Taxation," by Clifton; to Corporation Municipal.

HB 135—"An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations," by Davidson; to Corporation Municipal.

On motion of Mr. King, House adjourned at 5:10 P. M. until Thursday, February 23, 1959.

19TH LEGISLATIVE DAY

The House met pursuant to adjournment on Monday, February 23, 1959 at 1:25 P. M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Betts, Best, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

Absent—None.

The clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. Graves request that **HB 46** be stricken was granted

SCR 12—"Creating a Committee to Study the Tax Laws of the State of Delaware and the Mandatory Appropriations of the State of Delaware and the General Fiscal Conditions of the State of Delaware and Appropriating Funds Therefor," was given first and second reading by title only and referred to Revenue and Taxation Committee.

HA 1 to **HB 78** was introduced by Mr. Richards, given its first and only reading and on further motion by Mr. Richards was adopted by voice vote.

HCR 6—"Relating to the Federal-State Food Surplus Situation, introduced by Mr. Latina, was given first and second reading by title only and on further motion by Mr. Latina, was deferred.

HCR 7 introduced by Mr. Latina—"Relative to the Federal State Surplus Food Distribution Program," was given its first and second reading by title only and on further motion by Mr. Latina rules were suspended and **HCR 7** was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall **HCR 7** pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Clifton, Davidson, Dineen, English, Eskride, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Shockley, Wright, Mr. Speaker Tribbitt—25.

NAYS—Mr. Best, Mr. Fifer and Mrs. Manning—3.

ABSENT—Messrs. Cannon, Carmean, Kleinbach, Quigley and Walls—5.

NOT VOTING—Mr. Bartleson and Mr. Robbins—2.

HCR 7 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Dineen on behalf of Election Committee, reported **HB 86**, **HB 94**, **HB 95**, **HB 97**, **HB 98** and **HB 103**, 5 favorable.

Mr. Betts on behalf of Revised Statutes Committee, reported **HB 117**, 4 favorable, 1 on merits.

HCR 5—"Appropriating Money to Several Companies for Services and Supplies of the 120th General Assembly," on motion of Mr. Clifton was read for the third and final time and on further motion of Mr. Clifton was adopted by voice vote.

Mr. Graves on behalf of Public Buildings and Highways Committee, reported **SB 22**, 5 favorable.

The chair recognized a former member of the House, Mr. James Mattiford and invited him to the rostrum.

Mr. Davidson moved that **SB 16**—"An Act to Further Amend an Act Entitled 'An Act to Renew the Act to Incorporate'

porate the Artisans' Savings Bank and the Acts Supplementary Thereto', by providing for an Increase in the Number of Managers and by Providing for the Designation and Powers of Committees and for the Election of Vice Presidents, One of whom shall be a Manager, and to Establish and Operate Branches or Branch Offices," be read for the third time and be taken up for consideration in order to pass the House. The Chair granted Senator Reilly the privilege of the floor to discuss **SB 16**.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—32.

ABENT—Messrs. Cannon, Opdyke and Shockley—3.

SB 16 having received the constitutional majority, passed the House, and was ordered returned to the Senate.

Mr. McGinnes presented **HR 25**—"Directing the Revenue and Taxation Committee of the House of Representatives to Study Sources for Revenues and Authorizing Certain Expenses of the Committee.

WHEREAS, the Governor has estimated that the State of Delaware will have a deficit at the end of the current fiscal year, and

WHEREAS, the Governor, in presenting what he has termed a balanced budget for the next two fiscal years has achieved this balance only by recommending that many of the State Agencies such as the State Hospital, the Governor Bacon Health Center, the State Highway Department, and the Commission for the Blind be given substantially less for their operation than they consider a necessary minimum, and by shifting certain State costs back to the counties which would entail a greater burden on the real estate taxes, and

WHEREAS, the Governor made no provision in his budget for municipal street aid as required under the present statutes, nor any provision for paying off all or any part of the deficit he has predicted will exist, and

WHEREAS, there has been no leadership in the Executive Department of the State Government in solving the financial problems that must be solved before there will be any "new day for Delaware," and

WHEREAS, a rapidly growing State in a period of national inflation cannot afford to neglect important and adequate services for its citizens for even two years, **NOW, THEREFORE**

BE IT RESOLVED by the House of Representatives of the 120th General Assembly that the House Committee on Revenue and Taxation be authorized and directed to make a detailed survey and study of all sources of revenue for the State Government and that such House Committee compile a report on such study and submit such report to the members of the House of Representatives.

BE IT FURTHER RESOLVED that the House Committee on Revenue and Taxation be authorized to expend an amount not exceeding \$10,000.00 for the ordinary and necessary expenses of the operation of the committee in making such study including expenses for obtaining the services of an accountant, tax consultant, clerical help or other such employees as the committee may need," which was read for the first and only time and on motion of Mr. McGinnes was deferred.

Mr. Dineen moved that **HB 87**—"An Act to Amend Title 15, Delaware Code, by Providing that the Department of Elections Shall Designate the Election Officer Who Shall Serve as Inspector of Elections and Providing Compensation to said Inspector for Attending Instruction Sessions," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Shockley, Wright, Mr. Speaker Tribbitt—30.

ABSENT—Messrs. Cannon, Carmean, King, Quigley and Walls—5.

HB 87 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were introduced, given first and second reading by title only and referred to committees as follows:

HB 136—"An Act to Amend Chapter 5, Title 4, Relating to Alcoholic Liquors by Providing for an Increase in the Tax on Wines and to Provide for the Disbursement of a Portion of that Tax," by Gove; to Revenue and Taxation.

HB 137—"An Act to Amend Chapter 3, Subchapter XVI, Title 11, Delaware Code Relating to Deadly Weapons and Firearms," by McGinnes; to Judiciary.

HB 138—"An Act Proposing an Amendment to Article IV of the Constitution of the State of Delaware, Relating to Appointment by State Judges," by Dineen, Latina, Livingston,

Davidson, Quigley, Gove, Shockley and McGinnes; to Judiciary.

HB 139—"An Act to Amend Title 28, Delaware Code, Entitled 'Sports and Amusements' by Deleting the Reference to Horse Racing," by Richards; to Miscellaneous.

HB 140—"An Act to Amend Title 9, Delaware Code, Entitled 'Counties' by Providing a New Chapter Therefore and Relating to Regional Planning in and for Kent County," by Richards; to Revised Statutes.

HB 141—"An Act to Amend Title 18, Delaware Code, Para. 2707, Relating to Liability for Municipal License Fees and taxes by Agents and Brokers, and Providing Insurance Agents and Brokers May be taxed by Municipalities for License Fees and Taxes," by Shockley; to Banking and Insurance.

On motion of Mr. King, the House adjourned at 5:05 P. M. until Thursday, February 26, 1959.

20TH LEGISLATIVE DAY

The House met pursuant to adjournment on Thursday, February 26, 1959 at 1:30 P. M.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King Kleinbach Latina, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Mr. Speaker Tribbitt—33.

Members Absent—Mr. Shockley and Mr. Wright—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion carried.

The Chair announced that he was about to sign **HR 22, HR 23, HR 24, HB 15.**

Mr. Walls presented **HR 26**—"Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 120th General Assembly.

BE IT RESOLVED by The House of Representatives of the 120th General Assembly that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 11th Legislative Day and including the 20th Legislative Day, of the current session.

William G. Bush, 3rd	\$375.00
Maurice A. Hartnett, 3rd	375.00
Joseph Kwiakowski	750.00
Kathryn R. Crompton	330.00
Frank X. Shoemaker	250.00
Rev. Harry L. Mayfield	200.00
Alice C. Woodward	250.00
Samuel Messick	250.00
Frank E. Devine	275.00
Virgil Bork	250.00
Angelo Perregrino	200.00
William P. Turner	200.00
Rosemary Tull	200.00
Olin Virdin, Sr.	200.00
David Ray	200.00
Vincent Ware	200.00
Ira Messick	200.00
Willie Holmes	200.00
Robert Allen Wilson	200.00
Alvin Adams	200.00
Lloyd Minner	200.00
Frank Ingram	200.00
Ernest S. Mattiford	200.00
Roland West	200.00
C. C. Hopkins	200.00
Betty Hudson	200.00
John Loder	200.00
Matthew Warrington	200.00
Norman Younger	200.00
Ruth Ross	200.00
George Nickolson	200.00
Marshall Hastings	200.00
Lillian Weston	200.00
Norman S. Hudson	200.00
Claude W. Jordan	200.00
Beatrice V. Hubbard	275.00
Lois F. Morgan	250.00
Margaret Cathell	200.00
Clara Campese	275.00
Mildred A. Keeler	200.00
Joseph Kelleher	250.00
Clifford M. Simpler	250.00
Herman Halloway	200.00
Irving H. Brinton	275.00
Thomas Gray	150.00
Leland Watson	80.00
Ernest Brooks	200.00

which was read for the first and only time and on motion made by Mr. Robbins was adopted by a voice vote.

