

Mr. Shulties, Chairman of Passed Bills, reported having taken to the Governor the following bills for his consideration: **HS 1** for **HB 8**, **HB 53**, **HB 114**.

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

HB 207—An Act Making Supplementary Appropriation to the Delaware Commission of Shell Fisheries. (By Mr. Davidson, to Appropriations)

HB 208—An Act to Amend Section 3105, (b), Title 20, Delaware Code, Entitled "Civil Defense Powers of the Governor" and Relating to State Civil Defense Auxiliary Police. (By Messrs. Paskey and Prettyman, to Military Affairs)

On motion of Mr. Phillips, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 160—An Act to Amend Chapter 345, Volume 52, Laws of Delaware, Relating to the Enlargement and Improvement of the System of Free Public Schools of Delaware and the Financing of the Same by the Issuance of Bonds of the State and of Certain Districts, by Providing That Certain School Districts be Included and Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Dineen, Truitt—2.

HB 160 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was reported from the Committee on Appropriations: **HB 206**, 4 favorably.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 188—An Act to Amend Chapter 207, Volume 17, Laws of Delaware, Entitled "An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington", as Amended, by Further Amending Section 31 Thereof so That the Council Shall have Power to Provide, by Ordinance or Resolution, for the Sale and Disposition of Abandoned and Surplus Lands and Properties and the Proceeds Therefrom.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Dineen, Truitt—2.

HB 188 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Quigley, the following was taken up for consideration and given a third and final reading in order to pass the House:

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

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

YEAS—Messrs. Annett, Bartleson, Best, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Gove, Keenan, Kleinbach, Livingston, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Shockley, Shulties, Snowden, Mr. Speaker Tribbitt—26.

NAYS—Messrs. Baker, Blendt, Fifer, Hocker, Myers, Richards, Robbins—7.

ABSENT—Messrs. Dineen, Truitt—2.

HB 29 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 161—An Act Authorizing the State of Delaware to Borrow Money to be Used by the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna to be Used to Make Capital Improvements and to Purchase Equipment for the State Welfare Home and to Issue Notes and Bonds Therefore and Appropriating the Money Borrowed to the Said Board.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Dineen, Truitt—2.

HB 161 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion, the House recessed at call of the Chair at 3:03 P. M. The House met at the expiration of the recess at 4:50 P. M. Mr. Speaker presiding.

The Chair presented the following resolution, which was given first and second reading by title only:

SCR 8—An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through January 11, 1961.

On motion of Mr. Eskridge, all rules were suspended and **SCR 8** was adopted and ordered returned to the Senate.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 209—An Act to Amend Chapter 7, Title 4, Delaware Code, Entitled "Alcoholic Liquors" by Changing the Hours of a Licensee May Sell Alcoholic Liquor. (By Mr. Murray, to Temperance)

On motion of Mr. Phillips, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 63—An Act to Amend Chapter 21, Title 23, Delaware Code, Relating to Registration, Equipment and Operation of Motor Boats.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Blendt, Dineen, Gove, Quigley, Truitt—5.

SB 63 having received the constitutional majority, passed the House and was ordered back to the Senate.

The following bill was reported from the Committee on Education: **HS 1** for **HB 42**, 5 favorably.

On motion of Mr. Davidson, **HCR 15** was recommitted.

The following bill was reported from the Committee on Judiciary: **HB 198**, 3 favorably, 2 on merits.

The House adjourned at 5:15 P. M. until 1:00 P. M., Thursday, April 13, 1961.

29TH LEGISLATIVE DAY

April 13, 1961

The House met pursuant to adjournment at 1:00 P. M. on April 13, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Dineen, Truitt—2.

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 prevailed.

The following communications were received and read to the members of the House:

ASSOCIATED GENERAL CONTRACTORS
OF DELAWARE, INC.

Wilmington, Delaware, April 12, 1961

Honorable Thomas P. Murray, Chairman Labor Committee
House of Representatives, Delaware General Assembly
Dover, Delaware

Dear Mr. Murray:

The members of this Association are very much opposed to the passage of House Bill 125 "An Act to amend Title 19, Delaware Code, entitled 'Labor' by adding a wage payment and collection law and providing penalties."

This proposed legislation appears to the writer and to our members to be ill-advised, cumbersome, and unnecessary and will work a hardship on responsible general contractors by placing additional and undue responsibility on them. Owners and public bodies are protected in these matters by performance and payment bonds which also afford them other needed protection. Also the proposed legislation Article 913, Section 3 appears to be discriminatory.

We respectfully urge you to oppose the passage of this legislation.

Yours very truly,

M. O. BADER, Secretary-Manager

cc: Hon. Sherman W. Tribbitt
Hon. Paul E. Shockley
Hon. James R. Quigley
Hon. George A. Robbins
Hon. Andrew Casey
Hon. Wilbert E. Hocker

April 13, 1961

The Honorable Charles S. Kleinbach
 Representative White Clay Creek Hundred
 Cooches Bridge Road, R. D. #1, Newark, Delaware
 Dear Mr. Kleinbach:

I urge your support of H. B. 27, the State Police Bill, increasing the complement by seventy (70) troopers.

Very truly yours,

ANNE K. BADER, Newark Business
 and Professional Women's Club

On motion of Mr. Quigley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 27—An Act to Amend Chapter 83, Title 11, Delaware Code, Entitled "State Police, Relating to Expanding the State Police Force, Providing Funds Therefor.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Casey, Clifton, Davidson, Downs, Ehinger, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Shulties, Snowden, Mr. Speaker Tribbitt—27.

NAYS—Mr. Robbins—1.

NOT VOTING—Messrs. Eskridge, Moore, Shockley—3.

ABSENT—Messrs. Busker, Dineen, Keenan, Truitt—4.

HB 27 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion, the House recessed at call of the Chair at 3:23 P. M. The House met at the expiration of the recess at 4:50 P. M. Mr. Speaker presiding.

The following bills were reported from committees: Insurance and Banking, **HB 92**, 2 favorably, 3 on merits; Public Buildings and Highways, **HB 185**, 3 favorably; Temperance, **HB 209**, 1 favorably, 2 on merits, 1 unfavorably.

The following resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 40—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED, by the House of Representatives of the 121st 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 121st General Assembly of the State of Delaware, from the 21st Legislative Day up to and including the 30th Legislative Day, which expenses are declared proper and reasonable, 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 Sessions 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.:

John Annett	\$ 54.00
William W. Baker	90.00
William T. Best	95.00
T. Lees Bartleson	110.00
Carlton Blendt, Jr.	50.00
Glenn Busker	26.00
Andrew Casey	100.00
Carlton Clifton	60.00
Robert Davidson	64.00
Russell Dineen	100.00
Robert N. Downs, III	96.00
George Ehinger	
Norman Eskridge	70.00
George Exley	40.00
Harvey Fifer	10.00
Chester Gove	50.00
Wilbert Hocker	120.00
Ralph S. Keenan	100.00
Charles S. Kleinbach	86.00
Paul F. Livingston	100.00
Orville B. Myers	20.00
Jennings Moore	82.00
Thomas T. Murray	100.00
William Paskey, Jr.	28.00
Robert Pawson	88.00
Harrison Phillips	102.00
Carl Prettyman	30.00
James Quigley	90.00
Charles Richards	
George Robbins	38.00
Paul Shockley	100.00
Dawson H. Shulties	20.00
Robert Snowden	80.00
Sherman Tribbitt	50.00
Clarence E. Truitt	100.00

The following resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 41—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED by the House of Representatives of the 121st 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 21st Legislative Day and including the 30th Legislative Day, of the current session:

Joseph T. Walsh	\$750.00
James B. Messick	375.00
William H. Draper, Jr.	375.00
Fred C. Lord, Jr.	330.00
Mary Ann McCabe	275.00
Francis X. Shoemaker	250.00
Elizabeth Wainwright	250.00
Rev. Arthur James	200.00
James Quigley	275.00
David L. Farrone	250.00
Martha Dixon	200.00
Clydas Colder	200.00
Ruth Ross	200.00
Orville Cephas	200.00
Catherine Fonville	200.00
Mrs. Willie Holmes	200.00
Jean Demel	275.00
Lillian Weston	250.00
Margaret Walker	357.50
William L. David	200.00
Claude W. Jordan	200.00
Helen Reihm	200.00
Louise Pennewell	275.00
Elizabeth G. Ennis	200.00
John R. Willey	200.00
Louise Staats	275.00
Ralph McClain	200.00
Ernest Council	200.00
Allen S. Moffitt	200.00
George L. Everett	250.00
Judy Graham	275.00
John Moore	200.00
Lloyd Minner	200.00
Edgar Brown	200.00
W. Harrison Melvin	200.00
Bradford Holliday	200.00
Gove Jarvis	200.00
George W. Kirkby	200.00
Willard C. Robbins	200.00
William B. Morgan, Jr.	200.00

Frank P. Ingram	200.00
Mary Wilson	200.00
Samuel Messick	250.00
Daniel Boyce	200.00
B. Guy Wheatley	200.00
Emory Spicer	200.00
Donald Ralph	200.00
Harold W. Hudson	200.00
Paul W. Lowe	200.00
Clifford Hall	337.50
Melba Webb	198.75
Catherine Swartwood	385.00
L. B. Knapp	250.00

The House adjourned at 5:15 P. M. until 1:00 P. M.,
Monday, April 17, 1961.

30TH LEGISLATIVE DAY

April 17, 1961

The House met pursuant to adjournment at 1:00 P. M.
on April 17, 1961.

Prayer by the Chaplain, Rev. James.

Members present—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Aribbitt—33.

Members absent—Messrs. Bartleson, Moore—2.

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 prevailed.

The following communication was presented and read to the members of the House:

Mr. Shulties, Chairman of Passed Bills, reported having taken to the Governor the following bill for his consideration:
HB 145.

HA 1 to **SB 84** was introduced by Mr. Robbins, and on further motion by him, was adopted.

On motion of Mr. Phillips, **SB 84** now amended by **HA 1**, having been deferred, was taken up for consideration.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingstone, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—Mr. Clifton—1.

ABSENT—Messrs. Bartleson, Moore, Quigley—3.

SB 84 as amended having received the constitutional majority, passed the House and was ordered back to the Senate for concurrence.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 202—An Act Amending, Revising and Consolidating the Charter of the City of Seaford.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Bartleson, Moore—2.

HB 202 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 115—An Act to Amend An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961," Being Chapter 299, Volume 52, Laws of Delaware in Respect to Appropriations to the State Communications Division of the State Highway Department, by Making Certain Transfers Therein.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Bartleson, Moore—2.

SB 115 having received the constitutional majority, passed the House and was ordered back to the Senate.

The following bill was reported from the Committee on Public Buildings and Highways: **HB 143**, 4 on merits, 1 favorably.

HA 1 to **HB 143** was introduced by Mr. Best and placed with the bill.

On motion of Mr. Shockley, **HJR 6** was given a third and final reading and on further motion by him was adopted, and ordered to the Senate for concurrence.

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

HB 210—An Act to Amend Title 30, Delaware Code, Chapter 11, Relating to Income Taxes by Exempting Certain Non-Residents from the Application Thereof. (By Messrs. Eskridge and Tribbitt, to Revenue and Taxation)

HB 211—An Act Establishing a School Crossing Guard Unit Under the Jurisdiction of the Levy Court for New Castle County. (By Messrs. Pawson and Kleinbach, to Revised Statutes)

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House.

HB 88—An Act Making an Appropriation to the State Board of Vocational Education for the Training of Volunteer Firemen.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—Mr. Hocker—1.

ABSENT—Messrs. Bartleson, Moore, Pawson—3.

PRESENT—Mr. Busker—1.

HB 88 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, the following was taken up for consideration in order to pass the House:

HB 36 as now amended by SA 1 and SA 2.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingstone, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Bartleson, Dineen, Moore—3.

HB 36 as amended having received the constitutional majority, passed the House.

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 206—An Act Authorizing the State of Delaware to Borrow a Certain Sum of Money for Capital Improvements and Expenditures in the Nature of Capital Investments for

the Use of the State Board of Trustees of the Delaware State Hospital at Farnhurst and to Issue Bonds and Notes Therefor.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Bartleson, Moore—2.

HB 206 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was reported from the Committee on Appropriations: **HB 149**, 4 favorably.

The Chair presented the following resolution, which was given first and second reading by title only:

SJR 6—Relative to the Selection of Dr. Francis J. Cummings as Recipient of the 1961 Shotwell Award of the American Association of Workers for the Blind.

On motion of Mr. Eskridge, all rules were suspended and on further motion by him, **SJR 6** was adopted and ordered back to the Senate.

The Chair presented the following resolution, which was given first and second reading by title only and assigned to committee as follows:

SCR 17—Providing for a Joint Committee to Investigate the Feasibility of the Construction of an Addition to Legislative Hall. (To Miscellaneous)

The Chair presented the following bill, which was given first and second reading by title only and assigned to committee as follows:

SB 126—An Act to Amend the Charter of Symrna, Chapter 192, Volume 36, Laws of Delaware, by Authorizing the Town Council to Fill the Offices of Town Treasurer, Board of Assessment, Alderman and Town Collector in the Event of Any Vacancy for Any Reason. (To Corporations, Municipal)

On motion, the House recessed at call of the Chair at 3:10 P. M. The House met at the expiration of the recess at 5:23 P. M. Mr. Speaker presiding.

HA 1 to HB 30 as amended by **SA 1** and **SA 2** was introduced by Mr. Robbins and given its first reading.

On the question, "Shall the Amendment be Adopted?" on motion of Mr. Robbins, roll call was taken and the roll call revealed the following:

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer,

Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Paskey, Jr., Phillips, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—26.

NAYS—Messrs. Casey, Murray, Pawson, Quigley, Shockley—5.

NOT VOTING—Mr. Downs—1.

ABSENT—Messrs. Bartleson, Moore, Prettyman—3.

HA 1 to **HB 30** as amended, having received the constitutional majority, was adopted.

On motion of Mr. Murray, **HB 30** as now amended by **SA 1** and **SA 2** and **HA 1** was taken up for consideration.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Bartleson, Moore, Prettyman—3.

HB 30 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 42—Expressing the Sympathy of the House of Representatives of the Illness of Representative Jennings Moore. (By Mr. Quigley)

WHEREAS, the members of the 121st General Assembly of the State of Delaware have learned that Representative Jennings Moore of the House of Representatives 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 Representative Jennings Moore, NOW THEREFORE

BE IT RESOLVED, that the members of the House of Representatives of the 121st 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 121st General Assembly of the State of Delaware and a copy be forwarded to Representative Jennings Moore.

On motion of Mr. Blendt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 98—An Act to Amend Section 2707, Title 21, Delaware Code, Relating to Requirements for School Bus Drivers and Public Passenger Carrying Vehicles.

HA 2 to HB 98, introduced by Mr. Blendt, was given first reading and on further motion by him, was adopted.

On motion of Mr. Blendt, **HA 1 to HB 98** was adopted.

HA 3 to HB 98 was introduced by Mr. Annett, given first reading and on further motion by him, was adopted.

On motion of Mr. Annett, action on **HB 98** as amended, was deferred.

The following bill was introduced, given first and second reading by title only, and assigned to committee as follows:

HB 212—An Act to Amend Chapter 345, Volume 52, Laws of Delaware, Relating to the Enlargement and Improvement of the System of Free Public Schools of Delaware and the Financing of the Same by the Issuance of Bonds of Certain Districts, by Providing That the Maximum Total Cost and Maximum State Share Allocated to the Dover Special School District from Authorized Funds be Reduced. (By Mr. Robbins, to Education)

The following bills were reported from the Committee on Public Buildings and Highways: **HB 16**, 1 favorably, 4 on merits; **HB 51**, 3 favorably, 2 on merits.

The House adjourned at 6:00 P. M. until 1:00 P. M., Tuesday, April 18, 1961.

31ST LEGISLATIVE DAY

April 18, 1961

The House met pursuant to adjournment at 1:00 P. M. on April 18, 1961.

Prayer by the Chaplain, Rev. James.

Members present—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

Members absent—Messrs. Bartleson, Moore, Pawson—3.

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 prevailed.

The following resolution was introduced, given first and second reading by title only and assigned to committee as follows:

HCR 16—Requesting the Governor and State and Federal Agencies to Take Appropriate Steps to Protect the Lums Pond Recreation Area. (By Mr. Davidson, to Miscellaneous)

The following bills were reported from committees: Revenue and Taxation, **HB 184**, 3 favorably, 2 on merits; **HB 210**, 4 favorably, 1 on merits; Corporations, Municipal, **SB 126**, 4 favorably.

The following resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 43—Authorizing the Payment of Certain Expenses for the Printing of 500 Calling Cards, Envelopes and Letterheads for the House of Representatives of the 121st General Assembly. (By Mr. Exley)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of Twenty Dollars (\$20.00) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay The Harrington Journal, Harrington, Delaware, for 500 calling cards, envelopes and letterheads for the House of Representatives of the 121st General Assembly.

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

HB 213—An Act Making Supplementary Appropriations for the Purchase of Voting Machines by the Departments of Elections of New Castle and Kent Counties for the Fiscal Year Ending June 30, 1961. (By Messrs. Dineen and Paskey, to Appropriations)

HB 214—An Act Making a Supplementary Appropriation to the Medical Council of Delaware for Salaries, Association Dues and Office Expenses. (By Messrs. Richards and Downs, to Appropriations)

HB 215—An Act to Amend Section 3348, Title 19, Delaware Code, Relating to Receipt of Benefits by Misrepresentation, by Requiring Repayment Before Eligibility for Future Benefits. (By Mr. Davidson, to Labor)

HB 216—An Act to Amend Title 11, Delaware Code, Relating to the Appointment of a Director for the State Board of Corrections. (By Messrs. Eskridge and Shockley, to Judiciary)

HB 217—An Act to Allow the New Castle County Levy Court to Sell Unneeded Land to the Highest Bidder. (By Mr. Shockley, to Judiciary)

HS 1 for HB 110—An Act to Amend 503 (c), Title 8, Delaware Code, Relating to Corporation Franchise Tax by Raising the Maximum Annual Tax from \$50,000 to \$100,000. (By Mr. Truitt, to Revenue and Taxation)

The Chair presented the following bills, which were given first and second reading by title only and assigned to committees as follows:

SS 2 for SB 103 with SA 1—An Act to Amend Section 2733, Title 21, Delaware Code, Entitled Discretionary Suspension or Revocation of Driver's License, Such Amendment Relating to Occupational License. (To Revised Statutes)

SB 73—An Act Appropriating Money to The Booker T. Washington School. (To Appropriations)

SB 50—An Act to Amend Section 5527, Title 29, Delaware Code, to Permit Deduction of Federal Old Age Insurance Benefits from State Pension Benefits Only If Federal Benefits Were Actually Received by the Pensioner. (To Revised Statutes)

On motion of Mr. Davidson, **HCR 15** was recommitted and stricken from the Calendar.

On motion of Mr. Phillips, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 149—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the Lewes Memorial Commission, by Making Transfers in Certain Appropriation Items Therein.

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

YEAS—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Bartleson, Moore, Pawson, Prettyman, Quigley—5.

HB 149 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 187—An Act to Amend Chapter 25, Title 12, of the Delaware Code, Relating to Fees and Taxes to be Charged by the Registers of Wills in New Castle County, Kent County, and Sussex County.

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

YEAS—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Bartleson, Moore, Pawson, Prettyman—4.

HB 187 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 99—An Act to Amend Title 29, Section 4301, Delaware Code, Relating to Notaries Public by Increasing the Number of Notaries That May be Granted.

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

YEAS—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Bartleson, Moore, Pawson, Prettyman—4.

SB 99 having received the constitutional majority, passed the House and was ordered back to the Senate.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in **HB 27** as amended by **SA 1** and **HB 29** as amended by **SA 1**.

On motion of Mr. Quigley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 27 as now amended by **SA 1**.

Mr. Robbins moved that action on **HB 27** as amended by **SA 1** be tabled. Roll call on the motion revealed:

YEAS—Messrs. Annett, Blendt, Busker, Casey, Clifton, Downs, Exley, Gove, Kleinbach, Murray, Phillips, Quigley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—16.

NAYS—Messrs. Baker, Best, Dineen, Ehinger, Eskridge, Fifer, Hocker, Keenan, Livingston, Myers, Paskey, Jr., Richards, Robbins, Shockley—14.

ABSENT—Messrs. Bartleson, Moore, Pawson, Prettyman—4.

PRESENT—Mr. Davidson—1.

The motion was declared passed.

On the question, "Shall **HB 27** as amended by **SA 1** pass the House?" the yeas and nays were taken and were as follows:

YEAS—Messrs. Annett, Baker, Best, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Gove, Hocker, Kleinbach, Livingston, Murray, Paskey, Jr., Phillips, Quigley, Richards, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—23.

NAYS—None.

NOT VOTING—Messrs. Blendt, Eskridge, Fifer, Keenan, Myers, Robbins, Shockley—7.

ABSENT—Messrs. Bartleson, Busker, Moore, Pawson, Prettyman—5.

HB 27 as amended by **SA 1** having received the constitutional majority, passed the House.

On motion, the House recessed at call of the Chair at 2:52 P. M. The House met at the expiration of the recess at 4:20 P. M. Mr. Speaker presiding.

The following bills were reported from committees: Public Buildings and Highways, **SB 47** as amended by **SA 1**, 1 favorably, 2 on merits; Miscellaneous, **SS 1** for **SB 94**, 5 favorably; **HB 90**, 5 favorably.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 143 with **HA 1**—An Act Pertaining to the State Highway Department and Providing for Its Reorganization, Composition, Membership, Committees, Quorums, Oaths of Members and Compensation to Members; for Liability Insurance for Department Employees; for Appointment and Powers of Notaries Public; for the Transfer of Funds for Emergency Maintenance; for Ratification of the Acts of the State Highway Department Created by 17 Delaware Code, Section 111; for Amendment in the Manner of Selecting a Chairman of the Department; for Certain Changes in the Department's Powers and Duties; for Abolition of the Offices of Chief Engineer and Secretary; for Creation of the Offices of Director of Operations and Controller; for Amendments with Respect to Determination as to Highway Improvements, Improvement of Roads Leading to Institutions, Competitive Bidding, Preparation of Plans and Specifications, Advertisement for Bids, Opening of Bids, and Awarding Contracts; and for Establishment of a Merit System of Employment as to Certain Employees of the Department.

Mr. Shockley presented **HA 2** to **HB 143**, which was given first and only reading in full and on further motion by him was adopted.

On motion of Mr. Best, **HA 1** to **HB 143** was given a second reading in full in order to pass the House. Roll Call on the Amendment revealed:

YEAS — Messrs. Annett, Baker, Best, Casey, Downs, Ehinger, Fifer, Hocker, Keenan, Kleinbach, Myers, Richards, Snowden—13.

NAYS — Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Livingston, Murray, Paskey, Jr., Phillips, Prettyman, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—18.

ABSENT—Messrs. Bartleson, Moore, Pawson, Quigley—4.

HA 1 not having received its constitutional majority, was declared lost.

On the question, "Shall **HB 143** as amended by **HA 2** pass the House?" the yeas and nays were ordered, which being taken, were as follows:

YEAS — Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Livingston, Murray, Paskey, Jr., Phillips, Prettyman, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—18.

NAYS — Messrs. Annett, Baker, Best, Casey, Downs, Ehinger, Fifer, Hocker, Keenan, Kleinbach, Myers, Richards, Snowden—13.

ABSENT—Messrs. Bartleson, Moore, Pawson, Quigley—4.

HB 143 as amended by **HA 2** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 44—Directing the Chairman of the Passed Bills Committee of the House of Representatives to Retain House Bill No. 27 as Amended by Senate Amendment No. 1. (By Mr. Eskridge)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware, that the Chairman of the Passed Bills Committee of the House of Representatives be, and he hereby is directed to retain in his possession House Bill No. 27 as amended by Senate Amendment No. 1, until further order of the House of Representatives.

The following resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 45—In Reference to Election of Officers. (By Mr. Robbins)

WHEREAS, George Kirkby was previously elected to the office of Sergeant-at-Arms to the House, but has since resigned,

NOW THEREFORE:

BE IT RESOLVED by the House of the 121st General Assembly of the State of Delaware that George Kirkby is hereby removed and discharge from the office of Sergeant-at-Arms.

BE IT FURTHER RESOLVED that Ralph R. Smith is hereby elected to serve as a Page to the House, to serve during the pleasure of the House.

The House adjourned at 5:45 P. M. until 1:00 P. M., Wednesday, April 19, 1961.

32ND LEGISLATIVE DAY

April 19, 1961

The House meet pursuant to adjournment at 1:00 P. M. on April 19, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Moore, Murray—2.

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 prevailed.

The following bills were reported from committees: Appropriations, **HB 122**, 4 on merits; Education, **HB 212**, 5 favorably; Revised Statutes, **HB 211**, 2 favorably, 2 on merits; Judiciary, **HB 157**, 2 favorably, 2 on merits; Miscellaneous, **HCR 16**, 5 favorably.

The following resolution was reported from the Committee on Miscellaneous: **SCR 17**, 5 favorably.

On motion of Mr. Eskridge all rules were suspended so that **SCR 17** could be given its third and final reading in order to pass the House:

SCR 17—Providing for a Joint Committee to Investigate the Feasibility of the Construction of an Addition to Legislative Hall.

On motion of Mr. Eskridge, **SCR 17** was adopted by voice vote and ordered returned to the Senate.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 126—An Act to Amend the Charter of Smyrna, Chapter 192, Volume 36, Laws of Delaware, by Authorizing the Town Council to Fill the Offices of Town Treasurer, Board of Assessment, Alderman and Town Collector in the Event of Any Vacancy for Any Reason.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT — Messrs. Bartleson, Downs, Moore, Murray, Pawson—5.

SB 126 having received the constitutional majority, passed the House and was ordered returned to the Senate.

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

HB 218—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the Board of Examiners and Registration of Architects, by Making Certain Appropriation Items Therein. (By Mr. Kleinbach, to Appropriations)

HB 219—An Act to Amend Title 29, Section 6521, Delaware Code, Relating to the Use of Unexpended Appropriations. (By Mr. Phillips, to Revised Statutes)

HB 220—An Act to Amend the Charter of the Town of Millville. (By Mr. Hocker, to Corporations, Municipal)

HB 221—An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvements Program and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department. (By Mr. Truitt, to Public Buildings and Highways)

On motion of Mr. Davidson, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 185—An Act to Amend Subchapter IV of Chapter 7, Title 9, Delaware Code, Relating to Taxing Powers of Park Districts.

HA 1 to **HB 185** was introduced by Mr. Davidson, given first and only reading and on further motion by him was adopted.

On the question, "Shall **HB 185** as amended by **HA 1** pass the House?" the yeas and nays were ordered, which being taken, were as follows:

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myer, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—29.

NAYS—None.

ABSENT — Messrs. Bartleson, Downs, Moore, Murray, Pawson—5.

PRESENT—Mr. Casey—1.

HB 185 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Davidson, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 184—An Act to Amend Section 8422, Title 9, Delaware Code, Relating to the Collection of School and Park District Taxes.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenen, Kleinbach, Livingston, Myers, Paskey, Jr., Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT — Messrs. Moore, Murray, Pawson, Phillips, Quigley—5.

HB 184 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 175—An Act to Amend Section 1502, Title 10, Delaware Code, Relating to the Term and Salary of the Court of Common Pleas of Kent County.

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

YEAS — Messrs. Annett, Baker, Blendt, Busker, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Gove, Kleinbach, Livingston, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—24.

NAYS—Mr. Richards—1.

NOT VOTING—Messrs. Bartleson, Best, Casey, Downs, Fifer, Hocker, Keenan, Myers—8.

ABSENT—Messrs. Moore, Murray—2.

HB 175 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion, the House recessed at call of the Chair at 2:55 P. M. The House met at the expiration of the recess at 4:05 P. M. Mr. Speaker presiding.

In accordance with Rule 9 of the House of Representatives, the Speaker of the House has signed **HS 1** for **HB 8**, **HB 114**, **HB 53**, **HR 39**.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 188**.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 222—An Act to Authorize the State Military Board to Sell Certain Armories. (By Mr. Quigley, to Public Buildings and Highways)

The House adjourned at 4:20 P. M. until 1:00 P. M., Thursday, April 20, 1961.

33RD LEGISLATIVE DAY

April 20, 1961

The House met pursuant to adjournment at 1:00 P. M. on April 20, 1961.

Prayer by the Chaplain, Rev. James.

Members present—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

Members absent—Messrs. Bartleson, Gove, Moore, Shockley—4.

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 prevailed.

The following memorandum was submitted by the Chairman of the Committee on Passed Bills, and was read to the House:

Mr. Shulties, Chairman of Passed Bills, reports having taken to the Governor the following bills for his consideration: **HB 36, HB 170.**

The following communication was presented to the members of the House:

Memorandum to: Mrs. Everett, Mr. Killen, Mr. F. Downes, Mr. E. H. Davis, Clerk of the House, Secretary of the Senate, Mrs. Mores, Legislative Reference Bureau for all folders. From: Earl McGinnes.

On date indicated, Governor approved the following legislation:

13 April 1961—**HB 145** with **HA 1, HA 2, SA 1; SJR 8.**

17 April 1961—**HB 45, HB 53, SB 98, SB 87.**

HA 1 and **HA 2** to **HB 152** were presented by Mr. Murray, given first reading in full, and committed with the bill.

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

HB 223—An Act Making a Supplementary Appropriation to the State Board of Education for Completion of the Athletic Field of the Bridgeville Consolidated School District No. 90. (By Mr. Annett, to Appropriations)

HB 224—An Act to Amend Section 2121, Title 21, Delaware Code, Relating to Motor Vehicle License Plates to Require the Insertion of Certain Words Thereon. (By Messrs. Keenan, Casey and Downs, to Revised Statutes)

The Chair presented the following bills, which were assigned to committees as follows:

SB 131—An Act to Amend Chapter 9, Title 10, Delaware Code, Known as the Family Court Act by Clarifying

the Power of the Court Relating to the Custodial Care of a Child Pending Final Determination, and in the Matter of Examinations and Treatment. (To Judiciary)

SB 132—An Act to Amend Chapter 11, Title 10, Delaware Code, Known as the Juvenile Court Act for Kent and Sussex Counties by Clarifying the Power of the Court Relating to the Custodial Care of a Child Pending Final Determination, and in the Matter of Examinations and Treatment. (To Judiciary)

SS 2 for SB 41—An Act to Amend the Charter of the Town of Smyrna, Chapter 537, Volume 20, Laws of Delaware, by Authorizing the Council to Extend the Boundaries of Said Town After a Special Election of the Estate Owners of Their Territory Proposed to be Annexed or in the Alternative by Petition by Owners of Real Property to the Council of the Town of Smyrna. (To Corporations, Municipal)

SB 40—An Act to Amend Chapter 537, Volume 20, Laws of Delaware (as Amended) Entitled "An Act to Re-Incorporate the Town of Smyrna." (To Corporations, Municipal)

SB 113—An Act to Amend Sections 106, Title 19, Delaware Code, Relating to the Labor Commission of Delaware. (To Labor)

The following resolution was introduced, given a first and only reading in full:

HCR 17—Fixing the Time for Temporary Adjournment of the House of Representatives and the Senate of the 121st General Assembly of the State of Delaware. (By Mr. Eskridge)

On motion of Mr. Eskridge, all rules were suspended so that **HCR 17** could pass the House, and on further motion by Mr. Eskridge, **HCR 17** was adopted and ordered to the Senate for concurrence.

On motion of Mr. Davidson, the following was taken up for consideration and given a third and final reading in order to pass the House:

HCR 16—Requesting the Governor and State and Federal Agencies to Take Appropriate Steps to Protect the Lums Pond Recreation Area.

On further motion by Mr. Davidson, **HCR 16** was adopted by voice vote and ordered to the Senate for concurrence.

On motion of Mr. Myers, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 129—An Act to Amend Title 31, Section 901 of the Delaware Code of 1953, Relating to Work Requirements as to Employable Relief Recipients.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Davidson, Downs, Ehinger, Exley, Fifer, Hocker,

Keenan, Kleinbach, Livingston, Myers, Paskey, Jr., Pawson, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt—24.

NAYS—Messrs. Clifton, Eskridge, Murray, Phillips—4.

NOT VOTING—Mr. Speaker Tribbitt—1.

ABSENT — Messrs. Bartleson, Dineen, Gove, Moore, Quigley, Shockley—6.

HB 129 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Myers, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 130—An Act to Amend Title 31, Section 902 of the Delaware Code of 1953, Relating to Application for Assignment of Relief Recipients.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Davidson, Downs, Ehinger, Exley, Fifer, Hocker, Keenan, Kleinbach, Myers, Paskey, Jr., Pawson, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt—24.

NAYS—Messrs. Clifton, Eskridge, Livingston, Murray, Phillips—5.

NOT VOTING—Mr. Speaker Tribbitt—1.

ABSENT — Messrs. Bartleson, Dineen, Gove, Moore, Shockley—5.

HB 130 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported from committees: Judiciary, **HB 217**, 2 favorably, 2 on merits; Public Buildings and Highways, **HB 195**, 1 favorably, 4 on merits.

On motion of Mr. Paskey, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 122—An Act Making an Appropriation to the State Fire Prevention Commission for the Training of Volunteer Firemen.

HA 1 to **HB 122** was presented by Mr. Paskey, given its first reading and on further motion by him was adopted.

On the question, "Shall **HB 122** as amended by **HA 1** pass the House?" the yeas and nays were ordered, which being taken, were as follows:

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT — Messrs. Bartleson, Dineen, Gove, Moore, Shockley—5.

HB 122 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion, the House recessed at call of the chair at 3:00 P. M. The House met at the expiration of the recess at 4:30 P. M. Mr. Speaker presiding.

On motion of Mr. Phillips, the following was taken up for consideration and given a third and final reading in order to pass the House:

SS 1 for SB 94—An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to Pensions of State Employees.

HA 1 to SS 1 for SB 94 was introduced by Mr. Dineen, given its first reading and on further motion by him was adopted.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Bartleson, Gove, Moore, Shockley—4.

SS1 for SB 94 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 22**, **HB 128**, **HB 100**, **HB 161**, **HB 184**, **HB 185**, **HB 202**, **HCR 16** and **HCR 17**.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 210—An Act to Amend Title 30, Delaware Code, Chapter 11, Relating to Income Taxes by Exempting Certain Non-Residents from the Application Thereof.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—29.

NAYS—Messrs. Myers, Richards—2.

ABSENT—Messrs. Bartleson, Gove, Moore, Shockley—4.

HB 210 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following resolution was introduced, given a first and only reading in full:

HR 46—A Request for the Appointment of a Committee to Meet with a Committee of the Senate to Confer as to the Disagreement Between the Two Houses on House Bill No. 143. (By Messrs. Busker and Blendt)

WHEREAS, the House of Representatives has passed House Bill No. 143, and

WHEREAS, the Senate has defeated House Bill No. 143, and

WHEREAS, there appears to be disagreement between the two Houses as to House Bill No. 143, and

WHEREAS, Rule 4 of the Joint Rules (1961) permits the appointment of a committee to confer with a committee of the Senate on disagreements between the two Houses relative to a bill, NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the Speaker of the House be and hereby is requested to appoint a committee pursuant to Rule No. 4 of the Joint Rules of the House of Representatives (1961) to confer with a committee of the Senate on differences between the House of Representatives and the Senate as to House Bill No. 143

BE IT FURTHER RESOLVED, that the Speaker of the House be and hereby is requested to ask the President Pro Tempore of the Senate to appoint a committee of the Senate to confer with the House Committee herein requested as to disagreements existing between the two Houses as to House Bill No. 143, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the President Pro Tempore of the Senate.

On further motion by Messrs. Busker and Blendt, **HR 46** was withdrawn.

The following bill was reported from the Committee on Labor, **HB 50**, 1 favorably, 3 on merits.

The following resolution was introduced, given a first and only reading in full, and on further motion, action was deferred.

HR 47—Requesting the State Insurance Commissioner to Furnish Certain Information to the House of Representatives. (By Mr. Quigley)

BE IT RESOLVED, by the 121st General Assembly, that the State Insurance Commissioner be and he hereby is requested to furnish to each member of the House of Representatives the following information:

- A. The total amount paid by or on behalf of the State of Delaware for insurance premiums of whatsoever nature for the period from July 1, 1950 to June 30, 1960.

- B. The total amount received by the State of Delaware from any insurance company in the form of payments for loss or damage under any policy or policies in effect during the period from July 1, 1950 to June 30, 1960.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 225—An Act to Amend Chapter 55, Title 14, Delaware Code, Relative to Appropriating Money to the University of Delaware for the Purpose of Establishing Scholarships at the University of Delaware. (By Mr. Robbins, to Appropriations)

The Chair presented the following Senate Bill, which was given first reading:

SB 139—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the State Board of Education by Making Transfers in Certain Appropriation Items Therein and by Repealing Chapter 20, Volume 53, Laws of Delaware, Which Amended Chapter 299, Volume 52, Laws of Delaware.

On motion of Mr. Eskridge, all rules were suspended in order that **SB 139** might pass the House.

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

YEAS — Messrs. Annett, Baker, Best Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—29.

NAYS—None.

ABSENT—Messrs. Bartleson, Gove, Livingston, Moore, Quigley, Shockley—6.

SB 139 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The House adjourned at 5:30 P. M. in accordance with **HCR 17**.

34TH LEGISLATIVE DAY

April 24, 1961

The House met pursuant to adjournment at 5:00 P. M. on April 24, 1961.

Prayer by the Chaplain, Rev. James.

Members present—Messrs. Annett, Baker, Best, Blendt, Busker, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

Members absent—Messrs. Bartleson, Casey, Downs, Kleinbach, Moore—5.

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

The following bills were reported from committees: Corporations, Municipal, **SB 40**, 4 favorably; **SS 2** for **SB 41**, 4 favorably; Public Buildings and Highways, **HB 222**, 4 favorably.

The House adjourned at 5:15 P. M. until 1:00 P. M., Tuesday, April 25, 1961.

35TH LEGISLATIVE DAY

April 25, 1961

The House met pursuant to adjournment at 1:00 P. M. on April 25, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

Members absent—Messrs. Casey, Gove, Kleinbach, Moore—4.

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 prevailed.

The following communications were presented to the members of the House:

DOVER SPECIAL SCHOOL DISTRICT CENTRAL ELEMENTARY SCHOOL

Dover, Delaware, April 20, 1961

Members of the 121st General Assembly
Legislative Hall, Dover, Delaware

To The Members of the 121st General Assembly:

The Central Dover Elementary Faculty is anxious that the Members of the House and Senate give House Bill #212 careful consideration before voting either for or against the legislation.

We regard passage of House Bill #212 to be detrimental to the Dover Special School District's best interests for superior educational facilities in Kent County. A Comprehensive High School in Dover, we believe, could better serve academic, as well as vocational needs.

Respectfully yours,
Central Dover Elementary School Faculty
(Mrs.) Mary W. Hearn, Principal

DOVER SPECIAL SCHOOL DISTRICT
DOVER HIGH SCHOOL

Dover, Delaware, April 20, 1961

To the Members of the General Assembly:

The faculty of the Dover High School wishes to state its opposition to House Bill 212.

This opposition is based on a belief that the best interests of education would be jeopardized by the passage of such legislation.

Respectfully yours,

William P. Livingston, President

Dover High School Faculty

DOVER SPECIAL SCHOOL DISTRICT
DOVER JUNIOR HIGH SCHOOL

Dover, Delaware, April 20, 1961

The 121st General Assembly of the State of Delaware
Legislative Hall, Dover, Delaware

Gentlemen:

We, the faculty of Dover Junior High School, are taking this means of registering our most vehement opposition to the passage of House Bill No. 212.

As educators dedicated to the progress rather than retrogression of the school system of this State we cannot condone the reduction of funds so necessary for providing sorely needed facilities for our State's children.

May we sincerely urge that the Assembly defeat this bill.

Respectfully submitted,

Members of the Faculty of the
Dover Junior High School

Mr. Shulties, Chairman of Passed Bills, reported having taken to the Governor the following bill for his consideration:
HB 202.

The following resolutions were introduced, given a first and only reading in full, and on further motion, were adopted:

HR 48—Directing the President of the State Board of Education to Refrain from Issuing a Certain Certificate of Necessity. (By Messrs. Robbins, Prettyman, Exley, Shockley, Ehinger, Fifer, Shulties, Myers, Paskey, Richards)

WHEREAS, there is now pending before the House of Representatives House Bill No. 212 relating to an appropriation of State funds contrary to the sixty per cent-forty per cent formula for State and district contributions to school construction, and

WHEREAS, it is the sense of the House that further study concerning the bill is desirable and necessary and that no action should be taken by the State Board of Education concerning said appropriation pending further study by the House

NOW THEREFORE

BE IT RESOLVED that Vincent A. Theisen, the President of the State Board of Education be and he hereby is

directed to refrain from the issuance of a certificate of necessity authorizing the holding of a referendum to implement said appropriation until the House of Representatives shall have had the opportunity to hold a public hearing on the advisability of said appropriation.

HR 49—Authorizing the Payment of Certain Expenses for the Printing of Calendars for the House of Representatives of the 121st General Assembly. (By Messrs. Exley and Shulties)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of Five Hundred Ninety-One Dollars is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay The Sussex Countian, Georgetown, Delaware, for the printing of Calendars for the House of Representatives of the 121st General Assembly.

HR 50—In Reference to Election of Officers. (By Mr. Exley)

WHEREAS, Frank Ingram was previously elected to the office of Mail Clerk but has resigned effective April 21, 1961,

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that Frank Ingram is hereby relieved from the duties of Mail Clerk effective April 21, 1961, and

BE IT FURTHER RESOLVED that Helen M. Collins is hereby elected to serve as Mail Clerk effective April 24, 1961, to serve during the pleasure of the House of Representatives.

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

HB 226—An Act to Amend Chapter 9, Title 18, Delaware Code, Relating to Valuation and Nonforfeiture Requirements of Life Insurance Policies. (By Messrs. Bartleson and Blendt, to Insurance and Banking)

HB 227—An Act to Amend Sections 7904 and 7906, Title 3, Delaware Code, Relating to Service of Process by Adding the Organization Known as Delaware Humane Association to the Sections. (By Messrs. Dineen and Keenan, to Agriculture)

HB 228—An Act to Amend Section 6902, Title 29, Delaware Code, Relating to Public Improvement Bonds. (By Mr. Dineen, to Miscellaneous)

HB 229—An Act to Amend Title 13, Delaware Code, Relating to Expiration of Marriage Licenses. (By Mr. Murray, to Judiciary)

HB 230—An Act to Provide for Prison Industries, to Require State Agencies to Purchase Prison Made Products and to Provide for Financing Thereof. (By Mr. Ehinger, to Miscellaneous)

The following resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 51—Requiring All Bills Proposed for Introduction in the House of Representatives to be Referred to the House Attorneys Before Introduction. (By Mr. Quigley)

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly that all bills proposed for introduction in the House be first referred to the House Attorneys, or any of them, for examination to insure that said bills are in proper form and free of errors.

On motion of Mr. Quigley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 222—An Act to Authorize the State Military Board to Sell Certain Armories.

On motion of Mr. Quigley, action on **HB 222** was deferred.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 217—An Act to Allow the New Castle County Levy Court to Sell Unneeded Land to the Highest Bidder.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Casey, Gove, Kleinbach, Moore—4.

HB 217 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported from the Committee on Revised Statutes: **HB 189**, 5 favorably, **HB 203**, 4 favorably, 1 on merits; **SB 91**, 4 favorably, 1 on merits; **SS 2** for **SB 103**, 4 favorably, 1 on merits.

The Chair presented the following bills, which were given first and second reading by title only and assigned to committees as follows:

SB 138—An Act to Amend Chapter 138, Volume 41, Laws of Delaware, 1937, Entitled An Act to Reincorporate the Town of Clayton, Providing for the Establishment of a System of Pensions. (To Corporations, Municipal)

SB 5—An Act Making a Supplementary Appropriation to the Labor Commission of Delaware for the Fiscal Year Ending June 30, 1961, to Cover Salaries for a Director of the Labor Commission, a Supervisor of Fair Employment Practices, a Secretary, Equipment Supplies and Printing and Salary Increases for the Labor Inspectors. (To Appropriations)

SB 79—An Act Making a Supplementary Appropriation to the Rose Hill-Minquadale School District, School District No. 47. (To Appropriations)

SB 4—An Act Authorizing the Disinterment and Reinterment of Bodies in the Cemetery Belonging to and on the Property of the Mt. Olivet Methodist Church in Seaford, Delaware, and Providing That the Property of Mt. Olivet Methodist Church Will be Used for Better Religious Advantage. (To Miscellaneous)

SB 75—An Act to Amend Chapter 9, Title 10, Delaware Code, by Enlarging the Jurisdiction of the Family Court in the Disposition of Certain Children. (To Judiciary)

SB 127—An Act Relating to the Custody and Exchange of Law Books. (To Judiciary)

SB 38—An Act to Amend Title 10, Chapter 11, Delaware Code, Relating to the Juvenile Court of Kent and Sussex Counties by Providing for an Additional Judge for the Court. (To Judiciary)

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 40—An Act to Amend Chapter 537, Volume 20, Laws of Delaware (as Amended) Entitled "An Act to Re-Incorporate the Town of Smyrna".

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Casey, Gove, Kleinbach, Moore—4.

SB 40 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

SS 2 for SB 41—An Act to Amend the Charter of the Town of Smyrna, Chapter 537, Volume 20, Laws of Delaware, by Authorizing the Council to Extend the Boundaries of Said Town After a Special Election of the Estate Owners of Their Territory Proposed to be Annexed or in the Alternative by Petition by Owners of Real Property to the Council of the Town of Smyrna.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Livingston, Myers, Murray,

Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Casey, Gove, Kleinbach, Moore—4.

SS 2 for SB 41 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion, the House recessed at call of the Chair at 3:31 P. M. The House met at the expiration of the recess at 5:55 P. M. Mr. Speaker presiding.

The House adjourned at 6:00 P. M. until 1:00 P. M. on Wednesday, April 26, 1961.

36TH LEGISLATIVE DAY

April 26, 1962

The House met pursuant to adjournment at 1:00 P. M. on April 26, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Moore, Pawson—2.

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 prevailed.

The following communication was presented to the members of the House:

Memorandum to: Mrs. Everett, Mr. Killen, Mr. F. Downes, Mr. E. H. Davis, Clerk of the House, Secretary of the Senate, Mrs. Moress. Legislative Reference Bureau for all folders. From: F. Earl McGinnes.

On date indicated, Governor approved the following legislation:

20 April 1961—HB 114, SB 63.

24 April 1961—HB 150, SB 99, SB 115, SB 126, SJR 6.

25 April 1961—SB 88.

The following bill was reported from the Committee on Public Buildings and Highways: HB 221, 3 favorably, 1 on merits.

The following resolution was introduced, given first and second reading by title only:

HCR 18—Making an Appropriation to West Publishing Company for Payment of 1960 Pocket Part Supplements to the Delaware Code. (By Mr. Robbins)

On motion of Mr. Robbins all rules were suspended so that **HCR 18** might pass the House, and on further motion by him was adopted and ordered to the Senate for concurrence.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 231—An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Providing for a Budget Director, Transferring Certain Functions Thereto, Transferring Certain Other Functions Among Existing State Agencies and Appropriating Funds. (By Messrs. Gove, Dineen and Busker, to Revised Statutes)

The following resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 52—Making an Appropriation to the Underwood Corporation for Purchase of One Electric Typewriter #TW 13/8557449 P to be Used by the House of Representatives of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware that the amount of \$378.25 be paid to Underwood Corporation for one electric typewriter #TW 13/8557449 P to be used by the House of Representatives.

The following bills were reported from committees: Appropriations, **HB 194**, 4 favorably, 1 on merits; Corporations, Municipal, **HB 220**, 4 favorably; **HB 147**, 3 favorably, 1 on merits; Miscellaneous, **SB 4**, 4 favorably.

On motion of Mr. Davidson, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 92—An Act Agreeing to a Proposed Amendment to the Constitution of the State of Delaware by Adding a New Article Entitled "Continuity of the State and Local Governmental Operations in Periods of Emergency Resulting from Disasters Caused by Enemy Attack."

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Casey, Downs, Moore, Pawson, Quigley—5.

SB 92 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Gove, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 189—An Act to Direct the Levy Court of Sussex County to Appropriate \$500 Annually to Gumboro Volunteer Fire Company for the Maintenance of an Ambulance.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Casey, Downs, Moore, Pawson, Quigley—5.

HB 189 having received the 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 178**, **HB 143** as amended, **HB 221**, **HJR 3**.

On motion, the House recessed at call of the Chair at 2:20 P. M. The House met at the expiration of the recess at 5:17 P. M. Mr. Speaker presiding.

On motion of Mr. Shockley, **HB 143** as amended by **HA 2**, and now amended with **SA 2**, **SA 3**, **SA 4**, was taken up for consideration in order to pass the House, and on further motion by him, so much be considered the reading of the Senate Amendments.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Moore, Pawson—2.

HB 143 as amended by **HA 2**, **SA 2**, **SA 3**, **SA 4** having received the constitutional majority, passed the House.

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 221—An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvement Program and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department.

HA 1 to **HB 221** was introduced by Mr. Truitt, given a first reading and on further motion was adopted.

On motion of Mr. Truitt, all rules were suspended so that **HB 221** as amended by **HA 1** might pass the House.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

NOT VOTING—Messrs. Bartleson, Casey—2.

ABSENT—Messrs. Moore, Pawson—2.

HB 221 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Quigley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 222—An Act to Authorize the State Military Board to Sell Certain Armories.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Moore, Pawson—2.