Mr. Walls presented **HR 27**—"Authorizing Payments for

Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 120th General Assembly."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period ending with the 20th Legislative Day, of the current session:

Clifford Hall\$517.50

Helen N. Jones 287.50

which was read for the first and only time and on motion of Mr. Walls was adopted by a voice vote.

Mr. Walls presented **HR 28**—"Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 120th General Assembly."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 11th Legislative Day and including the 20th Legislative Day, of the current session.

Margaret Cathell\$ 50.00

which was read for the first and only time and on motion of Mr. Walls was adopted by a voice vote.

Mr. Quigley and Mr. Opdyke presented **HR 29**—"To Investigate the Conduct and Practice of All State Insurance Company in Paying Claims."

WHEREAS, citizens of the State of Delaware have complained to their duly elected Representatives in the House of Representatives of the 120th General Assembly of the State of Delaware as to the failure of All State Insurance Company to pay any and all just claims which they may have resulting from motor vehicle accidents caused by their insureds, and

WHEREAS, it is our feeling that said All State Insurance Company should pay in full all just claims which are caused by their insureds, NOW THEREFORE

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware that the Insurance Commissioner of the State of Delaware be and

he is hereby authorized and directed to conduct an investigation as to the general practice and conduct of said All State Insurance Company in the payment of claims, and

IT IS FURTHER RESOLVED, that if such investigation reveals any unauthorized conduct or practice, then the said Insurance Commissioner be and he is hereby authorized and directed to start proceedings for the revocation of the license of said All State Insurance Company for the doing of any and all further business within the State of Delaware.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Insurance Commissioner as his authority in the premises, which was read for the first and only time by title only and was adopted on motion by Mr. Quigley.

A communication received by Mr. Robbins, from John R. Wilkins, Sr., was read and on motion made by Mr. Robbins was ordered spread upon the minutes.

February 24, 1959

Rep. George Robbins
Milford-Frederica Road
Milford, Delaware

Dear Sir:

I am writing you in reference to the dog racing bill that is in the house. As a churchman, and being interested in the civic affairs of our town, state and nation and always striving to make our beloved State a better place to live, raise our children and the coming generation, I am opposed to the above mentioned bill and hope you will give this due consideration in voting. I am in fact hopeful that you will vote against it.

It seems that in this particular age, so many of our people are laboring under the impression that the state and nation owe them a living. Many of our states and cities as in Delaware, are teaching our people that we must have gambling in order to meet our tax problems. It seems that with horse racing and the other gambling devices, we continue to go further and further in the red. I feel that sometimes bills are introduced for selfish personal gains. I think it is time that we start teaching the youth of our land that there is more to life than gambling. If we can't meet our taxes without introducing the kind of laws to bring up a generation of gamblers, then I think it is time that we did without some things we think we have to have in our state.

Sincerely yours,
John R. Wilkins, Sr.

Mr. Graves moved that **SB 22**—"An Act to Amend Title 9, Delaware Code Providing for the Establishment of Park

Districts for the Developing, Equipping, Improving and Maintaining of Parks and other Recreational Facilities and Activities; and to Carry on Recreational Programs; Authorizing and Regulating the Issuing of District Bonds to Finance Such Projects and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof, be taken up for consideration and read for the third time in order to pass the House.

Mr. Quigley moved that action on **SB 22** be deferred and the motion was carried.

Mr. Dineen on behalf of Election Committee reported **HB 96**, five favorable.

The following bills were introduced, given first and second readings and referred to Committee as follows:

HB 142—"An Act to Appropriate Money to the Belvedere Volunteer Fire Company," by Bartleson and Manning; to Appropriations.

HB 143—"An Act Appropriating Money to Layton Home for Aged Colored Persons," by Manning and Bartleson; to Appropriations.

HB 144—"An Act to Amend Section 170 (a), Title 8, Delaware Code, Relating to the Delaware Corporation Law," by Davidson; to Revenue and Taxation.

HB 145—"An Act to Amend Title 19, Delaware Code, Entitled 'Labor' by Adding a Wage Payment and Collection Law and Providing Penalties," by Lawson and Shockley; to Labor.

HB 146—"An Act to Amend Title 19, Delaware Code, Entitled 'Labor' in Regard to Penalties for Violations of the Child Labor Law," by Lawson and Shockley; to Labor.

HB 147—"An Act to Amend Title 19, Delaware Code, Entitled 'Labor' to Raise the Salaries of the State Child Labor Inspector and the Labor Inspector and Appropriating Funds," by Lawson and Shockley; to Labor.

HB 148—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909, Entitled 'An Act to Incorporate the Town of Bethany Beach and Giving it Authority to Issue Bonds', Eliminating the Requirement that Voters Attend or Spend at Least One Week in Said Town Immediately Preceding the Day on which the Election is Held to Be Entitled to Vote," by Johnson and Walls; to Corporation Municipal.

HB 149—"An Act to Amend Section 223, Title 8, Delaware Code, Entitled 'General Corporation Law' Relating to Vacancies and Newly Created Directorships," by Davidson; to Revised Statutes.

HB 150—"An Act to Amend Section 253, Title 8, Delaware Code, Entitled 'General Corporation Law' and Relating to the Merger of Parent Corporation and Subsidiary," by Davidson; to Revised Statutes.

HB 151—"An Act Making it Unlawful to be Open For, Carry on or Engage in the Business of Buying, Selling, Exchanging, Dealing, or Trading in New or Used Motor Vehicles on Sunday," by Quigley; to Miscellaneous.

HB 152—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, which Provides for the Financing of Capital Improvements by Increasing the Allotment for the New Castle County Facility for the Orthopedically Handicapped for the Free Public Schools of Delaware," by Quigley and Opdyke; to Education.

HB 153—"An Act Appropriating Money to Wilmington Manor Fire Company With Which to Operate and Maintain an Ambulance," by Quigley; to Appropriations.

HB 154—"An Act Proposing an Amendment to Article 8 of the Constitution of the State of Delaware by Imposing a Limitation on the Amount of Bonded Indebtness which May be Authorized," by Tribbitt and King; to Revised Statutes.

HB 155—"An Act to Amend Chapter 1, Title 31, Delaware Code, Relating to the Burial Expenses of Indigent Persons," by Livingston and Walls; to Miscellaneous.

Mr. Quigley moved that **HB 60** with **HA 1** to **HB 60**—"An Act to Amend Title 28, Delaware Code, Relating to Horse and Dog Racing in the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

A question as to whether this was the third and final reading of **HB 60** was raised and the Chair ordered a roll call to decide whether this was or was not the final reading of **HB 60** with **HA 1** to **HB 60**. Roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, King, Kleinbach, Latina, Livingston, (Mrs.) Manning, Opdyke, Paskey, Pawson, Quigley, Walls, Mr. Speaker Tribbitt—22.

NAYS—Messrs.—Bartleson, Best, Fifer, Johnson, Kenney, Lawson, Pryor, Richards and Robbins—9.

ABSENT—Mr. Shockley and Mr. Wright—2.

HB 60 was considered read for the third and final time and on further motion by Mr. Quigley further action on **HB 60** was deferred.

Mr. Dineen moved that **HB 94**—"An Act to Amend Title 15, Section 1106, Delaware Code, by Providing that Public Notice of Registration of Voters Need be Given for the First Day of Registration Only," be brought up for consideration and read for a third and final time in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon,

Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards Robbins, Walls, Mr. Speaker Tribbitt—33.

ABSENT—Mr. Shockley and Mr. Wright—2.

HB 94 having received the constitutional majority, passed the House, and was ordered to the Senate for concurrence.

On motion of Mr. McGinnes, **HB 7** was brought out in order to override the Governor's veto.

The Governor's message of February 12, 1959 was read by the Clerk and on motion made by Mrs. Manning that the motion to over-ride the Governor's veto be tabled, the Speaker asked for a roll call.

Roll Call on whether to table motion of Mr. McGinnes to override the Governor's veto on **HB 7** revealed.

YEAS—Messrs. Bartleson, Best, Fifer, Johnson, Lawson, (Mrs.) Manning, Pawson and Richards—8.

NAYS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Kleinbach, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Robbins, Walls and Mr. Speaker Tribbitt—25.

ABSENT—Mr. Shockley and Mr. Wright—2.

Motion lost.

HB 7—"An Act to Appropriate Money to the Belvedere Volunteer Fire Company," was brought to vote in order to override the Governor's veto. Roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Robbins, Walls and Mr. Speaker Tribbitt—24.

NAYS—Messrs. Bartleson, Best, Fifer, Johnson, Kleinbach, Lawson, (Mrs.) Manning, Pawson and Mr. Richards—9.

ABSENT—Mr. Shockley and Mr. Wright—2.

HB 7 having received the constitutional majority, three-fifths, passed the House and was ordered to the Senate for concurrence.

Mr. McGinnes moved that **HB 14**—"An Act Appropriating Money to Layton Home for Aged Colored Persons," be taken up for consideration in order to pass the House over the Governor's veto.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Gove, Graves, Kenney, King,

Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Robbins, Walls and Mr. Speaker Tribbitt—23.

NAYS—Messrs. Bartleson, Best, Fifer, Johnson, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Richards—9.

ABSENT—Messrs. Eskridge, Shockley, Wright—3.

HB 14 having received the three-fifths majority, passed the House and was ordered to the Senate for concurrence.

Mr. Cannon on behalf of Revenue and Taxation, reported **HB 4** favorable, **HB 136**, 2 favorable and 2 on merits, **HS 1** for **HB 63**, 4 favorable.

House adjourned at 6:30 P. M. until Monday, March 2, 1959 at 1:00 P. M.

21ST LEGISLATIVE DAY

The House met pursuant to adjournment on Monday, March 2, 1959 at 1:00 P. M.

Prayer by the Rev. Harry L. Mayfield.

Members Present—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright and Mr. Speaker Tribbitt—33.

Members Absent—Mr. Bartleson and Mr. English—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence in **SB 7**, **SB 9** and **SB 27**.

The following Senate Bills were presented by the Chair and given first and second reading by title only and referred to committees as follows:

SB 27—"An Act to Amend Title 15, Delaware Code, in Respect to the Absentee Registration and Voting of Members of the Armed Forces and of Others in Keeping with the Federal Voting Assistance Act of 1955," to Election Committee.

SB 7—"An Act to Amend Chapter 66, Title 16, of the Delaware Code Entitled 'State Fire Marshall' by Creating a State Fire Prevention Commission and Appropriating Money Therefor," to Revised Statutes.

SB 9—"An Act to Amend Title 30, Delaware Code, Entitled 'State Taxes' Relative to Receipts for Income Taxes," to Revenue and Taxation.

The Secretary of the Senate informed the House that

they had concurred in **HB 59** with **HA 1** to **HB 59**.

On motion of Mr. King, recess was called at 1:30 P. M.

House was called to order at 4:25 P. M. by the Speaker.

On motion of Mr. Carmean **HB 35** was stricken from the calendar.

Mr. Walls presented **HR 30**—"Appropriating Money out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 120th General Assembly.

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the following amounts are appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present session of the 120th General Assembly of the State of Delaware, up to and including the 20th Legislative Day, which expenses are declared proper and reasonable expenses actually incurred by the respective members of the House of Representatives for traveling expenses, commonly called mileage expenses in traveling from their respective homes to Dover and returning from Dover to their respective homes in the performance of their duties as members of the House of Representatives, during the present Legislative Session thereof, and the Auditor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed to pay to the respective members of the House of Representatives hereinafter named, the respective amounts set opposite their respective names, viz:

Paul F. Livingston	\$300.00
Russell D. F. Dineen	300.00
Harry G. Lawson	300.00
Paul E. Shockley	470.00
Joseph S. Latina	300.00
T. Lee Bartleson	476.80
F. Earl McGinnes	288.00
Mrs. Margaret Manning	292.00
Charles S. Kleinbach	272.00
James R. Quigley	280.00
Robert E. Pawson	276.00
R. C. Davidson	224.00
Sherman W. Tribbitt	200.00
Chester Gove, Jr.	200.00
Charles R. Pryor	160.00
Charles C. King	196.20
Edward Long, Jr.	120.00
Edward F. Wright	160.00
William W. Opdyke	120.00
Charles F. Richards	112.00

Elmer L. Betts	170.00
Harvey P. Fifer	140.00
William J. Paskey	196.00
George W. Cain	233.20
George A. Robbins	176.00
Carlton Clifton	212.00
Edgar English	236.00
Norman Eskrdige	359.00
R. Allen Cannon	272.00
Paul H. Kenney	328.00
James W. Carmean	312.00
Tilghman S. Johnson	324.00
Joseph S. Walls	284.00
William F. Graves	280.00
William T. Best	292.00

which was read for the first and only time and adopted by a voice vote.

On motion of Mr. McGinnes **HR 25** which had been read for first and only time and deferred on February 23 was adopted by a voice vote.

On motion of Mr. Shockley **HB 126** was stricken from the calendar.

The Chair recognized Mrs. Thomas Heriley, Jr., who took the floor in order to introduce to the members of the House, Mrs. Seow Peek Leng of Singapore, who was enroute to the United Nations. Mrs. Leng is running for the parliament of Singapore.

On motion of Mr. Quigley **HB 60** was brought out for roll call. **HB 60** had been read for a third time on February 26 and on motion of Mr. Quigley had been deferred.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cannon, Dineen, Gove, King, Kleinbach, Latina, Livingston, Opdyke, Paskey, Quigley, Shockley, Walls, Wright—15.

NAYS—Messrs. Cain, Carmean, Clifton, Davidson, Fifer, Graves, Johnson, Kenney, Lawson, (Mrs.) Manning, Pryor, Richards, Robbins—13.

Messrs—Cannon, King, and Shockley changed their votes from yea to nay for purpose of reconsideration.

NOT VOTING—Messrs. Eskridge, Long, McGinnes, Pawson and Mr. Speaker Tribbitt—5.

ABSENT—Mr. Bartleson and Mr. English—2.

HB 60 not having received the constitutional majority, was lost.

On motion of Mr. Shockley **HB 60** was restored to the calendar.

HA 1 to HB 96 was introduced by Mr. Dineen was given first and only reading and on further motion by Mr. Dineen, was adopted by voice vote.

On motion of Mr. Dineen **HB 96**, with **HA 1 to HB 96**—“An Act to Amend Title 15, Section 1751, Delaware Code, by Changing the Time for Change of Party Designation by Registered Voters,” be taken up for consideration and read for the third time in order to pass the House.

On the question, “Shall this Bill pass the House?” roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—25.

NOT VOTING—Messrs. Best, Fifer, Johnson, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Richards—8.

ABSENT—Mr. Bartleson and Mr. English—2.

HB 96 with **HA 1 to HB 96** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Gove **HB 45**—“An Act to Authorize the Townsend School District to Make Certain Tax Refunds,” was taken up for consideration, read for the third time in order to pass the House.

On the question, “Shall this bill pass the House?” roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, and Mr. Speaker Tribbitt—33.

ABSENT—Mr. Bartleson and Mr. English—2.

HB 45 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen **HB 97**—“An Act to Amend Title 15, Section 1105 (a) Delaware Code by Changing the Dates for Registration of Voters,” was brought up for consideration and read for the third time in order to pass the House.

On the question, “Shall this bill pass the House?” roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson,

Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright and Mr. Speaker Tribbitt—33.

ABSENT—Mr. Bartleson and Mr. English—2.

HB 97 having received the constitutional majority, passed the House, and was ordered to the Senate for concurrence.

On motion of Mr. Latina, **HB 52**—"An Act to Amend Chapter 23, Title 19, Delaware Code, Entitled Workmen's Compensation, by Increasing the Compensation for Total Disability," was brought up for consideration and read for the third time in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, and Mr. Speaker Tribbitt—33.

ABSENT—Mr. Bartleson and Mr. English—2.

HB 52 having received the constitutional majority, passed the House, and was ordered to the Senate for concurrence.

On behalf of Judiciary Committee, Mr. Shockley reported **HB 92**, 4 favorable, 1 merits; **HB 93**, 4 favorable and 1 on merits.