HB 222 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 assigned to committees as follows:

HB 232—An Act Proposing an Amendment to Article V, Section 2, of the Constitution of the State of Delaware, Relating to Elections by Extending Residence Requirements to Allow Certain Voters Recently Moving Within the State or Election Districts Thereof to Vote. (By Messrs. Dineen and Blendt, to Elections)

HB 233—An Act to Amend Title 22, Delaware Code, Relating to Municipalities. (By Mr. Busker, to Corporations, Municipal)

HB 234—An Act Appropriating Money to Slaughter Beach Volunteer Memorial Fire Company, Inc. (By Mr. Clifton, to Appropriations)

On motion of Mr. Blendt, **HB 87** was stricken from the Calendar.

The House adjourned at 6:00 P. M. until 1:00 P. M., Thursday, April 27, 1961.

37TH LEGISLATIVE DAY

April 27, 1961

The House met pursuant to adjournment at 1:00 P. M., on April 27, 1961.

Prayer by the Chaplain, Rev. James

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker—31.

Members absent—Messrs. Casey, Moore, Pawson, Shockley—4.

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 prevailed.

The following communications were presented to the members of the House:

We, the undersigned, present this petition against the Bill **HB 209**, thus opposing the extension of the hours for the sale of alcoholic beverages.

(The petition was signed by 25 members of the Summit Methodist Church on April 23, 1961.)

(The same petition was also signed by over 40 members of St. Georges Methodist Church, St. Georges, Del., on April 23, 1961.)

THE COMMITTEE FOR FAIR PRACTICES

Wilmington 1, Delaware, April 25, 1961

Hon. Sherman Tribbitt, Speaker of the House
State Assembly, Dover, Del.

Dear Sir:

Enclosed are copies of letters sent to three members of the State Assembly. We would appreciate your reading a copy on the floor of the House,

Cordially yours,

ROSE VOLKMAN (Mrs. John Volkman)

Secretary, Committee for Fair Practice

Copies of the following letter were sent to Representatives Thomas P. Murray, Paul Shockley, and Paul Livingston:
Dear Sir:

The Committee for Fair Practices, made up of individuals and representatives of organizations interested in the elimination of discrimination from all phases of American life, wishes to urge that you do everything in your power to get the recently passed Senate Bill #5 onto the floor of the House and pass same.

We are very desirous that the provisions of the FEPC Bill should become a reality and feel that one of the best ways to do this is to appropriate funds to administer the Bill.

Wilmington 3, Delaware, April 24, 1961

The Honorable William T. Best, House Minority Leader
Legislative Hall, Dover, Delaware
Dear Mr. Best:

In 1960, the platforms of both political parties called for an appropriation for mosquito control for the entire State of Delaware, not just the 2 lower counties. I have been informed that New Castle County has fresh water mosquitoes, which presents a problem different from Kent and Sussex Counties, where salt water mosquitoes are prevalent.

Civic Associations in upper New Castle County have in previous years attempted localized control, but found it futile, because the entire area was not properly covered.

Please consider this my urgent plea to incorporate a line item in the General Appropriation Act under the Mosquito Control Division of the State Highway Department calling for an appropriation of \$60,000 for fresh water mosquito control in Northern New Castle County. Only this way will this recognized health hazard be overcome.

Cordially yours,

J. H. WHITE

STATE OF DELAWARE
HOUSE OF REPRESENTATIVES

Dover, Delaware, April 20, 1961

To the Honorable Members of the House of Representatives
Dover, Delaware
Gentlemen:

By authority invested in me, I do hereby appoint to the Delaware Commission on Interstate Cooperation the following House Members:

Representative Thomas P. Murray
Representative Charles F. Richards
Representative Clarence E. Truitt

Yours truly,

SHERMAN W. TRIBBITT, Speaker of the House

STATE OF DELAWARE
HOUSE OF REPRESENTATIVES

Dover, Delaware, April 26, 1961

To the Honorable Members of the House of Representatives
Dover, Delaware
Gentlemen:

In accordance with Senate Concurrent Resolution #17, and by the authority invested therein, I do hereby appoint the following members of the House to the Committee to Investigate the Feasibility of the Construction of an Addition to Legislative Hall:

Representative Wilbert E. Hocker

Representative George A. Robbins
 Representative Sherman W. Tribbitt
 Sincerely,

SHERMAN W. TRIBBITT, Speaker of the House

The following bills were reported from the Committees on:
 Revised Statutes, **HB 224**, 4 favorably; Judiciary, **HB 216**, 3 favorably, 1 on merits; Judiciary, **SB 127**, 3 favorably, 1 on merits; Miscellaneous, **SB 65** as amended, 3 favorably, 1 on merits.

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

HB 235—An Act Making a Supplementary Appropriation to the Office of the Attorney General for the Fiscal Year Beginning July 1, 1960, and Ending June 30, 1961. (By Messrs. Best and Fifer; to Appropriations.)

HB 236—An Act to Amend Chapter 19, Title 30, Delaware Code, Relating to Corporation Income Tax. (By Mr. Truitt; to Revenue and Taxation.)

On motion of Mr. Phillips, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 4—An Act Authorizing the Disinterment and Reinterment of Bodies in the Cemetery Belonging to and on the Property of the Mt. Olivet Methodist Church in Seaford, Delaware, and Providing That the Property of Mt. Olivet Methodist Church Will be Used for Better Religious Advantage.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—29.

NAYS—None.

NOT VOTING—Mr. Clifton—1.

ABSENT — Messrs. Casey, Davidson, Moore, Pawson, Shockley—5.

SB 4 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Keenan, the following was taken up for consideration and given a third and final reading in order to pass the House:

HS 1 for **HB 42**—An Act to Amend Chapter 134, Volume 52, Laws of Delaware, also Known as Chapter 6, Title 14, Delaware Code, Relating to Tuition Charges and Providing an Exception Thereto.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley,

Fifer, Gove, Hocker, Keenan, Kleinbach, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—29.

NAYS—Mr. Livingston—1.

ABSENT — Messrs. Casey, Davidson, Moore, Pawson, Shockley—5.

HS 1 for **HB 42** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion the House recessed at call of the Chair at 2:47 P. M. The House met at the expiration of the recess at 4:30 P. M. Mr. Speaker presiding.

The following resolution was introduced, given first and second reading, by title only:

HCR 19—Fixing the Time for Temporary Adjournment by the House of Representatives and the Senate of the 121st General Assembly of the State of Delaware. (By Mr. Eskridge)

On motion of Mr. Eskridge, all rules were suspended so that **HCR 19** might pass the House, and on further motion by him, **HCR 19** was adopted.

The following bill was reported from the Committee on Insurance and Banking: **HB 226**, 5 favorably.

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 203—An Act to Amend Title 24, Delaware Code, Entitled "Professions and Occupations", and Relating to the Fees to be Charged and Collected by Certain Regulatory Boards and Agencies.

HA 1 to **HB 203** was introduced by Mr. Dineen, given first reading and on further motion by him, was adopted.

HA 2 to **HB 203** was introduced by Mr. Murray, given first reading and on further motion by him, was adopted.

On motion of Mr. Bartleson, action on **HB 203** as amended by **HA 1** and **HA 2** was deferred.

On motion of Mr. Davidson, **SB 50** was recommitted in the Committee on Revised Statutes.

On motion of Mr. Davidson, **HB 201** was stricken from the calendar.

On motion of Mr. Hocker, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 220—An Act to Amend the Charter of the Town of Millville.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston,

Myers, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—29.

NAYS—None.

ABSENT—Messrs. Casey, Moore, Murray, Paskey, Jr., Pawson, Shockley—6.

HB 220 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 53—Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through April 11, 1961.

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware, that the sum of \$52.40 be paid to the Diamond State Telephone Company for services rendered through April 11, 1961, for RE 6-6180.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 54—Requesting the State Insurance Commissioner to Furnish Certain Information to the House of Representatives. (By Mr. Robbins)

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly, that the State Insurance Commissioner be and he hereby is requested to furnish to each member of the House of Representatives the following information:

- A. The total amount paid by or on behalf of the State of Delaware for insurance premiums of whatsoever nature for the period from July 1, 1950 to June 30, 1960.
- B. The total amount received by the State of Delaware from any insurance company in the form of payments for loss or damage under any policy or policies in effect during the period from July 1, 1950 to June 30, 1960.
- C. The total of the face values of all policies of insurance, insuring State property from loss or damage, in effect on April 1, 1961.

The following communication was presented to the members of the House:

STATE OF DELAWARE
OFFICE OF THE ATTORNEY GENERAL

Dover, Delaware, April 27, 1961

Honorable Norman Eskridge, House of Representatives
Dover, Delaware

Dear Mr. Eskridge:

You have requested from the Attorney General his opinion as to whether or not the General Assembly, when it meets on the first Tuesday of January, 1962, will be the 121st or 122nd General Assembly. Since this is not a matter of substantive law, legal authority has not been found in connection

with the problem. It is, however, our opinion that since no election will ensue, the meeting on the first Tuesday of January, 1962, would be a meeting of the same General Assembly which met on the first Tuesday of January, 1961. I call your attention to the fact that sessions of the Congress of the United States follow this pattern. The Congress has a first and second session, but carries the same number designation.

Very truly yours,

George R. Wright, Deputy Attorney General

The following bill was reported from the Committee on Labor: **SB 100**, 3 favorably, 1 on merits.

The House adjourned at 5:30 P. M. in accordance with **HCR 19**.

38TH LEGISLATIVE DAY

May 3, 1961

The House met pursuant to adjournment at 1:00 P. M., on May 3, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

Member absent—Mr. Moore—1.

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 prevailed.

The following communications were received and presented to the members of the House:

DEPARTMENT OF THE ARMY OFFICE OF THE ASSISTANT SECRETARY

Washington, D. C., April 27, 1961

Mr. Fred C. Lord, Jr., Clerk of the House
Delaware State Legislature, Dover, Delaware

Dear Mr. Lord:

This will acknowledge receipt of a certified copy of HOUSE RESOLUTION NO. 4 which was adopted by the General Assembly of the State of Delaware on April 6, 1961 and approved by the Governor of Delaware on April 11, 1961. This Resolution proposed reconsideration of the decision to close the Lenape Ordnance Plant at Newark, Delaware.

The Lenape facility already has been closed as far as production is concerned and is being maintained in an inactive status. The Army's current and mobilization requirements recently have been reviewed to determine whether this and other facilities could be disposed of as excess to all foresee-

able Army needs. The results of this study disclosed that retention of the Lenape Ordnance Works is not required either by the Army or Department of Defense and should be reported to General Services Administration for disposal.

Any adverse impact on the local economy resulting from the disposal of this installation is regretted. The type of production being accomplished at this plant already had been transferred to another facility operated by Chrysler Corporation prior to the decision to dispose of Lenape. The major impact on the local economy, therefore, resulted from the loss of production rather than the recent decision to dispose of the plant. Only a small number of employees would be required to maintain the installation if it were not disposed of.

Sincerely yours,

EUGENE H. MERRILL

Deputy Assistant Secretary of the Army (I&L)
Installations

DELAWARE COMMISSION FOR THE BLIND

Wilmington 1, Delaware, May 2, 1961

Rep. Sherman W. Tribbitt, Speaker
House of Representatives, Dover, Del.

My dear Speaker Tribbitt:

May I take this means of conveying to you and through you to all the members of the House my deep gratification for your kindness in passing on my behalf the resolution with reference to my being chosen as this year's winner of the Shotwell Award. Secretary of State Dukes has been good enough to transmit an official copy of the resolution.

Sincerely yours,

F. J. Cummings, Executive Secretary

The following bill was introduced, given first and second reading by title only, and assigned to committee as follows:

HB 237—An Act Appropriating Certain Money to Kent and Sussex County Fair, Incorporated, for Prizes. (By Messrs. Exley and Paskey; to Appropriations)

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 55—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED by the House of Representatives of the 121st 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 31st Legislative Day and including the 39th Legislative Day, of the current session.

Joseph T. Walsh	\$675.00
James B. Messick	300.00
William H. Draper, Jr.	300.00
Fred C. Lord, Jr.	297.00
Mary Ann McCabe	247.50
Francis X. Shoemaker	225.00
Elizabeth Wainwright	225.00
Rev. Arthur James	180.00
James Quigley	247.50
David L. Farrone	225.00
Martha Dixon	180.00
Clydas Colder	180.00
Ruth Ross	180.00
Orville Cephas	180.00
Catherine Fonville	180.00
Mrs. Willie Holmes	180.00
Jean Demel	247.50
Lillian Weston	225.00
Margaret Walker	247.50
William L. David	180.00
Claude W. Jordan	180.00
Helen Reihm	180.00
Louise Pennewell	247.50
Elizabeth G. Ennis	180.00
John R. Willey	180.00
Louise Staats	247.50
Ralph McClain	180.00
Ernest Council	180.00
Allen S. Moffitt	180.00
George L. Everett	225.00
Judy Graham	247.50
John Moore	180.00
Lloyd Minner	180.00
Edgar Brown	180.00
W. Harrison Melvin	180.00
Bradford Holliday	180.00
Gove Jarvis	180.00
Ralph R. Smith	180.00
Willard C. Robbins	180.00
William B. Morgan, Jr.	180.00
Helen Collins	180.00
Mary Wilson	180.00
Samuel Messick	225.00
Daniel Boyce	180.00
B. Guy Wheatley	180.00
Emory Spicer	180.00
Donald Ralph	180.00
Harold W. Hudson	180.00
Paul W. Lowe	180.00
Clifford Hall	292.50

Melba Webb	186.25
Catherine Swartwood	247.50
L. B. Knapp	225.00

On motion of Mr. Downs, **HB 33**, having been deferred, was brought up for consideration in order to pass the House.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Moore and Shockley—2.

HB 33 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Paskey, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 40—An Act to Authorize the Levy Court of Kent County to Appropriate Money to the Kent County Volunteer Firemen's Association.

On motion of Mr. Paskey, action on **HB 40** was deferred.

On motion of Mr. Quigley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 90—An Act to Create a State Board of Examiners of Barbers, Regulate Barbering and Appropriate Funds.

HA 1 to **HB 90** was introduced by Mr. Fifer, which was given first reading and on further motion by him, roll call on **HA 1** revealed the following:

YEAS—Messrs. Baker, Blendt, Busker, Fifer, Hocker, Paskey, Jr., Prettyman, Robbins, Shulties, Truitt—10.

NAYS—Messrs. Annett, Bartleson, Best, Casey, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Keenan, Kleinbach, Livingston, Myers, Murray, Pawson, Phillips, Quigley, Richards, Snowden, Mr. Speaker Tribbitt—21.

NOT VOTING—Messrs. Clifton, Davidson—2.

ABSENT—Messrs. Moore, Shockley—2.

HA 1 to **HB 90** not having received the constitutional majority, was defeated.

HA 2 to **HB 90**, introduced by Mr. Hocker, was given first reading.

On motion of Mr. Clifton that **HA 2** to **HB 90** be tabled, was defeated.

On motion of Mr. Quigley, that **HA 2** to **HB 90** be laid on the table, roll call on the motion revealed the following:

YEAS — Messrs. Annett, Bartleson, Clifton, Davidson, Dineen, Downs, Eskridge, Gove, Keenan, Kleinbach, Livingston, Murray, Pawson, Phillips, Prettyman, Quigley, Richards, Shockley—18.

NAYS—Messrs. Baker, Best, Ehinger, Hocker, Shulties, Truitt—6.

NOT VOTING—Messrs. Blendt, Busker, Casey, Exley, Fifer, Myers, Paskey, Robbins, Snowden, Mr. Speaker Tribbitt—10.

ABSENT—Mr. Moore—1.

The motion having received the constitutional majority, was carried.

The following bills were reported from the Committees on: Elections, **HB 232**, 5 favorably; Manufacturing and Commerce, **HB 186**, 4 favorably; Appropriations, **HB 40**, 5 favorably; Appropriations, **SB 116**, 5 favorably.

On motion the House recessed at call of the Chair at 2:58 P. M. The House met at the expiration of the recess at 4:35 P. M. Mr. Speaker presiding.

The following Resolution was introduced, given first and second reading by title only:

HCR 20—Relative to a Joint Session of the 121st General Assembly. (By Mr. Eskridge)

On motion of Mr. Eskridge, all rules were suspended so that **HCR 20** might be taken up for consideration in order to pass the House, and on further motion by him, **HCR 20** was adopted.

The following Resolution was introduced, given first and second reading by title only:

HCR 21—Fixing the Time for Temporary Adjournment by the House of Representatives and the Senate of the 121st General Assembly. (By Mr. Eskridge)

On motion of Mr. Eskridge, all rules were suspended so that **HCR 21** might be taken up for consideration in order to pass the House and on further motion by him, **HCR 21** was adopted.

On motion of Mr. Dineen, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 179—An Act to Amend Title 18, Relating to Insurance on State Property to Include School Property.

HA 1 to **HB 179** was introduced by Mr. Dineen, given first reading and on further motion by him was adopted.

On motion of Mr. Dineen, action on **HB 179** as amended by **HA 1** was deferred.

HA 3 to **HB 90** was introduced by Mr. Quigley, given first reading and on further motion by him was adopted.

On motion of Mr. Quigley, **HB 90** as amended by **HA 3** was presented in order to pass the House. The roll call having been taken, was tabled on motion of Mr. Quigley.

The Secretary of the Senate informed the House that the Senate had concurred on **HCR 18, HCR 19, HB 73, HB 102, HB 118, HB 122, HB 189 and HB 217.**

On motion of Mr. Ehinger, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 216—An Act to Amend Title 11, Delaware Code, Relating to the Appointment of a Director for the State Board of Corrections.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Moore, Quigley, Snowden, Truitt—4.

HB 216 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HS 1 to HB 198 was introduced by Mr. Prettyman, given first and second reading, by title only, and assigned to the Committee on Judiciary.

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

HB 238—An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Public Service Commission and to the Requirement for a Certificate of Public Convenience and Necessity, and the Issuance of Such Certificate on the Basis of Grandfather Rights. By Mr. Shulties; to Manufacturing and Commerce)

HB 239—An Act Proposing an Amendment to Section 17 of Article II of the Constitution of the State of Delaware, by Permitting the State to Sell Lottery Tickets. (By Mr. Shockley; to Revised Statutes)

The following bills were reported by the Committees on: Revenue and Taxation, **SB 64**, 5 favorably; Revised Statutes, **HB 205**, 4 favorably.

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

SB 134—An Act to Provide for the Return of Certain Funds to the Unemployment Compensation Fund. (To Appropriations)

SB 135—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations for the Debt Service of the State of Delaware, by Making Transfers in

Certain Items Therein, and by Making a Transfer from Debt Service to Salaries and Wages of the State Treasurer. (To Appropriations)

SB 133—An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Howard H. Dickerson, to the General Fund of the State of Delaware. (To Appropriations)

The Chair presented the following Resolution, which was given first and second reading by title only:

SCR 18—Expressing the Sympathy of the 121st General Assembly on the Death of Lillian L. Smith.

On motion of Mr. Eskridge, all rules were suspended in order that **SCR 18** might pass the House and on further motion by him **SCR 18** was adopted and ordered returned to the Senate.

On motion of Mr. Annett, **HB 223** was stricken from the calendar.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 56—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED, by the House of Representatives of the 121st 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 121st General Assembly of the State of Delaware, from the 31st Legislative Day up to and including the 39th Legislative Day, which expenses are declared proper and reasonable 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 Sessions 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:

John Annett	\$ 47.60
William W. Baker	81.00
William T. Best	133.00
T. Lees Bartleson	154.00
Carlton Blendt, Jr.	45.00
Glenn Busker	23.40
Andrew Casey	90.00
Carlton Clifton	54.00
Robert Davidson	57.60

Russell Dineen	140.00
Robert N. Downs, III	86.40
George Ehinger	
Norman Eskridge	98.00
George Exley	36.00
Harvey Fifer	9.00
Chester Gove	45.00
Wilbert Hocker	108.00
Ralph S. Keenan	90.00
Charles S. Kleinbach	77.40
Paul F. Livingston	90.00
Orville B. Meyers	18.00
Jennings Moore	73.80
Thomas T. Murray	90.00
William Paskey, Jr.	25.20
Robert Pawson	79.20
Harrison Phillips	91.80
Carl Prettyman	27.00
James Quigley	81.00
Charles Richards	
George Robbins	53.20
Paul Shockley	90.00
Dawson H. Shulties	18.00
Robert Snowden	72.00
Sherman Tribbitt	45.00
Clarence E. Truitt	90.00

The Chair presented the following resolution, which was given first and second reading by title only, and referred to committee as follows:

SCR 19—Authorizing the Payment of Amount Due Diamond State Telephone Company for Services Rendered for Services Rendered for the Months of February and March Through April 11, 1961. (To Claims)

On motion of Mr. Eskridge, all rules were suspended in order to hand up the following three committee reports: Appropriations, **SB 133**, 5 favorably; Appropriations, **SB 134**, 5 favorably; Appropriations, **SB 135**, 5 favorably.

The House adjourned at 5:45 P. M. until 1:00 P. M., Thursday, May 4, 1961.

39TH LEGISLATIVE DAY

May 4, 1961

The House met pursuant to adjournment at 1:00 P. M. on May 4, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Klein-

bach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

Members absent—Messrs. Moore, Pawson, Shockley—3.

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 prevailed.

The following communications were presented to the members of the House:

LEAGUE OF WOMEN VOTERS

Newark, Delaware, May 3, 1961

House of Representatives, General Assembly

Legislative Hall, Dover, Delaware

Gentlemen:

The League of Women Voters of Newark urges your favorable attention to H. B. #147 for Reapportioning Newark's election districts.

We have studied the problem of reapportionment for Newark and see two principles as vital. Any redistricting should be based on these principles:

1. easily defined physical lines,
2. as equal distribution of population as possible.

The present districts fit neither of these qualifications. Most importantly, the population of the Western district is more than that of the other two districts combined.

We feel that the plan under consideration qualifies by the two above-stated principles as a satisfactory and equitable plan.

Respectfully yours,

MARJORIE PURCELL

First Vice-President and Acting President

MOUNT PLEASANT SPECIAL SCHOOL DISTRICT

Wilmington 3, Delaware, May 1, 1961

The Honorable Russell Dineen, 1804 N. Monroe Street

Wilmington, Delaware

Dear Mr. Dineen:

We respectfully urge that you support House Bill #179—to include all school buildings under the jurisdiction of the Insurance Commissioner.

Financially, this would be very helpful to the special school districts and anything that you can do to facilitate its passage would be greatly appreciated.

Sincerely,

JOHN F. HEINEY, Superintendent

LAUREL SPECIAL SCHOOL DISTRICT

Laurel, Delaware, May 4, 1961

Mr. Harrison Phillips, Member, House of Representatives
Legislative Hall, Dover, Delaware

Dear Mr. Phillips:

The Board of Education of the Laurel Special School District is most interested in the passage of House Bill No. 179.

This bill is designed to correct a long standing injustice to special school districts since they, from their unit allotments, must pay building insurance while State Board Unit Schools receive the same unit allotment and have their building insurance paid from state funds.

Any favorable consideration shown this bill will be deeply appreciated.

Sincerely,

LEON B. ELDER, Secretary
Board of Education

The following bills were reported from Committees on: Appropriations, **HB 218**, 5 favorably; **HB 237**, 4 favorably, 1 on merits; Judiciary, **SB 75**, 1 favorably, 3 on merits; **SB 131**, 1 favorably, 3 on merits; **SB 132**, 1 favorably, 3 on merits.

On motion of Mr. Kleinbach, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 147—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Increasing and Redefining the Election Districts, and by Eliminating the Freeholder Qualifications for Councilmen.

HA 1 to **HB 147** was introduced by Mr. Kleinbach, given first reading and on further motion by him, was adopted.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Phillips, Prettyman, Quigley, Richards, Robins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Downs, Moore, Paskey, Jr., Pawson, Shockley—5.

HB 147 as amended by **HA 1** having received the 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 on **HCR 20**, **HCR 21**, **HB 160**, **HB 175**, **HB 216**.

On motion of Mr. Eskridge, the House recessed at 2:15 P. M. in order to meet the Senate in Joint Session.

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

JOINT SESSION

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

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

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

The President Pro Tem introduced Mr. Norman Lank to the members of the General Assembly. Mr. Lank addressed the members of the General Assembly on the matter of an Interstate Compact with the State of New Jersey to establish "The Delaware River and Bay Authority," . . . , and at which time Mr. Lank introduced slides of films portraying the merits of this "Compac". Mr. Lank also introduced Col. Stefler, who narrated the slides.

At the conclusion of the program, Mr. Steen moved that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals.

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

Mr. Steen moved the two Houses now separate to reconvene in their respective chambers. Motion prevailed.

The House met at the expiration of the recess at 4:30 P. M. Mr. Speaker presiding.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 133—An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Howard H. Dickerson to the General Fund of the State of Delaware.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.

SB 133 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 134—An Act to Provide for the Return of Certain Funds to the Unemployment Compensation Fund.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.

SB 134 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 135—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations for the Debt Service of the State of Delaware, by Making Transfers in Certain Items Therein, and by Making a Transfer from Debt Service to Salaries and Wages of the State Treasurer.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.

SB 135 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 116—An Act Making a Supplementary Appropriation to the Court of Chancery for the Fiscal Year Ending June 30, 1961.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger,

Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.

SB 116 having received the constitutional majority, passed the House and was ordered returned to the Senate.