On behalf of Corporation Municipal Committee, Mr. Shockley reported **HB 134**, 4 favorable.

On behalf of Election Committee, Mr. Dineen reported **HB 85**, 5 favorable.

On motion of Mr. Dineen, **HB 128**, was recommitted for further consideration.

The following House Bills were introduced, given first and second reading by title and assigned to Committees as follows:

HB 156—"An Act to Amend Chapter 75, Title 16, Delaware Code, Relating to Buildings Requiring Fire Escapes; Kinds," by Eskridge; to Miscellaneous.

HB 157—"An Act to Amend Title 10, Title 18 and Title 29, Delaware Code, Relating to the Salaries of Insurance Commissioner, Deputy Insurance Commissioner, State Treasurer, Deputy State Treasurer, State Auditor of Accounts and Deputy Auditor of Accounts," by Carmean; to Revised Statutes.

HB 158—"An Act to Amend Chapter 92, Volume 23, Laws of Delaware, as Amended, Being an Act entitled 'Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington' by Providing for the Appointment of the Members of the Board of Public Education in Wilmington; Qualifications of Members; Powers and Duties of Board,"

by Shockley, Latina, Dineen, and Livingston; to Elections.

HB 159—"An Act adding a New Chapter 9 to Title 19, Delaware Code, Entitled 'Labor' and Relating to Emigrant Labor Agents; Application for License; License Fees; Clerk of the Peace of Each County to Issue Licenses; Penalty for Violations." by Fifer, Walls and Best; to Labor.

HB 160—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware," by Shockley; to Appropriations.

HB 161—"An Act Agreeing to the Proposed Amendments to Article IV of the Constitution of the State of Delaware Relating to the Judiciary," by Shockley and Pawson; to Judiciary.

HB 162—"An Act to Amend Subchapter II, Chapter 45, Title 10, Delaware Code, Relating to Special Juries," by Shockley and Pawson; to Judiciary.

HB 163—"An Act to Amend Title 29, Delaware Code by Creating a 'Delaware Art Commission and Defining the Powers and Duties Thereof,' by McGinnes (By Request); to Revised Statutes.

On motion of Mr. King, House adjourned at 5:35 P. M., until 1 P. M., on Thursday, March 5, 1959.

22ND LEGISLATIVE DAY

The House met pursuant to adjournment on Thursday, March 5, 1959 at 1:30 P. M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—34.

Members Absent—Mr. Shockley—1.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

At the request of Mr. Davidson **HB 33** was stricken from the calendar.

Mr. Betts on behalf of Revised Statutes Committee, reported **HB 105**, 2 favorable, 1 merits, **HB 149**, 3 favorable, **HB 150**, 3 favorable.

Mr. Walls on behalf of Claims Committee, reported **SCR 9**, 4 favorable, **SCR 8**, 4 favorable.

Mr. Dineen on behalf of Election Committee, reported **HB 158**, 4 favorable and 1 on merits.

The Chair announced that he was about to sign **HB 59** with **HA 1** to **HB 59**.

HS 1 for **HB 128** was introduced by Mr. Dineen, was given first and second reading, by title only and referred to election Committee.

On motion of Mr. King, recess was declared at 2:05 P. M.

The House was called to order by the Speaker at 4:10 P. M.

Mr. King introduced **HA 1** to **HB 102**, which was given first and only reading and on further motion of Mr. King was adopted by voice vote. Mr. King requested that **HB 102** with **HA 1** to **HB 102** be given its third and final reading and be taken up for consideration in order to pass the House," **HB 102** with **HA 1**—"An Act to Amend Title 14, Delaware Code, by Creating a 'Public School Construction Commission' and Defining Powers and Duties Thereof, and Revoking Certain powers and Duties of the State Board of Education and making an Appropriation to the 'Public School Construction Commission'."

Mrs. Manning moved that **HB 102** with **HA 1** to **HB 102** be deferred. Motion prevailed.

Mr. Davidson introduced **HA 1** to **SB 22**, which on further motion by Mr. Davidson was adopted by voice vote.

The Chair recognized Mr. Raymond West, a former member of the House and invited him to the rostrum.

Mr. Robbins on behalf of Education Committee, reported **HB 133**, 4 favorable.

Mr. Graves on behalf of Public Buildings and Highways, reported **HB 101**, 1 favorable 3 on merits.

On motion of Mr. Graves **SB 22** with **HA 1** was brought up for vote by the House. The Speaker had the Clerk read the title of the bill—"An Act to Amend Title 9, Delaware Code Providing for the Establishment of Park Districts for the Developing, Equipping, Improving and Maintaining of Parks and Other Recreational Facilities and Activities; and to Carry on Recreational Programs; Authorizing and Regulating the Issuing of District Bonds to Finance Such Projects and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof."

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Davidson, Dineen, Lawson, Livingston, (Mrs.) Manning, McGinnes, Pawson and Pryor—8.

NAYS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Long, Opdyke, Richards, Robbins, Walls, Wright and Mr. Speaker Tribbitt—23.

NOT VOTING—Messrs. English, Latina and Pawson—3.

ABSENT—Messrs. Eskridge, Quigley and Shockley—3.

SB 22 with **HA 1** to **SB 22** not having received the constitutional majority was declared lost. Mr. Lawson and Mr. McGinnes changed their vote from yea to nay to restore **SB 22** with **HA 1** to calendar.

On motion of Mr. Dineen, **HB 85**—"An Act to Amend Title 15, Delaware Code, by Transferring the Functions Presently Performed by the Clerk of the Peace in Each County in General Elections to the Department of Elections for Each County," was read for the third time and taken up for consideration in order to pass the House.

Mr. Dineen introduced **HA 1** to **HB 85** and on further motion by Mr. Dineen **HA 1** to **HB 85** was adopted by voice vote.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Walls, Wright and Mr. Speaker Tribbitt—32.

ABSENT—Messrs. Eskridge, Quigley and Shockley—3.

HB 85 with **HA 1** to **HB 85** having received its constitutional majority was sent to the Senate for concurrence.

On motion by Mr. King **HCR 1**—"Appropriating Money to Several Companies for Services and Supplies of the 119th General Assembly," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this House Concurrent Resolution pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Pawso, Paskey, Pryor, Richards, Robbins, Walls, Wright and Mr. Speaker Tribbitt—32.

ABSENT—Messrs. Eskridge, Quigley and Shockley—3.

HCR 1 having received its constitutional majority, was sent to the Senate for concurrence.

On motion of Mr. Dineen **HB 103**—"An Act to Amend Title 15, Delaware Code to Provide for Registration of Voters in the Offices of the Department of Elections for Each County," was read for the third time and taken up for consideration in order to pass the House. On further motion by Mr. Dineen **HA 1** was introduced, read for the first and only time, and on further motion by Mr. Dineen was adopted by voice vote.

On the question, "Shall this bill pass the House?" roll call on **HB 103** with **HA 1** to **HB 103** revealed:

YEAS—Messrs. Bartleson, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Walls, Wright and Mr. Speaker Tribbitt—28.

NAYS—Mr. Best and Mr. Lawson—2.

NOT VOTING—Mr. English and Mr. Fifer—2.

ABSENT—Messrs. Eskridge, Quigley and Shockley—3.

HB 103 with **HA 1** to **HB 103** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Graves requested that **HB 120** introduced by him on February 12 be marked as "On Request" in the calendar.

The following bills were introduced, given first and second reading by title only and referred to committee as follows:

HB 164—"An Act to Amend Article 2, Section 2, of the Constitution of the State of Delaware," by Manning and Bartleson; to Revised Statutes.

HB 165—"An Act Proposing an Amendment to the Constitution of the State of Delaware to Increase the Number of Representatives Districts in New Castle County and the Number of Members in the House of Representatives," by McGinnes, Davidson, Dineen, Latina, and Livingston; to Revised Statutes.

HB 166—"An Act to Amend Chapter 15, Title 17 of the Delaware Code Relating to the Ferry between Lewes and Cape May," by Graves, Walls, Kenney, Carmean, Wright, Quigley, Shockley, Cannon, Kleinbach, McGinnes, Eskridge, Dineen, Latina, Fifer, Johnson, Pawson, Clifton, Livingston, English, Robbins and Best; to Public Buildings and Highways.

On motion of Mr. King, the House adjourned at 5:20 until Monday, March 9 at 1 P. M.

23RD LEGISLATIVE DAY

The House met pursuant to adjournment at 1:40 P.M. on March 9, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

Members Absent—None.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. Dineen on behalf of Election Committee, reported **HS 1** for **HB 128**, 5 favorable.

Mr. Davidson on behalf of Corporations Municipal, reported **HB 135**, 5 favorable.

Mr. Shockley on behalf of Judiciary Committee, reported **HB 137**, 3 favorable, 1 merits and 1 unfavorable; **HB 138**, 5 favorable; **HB 107**, 4 favorable; **HB 106**, 3 favorable, 1 merits and 1 unfavorable.

Mr. Cannon on behalf of Revenue and Taxation Committee, reported **HB 131**, 4 favorable and **HB 144**, 3 favorable and 1 on merits.

Mr. Eskridge on behalf of Miscellaneous Committee, reported **HB 41**, 4 favorable, 1 merits; **HB 156**, 5 favorable.

Mr. King on behalf of Appropriations Committee, reported **HB 64**, 5 favorable.

Mr. Graves on behalf of Public Highways and Buildings, reported **HB 166**, 3 favorable.

Mr. Betts on behalf of Revised Statutes Committee, reported **SB 7**, 3 favorable and 1 merits.

Mr. Walls presented **HR 31**—"An Act Making An Appropriation to the Diamond State Telephone Company for Services."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that the sum of \$90.71 be paid to the Diamond State Telephone Company for services, which was read for the first and only time by title only and on motion of Mr. Walls was adopted by a voice vote.

Mr. Quigley presented **HR 32**—"Authorizing the Payment of Certain Expenses for the Printing of Calendars for the House of Representatives of the 120th General Assembly.

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that the sum of Seven Hundred Forty Seven Dollars and Fifty Cents (\$747.50) is hereby appropriated out of any money in the State Treasury, not other wise appropriated, to pay the Harrington Journal, Harrington, Delaware for the printing of Calendars for the House of Representatives of the 120th General Assembly, which was read for the first and only time and on further motion of Mr. Quigley was adopted by a voice vote.

Mr. King and Mr. Tribbitt presented **HR 33**—"Expressing the Sympathy of the House of Representatives of the Illness

of J. Gordon Smith, Chairman of the Delaware State Highway Department.

WHEREAS, the members of the 120th General Assembly of the State of Delaware have learned that J. Gordon Smith, Chairman of the Delaware State Highway Department is ill, and

WHEREAS, the members of the House of Representatives desire to express and extend their regret and sympathy to J. Gordon Smith, NOW THEREFORE

BE IT RESOLVED, that the members of the House of Representatives of the 120th General Assembly of the State of Delaware do hereby express their sincere wishes for a complete and speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the House of Representatives of the 120th General Assembly of the State of Delaware and a copy be forwarded to J. Gordon Smith, which was read for the first and only time and on motion of Mr. King was adopted by a voice vote.

House recessed at 2:15 P.M. to the call of the Chair.

Speaker called House back at 4:10 P.M.

The following bills were introduced, given their first and second reading by title only and referred to committee as follows:

HB 167—"An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation, by Authorizing the Borrowing of Federal Funds Under Certain Conditions, by Changing Certain of the Provisions Relating to Payment of Benefits and By Changing Certain of the Provisions Relating to Variable Contribution Rates," by King and Lawson; to Labor.

HB 168—"An Act to Amend Chapter II, Title 30, Delaware Code, Relating to Exclusions from State Income Tax," by McGinnes; to Revenue and Taxation.

HB 169—"An Act to Amend Chapter 23, Title 19, Delaware Code Entitled Workmen's Compensation Relating to Compensation during Partial Disability and Compensation for Certain Permanent Injuries," by Latina; to Labor.

HB 170—"An Act Making an Appropriation to the State Soil Conservation Commission for the Purchase of Heavy Earth-Moving Machinery and Other Equipment Needed in the Soil Conservation Work of the State, Making Provision for the Re-Payment Thereof, and Designating the Boards of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery," by English, Cain and Best; to Appropriations.

HB 171—"An Act to Amend Title 14, of the Delaware Code by Providing for the Election of Schoolboard Members

in the Conrad High School District," by McGinnes; to Education.

HB 172—"An Act to Amend Title 15, Delaware Code, by Abolishing the Office of State Election Commissioner and by Transferring the Obligation to Pay Certain Registration and Election Expenses by the State of Delaware to the Counties and the City of Wilmington by Richards and Manning; to Elections.

HB 173—"An Act Making Supplementary Appropriations to Various Divisions of State Government for the Fiscal Year Ending June 30, 1959," by King; to Appropriations.

HB 174—"An Act to Amend Chapter 11, Title 28, Delaware Code, Entitled "Bingo" by Repealing Section Dealing with Advertising and Relating to Transportation to and from Authorized Game Locations," by Shockley; to Miscellaneous.

HB 175—"An Act to Amend Chapter 33, Title 25 of the Delaware Code, Relating to Factors' Liens by Changing and Enlarging the Definition of the Term Factor Therein," by Shockley; to Corporations Private.

HB 176—"An Act to Amend Chapter 81, Title 10 of the Delaware Code, Relating to Limitations of Actions," by Shockley; to Judiciary.

HB 177—"An Act to Amend Chapter 15, Title 13, Delaware Code, Relating to Bars to Divorce," by Shockley; to Judiciary.

HB 178—"An Act to Amend Chapter 27, Title 12, of the Delaware Code, Relating to Sale of Lands by Executors and Administrators by Providing a Procedure where the Real Estate is in more than One County," by Shockley; to Judiciary.

On motion of Mr. Shockley, **HB 158**—"An Act to Amend Chapter 92, Volume 23, Laws of Delaware, as Amended, Being an Act Entitled, 'An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington' by Providing for the Appointment of the Members of the Board of Public Education in Wilmington, Qualifications of Members; Powers and Duties of Board," was given its third and final reading and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Cannon, Clifton, Davidson, Dineen, English, Gove, Graves, Latina, Long, Opdyke, Paskey, Quigley, Walls, Mr. Speaker Tribbitt—14.

NAYS—Messrs. Bartleson, Best, Kleinbach, Lawson, Livingston, (Mrs.) Manning, McGinnes, Pawson, Shockley—9.

NOT VOTING—Messrs. Betts, Cain, Carmean, Eskridge, Fifer, Johnson, King, Pryor, Richards, Robbins, Wright—11.

ABSENT—Mr. Kenney—1.

Messrs. Livingston, McGinnes and Shockley changed their votes from yea to nay in order that **HB 158** be restored to calendar. **HB 158** not having received the constitutional majority was declared lost.

On motion of Mr. Shockley **HB 158** was restored.

On motion of Mr. Davidson **SB 22** with **HA 1** to **SB 22** was called up for vote. The Chair called for **SB 22** with **HA 1** to be read by title only.

Mr. Davidson introduced **HA 2** to **SB 22** with **HA 1** which on further motion of Mr. Davidson, was adopted by voice vote.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Davidson, Fifer, Kleinbach, Lawson, Pawson, Pryor and Mr. Speaker Tribbitt—9.

NAYS—Messrs. Cannon, Carmean, Clifton, Dineen, Eskridge, Gove, Graves, Johnson, Kenney, Long, (Mrs.) Manning, McGinnes, Opdyke, Quigley, Richards, Robbins, Shockley, Walls, Wright—19.

NOT VOTING—Messrs. Betts, Cain, English, King, Latina, Paskey—6.

ABSENT—Mr. Livingston—1.

Mrs. Manning and Mr. McGinnes changed their votes from Yea to Nay in order that **SB 22** with **HA 1** to **SB 22** and **HA 2** to **SB 22** be restored to calendar.

On motion of Mrs. Manning that **SB 22** with **HA 1** and **HA 2** be restored to calendar, Mr. Eskridge moved there be a roll call.

Roll call on whether **SB 22** with **HA 1** to **SB 22** and **HA 2** to **SB 22** be restored to calendar revealed:

YEAS—Messrs. Bartleson, Best, Carmean, Clifton, Davidson, Dineen, Fifer, Gove, Graves, Johnson, King, Kleinbach, Latina, Lawson, Long, (Mrs.) Manning, McGinnes, Pawson, Pryor, Richards, Mr. Speaker Tribbitt—21.

NAYS—Messrs. Best, Cain, Cannon, English, Eskridge, Kenney, Opdyke, Quigley, Robbins, Shockley, Walls, Wright—12.