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

HB 240—An Act to Establish a Merit System of Personnel Administration in the State Government of the State of Delaware; to Provide for the Implementation and Operation of Such System and to Appropriate Funds. (By Messrs. Dineen, Gove, Murray, Truitt, Prettyman; to Revised Statutes)

HB 241—An Act to Repeal Chapter 5, Title 30, Delaware Code, Relating to Collector of State Revenue and Abolishing That Office. (By Messrs. Dineen and Best; to Revenue and Taxation)

HB 242—An Act to Amend Section 1521, Title 9, Delaware Code, Relating to Salaries of Employees of Elected Office Holders of New Castle County. (By Messrs. Dineen, Gove, Murray, Livingston, Davidson; to Revised Statutes)

HB 243—An Act Appropriating Moneys to the State Soil Conservation Commission for the Construction and Improvement of Tax Ditches and Other Ditches in New Castle County. (By Mr. Blendt; to Appropriations)

HB 244—An Act Amending Title 9, Chapter 15, Delaware Code, by Providing Means to Finance Stream Improvements for Flood Control and Enabling the Levy Court of New Castle County to Establish Regulations and a Drainage Board to Administer the Regulations. (By Mr. Blendt; to Judiciary)

HB 245—An Act to Regulate the Reimbursement of State Employees for Food Consumed While Engaged in State Business. (By Messrs. Dineen and Murray; to Miscellaneous)

HB 246—An Act Directing the State Treasurer and State Auditor to Pay Elmer Dickerson for Services Rendered as a Member of the Department of Elections for Sussex County. (By Messrs. Clifton, Phillips, Truitt; to Elections)

HB 247—An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Contracts Involving Persons in Authority and Contracts Involving Public Offices; Penalties. (By Mr. Best; to Judiciary)

HB 248—An Act to Amend Chapter 9, Title 4, Delaware Code, to Provide a Penalty for the Possession or Consumption of Alcoholic Liquor by a Minor. (By Messrs. Best and Eskridge; to Temperance)

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 64—An Act to Amend Section 109, Title 24, Delaware Code, Relating to Fees.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.

SB 64 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Chair presented the following bill, which was given first and second reading by title only:

SB 53—An Act Making an Emergency Supplementary Appropriation to the State Board of Accountancy for the Fiscal Year Ending June 30, 1961.

On motion of Mr. Eskridge, all rules were suspended in order to give **SB 54** its final reading in order to pass the House.

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

YEAS—Messrs. Annett, Baker, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Gleinbach, Livingston, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richard, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—26.

NAYS—Mr. Myers—1.

NOT VOTING—Messrs. Bartleson, Best, Hocker—3.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.

PRESENT—Mr. Fifer—1.

SB 54 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Paskey, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 40—An Act to Authorize the Levy Court of Kent County to appropriate Money to the Kent County Volunteer Firemen's Association.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.

HB 40 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair presented the following bills, which were given first and second reading, by title only, and assigned to committees as follows:

SB 141—An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the Purchase and Planting of Seed Oysters. (To Appropriations)

SB 37—An Act to Amend Section 2308, Title 31, Delaware Code, Relating to the Amount of Assistance to the Blind. (To Public Health)

SB 147—An Act to Amend “An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961”, Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations for the Youth Services Commission by Making Transfers in Certain Appropriation Items Therein.

On motion of Mr. Eskridge, all rules were suspended in order to give **SB 147** its final reading in order to pass the House. Roll call on the above motion revealed:

YEAS—Messrs. Annett, Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Kleinbach, Livingston, Murray, Paskey, Jr., Phillips, Prettyman, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—19.

NAYS — Messrs. Baker, Bartleson, Best, Downs, Gove, Myers, Quigley, Richards—8.

NOT VOTING—Messrs. Casey, Ehinger, Fifer, Hocker—4.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.
The motion was declared passed.

On the question “Shall **SB 147** pass the House?” the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Annett, Baker, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Kleinbach, Livingston, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—27.

NAYS—Mr. Myers—1.

NOT VOTING—Messrs. Bartleson, Best, Fifer—3.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.

SB 147 having received the constitutional majority, passed the House and was ordered returned to the Senate.

SB 148—An Act to Amend the Charter of the Town of Frankford, Chapter 144, Volume 41, Laws of Delaware, by Extending the Limits and Boundaries of the Town of Frankford.

On motion of Mr. Truitt, all rules were suspended so that **SB 148** could have its final reading in order to pass the House. Roll call on the motion revealed:

YEAS—Messrs. Annett, Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Kleinbach, Livingston, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—21.

NAYS—Messrs. Baker, Bartleson, Best, Casey, Downs, Ehinger, Fifer, Hocker, Myers, Quigley—10.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.

The motion was declared passed.

On the question, "Shall **SB 148** pass the House," the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Annett, Baker, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Kleinbach, Livingston, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—27.

NAYS—Mr. Myer—1.

NOT VOTING—Messrs. Bartleson, Best—2.

ABSENT—Messrs. Keenan, Moore, Pawson, Shockley—4.

PRESENT—Mr. Fifer—1.

SB 148 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bill was introduced, given first and second reading by title only, and assigned to committee as follows:

HB 249—An Act Making a Supplementary Appropriation to the State Board of Education for Completion of the Athletic Field of Bridgeville Consolidated School No. 90. (By Mr. Annett; to Appropriations)

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 127—An Act Relating to the Custody and Exchange of Law Books.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT — Messrs. Keenan, Moore, Pawson, Quigley, Shockley—5.

SB 127 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Eskridge, the House adjourned at 6:30 P. M., in concurrence with **HCR 21**.

40TH LEGISLATIVE DAY

May 15, 1961

The House met pursuant to adjournment at 1:00 P. M. on May 15, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, 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 prevailed.

The following bills were reported from the Committee on Appropriations: **HB 70**, 4 favorably; **HB 115**, 4 favorably, 1 on merits.

On motion of Mr. Exley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 237—An Act Appropriating Certain Money to Kent and Sussex County Fair, Incorporated, for Prizes.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Mr. Speaker Tribbitt—28.

NAYS—None.

ABSENT—Messrs. Fifer, Gove, Hocker, Livingston, Pawson, Robbins, Truitt—7.

HB 237 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 179—An Act to Amend Title 18, Relating to Insurance on State Property to Include School Property.

On motion of Mr. Dineen, **HA 1** to **HB 179** was adopted by voice vote.

On motion of Mr. Bartleson, action on **HB 179** as amended by **HA 1** was deferred.

On motion of Mr. Kleinbach, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 218—An Act to Amend "An Act Making Appropria-

tions for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware in Respect to Appropriations to the Board of Examiners and Registration of Architects, by Making Certain Appropriation Items Therein.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Fifer, Gove, Pawson, Truitt—4.

HB 218 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Exley, **HB 78** was recommitted and on further motion by him, was stricken from the calendar.

On motion of Mr. Dineen, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 232—An Act Proposing an Amendment to Article V, Section 2, of the Constitution of the State of Delaware, Relating to Elections by Extending Residence Requirements to Allow Certain Voters Recently Moving Within the State or Election Districts Thereof to Vote.

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

On motion of Mr. Dineen, roll call on **HB 232** was tabled.

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 205—An Act to Create a Regional Agency by Intergovernmental Compact for the Planning, Conservation, Utilization, Development, Management and Control of the Water and Related Natural Resources of the Delaware River Basin, for the Improvement of Navigation, Reduction of Flood Damage, Regulation of Water Quality, Control of Pollution, Development of Water Supply, Hydro-electric Energy, Fish and Wildlife Habitat and Public Recreational Facilities and Other Purposes, and Defining the Functions, Powers and Duties of Such Agency.

On the motion of Mr. Livingston, that action on **HB 205** be deferred, not having received the constitutional majority, was defeated.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger,

Eskridge, Exley, Gove, Hocker, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

NAYS—None.

NOT VOTING—Messrs. Livingston, Shockley—2.

ABSENT—Mr. Fifer—1.

HB 205 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion the House recessed at call of the Chair at 2:45 P. M. The House met at the expiration of the recess at 4:45 P. M. Mr. Speaker presiding.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 250—An Act to Amend Subchapter VI, Chapter 5, Title 7, Delaware Code, Relating to Shooting Preserves by Changing the Territorial Scope of Said Subchapter. (By Messrs. Hocker and Myers; to Fish, Oyster and Game)

HA 1 to **HB 6** was introduced by Mr. Dineen, given first reading and on further motion by him, was adopted.

On motion of Mr. Dineen, the following was taken up for consideration in order to pass the House:

HB 6 as now amended by **SA 2** and **HA 1**.

On motion of Mr. Dineen, so much was considered the reading of **SA 2**, and on the question, "Shall the Bill pass the House?" the yeas and nays were ordered, which being taken were as follows:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Moore, Quigley—2.

HB 6 as amended by **SA 2** and **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

The following bill was reported from the Committee on Appropriations: **HB 214**, 5 favorably.

On motion of Mr. Gove, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 47 as amended by **SA 1**—An Act to Amend Title 17, Chapter 11 of the Delaware Code, Relating to Outdoor Advertising.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger,

Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Moore, Quigley—2.

SB 47 as amended by **SA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Dineen, **HB 179** as amended by **HA 1**, having been deferred, was brought up for consideration in order to pass the House.

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

YEAS—Messrs. Best, Blendt, Busker, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Gove, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—24.

NAYS—Messrs. Annett, Baker, Bartleson, Hocker—4.

NOT VOTING—Messrs. Casey, Downs, Fifer, Richards—4.

ABSENT—Messrs. Keenan, Moore, Quigley—3.

HB 179 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 57—Relative to the Death of Leroy Hawke, a Former Member of the House of Representatives. (By Messrs. Murray and Shockley)

WHEREAS, the House of Representatives of the 121st General Assembly of the State of Delaware has learned with regret of the passing of Leroy Hawke, a former member of the House; and

WHEREAS, former State Representative Leroy Hawke served his State faithfully and well during his term in the 104th General Assembly of the State of Delaware as Representative from the 5th Representative District of New Castle County, 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 121st General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Leroy Hawke, a prominent figure in his community and a former member 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 121st 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 121st General Assembly of the State of Delaware.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 75—An Act to Amend Chapter 9, Title 10, Delaware Code, by Enlarging the Jurisdiction of the Family Court in the Disposition of Certain Children.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Keenan, Moore—2.

SB 75 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 131—An Act to Amend Chapter 9, Title 10, Delaware Code, Known as the Family Court Act by Clarifying the Power of the Court Relating to the Custodial Care of a Child Pending Final Determination, and in the Matter of Examinations and Treatment.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Keenan, Moore—2.

SB 131 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 132—An Act to Amend Chapter 11, Title 10, Delaware Code, Known as the Juvenile Court Act for Kent and Sussex Counties by Clarifying the Power of the Court Relating to the Custodial Care of a Child Pending Final Determination, and in the Matter of Examinations and Treatment.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Keenan, Moore—2.

SB 132 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred on **HB 38**.

The following bills were reported from the Committees on: Claims, **SB 24**, 1 favorably, 4 on merits; Revenue and Taxation, **HB 241**, 3 favorably, 2 on merits; Judiciary, **HS 1** for **HB 14**, 3 on merits, 1 unfavorably.

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

HB 251—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 Messrs. Dineen and Paskey; to Elections)

HB 252—An Act to Amend Title 15, Delaware Code, Relating to Vote Change of Party Designation. (By Messrs. Dineen and Paskey; to Elections)

HB 253—An Act to Amend Chapter 80, Title 9, Delaware Code, Relating to the Tax Rate for New Castle County. (By Messrs. Dineen, Murray, Davidson, Blendt; to Revenue and Taxation)

HA 1 to **HB 125** was introduced by Mr. Casey, given first reading and was committed with the bill.

The House adjourned at 6:00 P. M. until 1:00 P. M., Tuesday, May 16, 1961.

41ST LEGISLATIVE DAY

May 16, 1961

The House met pursuant to adjournment at 1:00 P. M. on May 16, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Klein-

bach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Pawson, Robbins—2.

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 prevailed.

The following communications were received and presented to the members of the House:

SMYRNA GRANGE NO. 21 P. OF H.

Smyrna, Delaware, May 13, 1961

Representative Carlton Blendt

House of Representatives, Dover, Delaware

Dear Sir:

Smyrna Grange No. 21, at its regular meeting on May 11, 1961, voted as being opposed to any bills which would permit a State Lottery or Dog Racing in Delaware.

We believe there is enough gambling in the State without adding any more and we do not think this is the proper way for the State to raise money.

Yours truly,

SMYRNA GRANGE NO. 21

James R. Fleming, Secretary

108 Lincoln Avenue, Wilmington Manor

New Castle, Delaware, May 4, 1961

Representative Paul E. Shockley, Dover, Delaware

Dear Sir:

I heartily endorse your proposal, House Bill No. 239, on the lottery for my following reasons:

(1) A legitimate outlet for the yearnings of a person who likes to gamble. Look at Reno.

(2) The elimination of the criminal elements who prey on the public via the numbers rackets.

(3) The elimination of costly court trials of organized gamblers and the additional cost of police needed to bring these people to trial.

(4) Bring in more tax revenue to the State coffers. This is the important item. Why should the criminals and bums get the rewards of organized gambling and us getting socked with higher taxes, Winners of lotteries should not be socked again for Delaware Income Taxes.

(5) People from adjacent states would come here to buy lottery tickets.

I was in Cuba at Quantanomo in 1927 and 1928. The Machado regime had a weekly lottery which paid the Cubans internal debt.

Sincerely,

BRUCE N. CARPENTER

Odessa, Delaware, May 15, 1961

Representative Robert C. Davidson
House of Representatives, Dover, Delaware

Dear Bob:

Since you are chairman of the committee to which a recent House Bill on gambling has been referred, I am writing you to express my personal opinions and, I believe, those of many thousands of fellow Delawareans.

Additional gambling of any kind: lottery, dog racing, etc., would be one of the worse things that could happen to the moral character of our citizens and to our State, for it would put our State into the gambling racket and thus encourage all types of evil in the name of legality, and legality never makes evil right and excusable according to the teachings of the Bible.

What our State needs is not more gambling but more of God.

All our political leaders have a moral responsibility first to God and then secondly to the citizens of our beloved State. When this is so, then what is best for our State, based on the Bible's teachings, will be our motivation and our objective.

If we are to survive spiritually as free Americans, it will be primarily because of our spiritual values and not because of the amount of money our State has in its treasury.

Please have this letter read before the members of the House of Representatives and incorporate it in the records of its proceedings.

With kindest best wishes to all the members of the Legislature and with appreciation for the good work that is being done by them in behalf of our State, I am

Gratefully,

REV. HARRY HANSON CONNER

Odessa, Delaware, May 15, 1961

Representative Jennings Moore
House of Representatives, Dover, Delaware

Dear Mr. Moore:

Since you are chairman of the committee to which a recent House Bill, No. 209, I believe, has been referred to extend the hours of sales of beverage alcohol in our State from 12 o'clock to 1:00 A. M., I write you in vigorous protest.

If the selling of booze at this late hour should become a law, at an hour when most people are home with their families receiving their proper rest for health's sake and for preparing their proficiency in their daily tasks, it would increase the already serious problem of drinking drivers and law enforcement in our State, for one more hour of drinking can make the mighty big difference between a sober person and a drunkard, safety on our highways and accidents.

What our citizens desperately need in this State is not more hours for drinking liquor, for our people already have

too much time for this, but more hours for doing creative and constructive activities that will enrich their minds and souls and thereby make a better State in which to live.

No doubt some of the very weak excuses given for enacting this legislation into law is that it gives some few drinkers more time to get their liquor. This is a most ridiculous reason, for if a person cannot get his liquor within the already stated hours, he has no one to blame except himself. Certainly he cannot blame the present sales hours. Let us not be deceived by this brand of reasoning, for it is typical liquor business propaganda.

Another very weak excuse, for this later hour law is that other nearby states may be having later sales hours. So what? Does Delaware have to be a puppet and imitate what others do in this matter? Do we not have the moral courage to be different?

When we citizens are sincerely honest with ourselves, and faithful to the sacred trust placed in us, we know that this kind of legislation is proposed by a few greedy graspers in the liquor business who are never satisfied and who are most selfishly afraid they may lose some sales. Would that they everyone were as much concerned about the health, safety, and character of all their drinkers.

As law makers I know you will be asking yourselves, what is best for all our people and for our State in this matter. Your obvious answer is not additional sales hours for a business which has already overly saturated our State with too many problems, for we know that we should be clamping more controls on this most degrading business and not opening up more polluting sluices.

We are sincerely grateful for all good legislation passed by the members of the House which has been for the well-being of our citizens and State.

Please have this letter read before the House of Representatives and incorporate it in the records of its proceedings.

Cordially,

REV. HARRY HANSON CONNER

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 115—An Act Appropriating Additional Funds to the Vocational Rehabilitation Division of the State Board for Vocational Education for Services to Disabled Persons.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach,

Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Pawson, Robbins—2.

HB 115 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen, roll call on **HB 232**, having been tabled, was lifted from the table.

Roll Call revealed:

YEAS—Messrs. Bartleson, Blendt, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—28.

NAYS—Messrs. Annett, Baker, Best, Hocker, Snowden—5.

NOT VOTING—Messrs. Busker, Robbins—2.

HB 232 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 58—Authorizing the Payment on Certain Expenses for the Printing of Two Sets of Identification Cards for the House of Representatives of the 121st General Assembly. (By Messrs. Exley and Shulties)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of eighteen dollars (\$18.00) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay The Smyrna Times, Smyrna, Delaware, for two sets of identification cards for the House of Representatives of the 121st General Assembly.

The following Resolution was introduced, given first and second reading by title only:

HCR 22—Making Appropriations to Various Companies for Supplies and Services Rendered the 121st General Assembly of the State of Delaware. (By Mr. Eskridge)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware, the Senate concurring therein that the following named companies be paid for supplies and services rendered to the 121st General Assembly of the State of Delaware.

Underwood Corporation

(Invoices #48914 and #93116) -516.16

Manuscripts Supply Co., Inc.

(Invoices #81342 and #81341) 120.20

Callaghan and Company 50.00

Young & Revel 44.70

Lo-Mar

(Invoices #99462, 99629, 78969, 27935) 630.52
Addressograph-Multigraph Corp.

(Invoices #90056, 90057, 90075, 90070,
90067, 90088, 90100, 90385) 189.17

On motion of Mr. Eskridge, all rules were suspended so that **HCR 22** might pass the House, and on further motion by him, **HCR 22** was adopted and ordered to the Senate for concurrence.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 59—In Reference to Election of Officers. (By Mr. Shulties)

WHEREAS, John Moore was previously elected to the office of Messenger but has resigned effective at the close of the Legislative day, May 15, 1961

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that John Moore is hereby relieved from the duties of messenger effective, at the close of the Legislative Day, May 15, 1961.

BE IT FURTHER RESOLVED that Ralph Bell is hereby elected to serve as messenger effective May 16, 1961, to serve during the pleasure of the House of Representatives.

On motion the House recessed at call of the Chair at 2:22 P. M. The House met at the expiration of the recess at 3:57 P. M. Mr. Speaker presiding.

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

HB 254—An Act to Amend Chapter 269, Volume 52, Laws of Delaware, Entitled "An Act to Authorize the Mayor and Council of Wilmington to Adopt an Ordinance Merging the Wilmington Planning Commission and Wilmington Zoning Commission, and the Functions of These Commissions, Into a Single Entity to be Known as the Wilmington Commission on Zoning and Planning and Establishing Membership Thereof" Relating to the Number and Length of Terms of the Members of the Wilmington Commission on Zoning and Planning. (By Mr. Shockley; to Corporations, Municipal)

HB 255—An Act to Amend, Chapter 230, Volume 51, Laws of Delaware, Relating to the Chapter of the City of Wilmington and the Office of the City Solicitor for the City of Wilmington. (By Mr. Shockley; to Corporations, Municipal)

.....**HB 256**—An Act to Amend Section 4703, Title 7, Delaware Code, Relating to the Powers and Duties of the State Park Commission. (By Messrs. Eskridge and Best; to Miscellaneous)

HB 257—An Act to Amend Chapter 13, Volume 51, Laws of Delaware, Entitled "An Act to Authorize the Levy Court of New Castle County to Plan, Construct, Equip, and Furnish

an Addition to the Present County Building for New Castle County and to Issue Bonds to Finance the Cost Thereof", in Relation to the Letting of Contracts for the Construction of Such Addition. (By Messrs. Murray and Bartleson; to Buildings and Highways)

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 60—In Reference to Election of Officers. (By Mr. Phillips)

WHEREAS, Donald Ralph was previously elected to the office of Messenger but has resigned effective at the close of the Legislative Day, May 4, 1961,

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that Donald Ralph is hereby relieved from the duties of House Messenger effective at the close of the Legislative Day, May 4, 1961.

BE IT FURTHER RESOLVED that Frank Calio is hereby elected to serve as House Messenger effective May 15, 1961, to serve during the pleasure of the House of Representatives.

The following bills were reported from the Committees on: Revised Statutes, **HB 242**, 2 on merits, 3 unfavorably; Temperance, **HB 248**, 4 favorably, 1 on merits; Miscellaneous, **HB 245**, 5 favorably; Elections, **HB 246**, 3 favorably, 1 on merits; Appropriations, **HB 34**, 4 favorably.

HA 1 to HB 240 was introduced by Mr. Myers, given first reading and on further motion by him, was committed with the bill.

On motion of Mr. Dineen, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 241—An Act to Repeal Chapter 5, Title 30, Delaware Code, Relating to Collector of State Revenue and Abolishing That Office.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Eskridge, Keenan, Pawson, Robbins—4.

HB 241 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 assigned to committees as follows:

HB 258—An Act to Amend An Act Entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used by the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna to be Used to Make Capital Improvements and to Purchase Equipment for the State Welfare Home and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the Said Board", Heretofore Enacted by the 121st General Assembly. (By Mr. Busker; to Public Buildings and Highways)

HB 259—An Act to Amend Title 14, Sections 311 and 1904, Delaware Code, Relating to Notices of School Elections. (By Messrs. Dineen and Ehinger; to Education)

The following bills were reported from the Committees on: Judiciary, **HB 173**, 4 on merits; Insurance and Banking, **HB 165**, 5 on merits; Judiciary, **HS 1** for **HB 198**, 4 favorably.

The Secretary of the Senate informed the House that the Senate had concurred on **HCR 22**, **HB 147**, **HB 176**, **HB 205**, **HB 220**.

HA 4 to **HB 90** was introduced by Mr. Quigley, given first reading, and on further motion by him, was adopted.

HA 5 to **HB 90** was introduced by Mr. Hocker, and given first reading.

Mr. Hocker moved for Roll Call on the adoption of **HA 5** to **HB 90**.

Mr. Quigley moved that **HA 5** to **HB 90** be tabled. Roll Call on the motion revealed:

YEAS—Messrs. Dineen, Eskridge, Livingston, Murray, Quigley, Shockley—6.

NAYS—Messrs. Annett, Baker, Best, Casey, Clifton, Davidson, Fifer, Gove, Hocker, Myers, Shulties, Snowden, Truitt—13.

NOT VOTING — Messrs. Bartleson, Blendt, Busker, Downs, Eskridge, Exley, Kleinbach, Moore, Paskey, Jr., Phillips, Prettyman, Richards, Mr. Speaker Tribbitt—13.

ABSENT—Messrs. Keenan, Pawson, Robbins—3.

The motion not having received the constitutional majority, was defeated.

Roll Call on **HA 5** to **HB 90** revealed:

YEAS—Messrs. Annett, Baker, Blendt, Clifton, Exley, Fifer, Gove, Hocker, Myers, Moore, Shulties, Snowden, Truitt—13.

NAYS—Messrs. Bartleson, Best, Casey, Dineen, Downs, Ehinger, Eskridge, Kleinbach, Livingston, Murray, Quigley, Shockley—12.

NOT VOTING—Messrs. Busker, Davidson, Paskey, Jr., Phillips, Prettyman, Richards, Mr. Speaker Tribbitt—7.

ABSENT—Messrs. Keenan, Pawson, Robbins—3.

HA 5 to HB 90 not having received the constitutional majority, was declared lost.

Mr. Hocker moved that the roll call on **HA 2 to HB 90** be lifted from the table.

Roll Call on the motion revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Exley, Fifer, Gove, Hocker, Kleinbach, Myers, Moore, Phillips, Prettyman, Richards, Shulties, Snowden, Truitt—24.

NAYS—Messrs. Dineen, Eskridge, Livingston, Murray, Quigley, Shockley—6.

NOT VOTING—Mr. Paskey, Jr., Mr. Speaker Tribbitt—2.

ABSENT—Messrs. Keenan, Pawson, Robbins—3.

The motion having received the constitutional majority, was carried.

Mr. Hocker moved that **HA 2 to HB 90** be adopted by voice vote.

Roll Call revealed:

YEAS — Messrs. Baker, Busker, Clifton, Exley, Fifer, Hocker, Myers, Moore, Shulties, Truitt—10.