NOT VOTING—Mr. Paskey—1.

PRESENT—Mr. Livingston—1.

Motion carried and **SB 22** with **HA 1** and **HA 2** to **SB 22** was restored to calendar.

On motion of Mr. Shockley **HB 105**—"An Act to Amend Chapter 16, Title 9, Delaware Code by Increasing the Compensation of the Public Building Superintendent for the City of Wilmington and for New Castle County," was read for the third time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Shockley, Walls, Wright and Mr. Speaker Tribbitt—33.

NAYS—Mr. Opdyke—1.

Present—Mr. Robbins—1.

HB 105 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Cain introduced **HA 1** to **HB 118** which was read for the first and only time and on further motion of Mr. Cain was adopted by a voice vote.

Mr. Cain moved that **HB 118** with **HA 1**—"An Act to Amend Title 29, Delaware Code, Entitled 'State Government' by Providing for Indentifications Markings on Certain State Property," be read for the third and final time and be considered in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

ABSENT—Mr. Latina—1.

HB 118 with **HA 1** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen **HB 98**—"An Act to Amend Title 15, Section 1746 and 1747, Delaware Code, by Repealing the Requirement That Voters Who Transfer Their Registration be Notified of the Transfer," was read for the third and final time and considered in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

HB 98 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Quigley, **HB 54**—"An Act to Amend Chapted 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Collins Park Community and Civic Association Inc., from Assesment and Taxation," was read for the third and final time and considered in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

HB 54 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Cannon **HB 93**—"An Act to Amend Title 10, Delaware Code, by Permitting the Courts of Common Pleas of New Castle, Kent and Sussex Counties to Have Jurisdiction Over Civil Actions in Which the Amount in Controversy Does not Exceed \$2,000.00 Instead of \$1,000.00 As at Present," be read for the third and final time and be considered in order to pass the House.

On motion of Mr. Cannon **HB 93** was given its third and final reading and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright and Mr. Speaker Tribbitt—35.

HB 93 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Dineen moved that **HB 95**—"An Act to Amend Title 15, Section 3149, Delaware Code, by Making Uniform the Compensation of Officers and Clerk in Primary and General Elections," be read for the third and final time and be considered in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke,

Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

HB 95 having received its constitutional majority passed the House.

Mr. Cannon moved that **HB 92**—"An Act to Amend Title 10, Delaware Code, by Increasing the Jurisdiction of Justices of the Peace in Civil Actions," be read for the third and final time and be considered in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Pawson, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

HB 92 having received its constitutional majority was ordered to the Senate for concurrence.

On motion of Mr. King **HB 102** with **HA 1** to **HB 102** was ordered up for consideration and roll call having been deferred on March 5, 1959.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Pryor, Quigley, Shockley, Walls, Wright, Mr. Speaker Tribbitt—23.

NAYS—Messrs. Bartleson, Best, Fifer, Kleinbach, Lawson, Paskey, Pawson, Robbins—5.

NOT VOTING—Messrs. English, Johnson, (Mrs.) Manning, Richards—4.

HB 102 with **HA 1** to **HB 102**, having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. King, the House adjourned at 5:45 P. M. until March 12, at 1 P. M.

24TH LEGISLATIVE DAY

The House met pursuant to adjournment on Thursday, March 12th, at 1:35 P. M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Livingston, Long, Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright and Mr. Speaker Tribbitt—31.

Members Absent—Messrs. Cannon, Lawson, Opdyke, Shockley—4.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

The Chair announced that he was about to sign **HB 89, HCR 3, HCR 4, HCR 5, HJR 1.**

Mr. King on behalf of Appropriation Committee, reported **HB 173**, 4 favorable.

Mr. Betts on behalf of Revised Statutes Committee, reported **HB 157**, 5 merits.

On motion of Mr. King, recess was called at 2:25 P.M. and the Chair called the House to order at 4:30 P.M.

On motion of Mr. Betts **SB 7**—"An Act to Amend Chapter 66, Title 16 of the Delaware Code Entitled 'State Fire Marshall' by Creating a State Fire Prevention Commission and Appropriating Money Therefor," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pryor, Richards, Wright, Mr. Speaker Tribbitt—26.

ABSENT—Messrs. Cannon, Latina, Lawson, Opdyke, Pawson, Quigley, Robbins, Shockley, Walls—9.

SB 7 having received its constitutional majority, passed the House and was returned to the Senate.

HB 156—"An Act to Amend Chapter 75, Title 16, Delaware Code, Relating to Buildings Requiring Fire Escapes; Kinds", was brought up on motion of Mr. Eskridge for its third and final reading and for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pryor, Richards, Wright, Mr. Speaker Tribbitt—27.

ABSENT—Messrs. Cannon, Lawson, Opdyke, Pawson, Quigley, Robbins, Shockley, Walls—8.

HB 156 having received its constitutional majority, passed the House, and was ordered to the Senate for concurrence.

On motion of Mr. Dineen, **HS 1** to **HB 128**—"An Act to Amend Chapter 17, Title 15, Delaware Code Entitled 'Registration Procedure' Relating to Issuance of Voter Identification Cards; Penalties for Misuse and Defacing of a Voter Identification Cards; Transfer of Registration Upon Presentation of a Voter Identification Card," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Richards, Wright, Mr. Speaker Tribbitt—26.

NAYS—Mr. Best and Mr. Fifer—2.

ABSENT—Messrs. Cannon, Lawson, Opdyke, Quigley, Robbins, Shockley, Walls—7.

HS 1 for **HB 128** having received the constitutional majority, passed the House, and was ordered to the Senate for concurrence.

On motion of Mrs. Manning **HB 133**—"An Act to Amend Title 14, Delaware Code, to provide for Side-walks Leading to School Sites," was read for the third time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Richards, Wall, Wright, Mrs. Speaker Tribbitt—28.

NOT VOTING—Mr. English—1.

ABSENT—Messrs. Cannon, Lawson, Opdyke, Quigley, Robbins, Shockley—6.

HB 133 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. King, **HB 64**—"An Act Making a Deficiency Appropriation to the State Treasurer for the Purpose of Making Refunds of License Fees Relating to Electrical Contractors," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Living-

ston, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Richards, Walls, Wright, Mr. Speaker Tribbitt—28.

ABSENT—Messrs. Cannon, Lawson, Long, Opdyke, Quigley, Robbins, Shockley—7.

HB 64 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. McGinnes, **HB 41**—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Posting of a Refund when Appealing from an Order of the Commission," was read for the third and final time and taken up for consideration.

On motion of Mrs. Manning that **HB 41** be deferred; the Chair called for a roll call. Roll call on whether **HB 41** should be deferred revealed:

YEAS—Messrs. Bartleson, Best, Fifer, Johnson, Kleinbach, (Mrs.) Manning, Pawson, Richards—8.

NAYS—Messrs. Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinness, Paskey, Pryor, Walls, Wright, Mr. Speaker Tribbitt—21.

ABSENT—Messrs. Cannon, Lawson, Opdyke, Quigley, Robbins, Shockley—6.

The Chair declared Mrs. Manning's motion to defer **HB 41** lost.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Carmean, Clifton, Davidson, Dineen, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pryor, Walls, Wright, Mr. Speaker Tribbitt—21.

NAYS—Messrs. Bartleson, Best, Johnson, Kleinbach, Pawson, Richards—6.

NOT VOTING—Mr. Fifer—1.

ABSENT—Messrs. Cannon, English, Lawson, Opdyke, Quigley, Robbins, Shockley—7.

HB 41 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Walls presented **HR 34**—"Appropriation for Postage Stamps for the House of Representatives of the 120th General Assembly.

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the sum of \$500 be and the same is hereby appropriated out of the General Fund of the State of Delaware for the purchase of postage stamps to be used for the official business of the House of Representatives of the 120th General Assembly.

BE IT FURTHER RESOLVED, that the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such postage stamps out of said appropriation upon warrants approved by the Executive Director of the Legislative Reference Bureau, which was read for the first and only time and adopted by a voice vote.

Mr. Long presented **HR 35**—"Expressing the Best wishes of the House of Representatives of the 120th General Assembly to Representative Charles F. Richards on his birthday.

WHEREAS, the Members of the House of Representatives of the 120th General Assembly have learned that March 5 was the birthday of Representative Charles F. Richards, and

WHEREAS, the Members of the House of Representatives wish to express their best wishes to Representative Richards, NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware, that the best wishes of its members for the continued good health and happiness of Representative Richards for many more years are hereby extended to Representative Richards.

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered on the Journal of the House, a copy be delivered to the press and a copy be given to Representative Richards, which was read for the first and only time and on motion of Mr. Long was adopted by a voice vote.

On motion of Mr. Davidson **HB 135**—"An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Richards, Walls, Wright, Mr. Speaker Tribbitt—27.

NOT VOTING—Mr. Carmean—1.

ABSENT—Messrs. Cannon, English, Lawson, Opdyke, Quigley, Robbins, Shockley—7.

HB 135 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Graves, **HB 107**—"An Act to Amend Chapter 19, Title 11, Delaware Code Relating to Arrest and Detention," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Johnson, Kenney, King Kleinbach, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Pasky, Pryor, Richards, Walls, Wright, Mr. Speaker Tribbitt—26.

NAYS—Messrs. Bartleson, Fifer, Pawson—3.

ABSENT—Messrs. Cannon, Lawson, Opdyke, Quigley, Robbins, Shockley—6.

HB 107 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 71** and **HB 72**.

On motion of Mr. Bartleson **HB 29** was stricken from the calendar.

On motion of Mr. McGinnes **HB 122** was stricken from the calendar.

The following bills were introduced, given first and second reading by title only and referred to committee as follows:

HB 179—"An Act to Amend Title 6, Delaware Code by Creating and Establishing a Consumer Protection Department," by McGinnes, Shockley and Latina; to Manufacturing and Commerce.

HB 180—"An Act to Amend Chapter 5, Title 31, Delaware Code, Relating to the Financial Participation of the Counties in Administering the State Public Assistance Code Beginning July 1, 1959," by Richards and King; to Revised Statutes.

HB 181—"An Act Relating to State and County Employees' Pensions by Prohibiting Persons Receiving State or County Pensions From Holding a Non-Elective State or County Public Office or Being Employed by the State or County," by Kenney; to Revised Statutes.

HB 182—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, to Provide for the Financing of Capital Improvements Thereunder and Appropriating the Necessary Funds," by Kleinbach and Dineen; to Education.

HB 183—"An Act to Amend Chapter 17, Title 10, Delaware Code, Entitled 'Municipal Court-Wilmington' Relating to Appointment of Assistant to the Chief Judge of the Municipal Court," by Dineen; to Judiciary.

On motion of Mr. King, the House adjourned at 4:45 P.M. until Monday, March 16, 1959.

25TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:30 P.M. on Monday March 16, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present: Messrs. Bartleson, Betts, Best, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Pryor, Pawson, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communication received by Mr. Tribbitt, containing an invitation to a luncheon and a token session of the Legislature from the New Castle Old Court House Commission.

Mr. Dineen on behalf of election committee reported **HB** 4 favorable, 1 unfavorable.

Mr. King on behalf of appropriations Committee reported **HB** 43, 4 favorable and **HB** 44, 4 favorable.

Mr. Shockley on behalf of Judiciary Committee reported **HB** 123, 124, and 125, 2 favorable, 1 on merits and 1 unfavorable.

Mr. Robbins on behalf of Education Committee, reported **HB** 171, 3 favorable.

The Secretary of the Senate informed the House that the Senate had passed **SCR** 10, and **SS** 1 for **SB** 6 as amended by **SA** 1 for **SB** 6.

The Chair announced that he was about to sign **HB** 71, **HB** 72, **HR** 31, **HR** 32, **HR** 33.

The Chair announced that he had appointed the following members of the House to serve upon the Joint Committee for Highway Safety in accordance with House Joint Resolution No. 1 adopted by the 120th General Assembly.

Messrs. Chester Gove, Jr., Harvey P. Fifer, Joseph S. Latina, William T. Best and Robert C. Davidson.

The following bills were given 1st and 2nd reading by title only and assigned as follows:

SB 57—"An Act to Amend Section 811 Delaware Code Title 11, Relating to the Crime of Robbery," to Judiciary.

SB 39 with **SA** 1 to **SB** 39—"An Act to Authorize the State of Delaware to Borrow a Certain Sum of Money to Provide for Highway Improvements and Buildings under the Jurisdiction of the State Highway Department by Acquiring Lands and Rights-of-Ways Constructing and Reconstructing Highways, Bridges By Providing Buildings and Improvements incidental Thereto and to Issue Bonds and Notes Therefor and Appropriating Said Funds," to Public Buildings and Highways.

SCR 10 with **SA 1** to **SCR 10**—"Providing for a Joint Revenue Committee to Study New Sources of Revenues for Meeting the Financial Needs of the State and to Make Recommendations to the Current General Assembly Pertaining to the Same," to Finance.

SS 1 to **SB 6** As Amended—"An Act Creating a Department of Labor and Industrial Relations for the State under the Supervision and Direction of a Commissioner, Transferring the Industrial Accident Board to Said Department Abolishing the Labor Commission of Delaware and Transferring the Powers and Duties Thereof to Said Department and Prescribing the Powers and Duties of Said Department, its Commissioner and Divisions; Providing for Punishment for Violations and Enforcement; Appropriation," to Labor.

Mr. King introduced **HA 1** to **HB 167**, which was read for the first and only time and on further motion by Mr. King was adopted by voice vote.

Mr. Cannon introduced **HA 2** to **HB 167**, which was read for the first and only time and on further motion of Mr. King was adopted by voice vote.

Mr. King moved that **HB 173**, "An Act Making Supplementary Appropriations to Various Divisions of State Government for the Fiscal Year Ending June 30, 1959," be read for the third and final time and be considered in order to pass the House.

On Mr. Cannon's motion to table **HB 173**, the Chair requested the Clerk to make a roll call, which revealed:

YEAS—Messrs. Cannon, Latina, Livingston and Shockley—4.

NAYS—Messrs. Bartleson, Best, Cain, Carmean, Clifton, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Long, (Mrs.) Manning, Opdyke, Pawson, Pryor, Richards, Robbins, Wright, Mr. Speaker Tribbitt—23.

NOT VOTING—Messrs. Cain, Davidson, Dineen, McGinnes, Paskey—5.

ABSENT—Messrs. English, Quigley, Walls—3.

The Chair declared Mr. Cannon's motion to table **HB 173** lost.

Mr. King made motion for roll call on **HB 173**. Motion carried.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—28.

NAYS—Messrs. Cannon, Livingston, Opdyke, Shockley
—4.

NOT VOTING—Mr. Latina—1.

ABSENT—Messrs. English, Quigley—2.

HB 173 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Latina moved that **HB 73**—"An Act to Amend Chapter 27, Title 21, Delaware Code, Relating to Mandatory Revocation of Motor Vehicle Operators Licenses," be read for the third and final time and be considered in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Latina, McGinnes, Opdyke, Paskey, Quigley, Walls, Wright—13.

NAYS—Messrs. Bartleson, Best, Eskridge, Fifer, Gove, Graves, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, Pawson, Pryor, Richards, Robbins, Shockley, Mr. Speaker Tribbitt—18.

NOT VOTING—Mr. Kenney—1.

VOTING PRESENT—Mr. Cain and Mr. Johnson—2.

ABSENT—Mr. English—1.

Mr. Livingston and Mr. Shockley changed their votes from nay to yea in order that the bill could be restored to the calendar.

HB 73 not having received the constitutional majority was lost.

On motion of Mr. Latina **HB 73** was restored to the calendar.

Mr. Cannon made a motion to adjourn. The Chair asked for a roll call on the motion which revealed.

YEAS—Messrs. Cannon, Carmean, Graves, Livingston, Opdyke, Quigley, Robbins—7.

NAYS—Messrs. Bartleson, Best, Cain, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Long, (Mrs.) Manning, McGinnes, Paskey, Pryor, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitts—26.

NOT VOTING—Mr. Cain—1.

ABSENT—Mr. English—1.

The motion to adjourn was declared lost by the Chair.

On motion of Mr. Kleinbach **HB 66**, deferred February 19 was taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Eskridge, Fifer, Johnson, Kleinbach, Lawson, Pryor, Richards—9.

NAYS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Gove, Graves, Kenney, King, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—25.

NOT VOTING—None.

ABSENT—Mr. English—1.

Mrs. Manning, Mr. Pawson and Mr. Quigley changed their votes from nay to yea in order that **HB 66** be restored to the calendar.