NAYS—Messrs. Annett, Bartleson, Best, Casey, Dineen, Downs, Ehinger, Eskridge, Gove, Kleinbach, Livingston, Murray, Quigley, Richards, Shockley, Snowden—16.

NOT VOTING—Messrs. Blendt, Davidson, Paskey, Jr., Phillips, Prettyman, Mr. Speaker Tribbitt—6.

ABSENT—Messrs. Keenan, Pawson, Robbins—3.

HA 2 to HB 90 not having received the constitutional majority, was declared lost.

On motion of Mr. Eskridge, Roll Call on **HB 90** as amended by **HA 3** and **HA 4** revealed:

YEAS—Messrs. Annett, Bartleson, Best, Casey, Dineen, Downs, Ehinger, Eskridge, Kleinbach, Livingston, Myers, Murray, Phillips, Quigley, Richards, Shockley, Snowden, Mr. Speaker Tribbitt—18.

NAYS—Messrs. Baker, Blendt, Busker, Clifton, Davidson, Exley, Fifer, Gove, Hocker, Moore, Paskey, Jr., Prettyman, Shulties, Truitt—14.

ABSENT—Messrs. Keenan, Pawson, Robbins—3.

HB 90 as amended by **HA 3** and **HA 4** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House adjourned at 5:30 P. M. until 1:00 P. M., Wednesday, May 17, 1961.

42ND LEGISLATIVE DAY

May 17, 1961

The House met pursuant to adjournment at 1:00 P. M. on May 17, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Mess. Pawson, Robbins—2.

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 prevailed.

The following communication was presented to the members of the House:

MEMORANDUM—To: Mrs. Everett, Mr. Killen, Mr. F. Downes, Mr. E. H. Davis, Clerk of the House, Secretary of the Senate, Mrs. Moress, Legislative Reference Bureau for all folders. From: F. Earl McGinnes.

On date indicated, Governor approved the following legislation:

28 April 1961—**HB 36; HJR 6**

1 May 1961—**SB 84 with HA 1**

2 May 1961—**HB 161; HB 170**

3 May 1961—**HB 188**

4 May 1961—**HB 22**

4 May 1961—**HB 143 with HA 2, SA 2, SA 3, SA 4; HB 221 with HA 1.**

5 May 1961—**HB 128, HB 202; SB 40, SS 1 for SB 41; SB 139.**

12 May 1961—**HB 73; HB 102; HB 122; HB 184; HB 185 with HA 1; HB 189; HB 217; SB 4.**

The following bills were reported from the Committees on: Public Buildings and Highways, **HB 257**, 4 favorably; Revised Statutes, **HB 199**, 5 favorably; **SB 138**, 5 favorably; Corporations, Municipal, **HB 254**, 5 favorably; **HB 255**, 5 favorably; Judiciary, **HB 244**, 3 favorably, 1 on merits.

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HS 1 for HB 14—An Act to Amend Section 1602, Title 10, Delaware Code, Relating to the Salary of the Judge of the Court of Common Pleas for Sussex County.

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

YEAS — Messrs. Annett, Baker, Best, Clifton, Downs, Ehinger, Exley, Gove, Hocker, Keenan, Kleinbach, Myers, Moore, Phillips, Quigley, Shockley, Shulties, Snowden, Truitt—19.

NAYS — Messrs. Bartleson, Blendt, Busker, Davidson, Eskridge, Fifer, Livingston, Paskey, Jr., Prettyman, Richards—10.

NOT VOTING — Messrs. Casey, Dineen, Murray, Mr. Speaker Tribbitt—4.

ABSENT—Messrs. Pawson, Robbins—2.

HS 1 for **HB 14** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported from the Committees on: Miscellaneous, **HB 256**, 3 favorably, 1 on merits, 1 unfavorably; Elections, **HB 252**, 4 favorably, 1 on merits; Elections, **HB 251**, 4 favorably, 1 on merits.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 260—An Act to Appropriate Monies to the Kent County Department of Elections for the Creation of Additional Election Districts. (By Messrs. Paskey and Shulties; to Appropriations)

On motion of Mr. Davidson, the following was taken up for consideration and given a third and final reading in order to pass the House:

SS 1 for **SB 103** as amended by **SA 1**—An Act to Amend Section 2733, Title 21, Delaware Code, Entitled Discretionary Suspension or Revocation of Driver's License, Such Amendment Relating to Occupational License.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—Messrs. Davidson, Kleinbach, Richards—3.

ABSENT—Messrs. Pawson, Robbins—2.

SS 2 for **SB 103** as amended by **SA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion the House recessed at call of the Chair at 2:17 P. M. The House met at the expiration of the recess at 4:40 P. M. Mr. Speaker presiding.

On motion of Mr. Truitt, **HB 203** was recommitted and on further motion by him, **HB 203** was stricken from the calendar.

The following bills were reported from the Committees on: Labor, **SB 113**, 4 favorably; Banking and Insurance, **HB 204**, 3 favorably, 2 on merits.

On motion of Mr. Shockley, **HB 125** was stricken from the calendar.

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

HB 261—An Act to Amend Chapter 81, Title 9, Delaware Code, by Giving Windy Hills Civic Association Tax Exemption Status. (By Mr. Kleinbach; to Revenue and Taxation)

HB 262—An Act to Amend Part III, Title 30, Delaware Code, Relating to Occupational Licenses and Taxes. (By Mr. Truitt, by request; to Revenue and Taxation)

HB 263—An Act to Amend Title 24, Delaware Code, Entitled "Professions and Occupations", and Relating to the Fees to be Charged and Collected by Certain Regulatory Boards and Agencies. (By Mr. Truitt, by request; to Revenue and Taxation)

HB 264—An Act to Amend Chapter 21, Title 21, Delaware Code, Relating to Inspection of Vehicles by Providing for Inspection of Fire Engines and Vehicles Carrying Fire Fighting Equipment Owned by Volunteer Fire Companies Without the Necessity of There Being Taken Through an Inspection Lane. (By Mr. Baker; to Miscellaneous)

On motion of Mr. Richards, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 214—An Act Making a Supplementary Appropriation to the Medical Council of Delaware for Salaries, Association Dues and Office Expenses.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Quigley, Richards, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Pawson, Prettyman, Robbins, Snowden—4.

HB 214 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 65 as amended by **SA 1**, **SA 2** and **SA 3**—An Act to Amend Chapter 25, Title 24, Delaware Code, Concerning Drugs, Pharmacies, Pharmacists, and the State Board of Pharmacy.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach,

Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Quigley, Richards, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Pawson, Prettyman, Robbins, Snowden—4.

SB 65 as amended by **SA 1**, **SA 2** and **SA 3** having received the constitutional majority, passed the House and was ordered returned to the Senate.

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

HB 265—An Act to Repeal Section 537, Title 7, Delaware Code, Relating to Appointment of a Boat Inspector. (By Messrs. Bartleson and Dineen; to Revised Statutes)

HB 266—An Act to Amend “An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961”, Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the Superior Court, by Making Transfer in Certain Appropriation Items Therein. (By Mr. Eskridge; to Appropriations)

HB 267—An Act to Amend Section 4504, Title 21, Delaware Code, Relating to Permits for Excessive Size and Weight of Motor Vehicles, by Providing for Fees. (By Mr. Shulties; to Public Buildings and Highways)

HB 268—An Act to Amend Section 516, Title 4, Delaware Code, Relating to the Sale of Alcoholic Liquors in Certain Quantities. (By Mr. Murray; to Temperance)

HB 269—An Act to Amend Chapter 5, Title 4, Delaware Code, Relating to the Sale of Alcoholic Liquors at Gatherings. (By Mr. Murray; to Temperance.)

HB 270—An Act to Amend Section 531, Title 4, Delaware Code, Relating to the Sale of Alcoholic Liquors for Personal Use. (By Mr. Murray; to Temperance)

The Chair presented the following bills, which were given first and second reading by title only, and assigned to committees as follows:

SB 85—An Act to Waive the Sovereign Immunity of the State of Delaware and Permit a Suit in Tort Against the State of Delaware by James F. Long and Ray E. Parsons, Arising Out of Water Damage Sustained on August 31, 1960, from a Drain Maintained by the State Highway Department. (To Miscellaneous)

SB 136—An Act to Amend An Act Entitled “An Act to Incorporate the Town of Ocean View in Sussex County, Delaware”, Being Chapter 649, Volume 18, Laws of Delaware, as Amended, Relating to Amount of Fines Imposed by Alderman, Number of Meetings of Council, Pay of Councilmen and Legal Authority. (To Corporations, Municipal)

SB 35 as amended by **SA 1**—An Act to Amend Title 14, Delaware Code, Entitled “Education” by Providing for Sab-

batical Leave for Professional Employees of the School Districts, the Special School Districts, the Board of Education of the City of Wilmington, and the State Board of Education. (To Education)

On motion of Mr. Best, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 248—An Act to Amend Chapter 9, Title 4, Delaware Code, to Provide a Penalty for the Possession or Consumption of Alcoholic Liquor by a Minor.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach Myers, Moore, Murray, Paskey, Jr., Phillips, Quigley, Richards, Shockley, Truitt, Mr. Speaker Tribbitt—28.

NAYS—Mr. Shulties—1.

NOT VOTING—Messrs. Dineen, Livingston—2.

ABSENT—Messrs. Pawson, Prettyman, Robbins, Snowden—4.

HB 248 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House adjourned at 5:15 P. M. until 1:00 P. M., Thursday, May 18, 1961.

43RD LEGISLATIVE DAY

May 18, 1961

The House met pursuant to adjournment at 1:00 P. M. on May 18, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

Member absent—Mr. Robbins—1.

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 prevailed.

On motion of Mr. Blendt, **HB 98** as amended by **HA 1** and **HA 2**, having been deferred, was brought up for final consideration in order to pass the House.

On motion of Mr. Annett, **HA 3** to **HB 98** as amended, was adopted by roll call vote.

Roll Call on **HA 3** revealed:

YEAS—Messrs. Annett, Baker, Best, Casey, Davidson, Ehinger, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Paskey, Jr., Pawson, Quigley, Richards, Snowden, Truitt—20.

NAYS—Messrs. Bartleson, Blendt, Busker, Clifton, Dineen, Eskridge, Gove, Murray, Phillips, Prettyman, Shockley, Mr. Speaker Tribbitt—12.

NOT VOTING—Messrs. Downs, Shulties—2.

ABSENT—Mr. Robbins—1.

On the question, "Shall the Bill pass the House?" the roll call on **HB 98** as amended by **HA 1**, **HA 2** and **HA 3** revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

NOT VOTING—Mr. Eskridge—1.

ABSENT—Mr. Robbins—1.

HB 98 as amended by **HA 1**, **HA 2** and **HA 3** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 271—An Act to Create the Office of State Architect. (By Messrs. Murray and Quigley; to Revised Statutes)

On motion of Mr. Clifton, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 246—An Act Directing the State Treasurer and State Auditor to Pay Elmer Dickerson for Services Rendered as a Member of the Department of Elections for Sussex County.

On motion of Mr. Eskridge, action on **HB 246** was deferred.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 138—An Act to Amend Chapter 138, Volume 41, Laws of Delaware, 1937, Entitled An Act to Reincorporate the Town of Clayton, Providing for the Establishment of a System of Pensions.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Robbins—1.

SB 138 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Quigley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 148—An Act Amending the Charter of New Castle, Providing for the Appointment of Inspectors of Election by the Mayor, Increasing the Pay of Election Officers and Replacing the Word "Assessor" with the Words "City Clerk" in Certain Sections.

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gover, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Robbins—1.

HB 148 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Bartleson, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 34—An Act Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

NOT VOTING—Messrs. Dineen, Livingston—2.

ABSENT—Messrs. Moore, Robbins—2.

HB 34 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Prettyman, the following was taken up for consideration and given a third and final reading in order to pass the House:

HS 1 for HB 198—An Act to Amend Section 9103, Title 10, Delaware Code of 1953, Relating to Justices of the Peace in Kent County and Providing Additional Residence Thereto.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger

Eskridge, Exley, Fifer, Gover, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Robbins—1.

HS 1 for **HB 198** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 254—An Act to Amend Chapter 269, Volume 52, Laws of Delaware, Entitled "An Act to Authorize the Mayor and Council of Wilmington to Adopt an Ordinance Merging the Wilmington Planning Commission and Wilmington Zoning Commission, and the Functions of These Commissions, Into a Single Entity to be Known as the Wilmington Commission on Zoning and Planning, and Establishing Membership Thereof", Relating to the Number and Length of Terms of the Members of the Wilmington Commission on Zoning and Planning.

On motion of Mr. Keenan, action on **HB 254** was deferred.

The following Resolution was introduced, given a first and only reading in full:

HR 61—Requesting the Speaker to Appoint a Committee to Verify the Journal of the Preceding Legislative Day Before the Same is Read at the Opening of Each Legislative Day. (By Messrs. Downs and Casey)

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware that the Speaker be and he hereby is requested to appoint a Committee of three members of the House whose duty it shall be to verify the Journal of the preceding Legislative Day before the same is read at the opening of each Legislative Day and it is

FURTHER RESOLVED that one member of said Committee shall constitute a quorum for the purpose of examining the Journal of the preceding Legislative Day to determine the completeness and accuracy of said Journal and it is

FURTHER RESOLVED that, in the event said committee, or any member thereof believes that any error or omission exists with respect to any portion of said Journal, he shall report the same to the House, after the reading of said Journal, for such action as the House may desire to take.

Roll Call on **HR 61** revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Casey, Downs, Hocker, Quigley, Snowden—8.

NAYS—Messrs. Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Kleinbach, Livingston, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Shockley, Shulties, Mr. Speaker Tribbitt—17.

NOT VOTING—Messrs. Best, Blendt, Busker, Ehinger, Keenan, Myers, Richards, Truitt—8.

PRESENT—Mr. Fifer—1.

ABSENT—Mr. Robbins—1.

HR 61 not having received the constitutional majority, did not pass the House and was declared defeated.

On motion the House recessed at call of the Chair at 2:50 P. M. The House met at the expiration of the recess at 4:33 P. M. Mr. Speaker presiding.

The Secretary of the Senate informed the House that the Senate had concurred on **HB 115**.

The Chair presented the following Resolution, which was given first and second reading by title only:

SCR 20—Providing for Temporary Adjournment of the Senate and the House of Representatives of the 121st General Assembly of the State of Delaware Until Monday, June 5, 1961.

On motion of Mr. Eskridge, all rules were suspended so that **SCR 20** might pass the House and on further motion by him, **SCR 20** was adopted.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 272—An Act to Amend Chapter 11, Title 13, Delaware Code, Relating to Termination of Parental Rights. (By Messrs. Shockley and Downs; to Judiciary)

HA 1 to **HB 246** was introduced by Mr. Eskridge, given first reading and on further motion by him, was adopted.

On motion of Mr. Eskridge, **HB 246** as now amended by **HA 1**, having been deferred, was brought up for consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—19.

NAYS—Messrs. Annett, Bartleson, Best, Casey, Downs, Ehinger, Fifer, Myers, Richards—9.

NOT VOTING — Messrs. Hocker, Kleinbach, Pawson, Snowden—4.

PRESENT—Mr. Baker—1.

ABSENT—Messrs. Keenan, Robbins—2.

HB 246 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 209—An Act to Amend Chapter 7, Title 4, Delaware Code, Entitled “Alcoholic Liquors” by Changing the Hours During Which the Holders of a License May Sell Alcoholic Liquor.

HA 1 to **HB 209** was introduced by Mr. Murray, given first reading and on further motion by him, was adopted.

HA 2 to **HB 209** was introduced by Mr. Murray, given first reading and on further motion by him, was adopted.

On the question, “Shall **HB 209** as amended by **HA 1** and **HA 2** pass the House?” the yeas and nays were ordered, which being taken, were as follows:

Mr. Murray moved that the roll call on **HB 209** as amended by **HA 1** and **HA 2** be tabled.

Roll Call on the motion revealed:

YEAS—Messrs. Best, Casey, Dineen, Downs, Kleinbach, Livingston, Moore, Murray, Pawson, Prettyman, Quigley, Shockley—12.

NAYS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Clifton, Davidson, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Myers, Paskey, Jr., Phillips, Richards, Snowden, Truitt, Mr. Speaker Tribbitt—20.

PRESENT—Mr. Shulties—1.

ABSENT—Messrs. Keenan, Robbins—2.

The motion not having received the constitutional majority, was defeated.

Roll Call on **HB 209** as amended by **HA 1** and **HA 2** revealed:

YEAS—Messrs. Best, Downs, Kleinbach, Pawson, Quigley—5.

NAYS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Davidson, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—24.

NOT VOTING—Messrs. Livingston, Moore, Snowden—3.

PRESENT—Mr. Dineen—1.

ABSENT—Messrs. Keenan, Robbins—2.

HB 209 as amended by **HA 1** and **HA 2** not having received the constitutional majority, did not pass the House.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 273—An Act to Authorize the Levy Court of New Castle County to Appropriate Money to the Holloway Terrace Volunteer Fire Company. (By Mr. Quigley; to Revised Statutes)

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 257—An Act to Amend Chapter 13, Volume 51, Laws of Delaware, Entitled “An Act to Authorize the Levy Court of New Castle County to Plan, Construct, Equip and Furnish an Addition to the Present County Building for New Castle County and to Issue Bonds to Finance the Cost Thereof”, in Relation to the Letting of Contracts for the Construction of Such Addition.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—Mr. Quigley—1.

ABSENT—Messrs. Keenan, Robbins, Shockley—3.

HB 257 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House adjourned at 5:30 P. M. to return in accordance with **SCR 20**.

44TH LEGISLATIVE DAY

June 5, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 5, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richard, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Blendt, Eskridge—2.

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

The following communication was presented to the member of the House:

STATE OF DELAWARE
OFFICE OF THE ATTORNEY GENERAL

Wilmington, Delaware, May 26, 1961
Honorable William T. Best, House of Representatives
State of Delaware, Nassau, Delaware

Dear Bill:

Many thanks for sending me a copy of House Bill No. 235. Any effort you make on our behalf will be greatly appreciated.

I might say that as of this date we have spent about \$46,000.00 and that we can really use the money to complete the investigation and litigation in connection with it.

Kindest personal regards and best wishes.

Sincerely,

JANUAR D. GOVE, JR.

Mr. Shulties, Chairman of Passed Bills, reported having taken to the Governor the following bills for his consideration: **HB 38, HB 175, HB 176, HB 205, HB 216, HB 220.**

The following bill was reported from the Committee on Judiciary: **HB 229**, 4 favorably.

The Secretary of the Senate informed the House that the Senate had concurred on the following: **HB 14, HB 33, HB 70, HB 257.**

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

HB 274—An Act to Provide for a Referendum on Local Option in Regards to Alcoholic Liquors. (By Mr. Hocker; to Elections)

HB 275—An Act to Amend Title 15, Delaware Code, by Providing for Registration of Voters Who Because of Sickness or Physical Disability are Unable to Apply in Person at the Designated Place for Registration. (By Mr. Dineen; to Elections)

HB 276—An Act to Amend Title 15, Delaware Code, Entitled "Elections" by Providing for Payment for Voting Machines. (By Messrs. Dineen and Paskey; to Elections)

On request of Mr. Snowden, his name was stricken from **HB 208.**

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 141—An Act to Amend Chapter 21 and Chapter 29, Relating to Insurance Agents and Brokers and Suretyship.

HA 1 to **HB 141** was introduced by Mr. Truitt, given first reading in full, and on further motion by him, was adopted.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer,

Hocker, Keenan, Kleinbach, Livingston, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—28.

NAYS—Mr. Moore—1.

NOT VOTING—Messrs. Busker, Gove, Myers, Robbins—4.

ABSENT—Messrs. Blendt, Eskridge—2.

HB 141 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion the House recessed at call of the Chair at 3:25 P. M. The House met at the expiration of the recess at 4:20 P. M. Mr. Speaker presiding.

The House adjourned at 4:24 P. M. until 1:00 P. M., Tuesday, June 6, 1961.

45TH LEGISLATIVE DAY

June 6, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 6, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

Members absent—Messrs. Best, Eskridge, Gove—3.

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

The following communication was presented to the members of the House:

MEMORANDUM—To: Mrs. Everett, Mr. Killen, Mr. F. Downes; Mr. E. H. Davis, Clerk of the House, Secretary of the Senate, Mrs. Moress, Legislative Reference Bureau for all folders. From: F. Earl McGinnes.

On date indicated, Governor approved the following legislation:

5 May 1961—**HB 118**

6 May 1961—**SB 64; HB 178; HJR 3; SB 147**

18 May 1961—**SB 135** (line item veto)

22 May 1961—**SB 54; SB 116; SB 133; SB 134; SB 148**

24 May 1961—**SB** with **HA 1; SB 75; SB 131; HB 38; HB 175; HB 176; HB 220**

26 May 1961—**HB 205; SB 127**

The following bill was reported from the Committee on Judiciary: **HB 272**, 4 on merits.

On motion of Mr. Shockley, **HB 254**, having been deferred, was brought up for consideration in order to pass the House:

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

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Best, Eskridge, Gove, Quigley—4.

HB 254 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported from the Committee on Elections: **HB 276**, 3 favorably, 1 on merits; **HB 113**, 3 favorably, 1 on merits.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 255—An Act to Amend Chapter 230, Volume 51, Laws of Delaware, Relating to the Charter of the City of Wilmington and the Office of the City Solicitor for the City of Wilmington.

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

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Best, Eskridge, Gove, Quigley—4.

HB 255 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following Resolution was introduced, given first and second reading by title only:

HCR 23—Inviting Members of Boys' and Girls' State to be the Guests of the 121st General Assembly. (By Mr. Ehinger)

On motion of Mr. Robbins, all rules were suspended so that **HCR 23** could have a final reading in order to pass the House.

On further motion of Mr. Ehinger, **HCR 23** was adopted and ordered to the Senate for concurrence.

On motion of Mr. Robbins, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 70—An Act to Transfer Funds Appropriated to the State Board of Education Under Chapter 299, Volume 52, Laws of Delaware, Relating to Title III of the National Defense Education Act, Concerning Science, Mathematics, and Foreign Language.

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

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Best, Eskridge, Gove, Quigley—4.

HB 70 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Bartleson, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 226—An Act to Amend Chapter 9, Title 18, Delaware Code, Relating to Valuation and Non-Forfeiture Requirements of Life Insurance Policies.

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

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Best, Eskridge, Gove, Quigley—4.

HB 226 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 assigned to committees as follows:

HB 277—An Act to Authorize the Gunning Bedford, Jr. School District to Sell Certain Land. (By Mr. Davidson; to Education)

HB 278—An Act Designating a Portion of Each Year for Daylight Saving Time. (By Mr. Annett; to Miscellaneous)

HB 279—An Act Making a Supplementary Appropriation to the State Building and Grounds Commission for the Fiscal Year Ending June 30, 1961. (By Mr. Busker; to Appropriations)

HB 280—An Act to Amend Chapter 19, Title 10, Delaware Code, Relating to Judicial Reports. (By Mr. Busker; to Judiciary)

Mr. Davidson introduced **HA 2** to **HB 46**, which was given first reading in full and placed with the bill.

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 113—An Act to Amend Sections 106 and 107, Title 19, Delaware Code, Relating to the Labor Commission of Delaware.

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

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Best, Eskridge, Gove, Quigley—4.

SB 113 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Keenan, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 224—An Act to Amend § 2121, Title 21, Delaware Code, Relating to Motor Vehicle License Plates to Require the Insertion of Certain Words Thereon.

On further motion of Mr. Keenan, action on **HB 224** was deferred until a later date.

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 229—An Act to Amend Title 13, Delaware Code, Relating to Expiration of Marriage Licenses.

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

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—26.

NAYS—Messrs. Myers, Richards, Robbins, Shockley—4.

ABSENT—Messrs. Best, Eskridge, Gove, Pawson, Quigley—5.

HB 229 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Paskey, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 199—An Act Authorizing the Levy Court of Kent County to Appropriate County Moneys to Certain Fire Companies for the Maintenance of a Rescue Squad.

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

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Exley, Fifer, Hocker, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—29.

NAYS—None.

ABSENT — Messrs. Best, Eskridge, Gove, Livingston, Pawson, Quigley—6.

HB 199 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion the House recessed at call of the Chair at 2:55 P. M. The House met at the expiration of the recess at 4:40 P. M. Mr. Speaker presiding.

Mr. Snowden introduced **HA 1** to **SS 2** for **SB 103**, which was given first reading in full and placed with the bill.

Mr. Dineen introduced **HA 2** to **HB 240**, which was given first reading in full, and on further motion by him, was adopted.

The Secretary of the Senate informed the House that the Senate had concurred on **HCR 23**.

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

HB 281—An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to Brandywine Hundred Fire Co. No. 1, Mill Creek Fire Co. No. 1 and Minquadale Fire Co., Inc., for the Maintenance of a Rescue Squad. (By Messrs. Quigley, Casey, Bartleson; to Revised Statutes)

HB 282—An Act to Enable the State to Obtain Federal Financial Participation in Aid to Dependent Children of Unemployed Parents: Appropriating Funds. (By Messrs. Murray and Shockley; to Appropriations.)

The following bills were reported from the Committees on: Corporations, Municipal, **SB 136**, 4 favorably 1 on merits; Revised Statutes, **HB 152**, 3 favorably, 2 on merits; **HB 231**, 4 on merits, 1 favorably; **HB 21**, 4 on merits, 1 favorably; **HB 219**, 4 on merits, 1 favorably; Revenue and Taxation, **HS 1** for **HB 110**, 3 favorably, 1 on merits, 1 unfavorably.

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

HB 283—An Act to Amend Title 14, Delaware Code, by Providing for the Standardization of School Construction Plans as a Basis for State Aid and by Providing for Alternative School Construction Plans in District Referenda. (By Mr. Blendt; to Education)

HB 284—An Act to Amend Chapter 15, Title 29, Delaware Code, Relating to the Commission on Uniform State Laws, by Revising the Commission and Its Duties and Changing Its Name to Commission on Modernization of State Laws. (By Mr. Phillips; to Revised Statutes)

HB 285—An Act to Amend Sections 1191 and 1192, Title 30, Delaware Code, Relating to Withholding of Income Tax. (By Mr. Truitt; to Revised Statutes)

HB 286—An Act to Designate Certain Libraries as Depositories of State Publications. (By Mr. Dineen; to Education)

The House adjourned at 6:00 P. M. until 1:00 P. M., Wednesday, June 7, 1961.

46TH LEGISLATIVE DAY

June 7, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 7, 1961.

Prayer by the Chaplain, Rev. James.

Members present—Messrs. Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

Members absent—Messrs. Annett, Gove, Keenan—3.

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 prevailed.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 62—In Reference to Election of Officers. (By Mr. Truitt)

WHEREAS, Harold W. Hudson was previously elected to the office of House Messenger but has resigned effective at the close of the Legislative Day, June 6, 1961,

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that Harold W. Hudson is hereby relieved from the duties of House Messenger effective at the close of the Legislative Day, June 6, 1961.

BE IT FURTHER RESOLVED that W. Lawrence Hudson is hereby elected to serve as House Messenger effective June 7, 1961, to serve during the pleasure of the House of Representatives.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 63—In Reference to Election of Officers. (By Mr. Truitt)

WHEREAS, Paul W. Lowe was previously elected to the office of House Messenger but has resigned effective at the close of the Legislative Day, June 6, 1961,

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that Paul W. Lowe is hereby relieved from the duties of House Messenger effective at the close of the Legislative Day, June 6, 1961.

BE IT FURTHER RESOLVED that Elwood Godfrey is hereby elected to serve as House Messenger effective June 7, 1961, to serve during the pleasure of the House of Representatives.

The following bill was reported from the Committee on Revised Statutes, **HB 273**, 4 favorably.

On motion of Mr. Robbins, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 24 as amended by **SA 1**—An Act to Appropriate Funds to the Joint Veterans Claims Committee to Pay Certain Valid Claims of Veterans of World War II and Korean Conflict Which are Barred by the Lapse of Time.

HA 1 to **SB 24** as amended by **SA 1** was introduced by Mr. Robbins, given first reading in full and on further motion by him was withdrawn.

On motion of Mr. Robbins, action on **SB 24** as amended by **SA 1** was deferred.

On motion of Mr. Dineen, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 276—An Act to Amend Title 15, Delaware Code, Entitled "Elections" by Providing for Payment for Voting Machines.

The motion by Mr. Bartleson to defer action on **HB 276** was defeated.

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

YEAS—Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—19.

NAYS—Messrs. Baker, Bartleson, Best, Downs, Ehinger, Fifer, Hocker, Kleinbach, Myers, Richards, Snowden—11.

NOT VOTING—Messrs. Casey, Pawson—2.

ABSENT—Messrs. Annett, Gove, Keenan—3.

HB 276 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion the House recessed at call of the Chair at 2:12 P. M. The House met at the expiration of the recess at 5:55 P. M. Mr. Speaker presiding.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HS 1 for HB 162—An Act Transferring \$6,500 from Salaries of Teachers, Division I. H. 2, Art., an Appropriation to the State Board of Education Which Appears as Chapter 299, Volume 52, Laws of Delaware, to Salaries, State Board of Education. (By Mr. Dineen; to Appropriations)

The following Resolution was introduced, given first and second reading by title only:

HCR 24—Relative to the Death of Lieutenant Colonel David F. McCallister. (By Mr. Murray)

On motion of Mr. Eskridge, all rules were suspended, in order to give **HCR 24** it final reading, and on further motion by him, **HCR 24** was adopted and ordered to the Senate for concurrence.

The following bill was reported from the Committee on Public Health: **SB 37**, 5 favorably.

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

HB 287—An Act Authorizing the Youth Services Commission to Dispose of Surplus Real Property. (By Mr. Shockley; to Public Buildings and Highways)

HB 288—An Act Making an Appropriation to the University of Delaware for Certain Capital Improvements, and Authorizing the State of Delaware to Borrow Money and Issue Bonds and Notes Therefor, in the Amount of Four Million Six Hundred Three Thousand Dollars, \$4,603,000). (By Messrs. Eskridge, Tribbitt, Robbins, Prettyman, Blendt, Exley, Phillips, Best, Dineen, Fifer, Bartleson, Ehinger, Pawson, Kleinbach, Busker, Hocker, Snowden, Truitt, Baker, Myers, Casey, Shockley, Murray, Moore; to Appropriations)

HB 289—An Act to Authorize the New Castle Levy Court to Renovate and Refurnish the County Building, by Issuing Bonds. (By Messrs. Murray and Bartleson; to Public Buildings and Highways)

The following bills were reported from the Committees on: Miscellaneous, **HB 43**, 3 favorably, 2 on merits; Judiciary, **HB 247**, 1 favorably, 2 on merits; Revenue and Taxation, **HB 263**, 2 favorably, 2 on merits; **HB 163**, 3 favorably, 2 on merits; **HB 262**, 3 favorably, 2 on merits.

The Chair presented the following bill, which was given first and second reading by title only and assigned to committee as follows:

SB 152—An Act to Amend Title 16, Delaware Code, Relating to Mental Health. (To Miscellaneous)

The House adjourned at 6:35 P. M. until 1:00 P. M., June 8, 1961.

47TH LEGISLATIVE DAY

June 8, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 8, 1961.

Prayer by the Chaplain, Rev. James.

Members present—Messrs. Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

Members absent—Messrs. Annett, Gove, Shockley—3.

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 prevailed.

Mr. Shulties, Chairman of Passed Bills, reported having taken to the Governor the following bills for his consideration: **HB 30, HB 115, HB 147.**

The Chair presented the following resolution, which was given first and second reading by title only:

SCR 23—Relative to the Death of Lieutenant Colonel David F. McCallister.

On motion of Mr. Eskridge, all rules were suspended to give **SCR 23** its final reading and on further motion by him, **SCR 23** was adopted and ordered returned to the Senate.

On motion of Mr. Robbins, **SB 24** as amended by **SA 1** having been deferred, was brought up for final consideration in order to pass the House.

HA 1 to **SB 24** as amended by **SA 1** was introduced by Mr. Robbins, given first reading in full and on further motion by him was adopted.

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

YEAS—Messrs. Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Annett, Gove, Quigley, Shockley—4.

SB 24 as amended by **SA 1** and **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

On motion of Mr. Blendt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 186—An Act to Amend Part III, Title 6, Delaware Code, Entitled "Weights, Measures, and Standards" by Repealing Most of the Present Provisions and Substituting New Administrative and Substantive Provisions, Defining Certain Crimes and Appropriating Funds.

HA 1 to **HB 186** was introduced by Mr. Blendt, given first reading in full and on further motion by him was adopted.

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

YEAS—Messrs. Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Annett, Gove, Quigley, Shockley—4.

HB 186 as amended by **HA 1** having received the 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 on **HB 42**, **HCR 24**, **HB 23** and **HB 149**.

The following bill was reported from the Committee on Appropriations: **HB 266**, 5 favorably.

On motion the House recessed at call of the Chair at 2:22 P. M. The House met at the expiration of the recess at 5:02 P. M. Mr. Speaker presiding.

The following bills were reported from the Committees on: Appropriations, **HS 1** for **HB 162**, 5 favorably; Miscellaneous, **SB 152**, 5 favorably.

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

HB 290—An Act to Amend Title 30, Delaware Code, Relating to Rates and Payment of Personal Income Tax, by Increasing Certain Tax Rates and Providing for Quarterly Payments. (By Mr. Truitt; to Revenue and Taxation)

HB 291—An Act to Amend Chapter 5, Title 4, Delaware Code, Relating to Alcoholic Liquors by Providing for an Increase in the Tax on Wines. (By Mr. Truitt; to Revenue and Taxation)

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 64—Authorizing the Payment of Certain Expenses for the Printing of Calendars for the House of Representatives of the 121st General Assembly. (By Messrs. Exley and Shulties)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of Three Hundred Thirty-two Dollars and Ten Cents is

hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the Sussex Countian, Georgetown, Delaware, for the printing of Calendars for the House of Representatives of the 121st General Assembly.

The Chair presented the following bill, which was given first and second reading by title only and assigned to committee as follows:

SB 165—An Act to Amend An Act Entitled “An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961”, Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the Industrial Accident Board, by Making Certain Transfer Therein. (To Appropriations)

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 256—An Act to Amend Section 4703, Title 7, Delaware Code, Relating to the Powers and Duties of the State Park Commission.

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

On motion of Mr. Eskridge, roll call on **HB 256** was tabled.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 292—An Act to Amend Section 1931, Title 14, Delaware Code, Relating to a Tax on Trailers. (By Messrs. Quigley, Downs, Casey, Murray; to Revenue and Taxation)

On motion of Mr. Quigley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 273—An Act to Authorize the Levy Court of New Castle County to Appropriate Money to the Holloway Terrace Volunteer Fire Company.

On motion of Mr. Quigley, action on **HB 273** was deferred.

On motion of Mr. Keenan, **HS 1** for **HB 42** as now amended by **SA 1** was brought up for final consideration.

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

YEAS—Messrs. Baker, Bartleson, Best, Blendt, Busker, Casey, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Annett, Clifton, Dineen, Gove, Shockley—5.

HS 1 for **HB 42** as amended by **SA 1** having received the constitutional majority, passed the House.

On motion of Mr. Eskridge, the House adjourned at 5:47 P. M. until 1:00 P. M., June 12, 1961.

48TH LEGISLATIVE DAY

June 12, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 12, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, 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 prevailed.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 136—An Act to Amend An Act Entitled “An Act to Incorporate the Town of Ocean View in Sussex County, Delaware”, Being Chapter 649 Volume 18, Laws of Delaware, as Amended, Relating to Amount of Fines Imposed by Alderman, Number of Meetings of Council, Pay of Councilmen and Legal Authority.

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

YEAS—Messrs. Annett, Baker, Baker, Bartleson, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—Mr. Blendt—1.

NOT VOTING—Mr. Davidson—1.

ABSENT—Messrs. Best, Fifer—2.

SB 136 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Clifton, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 37—An Act to Amend Section 2308, Title 31, Delaware Code, Relating to Amount of Assistance to the Blind.

On motion of Mr. Bartleson, action on **SB 37** was deferred.

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 100—An Act to Amend Chapters 31 and 33, Part III, Title 19, Delaware Code, Relating to Unemployment Compensation, by Changing the Words "Contribution" and "Contributions" Therein to Read "Assessment" or "Assessments" as the Case May be.

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

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Best, Fifer—2.

SB 100 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion the House recessed at call of the Chair at 2:00 P. M. The House met at the expiration of the recess at 4:38 P. M. Mr. Speaker presiding.

On motion of Mr. Phillips, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 152—An Act to Amend Title 16, Delaware Code, Relating to Mental Health.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

NAYS—None.

NOT VOTING—Mr. Keenan—1.

ABSENT—Messrs. Busker, Quigley—2.

SB 152 having received the constitutional majority, passed the House and was ordered returned to the Senate.

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

HB 293—An Act to Amend Section 4704, Title 7, Delaware Code, Relating to the Power of the State Park Commission to Borrow Money and Making an Appropriation to Pay Outstanding Bonds. (By Mr. Eskridge; to Miscellaneous)

HB 294—An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending

June 30, 1962. (By Messrs. Eskridge, Robbins, Dineen, Bartleson, Best; to Appropriations)

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 272—An Act to Amend Chapter 11, Title 13, Delaware Code, Relating to Termination of Parental Rights.

HA 1 to **HB 272** was introduced by Mr. Shockley, given first reading in full and on further motion by him, was adopted.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Busker—1.

HB 272 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported from the Committee on Appropriations: **SB 165**, 5 favorably; **HB 288**, 5 favorably.

On motion of Mr. Quigley, **HR 47** having been deferred, was brought up for consideration and on further motion by him was adopted.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HS 1 for **HB 134**—An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees Pensions of the Levy Court of New Castle County. (By Messrs. Keenan, Tribbitt, Murray, Downs, Casey, Kleinbach, Pawson, Gove, Livingston, Davidson, Dineen, Shockley, Quigley; to Revised Statutes)

The Chair presented the following resolution, which was given first and second reading by title only and assigned to committee as follows:

SCR 21—An Act Making an Appropriation to Addressograph-Multigraph Corporation for One Model 1000, Serial #793344, Multigraph-Multilith Off-Set Duplicator. (To Claims)

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 65—In Reference to Election of Officers. (By Mr. Livingston)

WHEREAS, Clydas Colder was previously elected to the office of Cloak Room Attendant but has resigned effective at the close of the Legislative Day, June 7, 1961.

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that Clydas Colder is hereby relieved from the duties of Cloak Room Attendant effective at the close of the Legislative Day, June 7, 1961.

BE IT FURTHER RESOLVED that Herman Holloway is hereby elected to serve as Cloak Room Attendant effective June 8, 1961, to serve during the pleasure of the House of Representatives.

On motion of Mr. Quigley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 104—An Act to Amend Title 28, Delaware Code, Relating to Horse and Dog Racing in the State of Delaware.

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

On motion of Mr. Quigley, roll call on **HB 104** was tabled.

HA 1 to **HB 294** was introduced by Mr. Dineen, given first reading in full and placed with the bill.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 66—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED by the House of Representatives of the 121st 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 40th Legislative Day and including the 50th Legislative Day, of the current session:

Joseph T. Walsh	\$825.00
James B. Messick	450.00
William H. Draper, Jr.	450.00
Fred C. Lord, Jr.	363.00
Mary Ann McCabe	302.50
Francis X. Shoemaker	275.00
Elizabeth Wainwright	275.00
Rev. Arthur James	220.00
James Quigley	302.50
David L. Farrone	275.00
Martha Dixon	220.00
Clydas Colder	140.00
Ruth Ross	220.00
Orville Cephas	220.00

Catherine Fonville	220.00
Mrs. Willie Holmes	220.00
Jean Demel	302.50
Lillian Weston	275.00
Margaret Walker	302.50
William L. David	220.00
Claude W. Jordan	220.00
Helen Reihm	220.00
Louise Pennewell	302.50
Elizabeth G. Ennis	220.00
John R. Willey	220.00
Louise Staats	302.50
Ralph McClain	220.00
Ernest Council	220.00
Allen S. Moffitt	220.00
George L. Everett	325.00
Judy Graham	302.50
Lloyd Minner	220.00
Edgar Brown	220.00
W. Harrison Melvin	220.00
Bradford Holliday	220.00
Gove Jarvis	220.00
Willard C. Robbins	220.00
William B. Morgan, Jr.	220.00
Ruth Collins	220.00
Mary Wilson	220.00
Samuel Messick	275.00
Daniel Boyce	220.00
B. Guy Wheatley	220.00
Emory Spicer	220.00
Harold W. Hudson	120.00
Paul W. Lowe	120.00
Clifford Hall	675.00
Melba Webb	412.50
Catherine Swartwood	302.50
L. B. Knapp	275.00
Elwood Godfrey	100.00
W. Lawrence Hudson	100.00
Frank Calio	180.00
Ralph Smith	220.00
Ralph Bell	160.00
Herman Holloway, Sr.	80.00
Donald Ralph	40.00
John Moore	60.00

The Chair presented the following bills, which were given first and second reading by title only, and assigned to committees as follows:

SB 185—An Act to Appropriate Funds to the State Highway Department. (To Appropriations)

SB 184—An Act to Amend An Act Entitled “An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961”, Being Chapter 299, Volume 52, Laws of Delaware, by Transferring Monies from the Health Items in Division I to Division II—Other Costs in Newport School District No. 106. (To Appropriations)

SB 178—An Act Making an Appropriation to the State Board of Agriculture for the Payment of Veterinarians’ Fees for Tuberculosis and Brucellosis Testings and Brucellosis Vaccinations and for Payment of Brucellosis and Tuberculosis Indemnities. (To Appropriations)

SB 159—An Act to Amend An Act Entitled “An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960”, Being Chapter 57, Volume 52, Laws of Delaware, and An Act Entitled “An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961”, Being Chapter 299, Volume 52, Laws of Delaware, by Making Certain Transfers Therein. (To Appropriations)

SB 158—An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to Pension of Surviving Spouse of State Employee. (To Revised Statutes)

SB 144 as amended by **SA 1**—An Act to Amend Title 9, Delaware Code, by Increasing the Salary of the Coroner of New Castle County and Setting the Salary of the Chief Deputy Coroner of New Castle County. (To Revised Statutes)

SB 161—An Act to Repeal Section 501, Title 27, Delaware Code, Relating to Limitations Upon County Support of Sabbath Schools. (To Miscellaneous)

SB 119 as amended by **SA 1**—An Act to Amend Chapter 7, Title 14, Delaware Code, Relating to School Districts, General and Administrative Provisions. (To Education)

SB 114—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Maple Valley Club, Inc., from Assessment and Taxation. (To Revenue and Taxation)

SB 102—An Act Appropriating Money to the Coroner of Kent County for the Sole Purpose of Performing Autopsies for the Fiscal Year Ending June 30, 1961. (To Appropriations)

SB 97—An Act to Appropriate Money to the Roxana Volunteer Fire Company. (To Appropriations)

SB 83—An Act to Amend Chapter 186, Volume 23, Laws of Delaware, Entitled “An Act to Incorporate the Town of Ellendale”, to Provide for Payment of Salaries to All of the Town Commissioners. (To Corporations, Municipal)

SB 70—An Act to Amend the Charter of the City of Milford, Chapter 162, Volume 37, Laws of Delaware, as

Amended, Concerning the Time for Appointment of Officers by the City Council and Salary Increases Based on Merit. (To Corporations, Municipal)

SS 1 for SB 59—An Act to Amend Title 29, Delaware Code, Relating to State Employees' Pension Plan and Making an Appropriation Therefor. (To Revised Statutes)

SS 1 for SB 12—An Act Authorizing and Directing the State Board of Corrections to Pay a Telephone Bill Incurred During the Fiscal Year Ending June 30, 1960, from Funds on Hand for Office Expense. (To Appropriations)

SB 162—An Act to Amend Chapter 227, Volume 51, Laws of Delaware, Entitled "An Act to Amend Chapter 196, Volume 22, Laws of Delaware, by Extending to the Board of Public Works of Lewes the Authority to Construct, Operate, and Regulate a Sewage Disposal Plant and an Improved Sewerage System and Authorizing the Commissioners of Lewes to Issue Bonds to Finance the Project" so as to Increase the Amount of Bonds Which May be Issued by the Commissioners of Lewes Pursuant to Said Act. (To Corporations, Municipal)

SB 13—An Act to Amend Title 7, Delaware Code, Entitled "Conservation" for a Water Resources Commission, Define Its Powers and Duties, Provide for Hearings and Appeals, Provide Penalties and Appropriate Funds. (To Miscellaneous)

The following bills were reported from the Committees on Education: **HB 277**, 4 favorably, 1 on merits; Fish, Oyster and Game, **HB 250**, 3 favorably, 2 on merits; Public Buildings and Highways, **HB 258**, 4 on merits, 1 favorably.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 67—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED, by the House of Representatives of the 121st 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 121st General Assembly of the State of Delaware, from the 40th Legislative Day up to and including the 50th Legislative Day, which expenses are declared proper and reasonable, 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 performances of their duties as members of the House of Representatives, during the present Legislative Sessions 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:

John Annett	\$ 59.40
William W. Baker	99.00
William T. Best	180.50
T. Lees Bartleson	209.00
Carlton Blendt, Jr.	55.00
Glenn Busker	28.60
Andrew Casey	110.00
Carlton Clifton	66.00
Robert Davidson	70.40
Russell Dineen	190.00
Robert N. Downs, III	105.60
George Ehinger	
Norman Eskridge	133.00
George Exley	44.00
Harvey Fifer	11.00
Chester Gove	55.00
Wilbert Hocker	132.00
Ralph S. Keenan	110.00
Charles S. Kleinbach	94.60
Paul F. Livingston	110.00
Orville B. Myers	22.00
Jennings Moore	90.20
Thomas T. Murray	110.00
William Paskey, Jr.	30.80
Robert Pawson	96.80
Harrison Phillips	112.20
Carl Prettyman	33.00
James Quigley	99.00
Charles Richards	
George Robbins	72.20
Paul Shockley	110.00
Dawson H. Shulties	22.00
Robert Snowden	88.00
Sherman Tribbitt	55.00
Clarence E. Truitt	110.00

On motion of Mr. Dineen, the following was taken up for consideration and given a third and final reading in order to pass the House:

HS 1 for HB 162—An Act Transferring \$6,500 from Salaries of Teachers, Division I. H. 2, Art, an Appropriation to the State Board of Education Which Appears as Chapter 299, Volume 52, Laws of Delaware, to Salaries, State Board of Education.

On motion of Mr. Casey, action on **HS 1 for HB 162** was deferred.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 68—Authorizing the Payment of Certain Expenses for One Bronze Plaque for the House of Representatives of the 121st General Assembly and for Alterations to a Plaque of the 120th General Assembly. (By Messrs. Exley and Moore)

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware, that the sum of Four Hundred Sixty Dollars (\$460.00) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay Joseph H. Franzen Co., 1315-1317 Buttonwood Street, Philadelphia, Pennsylvania, for preparation of a bronze plaque 22" by 47" bearing the names of the members of the 121st General Assembly at a cost of \$385.00 and for alterations to the plaque of the 120th General Assembly at a cost of \$75.00.

The House adjourned at 7:15 P. M. until 1:00 P. M., Tuesday, June 13, 1961.

49TH LEGISLATIVE DAY

June 13, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 13, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, 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 prevailed.

The following bills were reported from the Committees on Appropriations: **SB 185**, 5 favorably; **SS 1** for **SB 12**, 5 favorably; Miscellaneous: **HB 293**, 4 favorably, 1 on merits.

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

HB 295—An Act to Levy, Assess and Collect a Tax Upon the Retail Sale or the Storage, Use or Consumption of Tangible Personal Property Within the State of Delaware. (By Messrs. Kleinbach and Pawson; to Revenue and Taxation)

HB 296—An Act to Increase the Compensation of the Sheriff of Sussex County. (By Mr. Moore; to Revised Statutes)

On motion of Mr. Clifton, **SB 37**, having been deferred, was brought up for final consideration in order to pass the House.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Quigley, Richards—2.

SB 37 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bills were reported from the Committee on Revised Statutes: **SS 1** for **SB 59**, 4 favorably; **HS 1** for **HB 134**, 2 favorably, 2 on merits.

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

HB 297—An Act to Amend Title 4, Delaware Code, Relating to Licenses for the Sale, Purchase and Importing of Alcoholic Liquors; Providing Certain Definitions in Connection with Licensing and Changing the Number of Meetings and Compensation of the Alcoholic Beverage Commission. (By Mr. Truitt; to Revised Statutes)

HB 298—An Act to Change the Date for Filing an Annual Report by the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna. (By Mr. Busker; to Miscellaneous)

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 266—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the Superior Court, by Making Transfers in Certain Appropriations Therein.

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

YEAS—Messrs. Annett, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Keenan, Kleinbach, Livingston, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—24.

NAYS—Mr. Fifer—1.

NOT VOTING—Messrs. Baker, Bartleson, Best, Downs, Ehinger, Hocker, Myers, Snowden—8.

ABSENT—Messrs. Quigley, Richards—2.

HB 266 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Davidson, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 277—An Act to Authorize the Gunning Bedford, Jr. School District to Sell Certain Land.

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

YEAS — Messrs. Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—24.

NAYS—None.

NOT VOTING—Messrs. Annett, Baker, Bartleson, Downs, Ehinger, Fifer, Hocker, Moore, Snowden—9.

ABSENT—Messrs. Quigley, Richards—2.

HB 277 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion the House recessed at call of the Chair at 2:38 P. M. The House met at the expiration of the recess at 5:11 P. M. Mr. Speaker presiding.

Mr. Best moved that the Minority Party Report be made a part of the Journal.

Mr. Eskridge moved that the above motion be tabled.

Roll call revealed 20 yeas, 15 nays.

On motion of Mr. Quigley, the above roll call was tabled.

The following bill was introduced, given first and second reading by title only, and assigned to committee as follows:

HB 299—An Act to Amend Title 11, Section 464, Delaware Code, Relating to Deadly Weapons. (By Mr. Shockley; to Judiciary)

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 288—An Act Making an Appropriation to the University of Delaware for Certain Capital Improvements, and Authorizing the State of Delaware to Borrow Money and Issue Bonds and Notes Therefor, in the Amount of Four Million Six Hundred Three Thousand Dollars (\$4,603,000).

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

HB 288 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 165—An Act to Amend An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the Industrial Accident Board, by Making Certain Transfers Therein.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

SB 165 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred on the following: **HB 90**, **HB 98**, **HB 254** and **HB 255**.

The following bill was reported from the Committee on Public Buildings and Highways: **HB 287**, 4 favorably.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 258—An Act to Amend An Act Entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used by the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna to be Used to Make Capital Improvements and to Purchase Equipment for the State Welfare Home and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the Said Board", Heretofore Enacted by the 121st General Assembly.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

HB 258 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 16—An Act to Amend Section 132, Title 17, Delaware Code, Relating to the General Powers and Duties of the State Highway Department.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

HB 16 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was reported from the Committee on Revised Statutes: **HB 281**, 3 favorably.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 300—An Act to Amend Section 2124, (a), Title 21, Delaware Code, Relating to Number Plates for Automobile Manufacturers and Dealers. (By Mr. Shulties; to Revised Statutes)

On motion of Mr. Quigley, all rules were suspended to give the following bill its third and final reading in order to pass the House:

HB 281—An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to Brandywine Hundred Fire Co. No. 1, Mill Creek Fire Co. No. 1 and Minquadale Fire Co., Inc., for the Maintenance of a Rescue Squad.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Snowden, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Blendt, Dineen, Richards, Truitt—4.

HB 281 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 69—Authorizing a Change in the Amounts of Money to be Paid to Two Attaches for Services Rendered in the Present Session of the 121st General Assembly as Authorized by House Resolution No. 66. (By Mr. Robbins)

WHEREAS House Resolution No. 66 authorized the payment of \$160.00 to Ralph Bell and the payment of \$60.00 to

John Moore as payment in full for services rendered for the period commencing with the 40th Legislative Day and including the 50th Legislative Day of the current session, and

WHEREAS the said resolution should have authorized the payment of \$200.00 to Ralph Bell and the payment of \$20.00 to John Moore as payment in full for services rendered for the period commencing with the 40th Legislative Day and including the 50th Legislative Day of the current session,

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the State Treasurer be 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 40th Legislative Day and including the 50th Legislative Day, of the current session:

Ralph Bell \$200.00

John Moore 20.00

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 301—An Act to Amend Section 1908, Title 7, Delaware Code, Relating to Leasing Acreage Under Jurisdiction of Commission of Shell Fisheries. (By Mr. Hocker; to Fish, Oysters and Game)

The House adjourned at 6:30 P. M. until 1:00 P. M., Wednesday, June 14, 1961.

50TH LEGISLATIVE DAY

June 14, 1961

The House met pursuant to adjournment at 1:00 P. M. one June 14, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Fifer, Gove—2.

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 prevailed.

The following bills were reported from the Committees as follows: Corporations, Municipal: **SB 70**, 4 favorably, 1 on merits; **SB 83**, 5 favorably; **SB 162**, 4 favorably, 1 on merits; Appropriations: **SB 185**, 3 favorably, 2 on merits; Revised

Statutes: **HB 83**, 3 favorably, 1 unfavorably, 1 on merits; Appropriations: **HB 207**, 3 favorably, 2 on merits.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SS 1 for SB 12—An Act Authorizing and Directing the State Board of Corrections to Pay a Telephone Bill Incurred During the Fiscal Year Ending June 30, 1960, from Funds on Hand for Office Expense.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Hocker, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Blendt, Fifer, Gove, Livingston—4.

SS 1 for SB 12 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 184—An Act to Amend An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, by Transferring Monies from the Health Items in Division I to Division II—Other Costs in Newport School District No. 106.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Hocker, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Blendt, Fifer, Gove, Livingston—4.

SB 184 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bills were reported from the Committee on Revenue and Taxation: **HB 99**, 3 favorably, 2 on merits; **SB 114**, 3 favorably, 2 on merits.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 70—Appropriation for Postage Stamps for the House of Representatives of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED, by the House of Representatives of the 121st 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 121st 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.

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

HB 302—An Act to Create a Building and Loan Advisory Board. (By Mr. Shockley; to Insurance and Banking)

HB 303—An Act Authorizing the State of Delaware to Borrow Money to be Used by the State Board of Education for the Supervision and the Auditing of the School Construction Program Provided for Under Chapter 345, Volume 52, Laws of Delaware, and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the Said Board. (By Mr. Robbins; to Education)

HB 304—An Act to Amend Section 701, Title 29, Delaware Code, Relating to Designation of Meetings of the General Assembly. (By Mr. Robbins; to Revised Statutes)

HB 305—An Act to Amend Section 907, Title 29, Delaware Code, Relating to Printing and Distribution of Session Laws. (By Mr. Robbins; to Miscellaneous)

On motion the House recessed at call of the Chair at 2:25 P. M. The House met at the expiration of the recess at 5:15 P. M. Mr. Speaker presiding.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 71—In Reference to Election of an Officer. (By Mr. Phillips)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that Walter Conoway is hereby elected to serve as Attorney's Clerk effective June 15, 1961, to serve during the pleasure of the House of Representatives.

On motion of Mr. Davidson, the following was taken up for consideration and given a third and final reading in order to pass the House:

SS 2 for SB 103—An Act to Amend Section 2733, Title 21, Delaware Code, Entitled Discretionary Suspension or Revocation of Driver's License, Such Amendment Relating to Occupational License.

On motion of Mr. Snowden, the roll call vote on **HA 1** to **SS 2 for SB 103** revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Casey, Downs, Ehinger, Hocker, Keenan, Myers, Richards, Snowden—12.

NAYS—Messrs. Blendt, Busker, Clifton, Davidson, Eskridge, Exley, Kleinbach, Livingston, Moore, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—19.

ABSENT—Messrs. Dineen, Fifer, Gove, Murray—4.

HA 1 to **SS 2** to **SB 103** not having received the constitutional majority, was declared lost.

Mr. Snowden moved **SS 2** for **SB 103** be deferred. Motion defeated.

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

On motion of Mr. Eskridge, roll call on **SS 2** for **SB 103** was tabled.

The Secretary of the Senate informed the House that the Senate had concurred on the following: **HB 272**.

The House adjourned at 5:50 P. M. until 1:00 P. M., Thursday, June 15, 1961.

51ST LEGISLATIVE DAY

June 15, 1961

The House met pursuant to adjournment at 1:00 P. M.
on June 15, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

Members absent—Messrs. Casey, Ehinger, Shockley—3.

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 prevailed.

The following bills were reported from the following committees: Military Affairs: **HB 208**, 2 favorably, 3 on merits; Miscellaneous: **HB 298**, 4 favorably, 1 on merits; Appropriations: **HB 294**, 3 favorably, 2 on merits.

The Chair presented the following bills, which were given first and second reading by title only, and assigned to committees, as follows:

SB 170—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees. (To Education)

SB 53—An Act to Amend Sections 141, 158 and 223 of Title 8, Delaware Code, Relating to the General Corporation Law. (To Corporations, Private)

SB 166—An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations. (To Corporations, Private)

SB 21—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Perth Community and Civic Association, Inc., from Assessment and Taxation. (To Revenue and Taxation)

SB 22—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Woman's Club of Claymont from Assessment and Taxation. (To Revenue and Taxation)

SB 180—An Act to Amend An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to Mosquito Control Division, by Making Certain Transfers Therein. (To Appropriations)

SB 10—An Act to Add a New Chapter to Title 3, Delaware Code, to be Called Chapter 24, Relating to the Licensing of Produce Dealers. (To Appropriations)

SB 172—An Act to Authorize the Establishment of an Emergency Seat of Government for the State and to Authorize the Exercise of Governmental Powers and Functions Thereat During Periods of Emergency and to Authorize Political Subdivisions of the State to Establish Locations for Their Seat of Government and to Exercise Governmental Powers and Functions Thereat. (To Miscellaneous)

SB 174—An Act to Provide for Emergency Interim Succession for the Members of the General Assembly. (To Miscellaneous)

On motion of Mr. Eskridge, roll call on SS 2 for **SB 103** was lifted and revealed the following:

YEAS—Messrs. Blendt, Busker, Clifton, Dineen, Eskridge, Exley, Gove, Livingston, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—20.

NAYS—Messrs. Annett, Baker, Bartleson, Best, Davidson, Downs, Ehinger, Hocker, Kleinbach, Myers, Richards, Snowden—12.

NOT VOTING—Messrs. Casey, Keenan—2.

ABSENT—Mr. Fifer—1.

SS 2 for SB 103 having received the constitutional majority, passed the House and was ordered returned to the Senate.

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

HB 306—An Act Establishing the Salaries of Members and Chairmen of Certain Department Boards and Commissions of the City of Wilmington. (By Messrs. Dineen and Keenan; to Corporations, Municipal)

HB 307—An Act to Authorize the State Highway Department to Install Tile on Land Belonging to the State of Delaware for Entrances and Exits to Property of Adjoining Landowners in Kent and Sussex Counties If Adjoining Landowners Purchase the Tile. (By Messrs. Myers, Hocker, Baker, Annett, Truitt, Prettyman, Busker, Paskey, Blendt; to Public Buildings and Highways)

HB 308—An Act to Permit the State Board of Education to Enter Into Leases with the Federal Government. (By Mr. Robbins; to Education)

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 185—An Act to Appropriate Funds to the State Highway Department.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—29.

NAYS—None.

NOT VOTING—Mr. Downs—1.

ABSENT—Messrs. Casey, Ehinger, Quigley, Shockley, Truitt—5.

SB 185 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Phillips, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 160 as amended by **SB 2**—An Act to Amend Chapter 345, Volume 52, Laws of Delaware, Relating to the Enlargement and Improvement of the System of Free Public Schools of Delaware and the Financing of the Same by the Issuance of Bonds of the State and of Certain Districts, by Providing That Certain School Districts be Included and Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Casey, Ehinger, Quigley, Shockley, Truitt—5.

HB 160 as amended by **SA 2** having received the constitutional majority, passed the House.

On motion of Mr. Dineen, **HS 1** for **HB 162**, having been deferred, was brought up for final consideration in order to pass the House.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Dineen, Downs, Eskridge, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—26.

NAYS—Mr. Gove—1.

NOT VOTING—Messrs. Davidson, Moore—2.

ABSENT — Messrs. Casey, Ehinger, Exley, Quigley, Shockley, Truitt—6.

HS 1 for **HB 162** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 309—An Act Authorizing the State Highway Department to Purchase a Dredge and Making Appropriation Therefor. (By Mr. Hocker; to Appropriations)

The following Resolution was introduced, given first and only reading in full, and on further motion, was adopted:

HR 72—In Reference to Election of Officers. (By Mr. Exley)

WHEREAS, Edgar Brown and W. Harrison Melvin were previously elected to the offices of Sergeants-at-Arms but have resigned effective at the close of the Legislative Day, June 14, 1961.

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that Edgar Brown and W. Harrison Melvin are hereby relieved from the duties of Sergeants-at-Arms effective at the close of the Legislative Day, June 14, 1961.

BE IT FURTHER RESOLVED that Clarence M. Collins and Benjamin H. Kates are hereby elected to serve as Sergeants-at-Arms effective June 15, 1961, to serve during the pleasure of the House of Representatives.

The following bills were reported from the Committee on Revised Statutes: **HB 284**, 5 favorably; **HB 300**, 4 favorably, 1 on merits.

On motion of Mr. Davidson, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 207—An Act Making Supplementary Appropriation to the Delaware Commission of Shell Fisheries.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Casey, Ehinger, Quigley, Shockley, Truitt—5.

HB 207 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 310—An Act to Amend An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to Department of Elections for Kent County. (By Mr. Exley; to Appropriations)

HA 1 to HB 131 was introduced by Mr. Murray, given first and second reading and placed with the bill.

HA 1 to HB 177 was introduced by Mr. Annett, given first and second reading and placed with the bill.

On motion the House recessed at call of the Chair at 2:40 P. M. The House met at the expiration of the recess at 4:55 P. M. Mr. Speaker presiding.

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

HB 311—An Act to Provide for the Use of Prison Labor by State Agencies. (By Messrs. Hocker and Baker; to Judiciary)

HB 312—An Act to Amend Title 25 of the Delaware Code by Abolishing Chapter 27 Thereof Relating to Mechanics Leins. (By Messrs. Moore and Dineen; to Miscellaneous)

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 163—An Act to Amend Section 555, Chapter 5, Title 28, Delaware Code, Relating to Tax on Pari-Mutuel and Totalizator Pools by Increasing the Tax.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Ehinger, Shockley—2.

HB 163 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 313—An Act to Appropriate Funds to the State Board of Education for Improving Fire Protection Facilities in the Building Known as Arden School in Arden School District No. 3 in New Castle County. (By Mr. Bartleson; to Appropriations)

On motion of Mr. Quigley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 273—An Act to Authorize the Levy Court of New Castle County to Appropriate Money to the Holloway Terrace Volunteer Fire Company.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Ehinger, Shockley—2.

HB 273 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 314—An Act to Amend Chapter 23, Title 19, Delaware Code, Relating to Workmen's Compensation Claims. (By Messrs. Murray and Casey; to Labor)

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 262—An Act to Amend Part III, Title 30, Delaware Code, Relating to Occupational Licenses and Taxes.

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

YEAS—Messrs. Best, Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—20.

NAYS—Messrs. Annett, Baker, Bartleson, Downs, Fifer, Hocker, Keenan, Kleinbach, Myers, Pawson, Richards, Snowden—12.

NOT VOTING—Mr. Casey—1.

ABSENT—Messrs. Ehinger, Shockley—2.

HB 262 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 263—An Act to Amend Title 24, Delaware Code, Entitled "Professions and Occupations", and Relating to the Fees to be Charged and Collected by Certain Regulatory Boards and Agencies.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—Mr. Kleinbach—1.

NOT VOTING—Mr. Pawson—1.

ABSENT—Messrs. Ehinger, Shockley—2.

HB 263 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HA 2 to HB 294 was introduced by Mr. Best and Mr. Bartleson, given first and second reading and committed with the bill.

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HS 1 for HB 110—An Act to Amend §503 (c), Title 8, Delaware Code, Relating to Corporation Franchise Tax by Raising the Maximum Annual Tax from \$50,000 to \$100,000.

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

YEAS—Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—19.

NAYS—Messrs. Annett, Baker, Bartleson, Best, Casey, Downs, Fifer, Hocker, Keenan, Kleinbach, Myers, Pawson, Richards, Snowden—14.

ABSENT—Messrs. Ehinger, Shockley—2.

HS 1 for HB 110 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported from committees as follows: Revenue and Taxation, **HB 291**, 2 favorably, 2 on merits; **HB 290**, 2 favorably, 1 unfavorably, 1 on merits; Public Buildings and Highways, **HB 267**, 4 on merits, 1 favorably.

HA 1 to **HB 290** was introduced by Mr. Truitt, given first and second reading and committed with the bill.

The following bill was reported from the Committee on Miscellaneous, as follows: **HB 97**, 4 favorably, 1 on merits.

The House adjourned at 6:35 P. M. until 1:00 P. M., Monday, June 19, 1961.

52ND LEGISLATIVE DAY

June 19, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 19, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Downs, Gove—2.

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 prevailed.

The following bills were reported from committees as follows: Appropriations, **HB 310**, 5 favorably; **HB 313**, 5 favorably; **HB 213**, 5 favorably; **HB 282**, 5 favorably; **SB 159**, 5 favorably; **SB 180**, 5 favorably; Education, **HB 308**, 5 favorably; Labor, **HB 314**, 4 favorably, 1 on merits; Education, **SB 120**, 5 favorably.

Mr. Shulties, Chairman of Passed Bills, reported having taken to the Governor the following bills for his consideration: House Bill No. 149; House Substitute No. 1 for House Bill No. 42.

On motion of Mr. Davidson, the following was taken up for consideration and given a third and final reading in order to pass the House:

SS 1 for **SB 59**—An Act to Amend Title 29, Delaware Code, Relating to State Employees' Pension Plan and Making an Appropriation Therefor.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Gove, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT — Messrs. Blendt, Downs, Hocker, Quigley, Snowden—5.

SS 1 for **SB 59** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 131—An Act to Amend Chapter 237, Volume 46, Laws of Delaware, as Amended by Chapter 444, Volume 50, Laws of Delaware, Relating to Pension Benefits to Employees of the Mayor and Council of Wilmington.

On motion of Mr. Murray, **HA 1** to **HB 131** was adopted.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Blendt, Downs, Gove, Quigley, Snowden—5.

HB 131 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 43—An Act to Amend Chapter 5, Volume 52, Laws of Delaware, Relating to the State Fire Marshal.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Blendt, Downs, Gove, Snowden—4.

PRESENT—Mr. Fifer—1.

HB 43 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following Resolution was introduced, given first and second reading by title only:

HCR 25—Making Appropriations to Various Companies for Supplies and Services Rendered the 121st General Assembly of the State of Delaware. (By Mr. Robbins)

On motion of Mr. Robbins, all rules were suspended for the sole purpose of taking action on **HCR 25**, and on further motion by him, **HCR 25** was adopted and ordered to the Senate for concurrence.

On motion of Mr. Keenan, the following was taken up for consideration and given a third and final reading in order to pass the House:

HS 1 for HB 134—An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees Pensions of the Levy Court of New Castle County.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Blendt, Downs, Gove, Snowden—4.

HS 1 for HB 134 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 315—An Act to Amend Section 711, Title 23, Delaware Code, Increasing the Penalties for Water Pollution. (By Messrs. Busker and Richards; to Judiciary)

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 73—Authorizing the Payment of Certain Expenses for the Printing of Calendars for the House of Representatives of the 121st General Assembly. (By Messrs. Exley and Shulties)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of Four Hundred Sixty-Five Dollars is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay The Sussex Countain, Georgetown, Delaware, for the printing of Calendars for the House of Representatives of the 121st General Assembly.

HA 6 to HB 90 as amended, was introduced by Mr. Hocker, given first and second reading in full.

The motion of Mr. Hocker to have **HA 6 to HB 90** as amended, adopted, was defeated.

On motion of Mr. Quigley, **HB 90** as amended by **HA 3** and **HA 4** and newly amended by **SA 1**, was brought up before the House for final consideration in order to pass the House.

The motion of Mr. Busker to defer action on **HB 90** as amended, was defeated.

Roll Call on the above motion revealed:

YEAS—Messrs. Annett, Baker, Blendt, Busker, Exley, Fifer, Hocker, Myers, Moore, Paskey, Jr., Prettyman, Richards, Shulties, Snowden—14.

NAYS—Messrs. Bartleson, Best, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Keenan, Kleinbach, Livingston, Murray, Pawson, Phillips, Quigley, Robbins, Shockley, Truitt, Mr. Speaker Tribbitt—19.

ABSENT—Messrs. Downs, Gove—2.

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

On motion of Mr. Quigley, roll call on **HB 90** as amended by **HA 3**, **HA 4** and **SA 1** was tabled.

On motion of Mr. Dineen, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 242—An Act to Amend Section 1521, Title 9, Delaware Code, Relating to Salaries of Employees of Elected Office Holders of New Castle County.

On motion of Mr. Eskridge, the discussion on **HB 242** was deemed out of order.

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

On motion of Mr. Dineen, the results of the roll call on **HB 242** were tabled.

On motion the House recessed at call of the Chair at 3:47 P. M. The House met at the expiration of the recess at 5:45 P. M. Mr. Speaker presiding.

On motion of Mr. Shulties, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 300—An Act to Amend Section 2124 (a), Title 21, Delaware Code, Relating to Number Plates for Automobile Manufacturers and Dealers.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Downs, Gove, Murray, Quigley—4.

HB 300 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported from the Committee on Judiciary, as follows: **HB 95**, 1 favorably, 4 on merits; **SB 29**, 5 favorably.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 162—An Act to Amend Chapter 227, Volume 51, Laws of Delaware, Entitled "An Act to Amend Chapter 196,

Volume 22, Laws of Delaware, by Extending to the Board of Public Works of Lewes the Authority to Construct, Operate, and Regulate a Sewage Disposal Plant and an Improved Sewerage System and Authorizing the Commissioners of Lewes to Issue Bonds to Finance the Project" so as to Increase the Amount of Bonds Which May be Issued by the Commissioners of Lewes Pursuant to Said Act.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Downs, Gove, Quigley—3.

SB 162 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred on the following: **HCR 25, HB 246, HCR 24, HB 42.**

On motion of Mr. Phillips, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 219—An Act to Amend Title 29, Section 6521, Delaware Code, Relating to the Use of Unexpended Appropriations.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—Messrs. Bartleson, Kleinbach, Pawson—3.

ABSENT—Messrs. Downs, Gove—2.

HB 219 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 291—An Act to Amend Chapter 5, Title 4, Delaware Code, Relating to Alcoholic Liquors by Providing for an Increase in the Tax on Wines.

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

YEAS—Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Myers, Moore, Murray, Paskey, Jr.,

Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—19.

NAYS—Messrs. Annett, Baker, Bartleson, Best, Casey, Ehinger, Fifer, Hocker, Keenan, Kleinbach, Livingston, Pawson, Richards, Snowden—14.

ABSENT—Messrs. Downs, Gove—2.

HB 291 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HA 1 to **HB 97** was introduced by Mr. Casey, given first and second reading, and on further motion by him, was adopted.

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 97 with **HA 1**—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 Pari-Mutuel Tickets Not Claimed Within a Period of One Year Following the Meet.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Kleinbach, Livingston, Myers, Moore, Paskey, Jr., Pawson, Phillips, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—28.

NAYS—None.

NOT VOTING—Messrs. Hocker, Keenan, Murray, Prettyman, Shockley—5.

ABSENT—Messrs. Downs, Gove—2.

HB 97 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 290—An Act to Amend Title 30, Delaware Code, Relating to Rates and Payment of Personal Income Tax, by Increasing Certain Tax Rates and Providing for Quarterly Payments.

On motion of Mr. Truitt, **HA 1** to **HB 90**, was adopted.

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

YEAS—Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—19.

NAYS—Messrs. Annett, Baker, Bartleson, Best, Casey, Ehinger, Fifer, Hocker, Keenan, Kleinbach, Myers, Pawson, Richards, Snowden—14.

ABSENT—Messrs. Downs, Gove—2.

HB 290 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair presented the following bills, which were given first and second reading by title only, and assigned to committees as follows:

SB 190—An Act to Amend Chapter 11, Title 10, Delaware Code, Known as the Juvenile Court Act for Kent and Sussex Counties by Clarifying the Power of the Court Relating to the Custodial Care of a Child Pending Final Determination, and in the Matter of Examinations and Treatment. (To Judiciary)

SB 192—An Act to Amend Title 11, Delaware Code, Entitled "Crimes and Criminal Procedure" by Restoring Capital Punishment. (To Judiciary)

The following bill was reported from the Committee on Corporations, Municipal, as follows: **HB 233**, 3 favorably, 2 on merits.

The House adjourned at 7:20 P. M. until 1:00 P. M., Tuesday, June 20, 1961.

53RD LEGISLATIVE DAY

June 20, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 20, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Pretyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, 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 prevailed.

The following bills were reported from committees as follows: Revised Statutes, **HB 296**, 3 on merits; Insurance and Banking, **HB 302**, 4 favorably, 1 on merits.

The Chair presented the following bills, which were given first and second reading by title only, and assigned to committees as follows:

SB 171—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Fruitland

Grange, No. 16, Camden, Delaware, from Assessment and Taxation. (To Revenue and Taxation)

SB 201—An Act to Amend Chapter 134, Volume 52, Delaware Code, Relating to Tuition Charges for Pupils Attending Schools Outside Their Resident District. (To Education)

SB 173—An Act to Provide for Interim Judicial Succession. (To Judiciary)

On motion of Mr. Dineen, roll call on **HB 242** was lifted. Roll call revealed:

YEAS—Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—18.

NAYS—Messrs. Annett, Baker, Bartleson, Best, Ehinger, Fifer, Keenan Kleinbach, Myers, Pawson, Richards, Shockley—12.

NOT VOTING—Messrs. Casey, Hocker, Snowden—3.

ABSENT—Messrs. Downs, Gove—2.

HB 242 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Exley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 310—An Act to Amend An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to Department of Elections for Kent County.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Gove—1.

HB 310 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 213—An Act Making Supplementary Appropriations for the Purchase of Voting Machines by the Departments of Election of New Castle and Kent Counties for the Fiscal Year Ending June 30, 1961.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Gove, Quigley—2.

HB 213 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Bartleson, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 313—An Act to Appropriate Funds to the State Board of Education for Improving Fire Protection Facilities in the Building Known as Arden School in Arden School District No. 3 in New Castle County.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Gove—1.

HB 313 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 159—An Act to Amend An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960", Being Chapter 57, Volume 52, Laws of Delaware, and An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, by Making Certain Transfers Therein.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Gove—1.

SB 159 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 180—An Act to Amend An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to Mosquito Control Division, by Making Certain Transfer Therein.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Gove—1.

SB 180 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 293—An Act to Amend Section 4704, Title 7, Delaware Code, Relating to the Power of the State Park Commission to Borrow Money and Making an Appropriation to Pay Outstanding Bonds.

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

On motion of Mr. Eskridge, roll call on **HB 293** was tabled.

On motion of Mr. Robbins, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 308—An Act to Permit the State Board of Education to Enter Into Leases with the Federal Government.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Gove—1.

HB 308 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Robbins, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 120—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees.

HA 1 to **SB 120** was introduced by Mr. Murray, given first and only reading in full, and moved for its adoption.

Roll call revealed:

YEAS—Mr. Murray—1.

NAYS—Messrs. Annett, Baker, Bartleson, Best, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Hocker, Keenan, Kleinbach, Myers, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Snowden—22.

NOT VOTING—Messrs. Blendt, Casey, Downs, Fifer, Moore, Shockley, Shulties, Truitt—8.

ABSENT—Messrs. Busker, Gove, Livingston—3.

PRESENT—Mr. Speaker Tribbitt—1.

The amendment not having received the constitutional majority, was defeated.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—29.

NAYS—Mr. Blendt—1.

NOT VOTING—Mr. Davidson—1.

ABSENT—Messrs. Busker, Gove, Livingston, Quigley—4.

SB 120 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bills were reported from committees as follows: Appropriations, **HB 234**, 5 favorably; **HB 135**, 5 favorably; **HB 132**, 5 favorably; **HB 120**, 5 favorably; **HB 86**, 5 favorably; **HB 82**, 5 favorably; **HB 81**, 5 favorably; **HB 69**, 5 favorably; **HB 62**, 5 favorably; **HB 60**, 5 favorably; **HB 59**, 5 favorably; **HB 58**, 5 favorably; **HB 56**, 5 favorably; **HB 55**, 5 favorably; **HB 49**, 5 favorably; **HB 190**, 5 favorably; **HB 20**, 5 favorably; **HB 243**, 4 favorably, 1 on merits; Education, **HB 286**, 5 favorably; Claims, **HB 61**, 2 favorably, 2 on merits; **HB 68**, 2 favorably, 1 on merits.

On motion of Mr. Quigley, roll call on **HB 90** as amended, was lifted, and on further motion by him was tabled.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 287—An Act Authorizing the Youth Services Commission to Dispose of Surplus Real Property.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Dineen, Gove, Quigley—3.

HB 287 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 194—An Act Appropriating Funds to the Youth Services Commission of Delaware for the Purchasing of Land, Construction and Equipping of an Entirely New, Consolidated Training School.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Dineen, Gove, Moore, Quigley—4.

HB 194 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 195—An Act Authorizing the State of Delaware to Borrow a Certain Sum of Money for Sundry Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Dineen, Gove, Moore, Quigley—4.

HB 195 having received the 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 on the following: **HB 5**, **HB 141**, **HB 206**, **HB 207**, **HB 214**.

The following bills were reported from the Committee on Miscellaneous, as follows: **SB 172**, 5 favorably; **SB 174**, 5 favorably; **HB 230**, 5 favorably.

On motion the House recessed at call of the Chair at 3:57 P. M. The House met at the expiration of the recess at 5:50 P. M. Mr. Speaker presiding.

The following bill was reported from the Committee on Miscellaneous, as follows: **HB 305**, 5 favorably.

On motion of Mr. Eskridge, roll call on **HB 293** was lifted from the table.

Roll call revealed:

YEAS—Messrs. Baker, Blendt, Busker, Clifton, Dineen, Eskridge, Exley, Livingston, Moore, Paskey, Jr., Phillips, Prettyman, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—18.

NAYS—Messrs. Annett, Bartleson, Best, Casey, Downs, Ehinger, Keenan, Kleinbach, Pawson, Quigley, Richards, Snowden—12.

NOT VOTING—Messrs. Davidson, Fifer, Hocker, Myers—4.

ABSENT—Mr. Gove—1.

HB 293 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Quigley, roll call on **HB 256** was lifted.

Roll call revealed:

YEAS—Messrs. Baker, Blendt, Busker, Clifton, Dineen, Eskridge, Exley, Hocker, Livingston, Paskey, Jr., Phillips, Prettyman, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—18.

NAYS—Messrs. Bartleson, Best, Casey, Davidson, Downs, Ehinger, Fifer, Keenan, Kleinbach, Myers, Murray, Pawson, Quigley, Richards, Snowden—15.

ABSENT—Messrs. Annett, Gove—2.

HB 256 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House recessed at 6:30 P. M. until 7:30 P. M. The House met at the expiration of the recess. Mr. Speaker presiding.

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 282—An Act to Enable the State to Obtain Federal Financial Participation in Aid to Dependent Children of Unemployed Parents; Appropriating Funds.

HA 1 to **HB 282** was introduced by Mr. Murray, given first reading in full, and on further motion by him, was adopted.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Bartleson, Fifer, Quigley, Snowden—4.

HB 282 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HA 3 to **HB 294** was introduced by Mr. Eskridge, given first reading in full, and on further motion by him, was adopted.

The House recessed for 15 minutes on motion of Mr. Eskridge.

On motion of Mr. Eskridge, all rules were suspended so that **SB 209** could be taken up for final consideration in order to pass the House:

SB 209—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the Department of Public Welfare, by Making Transfers in Certain Appropriation Items Therein.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Bartleson, Fifer, Quigley, Snowden—4.

SB 209 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 316—An Act to Amend Chapter 1, Title 11, Delaware Code, Repealing the Authority of Justices of the Peace to Issue Marriage Licenses. (By Mr. Murray; to Judiciary)

The following bills were reported from the Committee on Public Buildings and Highways, as follows: **HB 182**, 4 on merits, 1 favorably; **HB 183**, 4 on merits, 1 favorably.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 317—An Act Making Supplementary Appropriation to the Kent County Law Library for the Fiscal Year Ending June 30, 1961. (By Mr. Prettyman; to Appropriations)

On motion of Mr. Truitt, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 114—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Maple Valley Club, Inc., from Assessment and Taxation.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Ehinger, Eskridge, Exley, Hocker, Kleinbach, Livingston, Myers, Moore, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Truitt, Mr. Speaker Tribbitt—24.

NAYS—Messrs. Dineen, Downs, Keenan, Shockley—4.

NOT VOTING—Messrs. Gove, Murray, Shulties—4.

ABSENT—Messrs. Bartleson, Fifer, Quigley, Snowden—4.

SB 114 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 294—An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1962.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Bartleson, Fifer, Quigley, Snowden—4.

HB 294 as amended by **HA 3** 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 assigned to committees as follows:

HB 318—An Act to Amend Section 4504, Title 21, Delaware Code, Relating to Movement Permits for House Trailers. (By Mr. Robbins; to Revised Statutes)

HB 319—An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to "Education: Appropriations" by Providing for the Acceptance of Federal Aid Grants Pursuant to the Federal School Assistance Act of 1961 and for the Dis-

tribution of Such Grants to the Various School Districts.
(By Mr. Robbins; to Education)

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 173—An Act to Amend Title 10, Delaware Code, Entitled "Courts and Judicial Procedure" in Respect to Employees of the Prothonotary for New Castle County.

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

YEAS—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Bartleson, Fifer, Quigley, Snowden—4.

HB 173 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was reported from the Committee on Judiciary, as follows: **HB 280**, 1 favorably, 4 on merits.

The House adjourned at 12:20 A. M. until 1:00 P. M., Wednesday, June 21, 1961.

54TH LEGISLATIVE DAY

June 21, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 21, 1961.

Prayer by the Chaplain, Rev. James.

Members present—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Bartleson, Moore—2.

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 prevailed.

The following bill was reported from the Committee on Revised Statutes, as follows: **HB 304**, 4 favorably.

On motion of Mr. Shulties, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 267—An Act to Amend Section 4504, Title 21, Delaware Code, Relating to Permits for Excessive Size and Weight Motor Vehicles, by Providing for Fees.

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

YEAS—Messrs. Busker, Casey, Clifton, Davidson, Di-neen, Ehinger, Eskridge, Exley, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—22.

NAYS—Mr. Annett—1.

NOT VOTING—Messrs. Fifer, Hocker, Keenan, Richards, Snowden—5.

ABSENT—Messrs. Bartleson, Best, Blendt, Downs, Gove, Moore—6.

PRESENT—Mr. Baker—1.

HB 267 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted.

HR 74—In Reference to Election of Officers. (By Mr. Paskey)

WHEREAS, Gove Jarvis was previously elected to the office of Door Tender but has resigned effective at the close of the Legislative Day, June 15, 1961,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that Gove Jarvis is hereby relieved from the duty of Door Tender effective at the close of the Legislative Day, June 15, 1961.

BE IT FURTHER RESOLVED that Ola Brittingham, Jr., is hereby elected to serve as Door Tender effective June 19, 1961, to serve during the pleasure of the House of Representatives.

On motion the House recessed at call of the Chair at 2:35 P. M. The House met at the expiration of the recess at 3:40 P. M. Mr. Speaker presiding.

The Secretary of the Senate informed the House that the Senate had concurred on the following: **HB 129, HB 130.**

The Chair presented the following bills and resolution, which were given first and second reading, by title only, and assigned to committees as follows:

SB 73—An Act to Amend Titles 9 and 10, Delaware Code, by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Receiver of Taxes, Prothonotary, Sheriff, Register in Chancery and Clerk of the Orphans' Court in and for Sussex County. (To Revised Statutes)

SB 108—An Act to Amend Section 8205 (3), Title 9, Delaware Code, Relating to the Salaries of the Members of the Board of Assessment of Sussex County (To Revised Statutes)

SCR 24—Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending May 11, 1961. (To Claims)

The following Bills were reported from the Committee on Appropriations, as follows: **SB 178**, 4 favorably; **HB 146**, 4 favorably; **HB 138**, 4 favorably; **SB 97**, 4 favorably.

The following Resolution was introduced, given a first and only reading in full, and on further motion, was adopted:

HR 75—Returning Senate Bill No. 192 to the Senate for Clarification or Amendment. (By Mr. Busker)

WHEREAS, Senate Bill No. 192 has been approved by the Senate and sent to the House for consideration, and

WHEREAS, Senate Bill No. 192 in its present form does not specify the manner of execution in the event said bill becomes law, and

WHEREAS, it is the sense of the House that intelligent and mature consideration cannot be given to said bill in the absence of a determination of the form of capital punishment the House is asked to approve,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that Senate Bill No. 192 be and it hereby is returned to the Senate for such clarification or amendment, as the Senate may wish, to remedy the absence of an important element in said bill.

On motion of Mr. Paskey, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 208—An Act to Amend Section 3105 (b), Title 20, Delaware Code, Entitled "Civil Defense Powers of the Governor" and Relating to State Civil Defense Auxiliary Police.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—31.

NAYS—Mr. Snowden—1.

ABSENT—Messrs. Bartleson, Moore, Robbins—3.

HB 208 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 298—An Act to Change the Date for Filing an Annual Report by the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Bartleson, Moore—2.

HB 298 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported from the Committee on Education, as follows: **HB 177**, 5 favorably; **HB 259**, 5 favorably; **SB 201**, 5 favorably.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 320—An Act to Amend Title 14, Delaware Code, by Providing for the Establishment and Administration of Kindergartens in the Public Schools of Delaware and to Appropriate Funds for Kindergarten Teachers. (By Mr. Baker; to Appropriations)

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 29—An Act to Amend Section 4122, Title 21, Delaware Code, Relating to Stopping at Command of Police Officers.

On motion of Mr. Busker, action on **SB 29** was deferred until a later date.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 81—An Act Appropriating Money to American Legion, Post Number 14, in Smyrna, with Which to Operate and Maintain an Ambulance.

On motion of Mr. Busker, action on **HB 81** was deferred until a later date.

On motion of Mr. Quigley, roll call on **HB 90** as amended, having been tabled, was lifted.

Roll call on the bill revealed:

YEAS—Messrs. Annett, Bartleson, Casey, Dineen, Downs, Ehinger, Eskridge, Keenan, Kleinbach, Livingston, Murray, Pawson, Phillips, Quigley, Richards, Shockley, Truitt, Mr. Speaker Tribbitt—18.

NAYS — Messrs. Baker, Best, Blendt, Busker, Clifton, Davidson, Exley, Fifer, Hocker, Moore, Myers, Paskey, Jr., Prettyman, Robbins, Shulties, Snowden—16.

ABSENT—Mr. Gove—1.

HB 90 as amended by **HA 3**, **HA 4** and **SA 1** having received the constitutional majority, passed the House.

The House adjourned at 5:02 P. M. until 1:00 P. M., Thursday, June 22, 1961.

55TH LEGISLATIVE DAY

(First Day)

June 22, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 22, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, 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 prevailed.

The following communication was presented to the members of the House:

No. 9 Memorandum—To: Mrs. Everett, Mr. Killen, Mr. F. Downes, Mr. E. H. Davis, Clerk of the House, Secretary of the Senate, Mrs. Moress, Legislative Reference Bureau for all folders. From: Earl McGinnes: On date indicated, Governor approved the following legislation:

13 June 1961—**HB 33**, **HB 70**, **HB 115**, **HB 147**, **HB 257**.

15 June 1961—**HB 30**, **SB 100**, **SB 37**, **SS 1** for **SB 12**, **SB 24**, **SB 184**, **SB 152**, **SB 113**, **SB 165**.

16 June 1961—**SB 47**, **SB 138**.

The Chair presented the following bills, which were given first and second reading by title only, and assigned to committees as follows:

SB 164—An Act to Amend Sections 3902 and 3903, Title 14, Delaware Code, Relating to Teachers' Retirement and Disability Pensions. (To Education)

SB 169—An Act to Amend Section 8732, Title 9, Delaware Code, Relating to Fees and Costs to be Charged in New Castle County for Collection of Delinquent Taxes. (To Revenue and Taxation)

SB 168—An Act to Amend Section 8705 and Section 8706, Title 10, Delaware Code, Relating to Fees and Costs of the Prothonotary. (To Judiciary)

SB 167—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Vol-

ume 52, Laws of Delaware, in Respect to Appropriations to Debt Service, by Making Certain Transfers to Pensions and Social Security. (To Appropriations)

SB 170—An Act to Repeal Section 8711, Title 10, Delaware Code, Relating to Fees and Costs of the Crier. (To Judiciary)

SB 213—An Act to Amend Title 17, Delaware Code, Entitled Highways. (To Public Buildings and Highways)

The Secretary of the Senate informed the House that the Senate had concurred on the following: **HB 100, HB 219, HB 222, HB 248, HB 256, HB 262, HB 263, HB 266, HB 277, HB 282, HB 290, HB 291, HB 293, HB 294, HB 308, HB 310.**

On motion of Mr. Eskridge, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 178—An Act Making an Appropriation to the State Board of Agriculture for the Payment of Veterinarians' Fees for Tuberculosis and Brucellosis Testing and Brucellosis Vaccinations and for Payment of Brucellosis and Tuberculosis Indemnities.

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

YEAS—Messrs. Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—29.

NAYS—None.

ABSENT — Messrs. Annett, Gove, Pawson, Quigley, Shockley, Richards—6.

SB 178 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Murray, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 314—An Act to Amend Chapter 23, Title 19, Delaware Code, Relating to Workman's Compensation Claims.

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

YEAS—Messrs. Annett, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—28.

NAYS—None.

NOT VOTING—Messrs. Baker, Hocker, Moore—3.

ABSENT—Messrs. Gove, Pawson, Quigley, Shockley—4.

HB 314 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HA 1 to **HB 286** was introduced by Mr. Dineen, given first reading in full, and on further motion by him, was adopted.

On motion of Mr. Dineen, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 286—An Act to Designate Certain Libraries as Depositories of State Publications.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Gove, Pawson, Quigley, Shockley—4.

HB 286 as amended by **HA 1** 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 assigned to committees as follows:

HB 321—An Act to Amend Title 7, Section 504, Delaware Code, by Raising the License Fees for Hunting, Trapping and Fishing. (By Messrs. Hocker and Davidson; to Fish, Oysters and Game)

HB 322—An Act to Prohibit the Examination in Courts of the State of Delaware of Any Minister of Religion in Connection with Any Communication Made to Him in His Professional Capacity, Without the Consent of the Party to Such Communication. (By Mr. Murray; to Judiciary)

On motion the House recessed at call of the Chair at 2:33 P. M. The House met at the expiration of the recess at 7:30 P. M. Mr. Speaker presiding.

On motion of Mr. Eskridge, **HB 262** as now amended by **SA 1**, was taken up for consideration in order to pass the House.

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

YEAS — Messrs. Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Eskridge, Exley, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—21.

NAYS—Messrs. Annett, Baker, Downs, Ehinger, Hocker, Keenan, Kleinbach, Myers, Richards—9.

NOT VOTING—Mr. Fifer—1.

ABSENT—Messrs. Bartleson, Gove, Pawson, Shockley—4.

HB 262 as amended by **SA 1** having received the constitutional majority, passed the House.

HA 4 to HB 294 as amended by **HA 3** and **SA 1** was introduced by Mr. Eskridge, given first reading in full, and on further motion by him was adopted.

On motion of Mr. Eskridge, **HB 294** as now amended by **HA 3**, **HA 4** and **SA 1** was taken up for consideration in order to pass the House.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Bartleson, Gove, Pawson, Shockley—4.

HB 294 as amended by **HA 3**, **HA 4** and **SA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Quigley, **HB 222** as now amended by **SA 1** was taken up for consideration in order to pass the House.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT — Messrs. Bartleson, Gove, Keenan, Pawson, Shockley—5.

HB 222 as amended by **SA 1** having received the constitutional majority, passed the House.

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

HB 323—An Act Regulating Use of Fees Received by the State Board of Examiners of Barbers. (By Messrs. Moore, Hocker, Tribbitt and Fifer; to Revenue and Taxation)

HB 324—An Act Creating a Department of Labor and Industrial Relations in the State, Transferring the Unemployment Compensation Commisison to Said Department, Establishing a Mediation Service, Transferring the Industrial Accident Board to Said Department, Abolishing the Labor Commisison of Delaware and Transferring the Powers and Duties Thereof to Said Department, and Prescribing the Powers and Duties of Said Department and Its Divisions; Providing for Punishment for Violations and Enforcement. (By Mr. Murray; to Labor)

The following bills were reported from committees as follows: Revised Statutes—**SB 158**, 4 favorably, 1 on merits; Judiciary—**SB 173**, 2 favorably, 2 on merits.

On motion the House recessed at call of the Chair at 9:40 P. M. The House met at the expiration of the recess at 1:30 A. M. Mr. Speaker presiding.

The House adjourned at 1:32 A. M. until 1:00 P. M., Monday, June 26, 1961.

55TH LEGISLATIVE DAY

(Second Continued Day)

On motion of Mr. Eskridge, the motion to adjourn until 1:00 P. M., Monday, June 26, 1961, was rescinded.

On motion of Mr. Keenan, all rules were waived to permit Mr. Eskridge to address the Chair from his chair.

The Secretary of the Senate informed the House that the Senate had concurred on the following: **HB 294** as amended by **HA 3**, **HA 4**, **SA 1** and **SA 2**.

On motion of Mr. Eskridge, **HB 294** as amended by **HA 3**, **HA 4**, **SA 1** and newly amended by **SA 2**, was taken up for consideration in order to pass the House.

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

On motion of Mr. Eskridge, roll call on **HB 294** as amended by **HA 3**, **HA 4**, **SA 1** and **SA 2** was tabled.

On motion the House recessed at call of the Chair at 3:40 P. M. The House met at the expiration of the recess at 5:10 P. M. Mr. Speaker presiding.

On motion of Mr. Dineen, the roll call on **HB 294** as amended by **HA 3**, **HA 4**, **SA 1** and **SA 2** was lifted from the table and it revealed the following:

YEAS—Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—18.

NAYS—Messrs. Annett, Baker, Bartleson, Casey, Downs, Fifer, Hocker, Keenan, Kleinbach, Myers, Quigley, Snowden—12.

ABSENT — Messrs. Best, Ehinger, Pawson, Richards, Robbins—5.

HB 294 as amended by **HA 3**, **HA 4**, **SA 1** and **SA 2** having received the constitutional majority, passed the House.

The following bill was reported from the Committee on Public Buildings and Highways as follows: **HB 307**, 1 favorably, 2 on merits.

On motion of Mr. Davidson, the following was taken up for consideration and given a third and final reading in order to pass the House:

SB 158—An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to Pension of Surviving Spouse of State Employee.

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

YEAS—Messrs. Annett, Baker, Blendt, Busker, Clifton, Davidson, Dineen, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—25.

NAYS—None.

ABSENT — Messrs. Bartleson, Best, Casey, Downs, Ehinger, Eskridge, Moore, Quigley, Richards, Robbins—10.

SB 158 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 325—An Act to Amend Section 503 (h) Title 8, Delaware Code, Relating to Corporation Franchise Tax by Limiting the Maximum Annual Tax on Regulated Investment Companies to \$50,000.00. (By Mr. Murray; to Revenue and Taxation)

The House adjourned at 5:45 P. M. until 1:00 P. M., Monday, June 26, 1961.

56TH LEGISLATIVE DAY

June 26, 1961

The House met pursuant to adjournment at 1:00 P. M. on June 26, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

Members absent—Messrs. Downs, Gove, Pawson, Robbins—4.

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 prevailed.

The following bill was introduced, given first and second reading by title only and assigned to committee as follows:

HB 326—An Act Authorizing the Levy Court of Sussex County to Appropriate County Moneys to Bridgeville Volunteer Fire Company for the Maintenance of a Rescue Squad. (By Mr. Annett; to Revised Statutes)

On motion of Mr. Shockley, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 302—An Act to Create a Building and Loan Advisory Board.

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

YEAS—Messrs. Annett, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Keenan, Kleinbach, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Mr. Speaker Tribbitt—27.

NAYS—Mr. Myers—1.

NOT VOTING—Messrs. Baker, Hocker—2.

ABSENT—Messrs. Downs, Gove, Pawson, Robbins, Truitt—5.

HB 302 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was reported from the Committee on Miscellaneous, as follows: **SB 13**, 5 favorably.

HA 1 to **SB 29** was introduced by Mr. Busker, given first reading in full, and on further motion by him, was adopted.

On motion of Mr. Busker, the following was taken up for consideration and given a third and final reading in order to pass the House.

SB 29—An Act to Amend Section 4122, Title 21, Delaware Code, Relating to Stopping at Command of Police Officers.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casev, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Downs, Gove, Pawson, Robbins—4.

SB 29 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

The following communication was presented to the members of the House:

Mr. Shulties: House bills received in Governor's Office, June 22, 1961—**HB 290** with **HA 1**, **HS 1** for **HB 110**, **HB 219**, **HB 291**, **HB 262** with **SA 1**, **HB 263**, **HB 266**, **HB 293**, **HB 256**, **HB 98** with **HA 1**, **HA 2** and **HA 3**. F. Earl McGinness, Administrative Assistant.

The following bill was reported from the Committee on Revised Statutes, as follows: **SB 144**, 1 favorably, 2 on merits, 1 unfavorably.

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

HB 327—An Act Making a Supplementary Appropriation to the State Board of Education and to the Board of Public Education in Wilmington for the Operation of Vocational and Technical Schools. (By Messrs. Dineen, Shockley, Moore, Eskridge, Murray, Davidson, Clifton, Phillips and Livingston; to Appropriations)

HB 328—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 Provisions for the Repayment Thereof, and Designating the Boards of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery. (By Messrs. Paskey and Annett; to Appropriations)

On motion the House recessed at call of the Chair at 2:37 P. M. The House met at the expiration of the recess at 5:12 P. M. Mr. Speaker presiding.

The Secretary of the Senate informed the House that the Senate had concurred on the following: **HB 131**, **HB 134**, **HB 179**, **HB 213**, **HB 242**, **HB 288**, **HB 314**.

The following bills were reported from committees as follows: Revenue and Taxation—**SB 52**, 3 favorably; **HB 323**, 3 favorably; Judiciary—**SB 168**, 1 favorably, 3 on merits; **SB 170**, 4 favorably; **HB 299**, 3 favorably, 1 on merits.

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

HB 329—An Act Providing for the Non-Reversion of Balances Remaining in the Income Tax Administration Account as Provided in Section 1195, 30, Delaware Code and Making a Supplementary Appropriation to Reimburse the State Tax Department for Funds Reverted on June 30, 1960. (By Messrs. Shockley and Keenan; to Revenue and Taxation)

HB 330—An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Posting of a Refund Bond When Appealing from an Order of the Public Service Commission Suspending the Operation of a Proposed Change of Rate. (By Mr. Shockley; to Miscellaneous)

HB 331—An Act to Amend Section 1502, Title 10, Delaware Code, Relating to the Salary of the Judge of the Court of Common Pleas of Kent County. (By Messrs. Fifer, Baker, Hocker, Myers, Exley, Busker and Shulties; to Judiciary)

HS 1 for HB 307—An Act to Authorize the State Highway Department to Install Tile on Land Belonging to the State of Delaware for Entrances and Exits to Property on Adjoining Landowners if Adjoining Landowners Purchase the Tile.