HB 66 not having received its constitutional majority was declared lost.

On motion of Mr. Kleinbach **HB 66** was restored to the calendar.

The following bills were introduced, given first and second reading by title only and referred to committee as follows:

HB 184—"An Act to Amend Chapter 81, Title 9, Delaware Code by Giving Taylor's Bridge Community Center Incorporated Tax Exemption Status," by Gove; to Revenue and Taxation.

HB 185—"An Act Amending Chapter 5, Title 13, Delaware Code, Entitled 'Desertion and Support' Concerning Support Wage Assignments and Other Wage Attachments and Garnishments," by Dineen and Johnson; to Judiciary.

HB 186—"An Act to Amend Title 19, Delaware Code, Entitled 'Labor' in Respect to Wage Payments," by Latina and Lawson; to Labor.

HB 187—"An Act Appropriating Money to Delmar School District No. 163," by Kenney; to Appropriations.

HB 188—"An Act to Repeal Para. 3957 of Title 12 of the Delaware Code, Relating to Commissions and Costs of the Sale of Lands and Tenements Under Order of Court and to Add a New Section to Chapter 7 of Title 10 of the Delaware Code Empowering the Orphans' Court to Adopt Rules Relating to Commissions and Cost of Such Sale," by Shockley; to Judiciary.

HB 189—"An Act to Amend Section 3709 of Title 12, Now Relating to Trustees of Non-Resident Mentally Ill Persons, the Amendment to Encompass Fiduciaries of Non-Resident Mentally Ill, Aged, or Infirm Persons," by Shockley; to Judiciary.

HB 190—"An Act to Amend Title 19, Delaware Code, Relating to Workmen's Compensation," by Shockley; to Labor.

HB 191—"An Act to Amend Chapter 9, Title 10, Dela-

ware Code, With Respect to the Powers of Police, Justices of the Peace, Other Courts and Other Committing Magistrates in Issuance of Process; Conduct of Preliminary Proceedings and Detention of Children in Family Court Matters," by Shockley; to Judiciary.

HB 192—"An Act Requiring all Inspectors Employed by the State of Delaware, Its Counties and Municipalities to Receive Instructions in Safety Code Requirements," by Latina; to Miscellaneous.

On motion of Mr. King the House adjourned at 6:10 P. M. until 1 P. M. Thursday, March 19, 1959.

26TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:30 P.M. on Thursday, March 19, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—34.

Member Absent—Mr. Shockley—1.

The Clerk proceeded to read the Journal of the previous Session, when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion carried.

Mr. Cannon on behalf of Revenue and Taxation Committee reported **SCR 10** with **SA 1** to **SCR 10**, 5 favorable.

Mr. Graves on behalf of Committee on Public Buildings and Highways, reported **SB 39** with **SA 1** to **HB 39**, 5 favorable, 1 unfavorable.

Mr. Latina on behalf of Labor Committee reported **HB 167** with **HA 1** and **HA 2** to **HB 167**, 4 favorable, 1 unfavorable.

On motion of Mr. King recess was called at 2:20 P.M. until the call of the Chair. The Chair called the House to order at 4:30 P.M.

A message from the Secretary of the Senate informed the House that the Senate had passed **HB 80** and **SCR 14**.

On motion of Mr. Eskridge **SCR 14** was read for the third and final time, "Re Southern Regional Education Board," and rules of the House were suspended on further motion of Mr. Eskridge for the sole purpose of passing **SCR 14**. On motion of Mr. King **SCR 14** was adopted by voice vote.

Mr. McGinnes presented **HR 36**—"To Rescind House Resolution No. 25 Directing the House Committee on Revenue

and Taxation to Study the Needs of the State of Delaware."

WHEREAS, the House of Representatives has approved a Senate Concurrent Resolution to establish a Joint Committee of the House of Representatives and the Senate of the General Assembly to study the revenue needs of the State of Delaware, and

WHEREAS, the creation of said Joint Committee makes no longer necessary the study directed to be made by the House Committee on Revenue and Taxation pursuant to House Resolution No. 25, NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that House Resolution No. 25 is hereby rescinded in its entirety, which was read for the first and only time and on motion of Mr. McGinnes was adopted by voice vote.

Mr. Quigley introduced **HJR 4**—"To Attend a Luncheon in the City of New Castle and to Hold a Token Meeting of the General Assembly in the Old Court House in the City of New Castle, State of Delaware," which was read for the first and second time by title only.

On motion of Mr. Quigley rules were suspended and **HJR 4** was read for the third and final time in order to pass the House. On further motion of Mr. Quigley **HJR 4** was adopted by voice vote and sent to the Senate for concurrence.

The Chair announced that he was about to sign **HR 34** and **HR 35**.

On motion of Mr. Clifton **HB 134**—"An Act to Amend Chapter 167, Volume 37, Laws of Delaware, Entitled 'An Act to Incorporate the Town of Slaughter Beach,' Relating to Duties and Powers of Alderman; Taxation," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Walls, Wight, Mr. Speaker Tribbitts—33.

NAYS—None.

ABSENT—Mr. Pawson and Mr. Shockley—2.

HB 134 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Lawson **HB 131**—"An Act Proposing an Amendment to Article 8 of the Constitution of the State of Delaware Entitled 'Revenue and Taxation,' was read for

the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pyrro, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—33.

NAYS—Mr. Cannon—1.

ABSENT—Mr. Shockley—1.

HB 131 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. McGinnes, **HS 1** to **HB 63** was read for the third and final time—"An Act Amending Title 30, Delaware Code, Entitled 'State Taxes' Relating to Income Tax Reductions," and taken up for consideration in order to pass the House.

Mr. McGinnes introduced **HA 1** to **HS 1** for **HB 63** which was read for the first and only time and on further motion by Mr. McGinnes was adopted by voice vote.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Walls, Wright, Mr. Speaker Tribbitt—25.

NAYS—Mr. Fifer and Mr. Kleinbach—2.

NOT VOTING—Messrs. Bartleson, Best, Johnson, (Mrs.) Manning, Pawson, Richards, Robbins—7.

ABSENT—Mr. Shockley—1.

HS 1 to **HB 63** with **HA 1** to **HS 1** to **HB 63** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen **HB 111**—"An Act to Amend Title 15, Delaware Code by Providing that Clerks and Officers of Election Serving Outside of the District in Which They Are Registered to Vote May Leave the Polling Place on Election Day to Vote; and Providing that Clerks of Election May be Appointed Outside of the Election District But Within the Representative District in Which They Serve," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Graves, Livingston, McGinnes, Opdyke, Paskey, Quigley, Walls, Wright—13.

NAYS—Messrs. Bartleson, Best, Dineen, English, Eskridge, Fifer, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Long, (Mrs.) Manning, Pawson, Pryor, Richards, Robbins, Mr. Speaker Tribbitts—19.

NOT VOTING—Mr. Davidson and Mr. Gove—2.

ABSENT—Mr. Shockley—1.

HB 111 not having received its constitutional majority was declared lost by the Chair.

Messrs. Dinnen, English, King and Latina changed their vote from Yea to Nay in order that **HB 111** be restored to the calendar. On motion of Mr. Dineen **HB 111** was restored to the calendar.

On motion of Mr. Cannon **SCR 10**—"Providing for a Joint Revenue Committee to Study New Sources of Revenue for Meeting the Financial Needs of the State and to Make Recommendations to the Current General Assembly Pertaining to the Same," was read for the third and final time and rules were suspended for the purpose of passing **SCR** with **SA 1** to **SCR 10**.

On the question, "Shall this resolution pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Wright, Mr. Speaker Tribbitt—29.

NAYS—None.

NOT VOTING—Mr. Best and Mr. Betts—2.

ABSENT—Mrs. Manning, Mr. Quigley, Mr. Shockley and Mr. Walls—4.

SCR 10 with **SA 1** to **SCR 10** having received the constitutional majority was declared adopted by the House and returned to the Senate.

On motion of Mr. Davidson **HB 149**—"An Act to Amend Section 223, Title 8, Delaware Code, Entitled 'General Corporation Law' Relating to Vacancies and Newly Created Directorships," was read for the third and final time and taken up for consideration in order to pass the House. Mr. Davidson introduced **HA 1** to **HB 149** which was read for the first and only time and on further motion of Mr. Davidson was adopted by voice vote.

On the question, "Shall this bill pass the House?" roll call on **HB 149** with **HA 1** to **HB 149** revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon,