

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

NAYS—None.

NOT VOTING—Mr. Shockley—1.

ABSENT—Mr. Quigley—1.

HB 383 with **HA 1** 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 388—An Act to Amend Chapter 71, Title 10, Delaware Code, Redefining the Word “Nuisance”.

On the question, “Shall the Bill pass the House?” the Roll Call revealed:

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, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Keenan, Quigley—2.

HB 388 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Judiciary:

HB 495—An Act Relating to Constables and Their Fees and to Provide for Salaried Constables.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Judiciary:

HB 496—An Act to Amend Certain Sections of Chapter 59, Title 11, Code of Delaware, Relating to Justices of the Peace.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Miscellaneous:

HB 497—An Act to Permit Red Lights on Tow Vehicles.

Mr. Blendt introduced the following bill, which was given first and second reading by title only and referred to the Committee on Manufacturing and Commerce:

HB 498—An Act to Amend Chapter 51, Title 6 of the Delaware Code, Relating to the Standard Weight for Bread Loaves.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Fish, Oysters and Game:

HB 499—An Act Relating to Justice of the Peace by Regulating Costs and Fees Thereof.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Agriculture and Forestry:

HB 500—An Act to Amend Sections 7703 and 7708, Title 3, Delaware Code, Relating to Damage by Stray Livestock, by Changing the Provisions Thereof Relating to Costs and Constables.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Judiciary:

HB 501—An Act Relating to Jurisdiction and Venue of Justice of the Peace.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Judiciary:

HB 502—An Act Relating to Justices of the Peace, Providing for Salaried Justices of the Peace and Enlarging Their Jurisdiction.

Mr. Gove introduced the following bill, which was given first and second reading by title only and referred to the Committee on Public Buildings and Highways:

HB 503—An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department.

Mr. Casey introduced the following bill, which was given first and second reading by title only and referred to the Committee on Education:

HB 504—An Act to Amend Chapter 331, Volume 53, Laws of Delaware, to Provide Additional Funds for Capital Improvements.

Mr. Murray introduced the following bill, which was given first and second reading by title only and referred to the Committee on Miscellaneous:

HB 505—An Act to Amend Chapter 1, Title 13, Delaware Code, Relating to Marriage, Marriage Licenses and Marriage License Applications, and Making a Supplementary Appropriation to the State Board of Health to Effectuate the Amendment.

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 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.

Mr. Kleinbach moved to defer action on the bill, seconded by Mr. Casey.

On the question, "Shall Action on said Bill be deferred?" the roll call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Casey, Downs, Ehinger, Hocker, Keenan, Kleinbach, Myers, Pawson, Snowden, Truitt—14.

NOT VOTING—Messrs. Clifton, Murray—2.

ABSENT—Mr. Livingston—1.

NAYS—Messrs. Blendt, Busker, Davidson, Eskridge, Exley, Gove, Moore, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Mr. Speaker Tribbitt—15.

PRESENT—Messrs. Dineen, Fifer, Shockley—3.

The motion to defer action, was lost.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

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

NAYS—Mr. Kleinbach—1.

HB 283 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Phillips, Chairman of the Rules Committee, presented the following:

**REPORT OF HOUSE RULES COMMITTEE CONCERNING
RULING OF THE SPEAKER IN REGARDS TO
BRINGING BILL IN COMMITTEE OUT
ON THE FLOOR FOR VOTE**

The House Committee on Rules has been asked to give its opinion as to whether the Speaker was correct in ruling: A House Bill, having been reported out of committee, and subsequently recommitted to the committee by a majority of members present and voting, cannot be brought out of committee for vote on the floor by a motion concurred in by a majority of the members present and voting.

House Rule 35 states in part:

"Every motion shall be decided in a fair and impartial manner by the Speaker or presiding officer, and the vote of a majority of the members present and voting shall prevail, unless contrary to these rules or in conflict with the provisions of the Constitution . . ."

It will thus be seen that a majority vote of the members of the House is controlling, unless the Constitution or the Rules of the House provide otherwise.

House Rule 28 does seem to provide otherwise. It states:

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

Rule 28 seems clear; a bill may only be petitioned out of committee by 18 members so signifying in writing.

Since Rule 28 specifically provides for 18 written signatures the Speaker could not honor a motion (even if supported by a majority of the members present and voting), to bring a bill out of committee.

It is our opinion that the Speaker's ruling was correct.

THE HOUSE COMMITTEE ON RULES

By: Harrison Phillips

George H. Exley

Russell D. Dineen

Wm. Best

John H. Annett

At 5:35 P. M., Mr. Eskridge moved to adjourn until Wednesday, March 28, 1962 at 1:00 P. M. Mr. Robbins seconded the motion. Motion prevailed.

9TH LEGISLATIVE DAY

March 28, 1962

The House met pursuant to adjournment at 2:30 P. M. on March 28, 1962.

Prayer by the Chaplain, Rev. James.

Members present — 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, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

Members absent—Messrs. Gove, 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.

Mr. Gove presented the following: **HB 491** for committee report: 3 favorably, 2 on merits.

Mr. Dineen introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 506—An Act Making Supplemental Appropriations for Certain Contingencies in the Total Sum of \$760,000, for the Fiscal Year Beginning July 1, 1962, and Ending June 30, 1963, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of Budget Commission in Relation Thereto.

Mr. Shockley introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

HB 507—An Act to Amend Title 31, Delaware Code, Entitled "Welfare" in Respect to Needy Caretakers of Dependent Children.

At 2:55 P. M., Mr. Eskridge moved that the House recess. Motion prevailed. The House reconvened at 4:05 P. M.

Mr. Dineen introduced the following: **HA 1** to **HB 268**, which was given first reading and on further motion by him was placed with the bill.

Mr. Paskey introduced the following bill, which was given first and second reading by title only and referred to the Committee on Elections:

HB 508—An Act to Amend Title 15, Delaware Code, Relating to "Elections," by Providing for Availability of Voters' Registration Lists.

Mr. Robbins introduced the following bill, which was given first and second reading by title only and referred to the Committee on Education:

HB 509—An Act to Amend Chapter 331, Volume 53, Laws of Delaware, to Permit School Districts to Issue Bond Anticipation Notes in Connection with Capital Improvements.

Mr. Dineen introduced the following: **HA 1** to **HB 439**, which was given first reading and on further motion by him was placed with the bill.

Mr. Dineen presented the following bill, which was given first and second reading by title only and referred to the Committee on Labor:

HB 510—An Act to Amend Title 19, Section 2361 (c), Delaware Code, Relating to Workmen's Compensation.

Mr. Murray introduced the following bill, which was given first and second reading by title only and referred to the Committee on Miscellaneous:

HB 511—An Act to Provide for a Referendum on Local Option in Regards to Sale of Alcoholic Liquor on Sundays.

Mr. Murray introduced the following bill, which was given first and second reading by title only and referred to the Committee on Miscellaneous:

HB 512—An Act to Provide for a Referendum on Local Option in Regards to the Times of Sale of Alcoholic Liquors.

Mr. Hocker introduced the following: **HA 1** to **HB 274**, which was given first reading and on further motion by him was placed with the bill.

Messrs. Tribbitt and Best introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revenue and Taxation:

HB 513—An Act to Amend Chapter 11, Title 30, Delaware Code, so as to Provide That Distributions of Stock Pursuant to an Order Enforcing the Anti-Trust Laws Shall Not

be Treated as a Dividend but as a Gain to the extent the Basis of the Underlying Stock is Exceeded.

At 5:45 P. M., Mr. Eskridge moved that the House adjourn until Thursday, March 29, 1962, at 1:00 P. M.

10TH LEGISLATIVE DAY

March 29, 1962

The House met pursuant to adjournment at 2:30 P. M. on March 29, 1962.

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, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

Member absent—Mr. Pawson—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 communication was read to the House:

High Street, Odessa, Delaware, March 28, 1962
Representative Wilbert E. Hocker, Millville, Delaware
Dear Representative Hocker:

We heartily congratulate you on your firm and fervent stand against the further liberalizing of our State's liquor laws, and I, and, I know, thousands of other stalwart citizens are with you as you do that which is morally right and best for our citizens and our State.

Nothing is more important than the well-being of our citizens, and everything that we can do to protect the gullible from this vicious evil is sound and sensible legislation.

The liquor traffic is the number one national moral problem and the number three national health problem. I hate to think of what our State and Nation will be like if we continue to liberalize liquor laws. And be assured as far as the liquor industry is concerned there is no limit until it has confiscated the conscience of every citizen.

As I have stated before, we need to tighten up on many more laws in regard to this most vicious evil in our State instead of opening up more "polluting sluices."

I predict that within twenty-five years we shall have prohibition in most of our states or the liquor industry will succeed in doing what we say the Communists will never do, namely bury us.

We call India a retarded country, yet it puts America to shame with the great progress it is now making toward the total abolition of the liquor problem.

The American liquor industry has brained washed millions of our citizens by its deceptive propaganda and advertising. It now is on the defensive more than ever, as it seeks cleverly to cover up its evocative evil by suppressing all the unfavorable results it can as it controls many of our various media.

The word of God is inescapable in every century: "The wages of sin is death, but the gift of God is eternal life."

With kindest regards and best wishes, I am

Gratefully,

Rev. Harry Hanson Conner

P. S.—You may read this letter to the General Assembly and incorporate it in the minutes of the proceedings.

Messrs. Eskridge and Robbins introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 514—An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1963.

Messrs. Kleinbach and Best introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

HS 1 for HB 116—An Act Calling for the Submission to the Qualified Electors of the State at the Next General Election of the Question of a Convention to Revise and Amend the Constitution.

Mr. Dineen introduced the following: **HA 2 to HB 439**, which was given first reading, and on further motion by him was placed with the bill.

Mr. Dineen introduced the following: **HA 2 to HB 268**, which was given first reading, and on further motion by him was placed with the bill.

Mr. Dineen introduced the following: **HA 2 to HB 389**, which was given first reading, and on further motion by him was placed with the bill.

Mr. Truitt introduced the following: **HA 1 to HB 476**, which was given first 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 476 with HA 1—An Act to Amend Title 30, Delaware Code of 1953, Relating to the Income Tax and Providing for the Declaration and Payment of Estimated Income Tax.

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

YEAS—Messrs. Bartleson, Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Eskridge, Exley, Keenan, Livingston, Murray, Phillips, Prettyman, Quigley, Robbins, Shockley, Truitt, Mr. Speaker Tribbitt—20.

NOT VOTING—Messrs. Casey, Shulties—2.

ABSENT—Messrs. Gove, Pawson—2.

NAYS—Messrs. Annett, Ehinger, Fifer, Hocker, Kleinbach, Myers, Moore, Paskey, Jr., Richards, Snowden—10.

PRESENT—Mr. Baker—1.

HB 476 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Davidson presented the following for committee report: **HB 435**, 4 on merits.

Mr. Busker presented the following for committee report, **HB 484**: 4 on merits.

Mr. Busker presented the following for committee report, **SB 322**: 4 favorably.

Mr. Bartleson asked the Chair to explain the Rules Committee's decision on bringing **HB 422** out of committee.

After some discussion, Mr. Kleinbach moved for roll call on Rules Committee's decision.

The roll call revealed:

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

ABSENT—Messrs. Gove, Pawson—2.

NAYS—Mr. Livingston—1.

PRESENT—Messrs. Bartleson, Keenan—2.

The Committee's decision was sustained.

Messrs. Exley, Shulties and Moore introduced the following resolution, which was given first reading and on further motion by Mr. Exley was adopted:

HR 141—Authorizing the Payment of Certain Expenses for the Printing of Bill Backers, Duplicate Bills and Original Resolutions for the House of Representatives of the 121st General Assembly.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of sixty-five (\$65.00) dollars is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay The Harrington Journal, Harrington, Delaware, for 50 outside Bill Backers, 500 Duplicate Bills and 175 Original Resolutions for the House of Representatives of the 121st General Assembly.

Mr. Robbins introduced the following resolution, which was given first reading, and on further motion by him, was adopted:

HR 142—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly.

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 5th Legislative Day and including the 10th Legislative Day of the current session:

Joseph T. Walsh	\$225.00
Harrison F. Turner	225.00
James B. Messick	225.00
Gerald Berkowitz	450.00
Noble Carroll	231.00
Mary Ann McCabe	165.00
Elizabeth Wainwright	150.00
Rev. Arthur James	120.00
James Quigley	165.00
David L. Farrone	75.00
John A. Farrone	75.00
Martha Dixon	120.00
Ruth Ross	120.00
Orville Cephas	120.00
Lillian Wallace	120.00
Pauline Holmes	120.00
Jean Demel	165.00
Lillian Weston	150.00
Margaret Walker	165.00
William L. David	120.00
Claude W. Jordan	120.00
Helen Reihm	120.00
Louise H. Pennewill	165.00
Alberta Jackson	120.00
Alton B. Cordrey	200.00
Elizabeth G. Ennis	120.00
Ernest Council	120.00
Allen S. Moffitt	120.00
George L. Everett	150.00
Julian Graham	165.00
Lloyd Minner	120.00
Bradford Holliday	120.00
Willard C. Robbins	120.00
William B. Morgan, Jr.	120.00
Helen Collins	120.00
Mary Wilson	120.00
Samuel Messick	150.00
Daniel Boyce	120.00
B. Guy Wheatley	120.00
Emory Spicer	120.00
Melba Webb	261.25

Catherine Swartwood	220.00
L. B. Knapp	150.00
W. Lawrence Hudson	120.00
Lewis Killen	120.00
Roland Legates	120.00
Walter Conway	120.00
Frank Calio, Jr.	120.00
Ernest Homewood	120.00
Joseph Watson Baker, Sr.	120.00
Francis X. Splane	150.00
June Roop	165.00
Charles Downs	120.00
George W. Kirkby	120.00
Roy D. Freeman	360.00
Wilson Bailey	120.00

Mr. Robbins introduced the following resolution, which was given first reading, and on further motion by him, was adopted:

HR 143—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly.

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 for the Fifth Legislative Day and including the Tenth Legislative Day—1962—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	\$ 32.40
William W. Baker	54.00
William T. Best	171.00
T. Lees Bartleson	196.00
Carlton Blendt, Jr.	30.00
Glenn Busker	15.60
Andrew Casey	60.00
Carlton Clifton	36.00
Robert Davidson	38.40
Russell Dineen	180.00

Robert N. Downs, III	57.60
Norman Eskridge	126.00
George Exley	24.00
Harvey Fifer	6.00
Chester Gove	30.00
Wilbert Hocker	72.00
Ralph S. Keenan	60.00
Charles S. Kleinbach	51.60
Paul F. Livingston	60.00
Orville B. Myers	12.00
Jennings Moore	49.20
Thomas P. Murray	60.00
William Paskey, Jr.	16.80
Robert Pawson	52.80
Harrison Phillips	61.20
Carl Prettyman	18.00
James Quigley	54.00
George Robbins	68.40
Paul Shockley	60.00
Dawson H. Shulties	12.00
Robert Snowden	48.00
Sherman Tribbitt	30.00
Clarence E. Truitt	60.00

Mr. Robbins introduced the following: **HA 1** to **SB 347**, which was given first reading, and on further motion by him was adopted.

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 347 with **HA 1**—An Act Making a Supplementary Appropriation to the Joint Veterans Claims Committee for the Fiscal Year Ending June 30, 1962, to Pay Expenses of Operation and Certain Claims of Veterans as Determined Pursuant to Chapter 82, Volume 53, Laws of Delaware.

Mr. Best moved for deferment of **SB 347** with **HA 1**.

Mr. Quigley moved that the motion to defer be tabled. Motion was seconded and sustained.

On the question, "Shall the Biill as Amended pass the House?" the roll call revealed:

YEAS—Messrs. Baker, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Gove, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—26.

NOT VOTING—Messrs. Best, Downs, Fifer, Richards, Snowden—5.

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

NAYS—Mr. Annett—1.

SB 347 with **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Messrs. Bartleson and Ehinger introduced the following bill, which was given first and second reading by title only and referred to the Committee on Recised Statutes:

HS 1 for **HB 2**—An Act Proposing an Amendment to Article II of the Constitution of the State of Delaware, Relating to the Composition of the House and Senate by Providing for Expansion and Reapportionment.

At 4:30 P. M., Mr. Eskridge moved that the House recess to the call of the Chair. The House reconvened at 5:25 P. M.

Mr. Dineen introduced the following: **HA 1** to **HB 390**, which was given first reading, 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 390 with **HA 1**—An Act to Amend Title 11, Delaware Code of 1953, Chapter 3, Subchapter XXXV, Entitled "Lotteries, Gambling and Betting" by Providing Penalties for Violations of Sections 661, 662, 663, 664, 665, 666, 667, 669, and 670.

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

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

NOT VOTING—Mr. Clifton—1.

ABSENT—Messrs. Keenan, Pawson—2.

NAYS—Messrs. Livingston, Murray, Shockley—3.

HB 390 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge introduced the following resolution, which was given first reading, and on further motion by him, was adopted and ordered to the Senate for concurrence:

HCR 38—Fixing the Time for Temporary Adjournment by the House of Representatives and the Senate of the 121st General Assembly of the State of Delaware.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly, the Senate concurring therein that both the House and Senate shall adjourn temporarily at the conclusion of business on the 10th Legislative Day until Monday, April 9, 1962, at 1:00 o'clock P. M., provided, however, that the Senate may be reconvened at any time upon call of the President Pro Tempore for the purpose of receiving and acting upon appointments by the Governor, and fur-

ther provided that the House and Senate may be reconvened at any time upon the call of the Speaker of the House and the President Pro Tempore.

Mr. Murray introduced the following: **HA 1** to **HB 505**, which was given first reading and on further motion by him was adopted and placed with the bill.

Mr. Robbins presented the following for committee report: **HB 509**, 5 favorably.

Mr. Truitt presented the following for committee report: **HB 492**, 4 favorably, 1 on merits.

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

HB 491—An Act to Amend Section 1118 (8), Title 30, Code of Delaware, Relating to the Delaware State Income Tax Law, by Providing an Alternative Method for the Deduction of Losses Resulting from Certain Disasters.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

NAYS—None.

ABSENT—Messrs. Keenan, Kleinbach, Moore, Pawson, Quigley, Snowden—6.

HB 491 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Casey presented the following bill for committee report: **HB 504**, 5 favorably.

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

SB 366—An Act to Enable the State of Delaware to Obtain from the Federal Government Available Disaster Relief and Assistance.

On motion of Mr. Eskridge, all rules were suspended in order to take **SB 366** up for final consideration.

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

NAYS—None.

ABSENT—Messrs. Keenan, Kleinbach, Moore, Pawson, Quigley, Snowden—6.

SB 366 having received the constitutional majority, passed the House and was ordered back to the Senate.

Mr. Truitt presented the following for committee report: **HB 369**, 2 favorably, 2 on merits.

Mr. Truitt presented the following for committee report:
HB 513, 4 favorably.

Mr. Phillips introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revenue and Taxation:

HB 515—An Act to Amend Chapter 11, Title 30, Delaware Code, by Providing That Distributions of Stock Pursuant to a Court Order Enforcing the Anti-Trust Laws Shall Not be Treated as a Dividend but as a Gain to the Extent the Basis of the Underlying Stock is Exceeded.

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 308 with SA 1—An Act to Amend Chapter 83, Title 16, Delaware Code, Entitled Building Code for Rural New Castle County, by Including Industry and Industrial Buildings Within the Building Code.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—28.

NAYS—None.

ABSENT — Messrs. Blendt, Keenan, Kleinbach, Moore, Pawson, Quigley, Snowden—7.

SB 308 with SA 1 having received the constitutional majority, passed the House and was ordered back to the Senate.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

HB 516—An Act to Amend Title 29, Chapter 25, Delaware Code, Relating to the Attorney General.

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 445—An Act to Amend Chapter 155, Volume 53, Laws of Delaware with Respect to Support from Relatives of Persons Applying for or Receiving Public Assistance.

On motion of Mr. Eskridge, the bill was deferred until such time as a member of the Welfare Department could explain the bill.

On motion of Mr. Casey, rules were suspended in order to take up **HB 504**.

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

HB 504—An Act to Amend Chapter 331, Volume 53, Laws of Delaware, to Provide Additional Funds for Capital Improvement.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—28.

NAYS—None.

ABSENT — Messrs. Blendt, Keenan, Kleinbach, Moore, Pawson, Quigley, Snowden—7.

HB 504 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Truitt presented the following for committee report:

HB 515, 3 on its merits.

At 6:40 P. M., Mr. Eskridge moved that the House adjourn in accordance with **HCR 38**.

11TH LEGISLATIVE DAY

April 9, 1962

The House met pursuant to adjournment at 2:40 P. M. on April 9, 1962.

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 communications were read to the House:

RESOLUTION

WHEREAS, The storm which ravaged the Coastal Area of Delaware on March 6-7 has caused damage that will require millions of dollars to repair, and

WHEREAS, The U. S. Junior Chamber of Commerce and The Delaware Junior Chamber of Commerce have gone on record as favoring a form of tax relief, and

WHEREAS, The Unemployment rolls and Welfare rolls are putting an excessive drain on our tax dollar, and

WHEREAS, The cleanup work that needs to be done in the damaged area can be done by people on these rolls,

NOW, THEREFORE, BE IT RESOLVED, That the Executive Committee of The Delaware Junior Chamber of Com-

merce recommend that the Unemployment Compensation Commission and the Department of Public Welfare require the physically able persons on their rolls to work in the disaster area or forfeit the benefits they receive from these agencies.

The above is a true copy of a resolution adopted by The Delaware Junior Chamber of Commerce Executive Committee at its regular Executive Committee Meeting on March 12, 1962

ELLWOOD A. COOK, JR.

President, Delaware Junior Chamber of Commerce

AMERICAN FEDERATION OF STATE, COUNTY, AND
MUNICIPAL EMPLOYEES

New Castle, Delaware, April 3, 1962

Representative Glenn W. Busker

215 W. Mt. Vernon St., Smyrna, Delaware

Mr. Busker:

Dear Sir—The members of Local #218 request that Senate Bill #315 be deferred, as we oppose it in its present form. For failing to recognize the needs for all School Employees. We request the opportunity to be heard before this bill is passed. Therefore, we would recommend that all School Employees be treated alike.

We would like to recommend that whatever increase in salary is given to one employee, the same increase in salary should be given to all School Employees.

Sincerely yours,

DANIEL F. ROSAR, President

Message from the Governor's Office: On date indicated, the Governor approved the following legislation:

March 26, 1962—SB 321

March 30, 1962—SB 347 with HA 1, SB 366, HB 491, HB 494.

Mr. Eskridge presented the following for committee report: HB 514, 5 favorably.

Mr. Eskridge presented the following for committee report: HB 468, 3 favorably, 2 on merits.

Mr. Eskridge presented the following for committee report: HB 473, 5 favorably.

Mr. Eskridge presented the following for committee report: HB 478, 4 favorably, 1 on merits.

Mr. Phillips presented the following for committee report: HB 497, 5 favorably.

The Chair presented the following resolution, which was given first reading, and on further motion by Mr. Eskridge, was adopted and ordered returned to the Senate:

SCR 48—Making Appropriations to Various Companies for Supplies and Services Rendered the 121st General Assembly of the State of Delaware.

The Chair presented the following resolution, which was given first reading on further motion by Mr. Eskridge, was adopted and ordered returned to the Senate:

SJR 11—Authorizing a Report and Study by the Automotive Safety Foundation and Providing for a Legislative Joint Fact-Finding Committee.

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 385—An Act to Amend Title 11, Delaware Code, Chapter 23, Relating to Search and Seizure.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Mr. Keenan—1.

NAYS—Messrs. Livingston, Murray, Shockley—3.

HS 1 for HB 385 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:

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.

Mr. Eskridge moved that **SB 73** be laid on the table until an opinion from the Attorney General's Office.

Messrs. Hocker and Tribbitt introduced the following resolution, which was given first reading, and on further motion by Mr. Eskridge was adopted by voice vote and ordered to the Senate for concurrence:

HCR 39—Requesting the Custodian of the State House to Furnish Certain Information to the House of Representatives and the Senate.

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

A survey of the requirements of the House of Representatives and the Senate for an amplifying system by which each Representative and Senator would have the bene-

fit and use of a microphone at his desk and additional microphones places for reading clerks and wherever else necessary.

B. Estimates of the cost of acceptable amplifying systems and microphones recommended by the custodian of the State House.

Mr. Dineen introduced the following: **HA 2 to HB 389**, which was given first reading 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 389 with HA 2—An Act to Amend Chapter 9, Title 4, Delaware Code, Relating to Alcoholic Liquors.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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 389 with HA 2 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Livingston introduced the following resolution, which was given first reading and on further motion by him was adopted:

HR 144—In Reference to the Election of Officers.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that Orville Cephas, cloak room attendant, having resigned effective at the close of the Legislative Day, March 29, 1962, is relieved of his duties effective at the close of the Legislative Day, March 29, 1962.

BE IT FURTHER RESOLVED, that Oliver Underhill is hereby elected to the office of cloak room attendant effective April 9, 1962, to serve during the pleasure of the House of Representatives.

Mr. Robbins introduced the following resolution, which was given first reading, and on further motion by him, was adopted:

HR 145—An Act Making an Appropriation to the Western Union Telegraph Co. for Services Rendered on March 14, 1962.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of \$37.40 be paid to the Western Union Telegraph Co. for services rendered on March 14, 1962.

Messrs. Exley, Moore and Shulties introduced the following resolution, which was given first reading, and on further motion by Mr. Exley, was adopted:

HR 146—Authorizing the Payment of Certain Expenses for the Printing of Calendars for the House of Representatives of the 121st General Assembly.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of Seven Hundred Sixty-five 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.

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 322—An Act to Amend Section 4301, Title 29, Delaware Code, Relating to Appointment of Notaries Public.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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 322 having received the constitutional majority, passed the House and was ordered back 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 484—An Act to Amend Section 5924, Title 11, Delaware Code, Relating to Filing Fees by the Justice of the Peace.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

NAYS—None.

ABSENT—Mr. Murray—1.

HB 484 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:

HB 509—An Act to Amend Chapter 331, Volume 53, Laws of Delaware, to Permit School Districts to Issue Bond Anticipation Notes in Connection with Capital Improvements.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, 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, Snowden, Truitt, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Fifer, Quigley—2.

HB 509 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Robbins introduced the following: **HA 1** to **HB 493**, which was given first reading, and on further motion by him, was placed with the bill.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

SB 353—An Act Proposing an Amendment to Article 2, Section 25, of the Constitution of the State of Delaware, Relating to Zoning by Providing for Zoning by All the Counties of Delaware.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Manufacturing and Commerce:

SB 364—An Act to Amend Chapter 51, Title 6, Delaware Code, Relating to the Weight for Bread Loaves.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Education:

SB 357 with **SA 1**, and **SA 2**—An Act to Amend Chapter 25 of Title 14 of the Delaware Code in Relation to the Creation of New High School Districts.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Education:

SB 358 with **SA 1**—An Act to Amend Chapter 11 of Title 14, of Delaware Code, in Relation to the Consolidation of School Districts.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

SB 109—An Act to Amend Chapter 11, Title 31, Delaware Code, Entitled Welfare Agencies and Recipients of Assistance.

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 205—An Act to Amend Section 1136, Title 30, Delaware Code, Relating to State Taxes.

Mr. Eskridge moved that the bill be tabled. Motion sustained.

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 492—An Act to Amend Chapter 7, Title 7, of the Delaware Code, Relating to Regulations and Prohibitions Concerning Game and Fish by Adding Increased Penalties for Deer Violations.

On motion of Mr. Ehinger, the bill was deferred.

Messrs. Ehinger and Robbins introduced the following: **HA 1 to HB 470**, which was given first reading and on further motion by Mr. Ehinger, was placed with the bill.

Mr. Murray introduced the following: **HA 1 to HB 485**, which was given first reading, and on further motion by him, was placed with the bill.

Messrs. Fifer and Truitt introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revenue and Taxation:

HB 517—An Act to Amend Section 1133, Title 28, Delaware Code, Relating to Fees for Bingo.

Mr. Murray (by request) introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Education:

HB 518—An Act to Amend Title 14 of the Delaware Code Entitled "Education", by Providing for a Duty Free Period Near the Lunch Time.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Judiciary:

HB 519—An Act to Amend Section 704, Title 21, Code of Delaware, Relating to Jurisdiction of Motor Vehicle Offenses.

Mr. Robbins introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 520—An Act Making a Supplementary Appropriation to the State Board of Education for the Fiscal Year Ending June 30, 1962, for Salaries of Employees.

Mr. Robbins introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 521—An Act to Amend Chapter 29, Title 14, Delaware Code, Relating to Transportation of Pupils and Appro-

priating Funds Therefor.

At 4:25 P. M., Mr. Eskridge moved that the House adjourn until Tuesday, April 10, 1962, at 1:00 P. M.

12TH LEGISLATIVE DAY

April 10, 1962

The House met pursuant to adjournment at 2:35 P. M. on April 10, 1962.

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, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

Member absent—Mr. Pawson—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.

Mr. Gove presented the following committee report:
HB 459, 4 favorably.

Mr. Davidson presented the following committee report:
HB 507, 1 favorably, 2 on merits.

Mr. Davidson presented the following committee report:
HB 271, 2 unfavorably, 2 on merits.

Mr. Davidson presented the following committee report:
HB 516, 4 favorably, 1 on merits.

Mr. Davidson presented the following committee report:
SB 109, 2 on its merits, 3 favorably.

Mr. Davidson presented the following committee report:
SB 353, 4 favorably, 1 on its merits.

Mr. Robbins presented the following committee report:
SB 358 with **SA 1**, 5 favorably.

Mr. Robbins presented the following committee report:
SB 357 with **SA 1** and **SA 2**, 5 favorably.

Mr. Busker presented the following committee report:
SB 156, 4 favorably.

Mr. Busker presented the following committee report:
HB 479, 4 favorably.

Mr. Eskridge moved that the House recess at 2:48 P. M. to the call of the Chair. The Chair called the House to order at 4:20 P. M.

Messrs. Shockley, Murray, Keenan, Livingston and Dineen introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 522—An Act Appropriating Money to the Mayor and Council of Wilmington for Use of Its Fire Companies.

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 439 with HA 2—An Act to Amend Section 5103, Title 31, Delaware Code, by Increasing the Membership of the Youth Services Commission and Making Certain Changes in the Compensation and Duties of the Commission.

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

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, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Gove, Pawson, Quigley—3.

HB 439 with HA 2 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Busker introduced the following: **HA 1 to HB 499**, which was given first reading, and on further motion by him was placed with the bill.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Public Buildings and Highways:

SB 368—An Act Authorizing the State Highway Department to Use Twenty-Four Acres of State Owned Lands in Sussex County, Now Being Used by the State Board of Corrections.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Printing:

SB 352—An Act to Amend Section 6704, Title 29, Delaware Code, Relating to Deposits to Accompany Bids for the Furnishing of Supplies, Work, Stationery, Printing and Binding.

Mr. Dineen introduced the following: **HA 2 to HB 468**, which was given first reading, and on further motion by him, was adopted.

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

HB 468 with HA 2—An Act Appropriating Moneys to the New Castle County Department of Elections.

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

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

Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—32.

NAYS—Mr. Myers—1.

ABSENT—Messrs. Pawson, Snowden—2.

HB 468 with **HA 2** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 478—An Act Making a Supplementary Appropriation to the Delaware State Hospital for the Distribution of Federal Surplus Foods to Needy Persons in the State of Delaware.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

NOT VOTING—Messrs. Baker, Fifer, Hocker—3.

ABSENT—Messrs. Pawson, Snowden—2.

NAYS—Messrs. Annett, Myers—2.

HB 478 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Eskridge, the House adjourned until Wednesday, April 11, 1962, at 1:00 P. M.

13TH LEGISLATIVE DAY

April 11, 1962

The House met pursuant to adjournment at 3:20 P. M. on April 11, 1962.

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, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Quigley, Snowden—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.

Mr. Gove presented the following for committee report: **SB 368**, 5 favorably.

Mr. Davidson presented the following committee report: **HB 418**, 3 on merits, 1 favorably.

Mr. Dineen introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 523—An Act to Transfer Certain Funds of the Delaware Interstate Highway Division to the General Fund of the State for the Purpose of Reimbursing the State for Pensions for Employees of the Division.

Mr. Dineen introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

HB 524—An Act Proposing an Amendment to the Constitution of the State of Delaware, Relating to the Time and Frequency of Sessions of the General Assembly.

Messrs. Dineen and Bartleson introduced the following bill, which was given first and second reading by title only and referred to the Committee on Elections:

HB 525—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 and Without the State or Election Districts Thereof to Vote.

Messrs. Truitt, Dineen and Best introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations.

HB 526—An Act to Repeal "An Act to Amend Chapter 17, Title 14, Delaware Code, by Providing for the Allocation of Unit Appropriations to the Sussex County Vocational and Technical School, and by Making a Supplementary Appropriation for the Fiscal Year Ending June 30, 1962", Being Chapter 183, Volume 53, Laws of Delaware.

Mr. Robbins introduced the following resolution, which was given first reading, and on the question, the resolution was deferred:

HR 147—Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending February 11, 1962.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the sum of \$111.00 be paid to the Diamond State Telephone Company for services rendered for the period ending February 11, 1962, for phone RE-6-6180.

Messrs. Dineen and Ehinger introduced the following: **HA 1** to **HB 488**, which was given first reading, and on further motion by him, was placed with the bill.

Mr. Kleinbach introduced the following: **HA 1** to **HB 271**, which was given first reading, and on further motion by him was placed with the bill.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Judiciary:

HS 1 for HB 495—An Act Relating to Constables and Their Fees and to Provide for Salaried Constables.

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 497—An Act to Permit Red Lights on Tow Vehicles.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

NAYS—Mr. Moore—1.

ABSENT—Messrs. Livingston, Murray, Quigley, Snowden—4.

HB 497 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Messrs. Annett and Shulties introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 527—An Act Making a Supplementary Appropriation to the State Board of Education for the Fiscal Year Ending June 30, 1962, for the Additional Cost of Transporting School Children.

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 109—An Act to Amend Chapter 11, Title 31, Delaware Code, Entitled "Welfare Agencies and Recipients of Assistance."

SB 109 on motion by Mr. Davidson was deferred.

Mr. Phillips presented the following for committee report: **HB 505** with **HA 1**, 5 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:

SB 156—An Act to Amend Chapter 43, Title 11, Delaware Code, Relating to Probation by Permitting Justices of the Peace to Suspend Sentences Temporarily.

On motion by Mr. Eskridge, **SB 156** was deferred.

Mr. Eskridge moved that the House adjourn until Thursday, April 12, 1962, at 1:00 P. M.

14TH LEGISLATIVE DAY

April 12, 1962

The House met pursuant to adjournment at 2:30 P. M. on April 12, 1962.

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

Members absent—Messrs. Dineen, Livingston, 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.

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 471—An Act to Amend Part III, Title 19, Delaware Code, Relating to Unemployment Compensation, by Changing Certain of the Eligibility Provisions Thereof.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

NOT VOTING—Messrs. Hocker, Robbins—2.

ABSENT—Messrs. Dineen, Livingston, Shockley—3.

NAYS—Mr. Busker—1.

HB 471 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Messrs. Shulties and Kleinbach introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

HB 533—An Act to Amend Title 26, Section 113, Delaware Code, to Exempt Certain Motor Vehicles from Inspection Fees Imposed by the Public Service Commission.

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 368—An Act Authorizing the State Highway Department to Use Twenty-Four Acres of State Owned Lands in Sussex County, Now Being Used by the State Board of Corrections.

On motion by Mr. Best to defer action on the bill, Mr. Quigley moved for a roll call on the motion. The Chair so ordered.

The Roll Call revealed:

YEAS—Messrs. Bartleson, Best, Casey, Downs, Ehinger, Fifer, Keenan, Richards—8.

NOT VOTING—Mr. Myers—1.

ABSENT—Messrs. Annett, Dineen, Hocker, Kleinbach, Livingston, Pawson, Shockley—7.

NAYS—Messrs. Baker, Blendt, Busker, Clifton, Davidson, Eskridge, Exley, Gove, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—19.

The motion was lost.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS — Messrs. Baker, Best, Blendt, Busker, Casey, Clifton, Davidson, Eskridge, Exley, Gove, Keenan, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—23.

NOT VOTING—Mr. Richards—1.

ABSENT—Messrs. Annett, Bartleson, Dineen, Hocker, Kleinbach, Livingston, Pawson, Shockley—8.

NAYS—Messrs. Downs, Ehinger, Fifer—3.

SB 368 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shulties presented the following for committee report: SB 364, 3 favorably, 1 on merits.

Mr. Exley presented the following for committee report: SB 352, 5 favorably.

At 3:45 P. M., Mr. Eskridge moved that the House recess to the call of the Chair. The Chair called the House to order at 4:22 P. M.

Mr. Robbins introduced the following resolution, which was given first reading, and on further motion by him, was adopted:

HR 148—Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending February 11, 1962.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the sum of \$147.15 be paid to the Diamond State Telephone Company for services rendered for the period ending February 11, 1962, for phone RE-6-1113.

Mr. Robbins introduced the following resolution, which was given first reading, and on further motion by him, was adopted:

HR 149—Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending February 11, 1962.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the sum of \$91.59 be paid to the Diamond State Telephone Company for services rendered for the period ending February 11, 1962, for phone RE-6-6111.

Mr. Clifton introduced the following resolution, which was given first reading, and on further motion by him, was adopted:

HR 150—Relative to the Death of Former Representative George Manlove.

WHEREAS, the House of Representatives of the 121st General Assembly of the State of Delaware has learned with regret of the passing of George Manlove, a former member of the House; and

WHEREAS, former State Representative George Manlove served his State faithfully and well during his term in the General Assembly of the State of Delaware; and

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

NOW, THEREFORE

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of George Manlove, a prominent figure in his community and a former member of the House of Representatives; and

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

Messrs. Dineen, Kleinbach and Pawson introduced the following bill, which was given first and second reading by title only and referred to the Committee on Miscellaneous:

HB 528—An Act Establishing a Public Lands and Higher Education Fund, and Providing for the Payment Into Said Fund of All Income Tax Payments to the State of Delaware Based on Taxable Income Resulting from Distributions of Divested Stock as Defined in Section 1111 of the Internal Revenue Code of 1954.

Messrs. Exley and Paskey introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 529—An Act Appropriating Certain Moneys to Delaware State Fair, Inc., for Prizes.

Messrs. Exley, Paskey, Keenan and Richards introduced the following bill, which was given first and second reading by title only and referred to the Committee on Miscellaneous:

HB 530—An Act to Amend Chapter 5, Title 28, Delaware Code, Relating to Employees at Harness Races.

Messrs. Exley, Paskey, Keenan and Richards introduced the following bill, which was given first and second reading by title only and referred to the Committee on Miscellaneous:

HB 531—An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Employees at Horse Racing Meets.

Messrs. Casey, Exley and Myers introduced the following resolution, which was given first reading, and referred to the Committee on Miscellaneous:

HCR 40—Providing for Restriction of Certain Activities by the United States Government Within the State of Delaware and the Repeal of the Sixteenth Amendment to the Constitution of the United States.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware, the Senate concurring therein:

Section 1. That the Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution of the United States.

Section 2. That the constitution or laws of any state, or the Laws of the United States shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

Section 3. That the activities of the United States Government which violate the intent and purposes of this amendment shall, within a period of three years from the date of the ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

Section 4. That three years after the ratification of this amendment the sixteenth article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts.

Section 5. That certified copies of this concurrent resolution shall be forwarded by the Governor of this State to the Secretary of State of the United States, to the presiding officer of the United States Senate and to the Speaker of the House of Representatives of the United States.

Section 6. That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby directed, to deliver to the said Governor certified copies of this resolution at their earliest convenience.

Mr. Ehinger introduced the following: **HA 2** to **HB 470**, which was given first reading, and on further motion by him, was adopted.

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 470 with HA 2—An Act to Regulate the Practice of Psychology in Delaware, as Herein Defined; to Create a "State Board of Examiners of Psychologists"; to Prescribe the Powers, Duties and Limitations of Said Board; to Fix Penalties for the Violation of This Act.

On motion of Mr. Ehinger, the bill was deferred.

Messrs. Eskridge and Best introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Miscellaneous:

HB 532—An Act to Provide Benefits to the Surviving Spouse or Persons Elected to Any State or County Office.

Mr. Eskridge moved that the House adjourn until Monday, April 16, 1962, at 1:00 P. M.

15TH LEGISLATIVE DAY

April 16, 1962

The House met pursuant to adjournment at 2:45 P. M. April 16, 1962.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, 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—34.

Member absent—Mr. Fifer—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.

Mr. Eskridge presented the following for committee report: **HB 526**, 5 favorably.

Mr. Davidson presented the following for committee report: **HB 533**, 4 on its merits.

Mr. Busker presented the following for committee report: **HB 519**, 3 favorably, 2 on merits.

Mr. Busker presented the following for committee report: **HS 1** for **HB 495**, 2 favorably, 3 on merits.

Mr. Busker presented the following for committee report: **HB 496**, 3 favorably, 2 on merits.

Mr. Busker presented the following for committee report: **HB 501**, 2 favorably, 2 on merits.

Mr. Busker presented the following for committee report: **HB 502**, 3 favorably, 2 on merits.

Mr. Exley withdrew his name as co-sponsor of **HCR 40**, with the following statement:

Mr. Speaker, I would like to withdraw my sponsorship of House Concurrent Resolution No. 40.

When I agreed to sponsor the resolution, it was represented to me as a measure to petition the Congress of the

United States of America to prepare an amendment to the Constitution which would limit the federal government's income taxing powers.

I am still of a mind that there might be benefit in limiting the income taxing powers of the federal government. But I am not in favor of eliminating altogether federal personal income tax.

I am also not in favor of the other features which this resolution advocates. I am advised that the resolution is so sweeping in its proposals for reform that it will do far more than merely limit the federal government's power to tax personal incomes.

It will free all personal incomes from tax. It will also eliminate federal tax on estates of deceased persons, and it will open the door to gift giving by business and industry as a disguised payment plan.

But the terrifying thought is really the important governmental services which it will curtail.

It will eliminate, for example: The Post Office Department, Social Security, Veterans Insurance, The Rural Electrification Administration, the Small Business Administration, federal loans of any type including those for urban renewal, highways and aid to dependent nations:

Perhaps it will, as was suggested, reduce the federal government's budget by 7 Million Dollars—it seems to me it should reduce it by 7 Billion Dollars—but it will eliminate services which are vital to our strength as a Nation. This resolution might well be substituted by one encouraging the President and Congress to just give the nation to the Soviet Union. I am interested in studying possible reforms, but I am not interested in sponsoring a measure which undermines the American system of government.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Appropriations:

SB 359—An Act Authorizing the Delaware Commission for the Blind to Contract with Any Public Library for That Library to Render Special Library Services to the Blind Throughout the State of Delaware and to Receive Reimbursement from the Delaware Commission for the Blind for the Cost of Such Services.

The Chair presented the following resolution, which was given first and second reading by title only, and referred to the Committee on Claims:

SCR 49—Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending February 11, 1962, and March 11, 1962.

The Chair presented the following resolution, which was given first and second reading by title only, and referred to the Committee on Miscellaneous:

SCR 47—Relative to the Preservation of the “Old Boyce House”, Situated in White Clay Creek Hundred, New Castle County and State of Delaware.

Mr. Phillips introduced the following: **HA 1 to HB 513**, which was given first reading.

On the question, Mr. Eskridge moved for a roll call on **HA 1 to HB 513**.

The Roll Call revealed:

YEAS—Messrs. Clifton, Phillips—2.

ABSENT—Messrs. Annett, Fifer—2.

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

The amendment was lost.

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

HB 513—An Act to Amend Chapter 11, Title 30, Delaware Code, so as to Provide That Distributions of Stock Pursuant to an Order Enforcing the Anti-Trust Laws Shall Not be Treated as a Dividends but as a Gain to the Extent the Basis of the Underlying Stock is Exceeded.

On the question, “Shall the Bill pass the House?” the Roll Call revealed:

YEAS—Messrs. Baker, Bartleson, Best, Blendt, 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—30.

NOT VOTING—Mr. Gove—1.

ABSENT—Messrs. Annett, Fifer, Livingston—3.

NAYS—None.

PRESENT—Mr. Busker—1.

HB 513 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge introduced the following: **HA 1 to HB 514**, which was given first reading and on further motion by him was adopted and placed with the bill.

Mr. Murray (by request) introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revised Statutes:

HB 534—An Act to Amend Section 555 (h), Title 4, Delaware Code, Relating to License Fees.

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 357 as amended by **SA 1** and **SA 2**—An Act to Amend Chapter 25 of Title 14 of the Delaware Code in Relation to the Creation of New High School Districts.

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

YEAS—Messrs. Baker, Bartleson, Best, Blendt, 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—30.

NOT VOTING—Mr. Gove—1.

ABSENT—Messrs. Annett, Fifer, Livingston—3.

PRESENT—Mr. Busker—1.

SB 357 with **SA 1** and **SA 2** having received the constitutional majority, passed the House and was ordered back to the Senate.

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 358 with **SA 1**—An Act to Amend Chapter 11 of Title 14, of Delaware Code, in Relation to the Consolidation of School Districts.

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

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

ABSENT—Messrs. Annett, Dineen, Fifer, Quigley—4.

NAYS—None.

SB 358 with **SA 1** having received the constitutional majority, passed the House and was ordered back to the Senate.

Messrs. Busker, Myers, Davidson, Gove and Blendt introduced the following: **HA 1** to **HB 492**, which was given first reading, and on further motion by Mr. Busker, was adopted.

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 492 with **HA 1**—An Act to Amend Chapter 7, Title 7, of the Delaware Code, Relating to Regulations and Prohibitions Concerning Game and Fish by Adding Increased Penalties for Deer Violations.

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

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

Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Prettyman, Richards, Shockley, Snowden, Truitt—26.

NOT VOTING — Messrs. Moore, Robbins, Mr. Speaker Tribbitt—3.

ABSENT—Messrs. Annett, Casey, Fifer, Quigley—4.

NAYS—Messrs. Phillips, Shulties—2.

HB 492 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

HB 535—An Act to Amend Title 31, Delaware Code, Entitled Welfare by Defining Physicians.

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

HB 479—An Act to Amend Section 2305 (3), Title 12, Delaware Code of 1953, Relating to Decedents' Estates.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Annett, Casey, Fifer, Quigley—4.

NAYS—None.

HB 479 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Ot 4:10 P. M., Mr. Eskridge moved the House recess to the call of the Chair, seconded by Mr. Best. Motion prevailed. Reconvened at 5:48 P. M.

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:

SB 364—An Act to Amend Chapter 51, Title 6, Delaware Code, Relating to the Weight for Bread Loaves.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Keenan, Livingston, Murray, Paskey, Jr., Phillips, Prettyman, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—28.

ABSENT — Messrs. Fifer, Kleinbach, Myers, Moore, Pawson, Quigley, Richards—7.

NAYS—None.

SB 364 having received the constitutional majority, passed the House and was ordered back to the Senate.

At 5:52 P. M., Mr. Eskridge moved the House adjourn until Tuesday, April 17, 1962 at 1:00 P. M., seconded by Mr. Robbins. Motion prevailed.

16TH LEGISLATIVE DAY

April 17, 1962

The House met pursuant to adjournment at 2:55 P. M. on April 17, 1962.

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.

Mr. Davidson presented the following for committee report: **HB 535**, 2 favorably, 3 on merits.

Mr. Murray introduced the following bill, which was given first and second reading by title only and referred to the Committee on Miscellaneous:

HB 536—An Act to Provide for the Investment of Funds Belonging to Patients of Certain Mental Institutions and to Provide for the Use of the Income Therefrom by the Institution and to Provide for the Use of Certain Abandoned Funds.

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 369—An Act to Amend Title 6, Delaware Code to Prohibit Certain Business Activities on Sunday.

Mr. Quigley moved that action on the bill be deferred.

Mr. Eskridge moved for a roll call, second by Mr. Robbins. Motion prevailed.

The roll call revealed:

YEAS — Messrs. Bartleson, Clifton, Davidson, Dineen, Ehinger, Exley, Kleinbach, Livingston, Moore, Murray, Richards, Shockley—12.

ABSENT—Messrs. Fifer, Gove, Myers—3.

NAYS—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Downs, Eskridge, Hocker, Keenan, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—20.

And so **HB 369** was deferred.

Messrs. Moore and Dineen introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revenue and Taxation:

HB 537—An Act to Amend Section 1118, Title 30, Delaware Code, Relating to Deductions for Medical Care.

Messrs. Keenan and Best introduced the following resolution, which was given first reading and on further motion by Mr. Keenan, was adopted:

HR 151—Expressing Congratulations by the House of Representatives of the 121st General Assembly to Representative Andrew Casey on the Birth of a Daughter.

WHEREAS, The House of Representatives of the 121st General Assembly has learned of the advent into this world, as of April 15, 1962, of Cathy Ann Casey,

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the House of Representatives on behalf of its members and officers hereby extend its congratulations to Andrew Casey and his wife upon the birth of a daughter.

Mr. Hocker introduced the following resolution, which was given first reading:

HR 152—Relating to House Bill No. 492.

WHEREAS, The Members of the House of Representatives of the 121st General Assembly have discussed with great animation House Bill No. 492, and

WHEREAS, it has come to the attention of certain members that violations of game laws have been the subject of intellectual inquiry in the art of poetry, and,

WHEREAS, certain members have learned of the profound interest of other members in broadening their scope of cultural enlightenment by hearing any matters which should be heard in relation to House Bill No. 492,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the following poem by the Rev. John W. Wotten be read to the members for their personal edification.

"THE POACHER"

The poacher gets his game all right
 He has an open season;
 He stalks his prey with glaring light
 And kills for little reason;
 He claims his meat the year around,
 Yet, by the warden, seldom found
 And so he thinks he's right bright
 To get his vension by night.

He even brags among his friends
 About his great success;
 His hunting season never ends
 In his "great wilderness";
 He's always able to feed upon
 His own ill-gotten ven-i-son;
 And then remark in country store,
 "When that is gone, I'll get some more."
 The poacher has to live a lie,
 An outlaw going free;
 Until the day he has to die
 Dear is his liberty;
 He makes his laws, abides by same
 Just so that he can bag his game;
 The hunter becomes the hunted, see,
 But he'll be caught eventually. (ee).

Mr. Eskridge moved to lay the resolution on the table, seconded by Mr. Robbins.

The Chair ask for a roll call on the motion, which being taken, was as follows:

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

ABSENT—Messrs. Bartleson, Fifer, Gove, Quigley—4.

NAYS—Messrs. Annett, Baker, Busker, Casey, Downs, Ehinger, Hocker, Keenan, Kleinbach, Myers, Moore, Snowden, Truitt—13.

HR 152 was laid on the table.

Mr. Eskridge presented the following for committee report: **HB 433**, 5 favorably.

At 4:25 P. M., Mr. Eskridge moved for a recess to the call of the Chair, seconded by Mr. Robbins. Motion prevailed. Reconvened at 6:00 P. M.

Mr. Eskridge presented the following for committee report: **HB 490**, 5 favorably.

Mr. Phillips introduced the following resolution, which was given first reading, and on further motion by him, was adopted:

HR 153—In Reference to the Election of Officers.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that Frank Calio, Jr., door tender, having resigned effective at the close of the Legislative Day, April 16, 1962, is relieved of his duties effective at the close of the Legislative Day, April 16, 1962.

BE IT FURTHER RESOLVED, that Thomas Hearn is hereby elected to the office of door tender effective April 17, 1962, to serve during the pleasure of the House of Representatives.

Mr. Eskridge introduced the following: **HA 1** to **HB 514**, which was given first reading, and on further motion by him, was adopted.

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 514 with **HA 1**—An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1963.

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

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., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

ABSENT—Messrs. Fifer, Gove—2.

NAYS—None.

HB 514 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Casey said that he objected to Section 13 and would like to have it recorded in the Journal.

Messrs. Keenan, Quigley, Dineen, Shockley and Livingston introduced the following resolution, which was given first reading, and on further motion by Mr. Keenan, was adopted:

HR 154—Relative to the Death of Former Representative Stephen E. Hamilton.

WHEREAS, the House of Representatives of the 121st General Assembly of the State of Delaware has learned with regret of the passing of Stephen E. Hamilton, a former member of the House; and

WHEREAS, former State Representative Stephen E. Hamilton served his State faithfully and well during his term in the General Assembly of the State of Delaware; and

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

NOW, THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Stephen E. Hamilton, a prominent figure in his community and a former member of the House of Representatives; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the House of Representatives of the 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. Shulties, the following was taken up for consideration and given a third and final reading in order to pass the House:

HB 533—An Act to Amend Title 26, Section 113, Delaware Code, to Exempt Certain Motor Vehicles from Inspection Fees Imposed by the Public Service Commission.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Fifer, Gove, Myers—3.

NAYS—None.

HB 533 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

At 6:51 P. M., Mr. Eskridge moved that the House adjourn until Wednesday, April 18, 1962 at 1:00 P. M., seconded by Mr. Best. Motion prevailed.

17TH LEGISLATIVE DAY

April 18, 1962

The House met pursuant to adjournment at 2:50 P. M. on April 18, 1962.

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., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—32.

Members absent—Messrs. Fifer, Gove, 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.

Mr. Eskridge presented the following for committee report: **HB 523**, 4 favorably.

Mr. Dineen presented the following for committee report: **HB 525**, 5 favorably.

Mr. Phillips presented the same for committee report: **SCR 47**, 5 favorably.

Mr. Phillips presented the same for committee report:
HB 530, 5 favorably.

Messrs. Dineen and Ehinger introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Education:

HB 538—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees by Adding a Salary Schedule for Attendants and Aides.

Mr. Paskey introduced the following resolution, which was given first reading, and on further motion by him, was adopted:

HR 155—In Reference to Election of Officers.

WHEREAS, Roland LeGates was previously elected to the Office of Door-Tender but has resigned effective at the close of the Legislative Day, April 12, 1962,

NOW THEREFORE

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware that Roland LeGates is hereby relieved from the Duty of Door Tender effective at the close of the Legislative Day, April 12, 1962.

BE IT FURTHER RESOLVED, that Vincent Ware is hereby elected to serve as Door Tender at the commencement of the Legislative Day, April 16, 1962, to serve during the pleasure of the House of Representatives.

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:

SB 352—An Act to Amend Section 6704, Title 29, Delaware Code, Relating to Deposits to Accompany Bids for the Furnishing of Supplies, Work, Stationery, Printing and Binding.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

ABSENT — Messrs. Fifer, Gove, Pawson, Quigley, Shockley—5.

NAYS—None.

SB 352 having received the constitutional majority, passed the House and was ordered back to the Senate.

Mr. Murray introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Labor:

HB 539—An Act to Amend Chapter 21, Title 19, Delaware Code, Relating to Workmen's Compensation, by Providing for an Attorney's Fee for an Injured Employee.

Messrs. Richards and Moore introduced the following bill, which was given first and second reading by title only and referred to the Committee on Insurance and Banking:

HB 540—An Act to Amend Title 21, Delaware Code, Entitled "Motor Vehicles" by Adding a New Chapter Thereto Relating to an Unsatisfied Claim and Judgment Fund; Providing for the Creation and Maintenance of Fund; Procedure; Fees, Violations and Penalties.

Mr. Shockley introduced the following: **HA 1** to **HB 473**, which was given first reading, and on further motion by him, was adopted.

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 473 with **HA 1**—An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

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

NAYS—None.

HB 473 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Messrs. Bartleson and Downs introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Corporations, Municipal:

HB 541—An Act to Amend Title 22, Delaware Code, to Restrict Any Incorporated City or Town from Imposing Certain License Fees:

At 4:10 P. M., Mr. Eskridge moved that the House recess to the call of the Chair. The House reconvened at 5:08 P. M.

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 109—An Act to Amend Chapter 11, Title 31, Delaware Code, Entitled "Welfare Agencies and Recipients of Assistance."

On motion by Mr. Murray to defer, the Chair ordered a roll call, which being taken, was as follows:

YEAS—Messrs. Annett, Baker, Casey, Clifton, Dineen, Ehinger, Exley, Kleinbach, Livingston, Murray, Phillips, Truitt, Mr. Speaker Tribbitt—13.

ABSENT—Messrs. Fifer, Gove, Pawson, Quigley, Shulties—5.

NAYS—Messrs. Bartleson, Best, Blendt, Busker, Davidson, Downs, Eskridge, Hocker, Keenan, Myers, Moore, Paskey, Jr., Prettyman, Richards, Robbins, Shockley, Snowden—17.

The motion was lost.

Mr. Kleinbach said he would like to go on record as saying that he had never promised anyone that if he would vote for him that he would get him on welfare.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Blendt, Busker, Davidson, Exley, Myers, Moore, Paskey, Jr., Prettyman, Richards, Robbins, Truitt—11.

ABSENT—Messrs. Fifer, Gove, Hocker, Keenan, Kleinbach, Pawson, Shulties, Snowden—8.

NAYS—Messrs. Annett, Baker, Bartleson, Best, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Livingston, Murray, Phillips, Quigley, Shockley, Mr. Speaker Tribbitt—16.

SB 109 was lost.

Mr. Murray presented the following for committee report: HB 510, 4 favorably, 1 on merits.

Mr. Eskridge moved that the House adjourn until Thursday, April 19, 1962, at 1:00 P. M.

18TH LEGISLATIVE DAY

April 19, 1962

The House met pursuant to adjournment at 2:30 P. M. on April 19, 1962.

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, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Pawson, Shockley—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 Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Revised Statutes:

SB 251 with SA 1, SA 2, SA 3, SA 4, SA 5, SA 6, and SA 7—An Act to Create a State Board of Cosmetology and Regulate the Practice of Cosmetology.

#32 MEMORANDUM from the Governor revealed: On date indicated, the Governor approved the following legislation:

April 13, 1962—**HB 224, SB 322.**

April 17, 1962—**HB 476, SB 308** with SA 1.

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 374—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Wilmington Turngemeinde from Assessment and Taxation.

All rules were suspended.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

Roll call tabled on motion by Mr. Truitt.

Messrs. Robbins, Blendt, Busker, Tribbitt, Fifer and Exley introduced the following bill, which was given first and second reading by title only:

HB 542—An Act to Amend Title 29, Section 6702, Delaware Code, Relating to Contracts for Supplies or Work.

On motion of Mr. Robbins, all rules were suspended.

Mr. Robbins moved that **HB 542** be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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.

ABSENT—Messrs. Gove, Pawson, Quigley, Shockley—4.

NAYS—None

HB 542 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Messrs. Dineen and Ehinger introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Education:

HB 543—An Act to Amend Section 1708, Title 14, Delaware Code, Relating to Form of Appropriation.

Messrs. Shulties and Quigley introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Miscellaneous:

HB 544—An Act to Amend Chapter 4, Title 24, Delaware Code, Relating to Barbers by Repealing § 415, Requiring Sunday Closings.

Mr. Tribbitt introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revised Statutes:

HB 545—An Act Proposing an Amendment to the Constitution of the State of Delaware, Relating to the Time and Frequency of Sessions of the General Assembly.

Mr. Tribbitt introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revised Statutes:

HB 546—An Act to Amend Article Three of the Constitution of the State of Delaware.

Mr. Eskridge introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revised Statutes:

HB 547—An Act Proposing an Amendment to the Constitution of the State of Delaware, Relating to the President Pro Tempore, Speaker, and Other Officers; Absence of Presiding Officers.

Mr. Murray introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revised Statutes:

HB 548—An Act to Amend Section 101, Title 13, Delaware Code, Relating to Void and Voidable Marriages.

Messrs. Murray, Dineen and Tribbitt introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Education:

HB 549—An Act to Amend Section 1314, Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees.

Mr. Fifer introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revenue and Taxation:

HB 550—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Camden-Wyoming Little League, Inc., from Assessment and Taxation.

Mr. Fifer moved to suspend all rules for the purpose of taking action on the bill, seconded by Mr. Best. Motion lost.

Mr. Phillips presented the following for committee report: **HB 536**, 4 favorably, 1 on merits.

Mr. Robbins presented the following for committee report: **HB 538**, 4 favorably.

Mr. Robbins presented the following for committee report: **HB 543**, 4 favorably.

Mr. Davidson moved for the suspension of all rules for the purpose of restoring **SB 109** to the calendar, seconded by Mr. Robbins. Motion prevailed. On further motion by Mr. Davidson, **SB 109** was restored to the calendar.

Mr. Quigley introduced the following resolution, which was read, and on further motion by him, was adopted and ordered to the Senate for concurrence:

HCR 41—Relative to the Observance of Law Day.

WHEREAS, the first day of May of each year has been set aside by Joint Resolution of the Senate and House of Representatives of the United States of America in Congress as Law Day, U. S. A. and

WHEREAS, it is the desire of the people of the State of Delaware to join in this special celebration of their liberties and reaffirmation of their loyalty to State and Nation,

NOW THEREFORE

BE IT RESOLVED, that the House of Representatives of the 121st General Assembly of the State of Delaware, the Senate concurring therein authorize and request the Governor of the State of Delaware to issue a proclamation calling upon all public officials to display the Flags of the United States and the State of Delaware on all public buildings on such day and inviting the people of the State of Delaware to observe such day with suitable ceremonies and other appropriate ways, through public bodies and private organizations as well as in schools and other suitable places.

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 376—An Act to Amend Section 4503, Title 21, Delaware Code, Relating to Maximum Gross Weight of Motor Vehicles.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Annett, Livingston, Moore, Pawson, Shockley—5.

NAYS—Mr. Murray—1.

SB 376 having received the constitutional majority, passed the House and was ordered back 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:

SB 377—An Act to Amend Section 4502, Title 21, Delaware Code, Relating to the Maximum Height and Length of Vehicles.

Mr. Gove moved for the suspension of all rules for purpose of acting on the bill, seconded by Mr. Robbins. Motion adopted.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Annett, Livingston, Moore, Pawson, Shockley—5.

NAYS—Mr. Murray—1.

SB 377 having received the constitutional majority, passed the House and was ordered back to the Senate.

Messrs. Truitt and Exley introduced the following resolution, which was read, and on further motion by him, was adopted:

HR 158—In Reference to Poetry.

WHEREAS, it has always been the prime concern of all the members of the Majority Party that cultural and intellectual endeavor be instilled within the spirit of the members of the Minority Party and;

WHEREAS, it has always been the desire of the Majority Party that every member of the Minority Party be instilled with the desire to broaden their horizons in the Arts and;

WHEREAS, it has come to the attention of certain members of the Majority Party that a certain member of the Minority Party has already shown himself to be endowed with a profound knowledge and talent for verse, meter, rhyme and recitation and;

WHEREAS, the Majority Party has learned that a certain member and friend across the aisle has been instilled with an intense public spirit to analyze certain legislative matters of interest to all the members in his own inimitable fashion and;

WHEREAS, it is imperative that their friend and fellow member be given every opportunity to offer his talents before certain groups in order to impart his innate gifts to as much of the citizenry of Delaware as possible and;

WHEREAS, a certain large group has also learned of the talents of the member from Millville and has expressed its breathless by-partisan anticipation to such endeavors,

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the member from Millville be formally invited to the annual Jefferson-Jackson Day Ceremonies as one of the guest artists of the evening to deliver to the persons attending the recitation of a poem entitled, "The Poacher" and that such member be invited to be seated as an honored guest with other honored members of the Democratic Party.

Mr. Blendt introduce the following resolution, which was read, and on further motion by him, was adopted:

HR 159—Expressing Congratulations by the House of Representatives of the 121st General Assembly to Representative Chester Gove on the Birth of a Son.

WHEREAS, The House of Representatives of the 121st General Assembly has learned of the advent into this world, as of April 19, 1962, of Chester William Gove

NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the House of Representatives on behalf of its members and officers hereby extend its congratulations to Chester Gove and his wife Betty Gove upon the birth of a son.

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 535—An Act to Amend Title 31, Delaware Code, Entitled Welfare by Defining Physicians.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Fifer, Gove, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—21.

NOT VOTING — Messrs. Best, Blendt, Casey, Ehinger, Hocker—5.

ABSENT—Messrs. Annett, Livingston, Pawson, Shockley—4.

NAYS—Messrs. Downs, Richards, Snowden—3.

PRESENT—Messrs. Baker, Bartleson—2.

HB 535 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Robbins introduced the following resolution, which was read, and on further motion by him, was adopted:

HR 156—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly.

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 for the Eleventh Legislative Day and including the Eighteenth Legislative Day—1962—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	\$43.20
William W. Baker	72.00
William T. Best	76.00
T. Lees Bartleson	88.00
Carlton Blendt, Jr.	40.00
Glenn Busker	20.80
Andrew Casey	80.00
Carlton Clifton	48.00
Robert Davidson	51.20
Russell Dineen	80.00
Robert N. Downs, III	76.80
Norman Eskridge	56.00
George Exley	32.00
Harvey Fifer	8.00
Chester Gove	40.00
Wilbert Hocker	96.00
Ralph S. Keenan	80.00
Charles S. Kleinbach	68.80
Paul F. Livingston	80.00
Orville B. Myers	16.00
Jennings Moore	65.60
Thomas P. Murray	80.00
William Paskey, Jr.	22.40
Robert Pawson	72.40
Harrison Phillips	81.60
Carl Prettyman	24.00
James Quigley	72.00
George Robbins	30.40
Paul Shockley	80.00
Dawson H. Shulties	16.00
Robert Snowden	64.00
Sherman Tribbitt	40.00
Clarence E. Truitt	80.00

Mr. Robbins introduced the following resolution, which was read, and on further motion by him, was adopted:

HR 157—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly.

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 respec-

tive names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 11th Legislative Day and including the 18th Legislative Day of the current session:

Harrison F. Turner	\$300.00
James B. Messick	300.00
Gerald Berkowitz	600.00
Noble Carroll	297.00
Mary Ann McCabe	220.00
Elizabeth Wainwright	200.00
Rev. Arthur James	160.00
James Quigley	220.00
David L. Farrone	100.00
John A. Farrone	100.00
Martha Dixon	160.00
Ruth Ross	160.00
Oliver W. Underwood	160.00
Lillian Wallace	160.00
Pauline Holmes	160.00
Jean Demel	220.00
Lillian Weston	200.00
Margaret Walker	220.00
William L. David	160.00
Claude W. Jordan	160.00
Helen Reihm	160.00
Louise H. Pennewill	220.00
Alberta Jackson	160.00
Alton B. Cordrey	160.00
Elizabeth G. Ennis	160.00
Ernest Council	160.00
Allen S. Moffitt	160.00
George L. Everett	200.00
Julia Graham	220.00
Lloyd Minner	160.00
Bradford Holliday	160.00
Willard C. Robbins	160.00
William B. Morgan, Jr.	160.00
Helen Collins	160.00
Mary Wilson	160.00
Samuel Messick	200.00
Daniel Boyce	160.00
B. Guy Wheatley	160.00
Emory Spicer	160.00
Melba Webb	220.00
Catherine Swartwood	220.00
L. B. Knapp	200.00
W. Lawrence Hudson	160.00
Lewis Killen	160.00
Roland Legates	80.00
Vincent Ware	80.00

Walter Conway	160.00
Frank Calio, Jr.	100.00
Thomas M. Hearne	60.00
Ernest Homewood	160.00
Joseph Watson Baker, Sr.	160.00
Francis X. Slane	200.00
June Roop	220.00
Charles Downs	160.00
George W. Kirkby	160.00
Roy D. Freeman	360.00
Wilson Bailey	160.00

Mr. Paskey introduced the following: **HA 1** to **HB 490**, which on further motion by him, was adopted.

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 490 with **HA 1**—An Act Making an Appropriation to the State Fire Prevention Commission for the Training of Volunteer Firemen.

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

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, Richards, Robbins, Snowden, Truitt, Mr. Speaker Tribbitt—31.

ABSENT—Messrs. Pawson, Quigley, Shockley, Shulties—4.

NAYS—None.

HB 490 with **HA 1** 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 510—An Act to Amend Title 19, Section 2361 (c) Delaware Code, Relating to Workmen's Compensation.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

ABSENT—Messrs. Pawson, Shockley—2.

NAYS—None.

HB 510 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair presented the following resolution, which was read and on further motion by Mr. Eskridge, was adopted, and ordered returned to the Senate:

SCR 51—Providing for Adjournment of the Senate and House of Representatives.

BE IT RESOLVED by the Senate of the 121st General Assembly of the State of Delaware, the House of Representatives concurring therein, that at the close of business on April 19, 1962, both Houses shall adjourn until Monday, April 30, 1962, at 1:00 P. M. or at the call of the President Pro Tem of the Senate and the Speaker of the House of Representatives.

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 371—An Act to Amend Section 5143, Title 30, Delaware Code, Relating to Refunds of Motor Fuel Taxes.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—33.

ABSENT—Messrs. Pawson, Shockley—2.

NAYS—None.

HB 371 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Public Buildings and Highways:

SB 361—An Act to Amend Chapter 41 of Title 21 of the Delaware Code, Pertaining to Driving Regulations for Motor Vehicles.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Revenue and Taxation:

SB 374—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Wilmington Turngemeinde from Assessment and Taxation.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Military Affairs:

SB 370—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.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Public Buildings and Highways:

SB 377—An Act to Amend Section 4502, Title 21, Delaware Code, Relating to the Maximum Height and Length of Vehicles.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Public Buildings and Highways:

SB 376—An Act to Amend Section 4503, Title 21, Delaware Code, Relating to Maximum Gross Weight of Motor Vehicles.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Appropriations:

SB 378—An Act Making Appropriations to the State Board of Education for Additional Costs in the Transportation of School Children.

The Chair presented the following resolution, which was read, and on further motion by Mr. Eskridge, was adopted and ordered returned to the Senate:

SCR 50—Expressing the Sympathy of the 121st General Assembly Upon the Death of Trooper 1st Class Harold B. Rupert.

The Chair presented the following resolution, which was read and on further motion was adopted and ordered returned to the Senate:

SCR 47—Relative to the Preservation of the "Old Boyce House" Situated in White Clay Creek Hundred, New Castle County and State of Delaware.

Mr. Truitt moved that action be deferred on **HB 526**.

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 523—An Act to Transfer Certain Funds of the Delaware Interstate Highway Division to the General Fund of the State for the Purpose of Reimbursing the State for Pensions for Employees of the Division.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT — Messrs. Davidson, Fifer, Pawson, Quigley, Shockley—5.

NAYS—None

HB 523 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

At 3:53 P. M., Mr. Eskridge moved for a recess to the call of the Chair, seconded by Mr. Robbins. So ordered. Reconvened at 5:05 P. M.

Mr. Robbins presented the following for committee report: **HB 529**, 5 favorably.

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 470 with **HA 2**—An Act to Regulate the Practice of Psychology in Delaware as Herein Defined: to Create a "State Board of Examiners of Psychologists;" to Prescribe the Powers, Duties and Limitations of Said Board: to Fix Penalties for the Violation of This Act.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, 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—30.

NOT VOTING—Mr. Casey—1.

ABSENT—Messrs. Gove, Pawson, Quigley, Shockley—4.

NAYS—None

HB 470 with **HA 2** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

At 5:55 P. M., the Chair declared a 5 minute recess. Reconvened at 6:05 P. M.

Mr. Murray moved that **HB 537** be stricken from the calendar.

Mr. Blendt presented the following for committee report: **HB 79**, 2 favorably, 2 on merits, 1 unfavorably.

At 6:10 P. M., Mr. Eskridge moved to adjourn in accordance with **SCR 51**, seconded by Mr. Robbins. Motion adopted.

19TH LEGISLATIVE DAY

April 30, 1962

The House met pursuant to adjournment at 2:00 P. M. on April 30, 1962.

Prayer by the Chaplain, Rev. James.

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

Members absent — Messrs. Davidson, Ehinger, 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 read to the House:

Wyoming, Delaware, April 28, 1962

Representative Dawson Shulties, Sixth District
Willow Grove, Delaware

Dear Sir:

I have been reading of a bill to be sponsored by Representative Richards of Dover.

Purpose of bill seems to be to put another tax on owners of automobiles whom are already overtaxed.

Purpose of fund seems to be to pay unsatisfied claims of uninsured owners, then in turn the State will try and collect from uninsured owner, if the injured party cannot collect how does the State propose to do it. That will leave only one alternative, keep on collecting from owners.

Or to do it more simple make insurance compulsory, and let the insurance companies pay those judgments and claims.

I, as a registered owner and driver of insured vehicles in the State of Delaware, strongly protest such a bill as Representative Richards proposes.

Yours truly,

ROY REEVES

STATE OF DELAWARE
HOUSE OF REPRESENTATIVES

Dover, Delaware, April 30, 1962

Speaker of the House, Hon. Sherman W. Tribbitt

Dear Sir:

Due to my wife being in the hospital and having no one available to operate my business, I will be unable to attend the Legislature this week. So that no necessary legislation that may be in my committee might be held up, I request you to appoint a temporary chairman of the Revised Statutes Committee until such time as I may be able to attend.

Thank you,

R. C. DAVIDSON

The Chair appointed Mr. Busker as Temporary Chairman of the Revised Statutes Committee, in the absence of Mr. Davidson.

The Chair presented the following: **SA 1 to HB 29**, which was given first reading, and on further motion by Mr. Murray was adopted.

The Chair presented the following: **SA 2 to HB 29**, which was given first reading, and on further motion by Mr. Murray was adopted.

The Chair presented the following: **SA 3 to HB 29**, which was given first reading, and on further motion by Mr. Murray was adopted.

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 29 with SA 1, SA 2, and SA 3—An Act to Amend Section 6913, 6914 and 6915, Title 29, Delaware Code, Relating to Wages.

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

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

ABSENT—Messrs. Davidson, Ehinger, Myers, Pawson, Shockley, Snowden—6.

NAYS—None.

HB 29 with SA 1, SA 2, and SA 3 having received the constitutional majority, passed the House.

HB 29 had previously passed the House and came back from the Senate with **SA 1, SA 2, and SA 3**.

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

HB 543—An Act to Amend Section 1708, Title 14, Delaware Code, Relating to Form of Appropriation.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Eskridge, Exley, Fifer, Gove, Keenan, Kleinbach, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—28.

ABSENT—Messrs. Davidson, Ehinger, Hocker, Myers, Pawson, Shockley, Snowden—7.

NAYS—None.

HB 543 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 356—An Act to Provide for the Reversion of School Construction Funds to the State and to the School Districts in the Same Proportion as Such Funds Were Appropriated and to Stipulate How These Funds Shall be Expended.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

Mr. Eskridge moved that the roll call be tabled, seconded by Mr. Robbins. So ordered.

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 538—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees by Adding a Salary Schedule for Attendants and Aides.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Eskridge, Exley, Fifer, Gove, Keenan, Kleinbach, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—28.

ABSENT—Messrs. Davidson, Ehinger, Hocker, Myers, Pawson, Shockley, Snowden—7.

NAYS—None.

HB 538 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 529—An Act Appropriating Certain Moneys to Delaware State Fair, Inc., for Prizes.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

Mr. Exley moved to defer action due to absent of some members.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Revenue and Taxation:

SB 379—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Eastern Shore Fox Hunters' Association.

Mr. Exley introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Corporations, Municipal:

HB 551—(Copy Missing)

Mr. Gove introduced the following resolution, which was read, and on further motion by him, was adopted:

HR 160—Expressing the Best Wishes of the House of Representatives of the 121st General Assembly to Representative Harvey P. Fifer on His Birthday.

WHEREAS, the Members of the House of Representatives of the 121st General Assembly have learned that April 30, is the birthday of Representative Harvey P. Fifer, and

WHEREAS, the Members of the House of Representatives wish to express their best wishes to Representative Fifer,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware, that the best wishes of its members for the continued good health and happiness of Representative Fifer for many more years are hereby extended to Representative Fifer.

BE IT FURTHER RESOLVED, that a copy of this resolution be entered on the Journal of the House, a copy delivered to the press and a copy be given to Representative Fifer.

#33 MEMORANDUM from the Governor revealed: On the date indicated, the Governor approved the following legislation:

April 19, 1962—HB 513.

April 24, 1962—HB 283.

April 25, 1962—HB 504, SB 357 with SA 1, SA 2, SB 358 with SA 1, HB 471.

April 26, 1962—HB 383 with HA 1, HS 1 for HB 385, HB 388; HB 390 with HA 1.

Mr. Eskridge moved that the House adjourn until Tuesday, May 1, 1962, at 1:00 P. M.

20TH LEGISLATIVE DAY

May 1, 1962

The House met pursuant to adjournment at 2:35 P. M. on May 1, 1962.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, 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. Davidson, 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 communications were read to the House:

STATE OF DELAWARE DEPARTMENT OF PUBLIC INSTRUCTION

Dover, Delaware

For the Information of the Members of Delaware Legislature:

At the April 19 meeting of the State Board of Education, the following motion was made by Mr. Grapperhaus and seconded by Mr. Watson that HB 526 be heartily approved

by the Board, but that the effective date of said bill should be July 1, 1962, instead of July 1, 1963. The motion was passed unanimously.

It was further recommended by the Board that a copy of the motion be placed on the desk of each member of the General Assembly.

STATE OF DELAWARE
HOUSE OF REPRESENTATIVES

Dover, Delaware April 30, 1962

Honorable Sherman W. Tribbitt, Speaker of the House
House of Representatives, Dover, Delaware
Hon. Sherman W. Tribbitt:

This is to authorize Russell F. Dineen to bring out the following bill: **HB 522**.

Respectfully,

PAUL E. SHOCKLEY

Mr. Eskridge presented the following for committee report: **HB 489**, 5 favorably.

Mr. Eskridge presented the following for committee report: **HB 527**, 4 favorably.

Mr. Robbins presented the following for committee report: **HB 549**, 4 favorably.

The Chair presented the following for committee report: **SB 378**, 4 favorably.

Mr. Eskridge presented the following for committee report: **HB 522**, 4 favorably, 1 on merits.

Mr. Busker presented the following for committee report: **HB 545**, 3 favorably, 1 on merits.

Mr. Busker presented the following for committee report: **HB 546**, 3 favorably, 1 on merits.

Mr. Busker presented the following for committee report: **HB 547**, 4 favorably.

Mr. Busker presented the following for committee report: **HB 493**, 5 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:

SB 104—An Act to Amend Chapter 25, Title 29, Delaware Code, Relating to the Attorney General, by Providing for the Appointment of Two Additional Deputy Attorneys General in New Castle County.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Ehinger, Pawson, Phillips, Quigley, Shockley—6.

NAYS—None.

SB 104 having received the constitutional majority, passed the House and was ordered back to the Senate.

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 529—An Act Appropriating Certain Moneys to Delaware State Fair, Inc., for Prizes.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Ehinger, Quigley, Shockley—4.

NAYS—None.

HB 529 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 516—An Act to Amend Title 29, Chapter 25, Delaware Code, Relating to the Attorney General.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Ehinger, Phillips, Quigley, Shockley—5.

NAYS—None.

HB 516 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair presented the following bill:

SB 389—An Act to Further Amend Section 1 of An Act Entitled "An Act Relating to the Government of the City of Wilmington", Being Chapter 178, Volume 18, Laws of Delaware, as Amended by Chapter 740, Volume 19, Laws of Delaware, as Further Amended by Chapter 143, Volume 43, Laws of Delaware, by Providing for the Appointment of a Deputy City Clerk to Act in the Absence of the City Clerk.

Rules suspended on motion by Mr. Murray, in order to take **SB 389** up for consideration in order to pass the House.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, 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.

ABSENT—Messrs. Davidson, Ehinger, Quigley, Shockley, Truitt—5.

NAYS—None.

SB 389 having received the constitutional majority, passed the House and was ordered back to the Senate.

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 489—An Act Appropriating Money to the Disabled American Veterans of Delaware, for the Fiscal Year Beginning July 1, 1962, and Ending June 30, 1963.

Mr. Dineen moved for the suspension of all rules, seconded by Mr. Robbins. Motion prevailed.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Ehinger, Quigley, Shockley—4.

NAYS—None.

HB 489 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 472—An Act to Amend Chapter 3, Title 14, Delaware Code, Relating to School Board Elections by Providing an Alternate Method of Selecting Board Members in Consolidated Districts.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Ehinger, Pawson, Quigley, Shockley, Truitt—6.

NAYS—None.

HB 472 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Robbins introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Education:

HB 556—An Act to Amend Chapter 331, Volume 53, Laws of Delaware, to Provide Additional Funds for Capital Improvements.

Messrs. Robbins and Bartleson (by request) introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 557—An Act Appropriating Funds to the State Board of Education for the Fiscal Year Ending June 30, 1963.

Mr. Robbins (by request) introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Appropriations:

HB 558—An Act Appropriating Funds to the State Board of Education for the Fiscal Year Ending June 30, 1963.

Messrs. Robbins and Bartleson (by request) introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 559—An Act Appropriating Funds to the State Board of Education for the Fiscal Year Ending June 30, 1963.

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 536—An Act to Provide for the Investment of Funds Belonging to Patients of Certain Mental Institutions and to Provide for the Use of the Income Therefrom by the Institution and to Provide for the Use of Certain Abandoned Funds.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Casey, Clifton, Dineen, Downs, Eskridge, Exley, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—25.

NOT VOTING—Messrs. Fifer, Gove, Hocker—2.

ABSENT—Messrs. Busker, Davidson, Ehinger, Quigley, Shockley, Truitt—6.

NAYS—None.

PRESENT—Mr. Moore—1.

HB 536 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Phillips presented the following for committee report:
HB 532, 4 favorably.

Mr. Phillips presented the following for committee report: **HB 228**, 3 favorably, 1 on merits.

Mr. Dineen introduced the following: **HA 1** to **HB 228**, and on further motion by him was adopted, and placed with the bill.

Mr. Dineen introduced the following: **HA 1** to **HB 525**, and on further motion by him was adopted, and placed with the bill.

Mr. Murray moved that Mr. Best be made a co-sponsor of **HB 548**.

Mr. Gove presented the following for committee report: **HB 503**, 2 favorably, 3 on its merits.

Mr. Truitt presented the following for committee report: **SB 379**, 4 on its merits.

The Chair presented the following resolution, which was given first reading, and on motion by Mr. Eskridge, was adopted and ordered returned to the Senate:

SCR 52—Making an Appropriation to the Harrington Journal for Paper Supplied to the 121st General Assembly.

BE IT RESOLVED by the Senate and the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of \$1,247.14 be paid to the Harrington Journal to cover cost of paper supplied upon award of recent bid notice.

Mr. Truitt presented the following: **HA 1** to **HB 526**, which was given first 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 526 with **HA 1**—An Act to Repeal "An Act to Amend Chapter 17, Title 14, Delaware Code, by Providing for the Allocation of Unit Appropriations to the Sussex County Vocational and Technical School, and by Making a Supplementary Appropriation for the Fiscal Year Ending June 30, 1962", Being Chapter 183, Volume 53, Laws of Delaware.

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

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

ABSENT—Messrs. Davidson, Ehinger, Pawson, Shockley—4.

NAYS—None.

HB 526 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge presented the following for committee report: **SB 359**, 5 favorably.

At 4:06 P. M., Mr. Eskridge moved for a recess to the call of the Chair, seconded by Mr. Robbins. So ordered. Reconvened at 5:05 P. M.

Messrs. Blendt and Bartleson introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revenue and Taxation:

HB 552—An Act to Amend Section 1118, Title 30, Delaware Code, Relating to Deductions.

Messrs. Richards, Robbins, Bartleson and Dineen introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revenue and Taxation:

HB 553—An Act to Amend Section 1117, Title 30, Delaware Code, Relating to Personal Exemptions and Credits for Dependents.

Messrs. Downs and Blendt introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 554—An Act Making a Supplementary Appropriation to the State Park Commission for the Fiscal Year Ending July 30, 1963.

Mr. Tribbitt introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Appropriations:

HB 555—An Act to Direct the Permanent Budget Commission to Transfer Certain Funds Within the Appropriation to Local School District, Middletown No. 120.

Mr. Tribbitt introduced the following: **HS 1** for **HB 555**, which was given first and second reading by title only, and referred to the Committee on Appropriations.

Mr. Clifton introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Public Buildings and Highways:

HB 560—An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Purchase of a Dredge and Related Equipment and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department.

Mr. Murray introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Public Buildings and Highways:

HB 561—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 motion by Mr. Richardson, Mr. Myers was made co-sponsor of **HB 553**.

At 5:25 P. M., Mr. Eskridge moved to adjourn until Wednesday, May 2, 1962, at 1:00 P. M.

21st LEGISLATIVE DAY

May 2, 1962

The House met pursuant to adjournment at 1:45 P. M. on May 2, 1962.

Prayer by the Chaplain, Rev. James.

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

Members absent—Messrs. Davidson, Quigley, 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 telegram was read to the House:

Wilmington, Delaware, May 1, 1962

Representative Jennings Moore

State House, Dover, Delaware:

Please convey to General Assembly our opposition to House Bills 511 and 512.

LULU HARPER, Representative
New Castle County WCTU

Mr. Eskridge presented the following for committee report: **HS 1** for **HB 555**, 4 favorably.

Mr. Busker presented the following for committee report: **SB 251** as amended by 7 Amendments, 3 favorably, 1 on its 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:

SB 378—An Act Making Appropriations to the State Board of Education for Additional Costs in the Transportation of School Children.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Livingston, Moore, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—27.

ABSENT—Messrs. Clifton, Davidson, Klenbach, Myers, Murray, Pawson, Quigley, Shockley—8.

NAYS—None.

SB 378 having received the constitutional majority, passed the House and was ordered back 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 532—An Act to Provide Benefits to the Surviving Spouse of Persons Elected to Any State or County Office.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Livingston, Moore, Pasky, Jr., Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—27.

ABSENT—Messrs. Davidson, Kleinbach, Myers, Murray, Pawson, Quigley, Shockley, Truitt—8.

NAYS—None.

HB 532 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 359—An Act Authorizing the Delaware Commission for the Blind to Contract with Any Public Library for That Library to Render Special Library Services to the Blind Throughout the State of Delaware and to Receive Reimbursement from the Delaware Commission for the Blind for the Cost of Such Services.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Fifer, Kleinbach, Myers, Murray, Pawson, Quigley, Shockley—8.

NAYS—None.

SB 359 having received the constitutional majority, passed the House and was ordered back 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 547—An Act Proposing an Amendment to the Constitution of the State of Delaware, Relating to the President Pro Tempore, Speaker, and Other Officers; Absence of Presiding Officers.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Myers, Murray, Quigley, Shockley—5.

NAYS—None.

HB 547 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 545—An Act Proposing an Amendment to the Constitution of the State of Delaware, Relating to the Time and Frequency of Sessions of the General Assembly.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Murray, Quigley, Shockley—4.

NAYS—Mr. Bartleson—1.

HB 545 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 546—An Act to Amend Article Three of the Constitution of the State of Delaware.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Murray, Quigley, Shockley—4.

NAYS—None.

HB 546 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 527—An Act Making a Supplementary Appropriation to the State Board of Education for the Fiscal Year Ending June 30, 1962, for the Additional Cost of Transporting School Children.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Murray, Quigley, Shockley, Truitt—5.

NAYS—None.

HB 527 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Bartleson introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

HB 562—An Act to Amend Section 8325 of Title 11, Delaware Code, Relating to Pensions; Disability and Death Benefits.

Mr. Dineen introduced the following: **HA 1** to **HB 525**, which was given first reading, 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 525 with **HA 1**—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 and Without the State or Election Districts Thereof to Vote.

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

YEAS—Messrs. Annett, Blendt, Casey, Downs, Ehinger, Gove, Keenan, Kleinbach, Murray, Paskey, Jr., Pawson, Richards, Truitt—13.

NOT VOTING—Messrs. Best, Busker, Clifton, Eskridge, Hocker, Livingston, Moore, Prettyman, Robbins, Mr. Speaker Tribbitt—10.

ABSENT—Messrs. Davidson, Quigley, Shockley—3.

NAYS—Messrs. Bartleson, Dineen, Exley, Fifer, Myers, Phillips, Shulties, Snowden—8.

PRESENT—Mr. Baker—1.

Messrs. Bartleson and Dineen changed their vote from yea to nay.

HB 525 with **HA 1** was lost.

Mr. Robbins moved that the Roll Call be lifted from the table on **HB 356**.

HB 356—An Act to Provide for the Reversion of School Construction Funds to the State and to the School Districts in the Same Proportion as Such Funds Were Appropriated and to Stipulate How These Funds Shall be Expended.

The Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Clifton, Downs, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Livingston, Myers, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—25.

ABSENT — Messrs. Best, Davidson, Dineen, Ehinger, Kleinbach, Moore, Murray, Pawson, Quigley, Shockley—10.

NAYS—None.

The change in voting was Mr. Blendt from absent to yea.

HB 356 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Robbins presented the following for committee report: **HB 556**, 4 favorably.

The Chair presented the following bill, which was given first and second reading by title only, and referred to the Committee on Education:

SB 383—An Act to Amend Chapter 3, Title 14, Delaware Code, Relating to School Board Elections by Providing an Alternate Method of Selecting Board Members in Consolidated Districts.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Revenue and Taxation:

SB 386—An Act to Amend Chapter 11, Title 30, Delaware Code, so as to Provide a Deduction for Fifty Per Cent of the Amount by Which Net Long-Term Capital Gain Exceeds Net Short-Term Capital Loss and to Allow a Limited Deduction for Capital Losses Which Exceed Capital Gains.

Mr. Phillips presented the following for committee report: **HB 544**, 2 favorably, 3 on its merits.

Mr. Busker introduced the following: **HA 1** to **HB 231**, which was given first reading and on further motion by him was placed with the bill.

Mr. Murray introduced the following: **HA 1** to **HB 486**, which was given first reading and on further motion by him, was placed with the bill.

The Chair declared a recess at 3:45 P. M. The House reconvened at 4:30 P. M.

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 156—An Act to Amend Chapter 43, Title 11, Delaware Code, Relating to Probation by Permitting Justices of the Peace to Suspend Sentences Temporarily.

On motion, action was temporary deferred.

Mr. Gove introduced the following: **HA 1 to SB 251** as amended by **SA 1, SA 2, SA 3, SA 4, SA 5, SA 6, and SA 7**, which was given first reading.

On the question, Mr. Gove withdrew the amendment.

Mr. Murray introduced the following: **HA 1 to HB 505**, which was given first reading, and on further motion by him was adopted by voice vote.

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 505 with HA 1—An Act to Amend Chapter 1, Title 13, Delaware Code, Relating to Marriage, Marriage Licenses and Marriage License Applications, and Making a Supplementary Appropriation to the State Board of Health to Effectuate the Amendment.

Action was temporary deferred.

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

SB 393—An Act to Amend Title 29, Section 6702, Delaware Code, Relating to Contracts for Supplies or Work.

On motion of Mr. Eskridge, rules were suspended.

The Chair moved that **SB 393** be taken up, under suspension of rules, for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

ABSENT—Messrs. Davidson, Kleinbach, Pawson, Quigley, Shockley—5.

NAYS—None.

SB 393 having received the constitutional majority, passed the House and was ordered back to the Senate.

On motion by Mr. Eskridge, the House adjourned until Monday, May 7, 1962, at 1:00 P. M.

22ND LEGISLATIVE DAY

May 7, 1962

The House met pursuant to adjournment at 3:30 P. M. on May 7, 1962.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger,

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

Members absent—Messrs. Davidson, Quigley, 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 read to the House:

LAUREL SPECIAL SCHOOL DISTRICT

Laurel, Delaware May 1, 1962

Representative John Annett, Legislative Hall
Dover, Delaware

Dear Representative Annett:

The Board of Education of the Laurel Special School District is very much interested in passage of Senate Bill 388 which will provide additional funds for the education of deaf children for the fiscal year ending June 30, 1963. This school district has three children: Mark Winder, Connie Justice, and Karen Dail; being instructed in this program.

We will appreciate your cooperation in providing the requested funds.

Sincerely,

Ford M. Warrington, President
C. J. Evans, Vice President
Otis Carmine, Member
Rudolph Hastings, Member
Leon B. Elder, Secretary

LAUREL SPECIAL SCHOOL DISTRICT

Laurel, Delaware May 1, 1962

Representative John Annett, Legislative Hall
Dover, Delaware

Dear Representative Annett:

The Board of Education of the Laurel Special School District is very much interested in passage of Senate Bill 355 which provides for delayed repairs on our school buildings.

Your support of this legislation will be very much appreciated.

Sincerely,

Ford M. Warrington, President
C. J. Evans, Vice President
Otis Carmine, Member
Rudolph Hastings, Member
Leon B. Elder, Secretary

THANK YOU

May 5, 1962

House of Representatives, State House
 Dover, Delaware
 Members and Attaches:

Paul has asked me to thank all of you for the gift and messages you sent him. I purchased five pairs of pajamas for him with the gift money. One can always use extra pajamas when ill. He is improving, sat up a while Saturday and Sunday.

I, too, wish to thank all of you for your kindness to Paul.

Sincerely,

MARGARET M. SHOCKLEY

Mr. Gove presented the following for committee report:
HB 560, 3 favorably, 1 on merits.

Mr. Gove presented the following for committee report:
HB 561, 4 favorably.

Mr. Busker presented the following for committee report:
HB 562, 3 favorably, 1 on merits.

Mr. Busker presented the following for committee report:
HB 548, 4 favorably.

Mr. Gove introduced the following resolution, which was given first reading, and on further motion by him, was adopted:

HR 161—Expressing the Best Wishes of the House of Representatives of the 121st General Assembly to Representative Russell D. F. Dineen on His Birthday.

WHEREAS, the Members of the House of Representatives of the 121st General Assembly have learned that May 7, 1962, is the birthday of Representative Russell D. F. Dineen, and

WHEREAS, the members have for sometime realized that Representative Dineen has refused to reveal publicly his existence in that most admirable state of Bachelorhood, and

WHEREAS, the members of the House of Representatives wish to express their best wishes to Representative Dineen and wish to make certain that all the female citizenry of Delaware have an opportunity to learn of the availability of such a distinguished bachelor, so that his next birthday can be shared in that blissful state of happy domesticity,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware, that the best wishes of its members for the continued good health and happiness of Representative Dineen for many more years are hereby extended to Representative Dineen.

BE IT FURTHER RESOLVED, that a copy of this resolution be entered on the Journal of the House, a copy deliv-

ered to the press and a copy be given to Representative Dineen.

Mr. Clifton informed the House that Mr. Hocker's name has been added as co-sponsor of **HB 560**.

The Chair presented the following: **SA 1** to **HB 250**, which was given first reading, and on motion by Mr. Hocker was adopted:

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 250 with **HA 1** and **SA 1**—An Act to Amend Subchapter VI, Chapter 5, Title 7, Delaware Code, Relating to Shooting Preserves by Changing the Territorial Scope of Said Subchapter.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Prettyman, Richards, Snowden, Truitt, Mr. Speaker Tribbitt—27.

ABSENT—Messrs. Davidson, Quigley, Shockley—3.

NAYS — Messrs. Eskridge, Exley, Phillips, Robbins, Shulties—5.

HB 250 with **HA 1** and **SA 1** having received the constitutional majority, passed the House.

Mr. Livingston moved that all rules be suspended for the purpose of bringing **HB 422** out of committee, seconded by Mr. Murray. Motion lost by voice vote.

Mr. Blendt introduced the following resolution, which was given first reading, and on further motion by him, was adopted and ordered to the Senate for concurrence:

HCR 42—Relating to Construction of Shell Refinery in Blackbird Hundred.

WHEREAS, some 12,000 people are currently unemployed in Delaware and many are in and adjoining Blackbird Hundred, and

WHEREAS, the construction and operation of Shell Refinery in Blackbird Hundred, having been approved by the Zoning Commission and Levy Court of New Castle County, would tend to supply jobs for many of these unemployed Delawareans, and

WHEREAS, the Water and Air Pollution authorities of the State of Delaware have gone on public record that wildlife and recreational areas will be properly protected during construction and operation of this refinery and that the laws of Delaware are adequate to insure this, and

WHEREAS, the national publication of "Conservation News" has published an article describing the area proposed

and other so-called facts that were very misleading, the end result tending to bring national influence to bear against this proposed construction, and

WHEREAS, the Supreme Court of the State of Delaware is now in process of giving final ruling on the validity of the rezoning,

NOW THEREFORE,

BE IT RESOLVED that the House of Representatives and the Senate of the 121st General Assembly of the State of Delaware go on record requesting the Secretary of Interior to give full consideration to the unemployment problem in Delaware before rendering any decision which would supersede state's rights.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of the United States, the Secretary of Interior, and Delaware's United States Congressman and Senators.

Messrs. Robbins and Best introduced the following resolution, which was given first reading, and on motion by Mr. Robbins, was adopted:

HR 162—Making an Appropriation to Degray Expenses of Legislative Leaders at National Legislative Leaders Convention.

WHEREAS, The National Legislative Leaders Convention is being held at Seattle, Washington, this year, and

WHEREAS, The Legislative Leaders of the 121st General Assembly shall attend the Convention,

NOW THEREFORE:

BE IT RESOLVED that an appropriation be made to the Speaker of the House in the amount of \$5,000 to defray the expenses of the legislative leaders who attend the National Legislative Leaders Convention in Seattle, Washington,

BE IT FURTHER RESOLVED that any funds herein appropriated which are not used for this purpose shall revert to the General Fund.

Mr. Eskridge moved that the House adjourn until Tuesday, May 8, 1962, at 1:00 P. M.

23rd LEGISLATIVE DAY

May 8, 1962

The House met pursuant to adjournment at 1:57 P. M. on May 8, 1962.

Prayer by the Chaplain, Rev. James.

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

Members absent—Messrs. Davidson, Livingston, 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 communication was read to the House:
To the Governor and Members of the 121st General Assembly:

We, the undersigned, reflecting compelling religious convictions and frequently stated official positions of our various churches and synagogues, again reiterate a call for strong civic action on civil rights.

Both political parties at state and national levels have declared themselves as strongly favoring civil rights legislation. We, therefore, urge the administrative and legislative leadership, as well as the rank and file of both parties, to show good faith to their platform promises, their religious heritages, and the highest traditions of American freedom. We urge that prompt and forthright action be taken to pass House Bill 422 (known as an Equal Accommodation Statute).

We believe that this bill, introduced over five months ago and twice referred to committee, has had ample time for thorough study. Furthermore, this same issue in the form of similar bills has been before our legislature since 1943. The reality of racial discrimination in places of accommodation has been more than amply proved by continuing years of shameful experience culminating in recent well publicized incidents.

We find that the parliamentary side-steps and talk of referral for study to the newly organized and not yet moving Human Rights Commission can scarcely be interpreted as anything else than another attempt to further delay the issue and perpetuate an unjust situation.

We call upon our elected representatives to face the issue of human rights and give us the leadership Delaware deserves. We call upon the citizenry to strengthen our representatives in this matter and support them with their expressions of concern and their prayers.

Rabbi Herbert E. Drooz, Secretary
Rabbinial Association of Delaware
Most Rev. Michael W. Hyle, D. D.
Bishop of Wilmington
Rev. Donald C. Wilson, President
Wilmington and New Castle County Council of Churches
Rev. R. Jervis Cooke, Superintendent
Wilmington District, The Peninsula
Annual Conference of the Methodist Church
The Rt. Rev. J. Brooke Mosley, S. T. D.
Bishop of Delaware

Mr. Robbins introduced the following: **HA 1** to **HB 493**, which was given first reading, and on further motion by him, was adopted.

Mr. Dineen informed the House that because the S. S. Act for Old Age Medical Care had not passed Congress yet that he would support the bill until such time.

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

HB 493 with **HA 1**—An Act to Amend Title 31, Delaware Code, Entitled Welfare, by Defining "Medical Care" and by Removing the Restrictions on Old Age Assistance Payments with Respect to Medical Care, and Appropriating Funds for Medical Care.

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

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

ABSENT—Messrs. Davidson, Gove, Livingston, Pawson, Shockley—5.

NAYS—None.

PRESENT—Messrs. Fifer, Kleinbach—2.

HB 493 with **HA 1** 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:

HB 556—An Act to Amend Chapter 331, Volume 53, Laws of Delaware, to Provide Additional Funds for Capital Improvements.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Gove, Livingston, Pawson, Shockley—5.

NAYS—None.

HB 556 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Labor.

HB 563—An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Insurance and Banking:

SB 396—An Act to Amend Title 12, Section 3526, Delaware Code, Relating to Allocations of Corporate Distributions Between Principal and Income of Trusts.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

SB 142 with SA 1 and SA 3—An Act Relating to Salaries of Certain Public Officials by Raising Certain Salaries and Making an Appropriation Therefor.

Mr. Robbins presented the following for committee report: **SB 383**, 4 favorably.

On motion by Mr. Robbins, all rules were suspended.

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

SB 383—An Act to Amend Chapter 3, Title 14, Delaware Code, Relating to School Board Elections by Providing an Alternate Method of Selecting Board Members in Consolidated Districts.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Gove, Livingston, Pawson, Shockley—5.

NAYS—None.

PRESENT—Mr. Prettyman—1.

SB 383 having received the constitutional majority, passed the House and was ordered back to the Senate.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Public Buildings and Highways:

SB 382—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 Board of Trustees of Delaware State College, to Issue Bonds and Notes Therefor, and to Make an Appropriation Therefor.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Miscellaneous:

SB 363 with SA 1, SA 2, and SA 3—An Act to Amend Chapter 4, Title 24, Delaware Code, Relating to Barbers and Enacting a New Subchapter.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Public Health:

SB 348—An Act Adopting, on Behalf of the State of Delaware, the Interstate Compact on Mental Health, Which Deals in Certain Detail with the Care and Treatment of the Mentally Ill and Mentally Deficient Regardless of Residence or Citizenship; Providing for a Compact Administrator for Delaware and Setting Forth His Duties; Authorizing the Delaware Compact Administrator to Enter Into Certain Supplementary Agreements with Appropriate Officials of Other States Party to Said Compact; Providing for Certain Financial Arrangements; and Providing for Certain Distribution by the Secretary of State of Delaware of Duly Authenticated Copies of This Act.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Education:

SB 313—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees.

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 549—An Act to Amend Section 1314, Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Blendt, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Keenan, Kleinbach, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—25.

NOT VOTING—Messrs. Best, Casey, Moore—3.

ABSENT—Messrs. Busker, Davidson, Livingston, Pawson, Shockley—5.

NAYS—None.

PRESENT—Messrs. Bartleson, Fifer—2.

HB 549 having received the constitutional majority, passed the House and was ordered 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 552—An Act to Amend Section 1118, Title 30, Delaware Code, Relating to Deductions.

Mr. Eskridge moved for deferment, seconded by Mr. Robbins. So ordered.

Mr. Murray presented the following for committee report: **HB 539**, 3 on merits, 2 favorably.

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 560—An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Purchase of a Dredge and Related Equipment and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS — Messrs. Blendt, Clifton, Hocker, Kleinbach, Prettyman, Robbins, Shulties, Truitt—8.

NOT VOTING—Messrs. Eskridge, Exley, Myers, Moore, Paskey, Jr., Richards—6.

ABSENT—Messrs. Busker, Davidson, Livingston, Murray, Pawson, Shockley, Snowden—7.

NAYS—Messrs. Annett, Bartleson, Best, Casey, Downs, Ehinger, Fifer, Gove, Keenan, Quigley—10.

PRESENT—Messrs. Baker, Dineen, Phillips, Mr. Speaker Tribbitt—4.

HB 560 not having received the constitutional majority, was lost.

Messrs. Richards, Myers and Dineen introduced the following bill, which was given first and second reading by title only and referred to the Committee on Education:

HB 564—An Act to Amend Chapter 13, Title 14, Delaware Code, by Providing for a Change in the Definition of Immediate Family.

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 514 as amended by **HA 1** and **SA 1**, **SA 2**, **SA 3**, and **SA 4**—An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1963.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker—28.

ABSENT—Messrs. Davidson, Hocker Livingston, Pawson, Quigley, Shockley—6.

NAYS—Mr. Casey—1.

HB 514 with **HA 1**, **SA 1**, **SA 2**, **SA 3**, and **SA 4** having received the constitutional majority, passed the House.

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 503—An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Blendt, Busker, Clifton, Eskridge, Exley, Gove, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—15.

NOT VOTING—Messrs. Hocker, Myers—2.

ABSENT—Messrs. Davidson, Livingston, Pawson, Quigley, Shockley—5.

NAYS—Messrs. Annett, Bartleson, Best, Casey, Downs, Ehinger, Keenan, Richards, Snowden—9.

PRESENT—Messrs. Baker, Dineen, Fifer, Kleinbach—4.

HB 503 not having received the constitutional majority, was lost.

Mr. Tribbitt (by request) introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Education:

HB 565—An Act to Amend Chapter 345, Volume 52, and Chapter 331, Volume 53, Laws of Delaware, Relating to the Enlargement and Improvement of the System of Free Public Schools of Delaware.

Mr. Busker introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 566—An Act Making a Supplemental Appropriation to the Superior Court of the State of Delaware for Travel and Office Expense.

Mr. Best introduced the following bill, which was given first and second reading by title only and referred to the Committee on Elections:

HB 567—An Act Proposing an Amendment to Article 5 of the Constitution of the State of Delaware, Relating to Elections by Adding Thereto a New Section 10 Pertaining to the Creation and Organization of Departments of Elections.

Mr. Phillips moved for the suspension of all rules for the purpose of a committee report.

Mr. Phillips presented the following for committee report: **SB 363**, 5 favorably.

Mr. Busker moved for the suspension of all rules for the purpose of a committee report.

Mr. Busker presented the following for a committee report: **SB 142** as amended, 3 on its merits.

Mr. Gove presented the following for committee report:
SB 361, 4 favorably.

Mr. Gove presented the following for committee report:
SB 289, 5 favorably.

Mr. Gove presented the following for committee report:
HB 485, 5 favorably.

Mr. Gove presented the following for committee report:
SB 382, 4 favorably.

Mr. Gove presented the following for committee report:
HB 486, 3 favorably, 1 on merits.

Mr. Clifton moved for the suspension of all rules for the purpose of a committee report.

Mr. Clifton presented the following for committee report: **SB 348**, 2 favorably, 2 on merits.

At 3:20 P. M., Mr. Eskridge moved that the House recess to the call of the Chair. The House reconvened at 5:47 P. M.

Mr. Truitt moved for the suspension of all rules for the purpose of the final reading of **SB 396**.

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

SB 396—An Act to Amend Title 12, Section 3526, Delaware Code, Relating to Allocations of Corporate Distributions Between Principal and Income of Trusts.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Livingston, Pawson, Quigley, Shockley—5.

NAYS—Mr. Gove—1.

SB 396 having received the constitutional majority, passed the House and was ordered back to the Senate.

Mr. Eskridge introduced the following: **HA 1** to **HS 1** for **HB 555**, which was given first reading and on further motion by him, was adopted.

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

HS 1 for **HB 555** with **HA 1**—An Act to Authorize the Permanent Budget Commission to Transfer Certain Funds Within the Appropriation to Local School District, Middletown No. 120.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Keenan, Kleinbach, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—25.

ABSENT — Messrs. Clifton, Davidson, Fifer, Hocker, Livingston, Moore, Pawson, Richards, Shockley, Truitt—10.

NAYS--None.

HS 1 for HB 555 with HA 1 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge introduced the following resolution, which was given first reading, and on further motion by him, was adopted and ordered to the Senate for concurrence:

HCR 43—Making Appropriations to Various Companies for Supplies and Services Rendered the 121st General Assembly of the State of Delaware.

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 the 121st General Assembly of the State of Delaware:

Young & Revel, Inc.	\$ 59.04
Milford, Delaware (33202, 33333, 33203, 32785)	
Lo-Mar, Inc.	96.60
Seaford, Delaware	
Manuscripts Supply Company, Inc.	16.15
16 East 40th Street Wilmington 4, Delaware	
Addressograph-Multigraph Corporation	108.18
708 Philadelphia Pike Wilmington 3, Delaware (20-219, 20-118(M))	
Kee Lox Manufacturing Company	1.80
Hering Building 112 North 12th Street Philadelphia 7, Pennsylvania (PH 14755)	
Butlers, Inc.	176.99
415 Market Street Wilmington, Delaware (4-09869, 3-09749, 3-09790, 3-09791, 3-09753, 3-09721)	
Wick Narrow Fabric Company	36.63
124 East 7th Street Conshohocken, Pennsylvania	

Capitol Office Equipment Company 91.49
 205 West Division Street
 Dover, Delaware
 (21923-21876)

Matthews Brothers, Inc. 46.41
 907 Shipley Street
 Wilmington, Delaware

Mr. Quigley moved that **SB 73** be lifted from the table.

The Chair ordered a Roll Call, which revealed:

YEAS—Messrs. Blendt, Busker, Casey, Clifton, Exley, Gove, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Shulties, Truitt, Mr. Speaker Tribbitt—14.

NOT VOTING—Mr. Myers—1.

ABSENT—Messrs. Davidson, Livingston, Pawson, Robbins, Shockley—5.

NAYS—Messrs. Annett, Baker, Bartleson, Best, Downs, Ehinger, Eskridge, Hocker, Keenan, Kleinbach, Moore, Richards, Snowden—13.

PRESENT—Messrs. Dineen, Fifer—2.

The motion was lost.

Mr. Fifer introduced the following: **HA 1** to **HB 331**, which was given first reading 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:

HB 331 with **HA 1**—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.

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

On motion by Mr. Fifer the Roll Call was tabled.

Messrs. Paskey and Prettyman introduced the following bill, which was given first and second reading by title only:

HB 568—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.

Mr. Paskey moved for the suspension of all rules for the purpose of immediate action on the bill.

On the question, the Chair ordered a Roll Call, which revealed:

YEAS—Messrs. Annett, Blendt, Busker, Clifton, Dineen, Downs, Eskridge, Exley, Keenan, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—19.

NOT VOTING—Messrs. Bartleson, Casey, Ehinger—3.

ABSENT—Messrs. Davidson, Gove, Livingston, Pawson, Shockley, Truitt—6.

NAYS—Messrs. Baker, Best, Hocker, Kleinbach, Moore, Richards—6.

PRESENT—Mr. Fifer—1.

The motion prevailed.

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

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Bartleson, Davidson, Gove, Livingston, Pawson, Shockley, Truitt—7.

NAYS—None.

HB 568 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley introduced the following: **HA 1** to **HB 563**, which was given first reading and on further motion by him, was placed with the bill.

Mr. Shulties introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

HB 569—An Act to Amend Section 104, Title 26, Delaware Code, Relating to Compensation of Members of the Public Service Commission.

Mr. Murray moved that all rules be suspended for the purpose of giving **HB 539** its final reading.

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

HB 539—An Act to Amend Chapter 21, Title 19, Delaware Code, Relating to Workmen's Compensation, by Providing for an Attorney's Fee for an Injured Employee.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Baker, Bartleson, Best, Blendt, Busker, Casey, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Keenan, Kleinbach, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—24.

NOT VOTING—Mr. Hocker—1.

ABSENT—Messrs. Clifton, Davidson, Livingston, Moore, Pawson, Richards, Shockley, Truitt—8.

NAYS—Messrs. Annett, Gove—2.

HB 539 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Robbins moved that all rules be suspended for the purpose of bringing **HB 565** out of committee, seconded by Mr. Eskridge. Motion adopted.

Mr. Eskridge moved that the House adjourn until Wednesday, May 9, 1962, at 1:00 P. M.

24th LEGISLATIVE DAY

May 9, 1962

The House met pursuant to adjournment at 2:30 P. M. on May 9, 1962.

Prayer by the Chaplain, Rev. James.

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

Members absent—Messrs. Davidson, 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.

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him, was adopted, and ordered to the Senate for concurrence:

HCR 44—Relating to the Investigation by the Legislative Reference Bureau of the Merits of State Self-Insurance or Bids on State Insurance Policies.

WHEREAS, it has been reported that about half the states act as self-insurers against the various risks for which the State of Delaware purchases insurance and,

WHEREAS, it has been reported that at least one state agency, the Highway Department, purchases insurance by advertising for bids and,

WHEREAS, the amount appropriated for insurance premiums in the budget for fiscal year beginning July 1, 1962, is \$400,000 and any savings from that amount would be highly desirable,

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 121st General Assembly, the Senate concurring therein, that the Legislative Reference Bureau be directed to make a study of the insurance practices of the 50 states, with special attention to the relative merits of self-insurance and purchase of insurance by bidding, and to make recommendations for economy in providing for Delaware's insurance needs in a report to be submitted to the 122nd General Assembly not later than January 15, 1963.

Messrs. Exley, Moore and Shulties introduced the following resolution, which was given first reading and on further motion by Mr. Exley, was adopted:

HR 163—Authorizing the Payment of Certain Expenses for the Printing of Bill and Resolution Backers for the House of Representatives of the 121st General Assembly.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of Thirty-five dollars (\$35.00) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay The Harrington Journal, Harrington, Delaware, for the printing of Bill and Resolution Backers for the House of Representatives of the 121st General Assembly.

Mr. Murray introduced the following resolution, which was given first reading and on further motion by him, was adopted:

HR 164—Expressing the Sympathy of the House of Representatives of the Illness of Representative Paul Shockley.

WHEREAS, the members of the 121st General Assembly of the State of Delaware have learned that Representative Paul Shockley is ill, and

WHEREAS, the members of the House of Representatives desire to extend their regret and sympathy upon hearing of his illness, and

WHEREAS, the members of the House of Representatives desire to extend their best wishes for a complete and speedy recovery to Representative Paul Shockley,

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 most 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 Paul Shockley.

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him, was adopted:

HR 165—Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending April 11, 1962.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the sum of \$38.10 be paid to the Diamond State Telephone Company for services rendered for the period ending April 11, 1962, for phone RE 6-6180.

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him, was adopted:

HR 166—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly.

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 for the payment of certain expenses connected with the present session of the 121st General Assembly of the State of Delaware for the 19th Legislative Day and including the 24th Legislative Day—1962—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 Session thereof, and the Auditor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed to pay to the respective members of the House of Representatives hereinafter named, the respective amounts set opposite their respective names, viz:

John Annett	\$32.40
William W. Baker	54.00
William T. Best	57.00
T. Lees Bartleson	66.00
Carlton Blendt, Jr.	30.00
Glenn Busker	15.60
Andrew Casey	60.00
Carlton Clifton	36.00
Robert Davidson	38.40
Russell Dineen	60.00
Robert N. Downs, III	57.60
Norman Eskridge	42.00
George Exley	24.00
Harvey Fifer	6.00
Chester Gove	30.00
Wilbert Hocker	72.00
Ralph S. Keenan	60.00
Charles S. Kleinbach	51.60
Paul F. Livingston	60.00
Orville B. Myers	12.00
Jennings Moore	49.20
Thomas P. Murray	60.00
William Paskey, Jr.	16.80
Robert Pawson	52.80
Harrison Phillips	61.20

Carl Prettyman	18.00
James Quigley	54.00
George Robbins	22.80
Paul Shockley	60.00
Dawson H. Shulties	12.00
Robert Snowden	48.00
Sherman Tribbitt	30.00
Clarence E. Truitt	60.00

Mr. Robbins introduced the following resolution, which was given first reading, and on further motion by him, was adopted:

HR 167—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware 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 19th Legislative Day and including the 24th Legislative Day of the current session:

Harrison F. Turner	\$225.00
James B. Messick	225.00
Gerald Berkowitz	450.00
Noble Carroll	231.00
Mary Ann McCabe	165.00
Elizabeth Wainwright	150.00
Rev. Arthur James	120.00
James Quigley	165.00
David L. Farrone	75.00
John A. Farrone	75.00
Martha Dixon	120.00
Ruth Ross	120.00
Oliver W. Underhill	120.00
Lillian Wallace	120.00
Pauline Holmes	120.00
Jean Demel	165.00
Lillian Weston	150.00
Margaret Walker	165.00
William L. David	120.00
Claude W. Jordan	120.00
Helen Reihm	120.00
Louise H. Pennewill	165.00
Alberta Jackson	120.00
Alton B. Cordrey	120.00
Elizabeth G. Ennis	120.00

Ernest Council	120.00
Allen S. Moffitt	120.00
George L. Everett	150.00
Julia Graham	165.00
Lloyd Minner	120.00
Bradford Holliday	120.00
Willard C. Robbins	120.00
William B. Morgan, Jr.	120.00
Helen Collins	120.00
Mary Wilson	120.00
Samuel Messick	150.00
Daniel Boyce	120.00
B. Guy Wheatley	120.00
Emory Spicer	120.00
Melba Webb	192.50
Catherine Swartwood	192.50
L. B. Knapp	150.00
W. Lawrence Hudson	120.00
Lewis Killen	120.00
Vincent Ware	120.00
Walter Conway	120.00
Thomas M. Hearne	120.00
Ernest Homewood	120.00
Joseph W. Baker, Sr.	120.00
Francis X. Splane	150.00
June Roop	165.00
Charles Downs	120.00
George W. Kirkby	120.00
Roy D. Freeman	315.00
Wilson Bailey	120.00

Mr. Dineen presented the following bill for committee report: **HB 508**, 4 favorably.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

SB 398—An Act Making an Appropriation to the Delaware Commission of Shell Fisheries to Promote the Production of Oysters by Propagation of Disease Resistant Strains and for Research and Experimental Planting.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Judiciary:

SB 202—An Act to Amend Title 19, Section 3101, Delaware Code, by Increasing the Number of Members on the Unemployment Compensation Commission.

The Chair presented the following resolution, which was given first reading, and on motion by Mr. Robbins, was adopted and ordered returned to the Senate:

SCR 53—An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through April 11, 1962.

BE IT RESOLVED by the Senate of the 121st General Assembly of the State of Delaware, the House of Representatives concurring therein that the sum of \$134.63 be paid to the Diamond State Telephone Company for services rendered through April 11, 1962, for extensions 24, 202, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231 and 232.

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 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.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Pawson, Shockley, Truitt—4.

NAYS—None.

HB 328 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Murray introduced the following: **HA 2** to **HB 505**, which was given first reading and on further motion by him, was adopted.

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 505 with **HA 1** and **HA 2**—An Act to Amend Chapter 1, Title 13, Delaware Code, Relating to Marriage, Marriage Licenses and Marriage License Applications, and Making a Supplementary Appropriation to the State Board of Health to Effectuate the Amendment.

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

On motion by Mr. Murray, the Roll Call was tabled.

Mr. Robbins presented the following resolution, which was given first reading and on further motion by him, was adopted and ordered returned to the Senate:

SCR 25—Making Appropriations to Various Companies for Supplies and Services Rendered the 121st General Assembly of the State of Delaware.

BE IT RESOLVED by the Senate of the 121st General Assembly of the State of Delaware, the House of Representatives concurring therein that the following named companies be paid for supplies and services rendered to the 121st General Assembly of the State of Delaware:

Capitol Office Equipment Company	\$ 43.90
(Inv. 16135)	
Butlers, Inc.	582.73
(Inv. 28724, 28664)	
Audio Visual Arts	487.50
(Inv. 30440)	

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 305—An Act Authorizing and Directing the Levy Court of Kent County to Reimburse Gleen A. Richter and Margaret C. Richter Property Taxes Paid in Error.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Exley, Fifer, Gove, Hocker, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Shulties, Snowden, Truitt—25.

NOT VOTING—Mr. Robbins, Mr. Speaker Tribbitt—2.

ABSENT—Messrs. Davidson, Keenan, Kleinbach, Pawson, Quigley, Shockley—6.

NAYS—Messrs. Bartleson, Eskridge—2.

SB 305 having received the constitutional majority, passed the House and was ordered back 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:

SB 289—An Act Authorizing and Directing the Levy Court of Kent County to Reimburse Cornelia Daniels and Marie H. Daniels Property Taxes Paid in Error.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Exley, Fifer, Gove, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt—25.

NOT VOTING—Mr. Keenan, Mr. Speaker Tribbitt—2.

ABSENT—Messrs. Davidson, Hocker, Kleinbach, Pawson, Quigley, Shockley—6.

NAYS—Messrs. Bartleson, Eskridge—2.

SB 289 having received the constitutional majority, passed the House and was ordered back to the Senate.

Mr. Robbins presented the following resolution, which which was given first reading:

SCR 40—An Act Making an Appropriation to the Cedar Tree Press Printers for Directories Furnished to the 121st General Assembly.

BE IT RESOLVED by the Senate of the 121st General Assembly of the State of Delaware, the House of Representatives concurring therein, that the sum of \$184.00 be paid to the Cedar Trees Press Printers, 218 West Eighth Street, Wilmington, Delaware, for 5000 directories furnished to the 121st General Assembly.

Mr. Robbins moved for the suspension of all rules, seconded by Mr. Eskridge. So ordered.

Mr. Best moved for a roll call, seconded by Mr. Fifer. So ordered.

The roll call was deferred.

Mr. Robbins presented the following resolution, which was given first reading and on further motion by him, was adopted, and ordered returned to the Senate:

SCR 49—Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending February 11, 1962, and March 11, 1962.

BE IT RESOLVED by the Senate of the 121st General Assembly of the State of Delaware, the House of Representatives concurring therein that the sum of \$97.55 for the period to February 11, and \$109.23 for the period to March 11, be paid to the Diamond State Telephone Company for services rendered for extensions 24, 202, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230 and 231.

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 348—An Act Adopting, on Behalf of the State of Delaware, the Interstate Compact on Mental Health, Which Deals in Certain Detail with the Care and Treatment of the Mentally Ill and Mentally Deficient Regardless of Residence or Citizenship; Providing for a Compact Administrator for Delaware and Setting Forth His Duties; Authorizing the Delaware Compact Administrator to Enter Into Certain Supplementary Agreements with Appropriate Officials of Other States Partv to Said Compact; Providing for Certain Financial Arrangements; and Providing for Certain Distribution by the Secretary of State of Delaware of Duly Authenticated Copies of This Act.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—31.

ABSENT—Messrs. Davidson, Pawson, Quigley, Shockley—4.

NAYS—None.

SB 348 having received the constitutional majority, passed the House and was ordered back 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 561—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 Roll Call revealed:

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

ABSENT—Messrs. Davidson, Pawson, Quigley, Shockley—4.

NAYS—None.

HB 561 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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 361—An Act to Amend Chapter 41 of Title 21 of the Delaware Code, Pertaining to Driving Regulations for Motor Vehicles.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Pawson, Quigley, Shockley—4.

NAYS—None.

SB 361 having received the constitutional majority, passed the House and was ordered back 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:

SB 382—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 Board of Trustees of Delaware State College, to Issue Bonds and Notes Therefor, and to Make an Appropriation Therefor.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Pawson, Quigley, Shockley—4.

NAYS—None.

SB 382 having received the constitutional majority, passed the House and was ordered back to the Senate.

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

HB 522—An Act Appropriating Money to the Mayor and Council of Wilmington for Use of Its Fire Companies.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Livingston, Pawson, Quigley, Shockley—5.

NAYS—None.

HB 522 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Murray presented the following for committee report: **HB 563**, 5 favorably.

Mr. Murray presented the following for committee report: **HB 554**, 4 favorably, 1 on merits.

Mr. Eskridge moved that the House adjourn until Thursday, May 10, 1962, at 1:00 P. M.

25th LEGISLATIVE DAY

May 10, 1962

The House met pursuant to adjournment at 3:10 P. M. on May 10, 1962.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, 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.

Members absent — Messrs. Davidson, Gove, 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.

Mr. Eskridge presented the following for committee report: **HB 353**, 5 favorably.

Mr. Kleinbach moved for the suspension of all rules in order to act on **HB 353**, seconded by Mr. Eskridge. So ordered.

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

HB 353—An Act Making a Supplemental Appropriation to the State Board of Examiners and Registration of Architects.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT — Messrs. Davidson, Gove, Pawson, Phillips, Shockley—5.

NAYS—None.

HB 353 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair presented the following: **SA 1** to **HB 389**, which was given first reading and on further motion by Mr. Eskridge, was adopted.

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 389 with **HA 2** and **SA 1**—An Act to Amend Chapter 9, Title 4, Delaware Code, Relating to Alcoholic Liquors.

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

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

ABSENT — Messrs. Davidson, Gove, Pawson, Phillips, Shockley—5.

NAYS—None.

PRESENT—Mr. Fifer—1.

HB 389 with **HA 2** and **SA 1** having received the constitutional majority, passed the House.

The Chair presented the following: **SA 1** to **HB 538**, which was given first reading, and on further motion by Mr. Dineen was adopted.

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

HB 538 with **SA 1**—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees by Adding a Salary Schedule for Attendants and Aides.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Quigley, Richards, Shulties, Truitt, Mr. Speaker Tribbitt—26.

ABSENT—Messrs. Davidson, Gove, Livingston, Pawson, Phillips, Prettyman, Shockley, Snowden—8.

NAYS—Mr. Robbins—1.

HB 538 with **SA 1** having received the constitutional majority, passed the House.

Mr. Quigley introduced the following: **HA 1** to **HB 563**, which was given first reading, and on further motion by him was adopted.

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 563 with **HA 1**—An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation.

The bill was temporary deferred on motion by Mr. Eskridge.

Messrs. Clifton and Baker introduced the following bill, which was given first and second reading by title only:

HB 570—An Act Making a Supplementary Appropriation to the State Highway Department.

On motion of Mr. Clifton, rules were suspended.

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

HB 570—An Act Making a Supplementary Appropriation to the State Highway Department.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

Roll Call was tabled and after three changes the Roll Call was lifted from the table.

Mr. Busker: absent to yea; Mr. Hocker: absent to yea; Mr. Quigley: nay to yea.

The Roll Call was as follows:

YEAS—Messrs. Annett, Baker, Blendt, Busker, Clifton, Dineen, Eskridge, Exley, Hocker, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—20.

NOT VOTING—Messrs. Bartleson, Casey, Downs, Ehinger, Keenan, Livingston, Richards—7.

ABSENT—Messrs. Davidson, Gove, Pawson, Shockley—4.

NAYS—Messrs. Best, Fifer, Kleinbach, Myers—4.

HB 570 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Messrs. Richards, Myers, Hocker, Busker, Truitt and Fifer introduced the following bill, which was given first and second reading by title only and referred to the Committee on Miscellaneous:

HB 571—An Act to Amend Chapter 5, Title 31, Section 502, by Restricting Eligibility of Illegitimate Children to Receive Welfare Assistance.

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 505 as amended by **HA 1** and **HA 2**—An Act to Amend Chapter 1, Title 13, Delaware Code, Relating to Marriage, Marriage Licenses and Marriage License Applications, and Making a Supplementary Appropriation to the State Board of Health to Effectuate the Amendment.

Roll Call was tabled May 9, 1962. After a change: Mr. Kleinbach—absent to yea, the Speaker ordered the Roll Call announced, which was as follows:

YEAS — Messrs. Best, Busker, Clifton, Dineen, Downs, Ehinger, Exley, Fifer, Keenan, Kleinbach, Livingston, Murray, Paskey, Jr., Phillips, Prettyman, Shulties, Snowden, Truitt—18.

NOT VOTING—Messrs. Bartleson, Blendt, Casey, Robbins—4.

ABSENT—Messrs. Davidson, Pawson, Quigley, Shockley—4.

NAYS—Messrs. Annett, Eskridge, Gove, Hocker, Myers, Richards—6.

PRESENT—Messrs. Baker, Moore, Mr. Speaker Tribbitt—3.

HB 505 with **HA 1** and **HA 2** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Phillips moved that **HA 1** to **SB 363** as amended, be adopted.

Mr. Speaker ordered a Roll Call on the amendment:

YEAS—Mr. Baker—1.

NOT VOTING—Mr. Clifton—1.

ABSENT — Messrs. Davidson, Gove, Pawson, Quigley, Shockley, Shulties, Truitt—7.

NAYS—Messrs. Annett, Bartleson, Best, Blendt, Busker, Casey, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Snowden, Mr. Speaker Tribbitt—26.

HA 1 to **SB 363** as amended, was lost.

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 363 with **SA 1**, **SA 2**, and **SA 3**—An Act to Amend Chapter 4, Title 24, Delaware Code, Relating to Barbers and Enacting a New Subchapter.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Keenan, Kleinbach, Livingston, Murray, Phillips, Quigley, Robbins, Snowden, Truitt, Mr. Speaker Tribbitt—24.

NOT VOTING—Mr. Richards—1.

ABSENT—Messrs. Davidson, Gove, Pawson, Shockley, Shulties—5.

NAYS — Messrs. Hocker, Myers, Moore, Paskey, Jr., Prettyman—5.

SB 363 with **SA 1**, **SA 2**, and **SA 3** having received the constitutional majority, passed the House and was ordered back to the Senate.

Mr. Livingston moved that all rules be suspended for the purpose of bringing **HB 422** out of committee.

The Roll Call revealed:

YEAS—Messrs. Baker, Bartleson, Best, Casey, Dineen, Downs, Ehinger, Keenan, Kleinbach, Livingston, Murray, Richards, Mr. Speaker Tribbitt—13.

NOT VOTING—Mr. Annett—1.

ABSENT — Messrs. Clifton, Davidson, Eskridge, Gove, Moore, Pawson, Phillips, Shockley, Truitt—9.

NAYS—Messrs. Blendt, Busker, Exley, Hocker, Paskey, Jr., Prettyman, Quigley, Shulties, Snowden—9.

PRESENT—Messrs. Fifer, Myers, Robbins—3.

Motion lost by Roll Call.

Mr. Murray moved to table Roll Call.

Motion lost by Roll Call.

Mr. Speaker ordered the Roll Call announced.

Messrs. Baker, Bartleson, Casey, Dineen, Downs, Keenan, Kleinbach and Livingston changed from yea to nay.

The Roll Call was as follows:

YEAS—Messrs. Best, Busker, Exley, Quigley, Shulties, Mr. Speaker Tribbitt—6.

NOT VOTING — Messrs. Annett, Blendt, Casey, Fifer, Hocker, Myers, Paskey, Jr., Prettyman, Richards, Truitt—10.

ABSENT — Messrs. Clifton, Davidson, Eskridge, Gove, Moore, Pawson, Phillips, Shockley—8.

NAYS—Messrs. Baker, Bartleson, Dineen, Downs, Ehinger, Keenan, Kleinbach, Livingston, Murray—9.

PRESENT—Messrs. Robbins, Snowden—2.

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

HB 554—An Act Making a Supplementary Appropriation to the State Park Commission for the Fiscal Year Ending July 30, 1963.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT — Messrs. Davidson, Gove, Pawson, Quigley, Shockley—5.

NAYS—None.

PRESENT—Mr. Robbins—1.

HB 554 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Messrs. Bartleson, Downs and Casey introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

HB 572—An Act Proposing an Amendment to Article II of the Constitution of the State of Delaware, Relating to the Composition of the House and Senate by Providing for Expansion and Reapportionment.

Mr. Eskridge presented the following for committee report: **HB 566**, 5 favorably.

On motion of Mr. Busker, rules were suspended.

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 566—An Act Making a Supplemental Appropriation to the Superior Court of the State of Delaware for Travel and Office Expense.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Gove, Pawson, Prettyman, Shockley—5.

NAYS—None.

HB 566 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 563 with HA 1—An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation.

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

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

ABSENT—Messrs. Davidson, Gove, Pawson, Shockley, Snowden—5.

NAYS—Mr. Livingston—1.

HB 563 with HA 1 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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 544—An Act to Amend Chapter 4, Title 24, Delaware Code, Relating to Barbers by Repealing § 415 Requiring Sundays Closing.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Downs, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Moore, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—24.

ABSENT—Messrs. Davidson, Gove, Pawson, Shockley—4.

NAYS — Messrs. Bartleson, Dineen, Ehinger, Eskridge, Myers, Murray, Richards—7.

HB 544 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Revenue and Taxation:

SB 401—An Act to Amend Subchapter V of Title 30, Delaware Code, Relating to Forms of Tax Returns.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Judiciary:

SB 387—An Act Adopting, on Behalf of the State of Delaware, the Interstate Compact on Juveniles Which Deals in Certain Detail with Out-of-State Supervision of Juvenile Delinquents, Return of Runaways, Absconders and Escapees and Authorizes Agreements for the Cooperative Institutionalization of Special Types of Juveniles.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Public Health:

SB 397—An Act to Amend Chapter 66, Title 16, Delaware Code, Relating to the State Fire Marshal.

Mr. Quigley moved that the House recess to the call of the Chair. The House reconvened at 5:17 P. M.

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

SB 400—An Act to Amend Chapter 3, Title 9, of the Delaware Code, Relating to Levy Court of Sussex County.

On motion by Mr. Eskridge, all rules were suspended.

Mr. Eskridge moved that **SB 400**, under suspension of rules, be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, 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.

ABSENT—Messrs. Davidson, Gove, Pawson, Shockley—4.

NAYS—None.

SB 400 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 303—An Act to Amend Chapter 9, Title 10, Delaware Code, Relating to the Appointment and Duties of Masters in the Family Court.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, 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.

ABSENT—Messrs. Davidson, Gove, Pawson, Shockley—4.

NAYS—None.

SB 303 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Messrs. Baker and Clifton introduced the following bill, which was given first and second reading by title only:

HB 573—An Act Making a Supplementary Appropriation to the State Highway Department for Construction of a Boardwalk at Oak Orchard.

On motion of Mr. Baker, rules were suspended.

Messrs. Baker and Clifton moved that **HB 573**, under the suspension of all rules be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

The Roll Call was temporarily deferred.

After a change of votes by Messrs. Blendt, Casey, Downs, Murray and Paskey, Mr. Speaker ordered the Roll Call announced:

YEAS—Messrs. Annett, Baker, Blendt, Casey, Clifton, Downs, Ehinger, Exley, Fifer, Hocker, Keenan, Myers, Murray, Paskey, Jr., Phillips, Quigley, Richards, Shulties, Snowden, Truitt—20.

NOT VOTING — Messrs. Bartleson, Busker, Eskridge, Prettyman, Robbins—5.

ABSENT—Messrs. Davidson, Gove, Livingston, Pawson, Shockley—5.

NAYS—Messrs. Best, Dineen, Kleinbach—3.

PRESENT—Messrs. Moore, Mr. Speaker Tribbitt—2.

HB 573 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 548—An Act to Amend Section 101, Title 13, Delaware Code, Relating to Void and Voidable Marriages.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS — Messrs. Annett, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer,

Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—27.

ABSENT — Messrs. Baker, Bartleson, Davidson, Gove, Moore, Pawson, Quigley, Shockley—8.

NAYS—None.

HB 548 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Clifton, all rules were suspended.

Mr. Clifton moved that **SB 397**, under the suspension of all rules, be taken up for consideration and read for the third time in order to pass the House:

SB 397—An Act to Amend Chapter 66, Title 16, Delaware Code, Relating to the State Fire Marshal.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Paskey, Jr., Phillips, Prettyman, Richards, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—27.

ABSENT — Messrs. Davidson, Gove, Moore, Murray, Pawson, Quigley, Shockley—7.

NAYS—Mr. Robbins—1.

SB 397 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Ehinger presented the following: **SA 1** to **HB 356**, which was given first reading, and on further motion by him, was adopted.

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 356 with **SA 1**—An Act to Provide for the Reversion of School Construction Funds to the State and to the School Districts in the Same Proportion as Such Funds were Appropriated and to Stipulate How These Funds Shall be Expended.

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

On motion by Mr. Eskridge, the Roll Call was tabled.

Mr. Ehinger presented the following: **SA 1** to **HB 539**, which was given first reading, and on further motion by him, was adopted.

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 539 with **SA 1**—An Act to Amend Chapter 21, Title 19, Delaware Code, Relating to Workmen's Compensation, by Providing for an Attorney's Fee for an Injured Employee.

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

YEAS—Messrs. Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—28.

NOT VOTING—Mr. Snowden—1.

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

NAYS—Mr. Annett—1.

HB 539 with **SA 1** having received the constitutional majority, passed the House.

At 6:45 P. M., Mr. Eskridge moved that the House recess to the call of the Chair. The House reconvened at 8:55 P. M.

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him was adopted by voice vote:

HR 168—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly.

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 for the 25th 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	\$ 5.40
William W. Baker	9.00
William T. Best	9.50
T. Lees Bartleson	11.00
Carlton Blendt, Jr.	5.00
Glenn Busker	2.60
Andrew Casey	10.00
Carlton Clifton	6.00
Robert Davidson	6.40
Russell Dineen	10.00
Robert N. Downs, III	9.60
Norman Eskridge	7.00
George Exley	4.00

Harvey Fifer	1.00
Chester Gove	5.00
Wilbert Hocker	12.00
Ralph S. Keenan	10.00
Charles S. Kleinbach	8.60
Paul F. Livingston	10.00
Orville B. Myers	2.00
Jennings Moore	8.20
Thomas P. Murray	10.00
William Paskey, Jr.	2.80
Robert Pawson	8.80
Harrison Phillips	10.20
Carl Prettyman	3.00
James Quigley	9.00
George Robbins	3.80
Paul Shockley	10.00
Dawson H. Shulties	2.00
Robert Snowden	8.00
Sherman Tribbitt	5.00
Clarence E. Truitt	10.00

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him was adopted by voice vote:

HR 169—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware 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 25th Legislative Day and including the 25th Legislative Day of the current session.

Harrison F. Turner	\$ 37.50
James B. Messick	37.50
Gerald Berkowitz	75.00
Noble Carroll	66.00
Mary Ann McCabe	27.50
Elizabeth Wainwright	25.00
Rev. Arthur James	20.00
James Quigley	27.50
David L. Farrone	12.50
John A. Farrone	12.50
Martha Dixon	20.00
Ruth Ross	20.00
Oliver W. Underhill	20.00
Lillian Wallace	20.00

Pauline Holmes	20.00
Jean Demel	27.50
George W. Kirkby	20.00
Roy D. Freeman	100.00
Charles Downs	20.00
June Roop	27.50
Lillian Weston	75.00
Margaret Walker	27.50
William L. David	60.00
Claude W. Jordan	20.00
Helen Reihm	60.00
Louise H. Pennewill	110.00
Alberta Jackson	20.00
Alton B. Cordrey	20.00
Elizabeth G. Ennis	20.00
Ernest Council	20.00
Allen S. Moffitt	20.00
George L. Everett	50.00
Julia Graham	27.50
Lloyd Minner	20.00
Bradford Holliday	20.00
Willard G. Robbins	20.00
William B. Morgan, Jr.	60.00
Helen Collins	20.00
Mary Wilson	20.00
Samuel Messick	25.00
Daniel Boyce	20.00
B. Guy Wheatley	20.00
Emory Spicer	60.00
Melba Webb	55.00
Catherine Swartwood	82.50
L. B. Knapp	25.00
W. Lawrence Hudson	20.00
Lewis Killen	20.00
Vincent Ware	20.00
Walter Conway	60.00
Thomas M. Hearne	20.00
Ernest Homewood	20.00
Joseph W. Baker, Sr.	60.00
Francis X. Splane	25.00
Wilson Bailey	20.00

Mr. Murray presented the following: **SA 1** to **HB 561**, which was given first reading, and on further motion by him, was adopted.

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 561 with **SA 1**—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 as Amended pass the House?" the roll call revealed:

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

ABSENT—Messrs. Davidson, Gove, Keenan, Moore, Pawson, Shockley—6.

NAYS—None.

HB 561 with **SA 1** having received the constitutional majority, passed the House.

Mr. Robbins presented the following: **SA 1** to **HB 493**, which was given first reading, and on further motion by him, was adopted.

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 493 with **HA 1** and **SA 1**—An Act to Amend Title 31, Delaware Code, Entitled Welfare, by Defining "Medical Care" and by Removing the Restrictions on Old Age Assistance Payments with Respect to Medical Care, and Appropriating Funds for Medical Care.

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

YEAS — Messrs. Annett, Baker, Best, Busker, Casey, Clifton, Dineen, Ehinger, Eskridge, Exley, Hocker, Kleinbach, Livingston, Myers, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—23.

NOT VOTING—Messrs. Bartleson, Blendt, Downs, Fifer, Richards—5.

ABSENT—Messrs. Davidson, Gove, Keenan, Moore, Murray, Pawson, Shockley—7.

NAYS—None.

HB 493 with **HA 1** and **SA 1** having received the constitutional majority, passed the House.

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 251 as amended by **SA 1**, **SA 2**, **SA 3**, **SA 4**, **SA 5**, **SA 6** and **SA 7**—An Act to Create a State Board of Cosmetology and Regulate the Practice of Cosmetology.

On the question, "Shall the Bill as Amended pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Casey, Clifton, Downs, Ehinger, Eskridge, Exley, Fifer, Kleinbach,

Livingston, Myers, Murray, Phillips, Richards, Robbins, Snowden, Truitt, Mr. Speaker Tribbitt—21.

NOT VOTING—Mr. Best—1.

ABSENT — Messrs. Davidson, Gove, Hocker, Keenan, Moore, Pawson, Prettyman, Quigley, Shockley—9.

NAYS—Messrs. Paskey, Jr., Shulties—2.

PRESENT—Messrs. Busker, Dineen—2.

SB 251 as amended by SA 1, SA 2, SA 3, SA 4, SA 5, SA 6 and SA 7 not having received the constitutional majority, was lost in the House.

Mr. Eskridge moved all rules be suspended for purpose of restoring SB 251 to the calendar. Motion seconded by Mr. Robbins. Motion prevailed.

On motion by Mr. Eskridge, all rules were suspended.

On motion of Mr. Eskridge, under suspension of rules, the following was taken up for consideration and read a third and final time in order to pass the House:

SB 409—An Act to Provide Benefits to the Surviving Spouse of Persons Elected to Any State or County Office.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Kleinbach, Myers, Murray, Paskey, Jr., Phillips, Richards, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—23.

ABSENT — Messrs. Casey, Davidson, Gove, Hocker, Keenan, Livingston, Moore, Pawson, Prettyman, Quigley, Shockley, Truitt—12.

NAYS—None.

SB 409 having received the constitutional majority, passed the House and was ordered back to the Senate.

Mr. Eskridge presented the following for committee report: SB 326, 3 favorably, 1 unfavorably.

On motion of Mr. Eskridge, all rules were suspended.

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

SB 326—An Act Making a Supplementary Appropriation to the State Board of Education for the Improvement of the Grounds of the Greenwood School District No. 91.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Best, Blendt, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Quigley, Richards, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—25.

ABSENT — Messrs. Busker, Casey, Davidson, Gove, Moore, Pawson, Prettyman, Shockley—8.

NAYS—Mr. Bartleson—1.

PRESENT—Mr. Robbins—1.

SB 326 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Eskridge presented the following for committee report: SB 327, 3 favorably, 1 unfavorably.

Mr. Eskridge moved for the suspension of all rules, seconded by Mr. Robbins. So ordered.

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

SB 327—An Act Making a Supplementary Appropriation to the State Board of Education for Completion of the Athletic Field of the Bridgeville Consolidated School District #90.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS — Messrs. Annett, Baker, Best, Blendt, Casey, Clifton, Dineen, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Myers, Murray, Paskey, Jr., Phillips, Quigley, Richards, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—24.

NOT VOTING—Messrs. Downs, Robbins—2.

ABSENT—Messrs. Busker, Davidson, Gove, Livingston, Moore, Pawson, Prettyman, Shockley—8.

NAYS—Mr. Bartleson—1.

SB 327 having received the constitutional majority, passed the House and was ordered back to the Senate.

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

SB 407—An Act Making a Supplementary Appropriation to Local School District Middletown No. 120 for the Fiscal Year Ending June 30, 1962, to be Used for Payment of Operating Expenses Incurred During the School Years Ending 1961 and 1962.

Mr. Eskridge moved that all rules be suspended for purpose of taking action on the bill.

Mr. Eskridge moved that SB 407, under the suspension of all rules be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Davidson, Gove, Livingston, Moore, Pawson, Shockley—6.

NAYS—Mr. Bartleson—1.

SB 407 having received the constitutional majority, passed the House and was ordered back 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 251 as amended by **SA 1**, **SA 2**, **SA 3**, **SA 4**, **SA 5**, **SA 6** and **SA 7**—An Act to Create a State Board of Cosmetology and Regulate the Practice of Cosmetology.

On the question, "Shall the Bill as Amended pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Blendt, Casey, Clifton, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—28.

NOT VOTING—Mr. Best—1.

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

NAYS—None.

PRESENT—Mr. Busker—1.

SB 251 as amended by **SA 1**, **SA 2**, **SA 3**, **SA 4**, **SA 5**, **SA 6** and **SA 7** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Paskey introduced the following: **HA 1** to **HB 508**, which was given first reading and on further motion by him was adopted.

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 508 with **HA 1**—An Act to Amend Title 15, Delaware Code, Relating to "Elections", by Providing for Availability of Voters' Registration Lists.

On the question, "Shall the Bill as Amended pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Dineen, Downs, Ehinger, Exley, Fifer, Kleinbach, Livingston, Myers, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—25.

NOT VOTING—Mr. Keenan—1.

ABSENT — Messrs. Davidson, Eskridge, Gove, Hocker, Moore, Murray, Pawson, Shockley—8.

NAYS—Mr. Robbins—1.

HB 508 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Myers introduced the following: **HA 1** to **HB 571**, which was given first reading and on further motion by him, was adopted.

Mr. Richards moved for a suspension of all rules.

Mr. Eskridge moved that **HB 571** with **HA 1** be tabled. Motion prevailed.

Mr. Dineen introduced the following: **HA 1 to SB 313**, which was given first reading and on further motion by him was adopted.

On motion by Mr. Eskridge, **SB 313 with HA 1** was deferred.

Messrs. Robbins and Best introduced the following resolution, which was given first reading, and on further motion by Mr. Robbins, was adopted:

HR 170—Authorizing Payment to the Chief Clerk, Noble Carroll, for the Completion of the House Journal.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the sum of \$1200.00 be paid to the Chief Clerk, Noble Carroll, for the compiling of the House Journal based on a voucher signed by the director of the Legislative Reference Bureau.

At 12:07 A. M., Mr. Eskridge moved that the House recess to the call of the Chair.

The House convened on Friday, July 27, 1962, at 2:15 P. M. Mr. Tribbitt, the Speaker of the House, presiding.

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 Chair declared a recess for the purpose of a Joint Session in the Senate Chamber to hear the Governor's Message on Reapportionment.

The Sergeant-at-Arms announced the Speaker and Members of the House of Representatives. They were admitted and seated. Lieutenant-Governor Lamot 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 Chair appointed the following committee to escort the Governor to the Senate Chamber:

Messrs. Best, Murray, Wilgus and Steen.

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

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

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

MESSAGE OF GOVERNOR ELBERT N. CARVEL
to the

Special and Extraordinary Session of the Delaware General Assembly to Consider the First Enactment of a Constitutional Amendment for Reapportionment, the Enactment of Legislation to Provide for the Submission of the Question to the People "Shall There be a Convention to Revise the Constitution and Amend the Same," and to Consider a Constitutional Amendment for a Speedier Call for a Constitutional Convention

July 27, 1962

Mr. President, Mr. Speaker, Members of the 121st General Assembly and My Fellow Delawareans:

The spirit of Liberty and Independence has burned brightly in the hearts of Delawareans ever since the inception of organized government of the three lower Counties on the Delaware. All through the proud history of our small, brave, patriotic State have flowed the strain of high principles and softy goals ever seeking recognition of the integrity and freedom of the individual and his right to express himself through equal individual representation and equal sovereign representation in our General Assembly and in the Congress of our Nation.

Shortly before William Penn became the proprietary Governor of the three lower Counties on the Delaware in 1681, he said "Government seems to me a part of religion itself, a thing sacred in its institutions and ends; free to the people; where law rules and the people are a party to those laws."

On March 10, 1683, the three lower Counties joined in General Assembly with the three upper Counties of Pennsylvania. Two Houses of the Assembly were instituted,—the Council with one member from each County and the Assembly with six members from each County. Recognizing the sovereignty of the Counties, the General Assembly authorized a Seal for each County—for New Castle the main symbol was "a Castle",—for Kent "Three Ears of Indian Corn",—and for Sussex "a Sheaf of Wheat". These same Seals are today a part of every official document issued by the three Counties.

These three lower Counties on the Delaware did not remain in accord and in Assembly with the upper Counties of Pennsylvania. These upper Counties increased above the original three in number and the three sovereign lower Counties or Territories, as they were called by Penn, because they were out-voted, sued for and obtained their own General Assembly which met at New Castle in November 1704. This established the foundations of the new Delaware State, which

forever became independent of the Pennsylvania Province, but subject to the proprietorship of William Penn and his heirs until the Declaration of Independence in 1776.

Further evidence of sovereignty of the three Counties is given in a Resolution adopted by the Assembly of the "three lower Counties on Delaware" on June 15, 1776, as follows: "Resolved that all persons holding any office, civil or military, in this Colony on the 13th day of June may and shall continue to exercise the same in the names of the Counties of New Castle, Kent and Sussex upon Delaware as they used to exercise them in the name of the King, until a new government shall be formed agreeable to the Resolution of Congress on the 15th of May last."

Delaware voted for Independence of one of the 13 states who made the unanimous Declaration.

In the Declaration of Independence on July 4, 1776, one of the grievous complaints registered in calling for independence was: "He (the King) has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the rights of representation in Legislature, a right inestimable to them and formidable to tyrants only."

The Articles of Confederation signed by the Delaware Delegation on May 5, 1779, provided that "In determining questions in the United States, in Congress assembled, each State shall have one vote." It further provided that "No state shall be represented in Congress by less than two nor more than seven members."

The Constitution of the United States, of which Delaware was the initial ratified, provided for equal representation of the populace of the State in a House of Representatives while the sovereignty of the Federated States was recognized in a Senate where states large or small in size and population were accorded equal representation of two Senators. Delaware and the other small states played a highly important part in providing for this sovereign and equal representation. Indeed, it was George Read who called the Convention's attention to the fact that the commission of the deputies from Delaware precluded any change from the Article in the Confederation "which provided that each State shall have one vote" and that if equal representation of the states in the Senate was changed "it might become their duty to retire from the Convention."

Article 5 of the Declaration of Rights and Fundamental Rules of the Delaware State enacted September 11, 1776, provides: "That persons entrusted with the Legislative and Executive powers are the Trustees and servants of the public and as such are accountable for their conduct; wherefore whenever the ends of government are perverted, and public liberty manifestly endangered by the Legislative singly or a

treacherous combination of both, the people may and of a right ought to establish a new, or reform the old government."

Thus, we see that at the forming of our County, State and National governments in 1704, 1776 and in 1787, there was a strong tide of thought that sovereignty and geography should be represented in a Senate or Council where the terms were longer and the numbers smaller.

Population on the National level was represented in a House of Representatives where the terms was shorter and where reapportionment took place every ten years, and reasonably equal representation was accorded to the nation's populace.

The people of Delaware are today faced with an historic decision.

The Supreme Court has recently ruled that the several sovereign states of this Nation must provide equal representation in their Legislative bodies.

In some states where action by the Legislatures has been sluggish or inequitable, the U. S. Courts have taken action and directed the reapportionment. There is presently pending in the U. S. District Court the case of Sincock vs. Terry which urges the Court to declare Delaware's method of representation in the General Assembly as unconstitutional.

It is the opinion of all Delawareans with whom I have discussed this serious matter or who have communicated their views to me, that traditional methods of amending our Constitution should be utilized to correct any mal-apportionment existing in our Legislature. We all believe that when equitable reapportionment in the Assembly is provided the people of Delaware, it should be done not by the Federal District Court or the Federal Supreme Court, but by the Legislature of the State of Delaware by amending our Constitution as provided for in our present State Document.

Unfortunately, time is short. To assure the passage of the Constitutional Amendment for reapportionment within six months, we must act promptly by providing the necessary 2/3 majority in both Houses in order that the first leg of the amendment might be approved before the three month Constitutional period before election begins to run when notice must be given in the newspapers of our three counties.

The deadline is August 6, 1962. The last date for publication of our weekly newspapers before this is Friday, August 3. Most weekly newspapers will go to press Tuesday, July 31.

Our work, if it is to be timely, must be concluded by Monday, July 30, 1962. I urge you to act promptly and courageously.

The issue of reapportionment is not a new one. Every member of the General Assembly has been aware that Dela-

ware is one of the fastest growing states in the Union. For the past generation, New Castle County has grown at a much faster rate than the two lower counties. This has made the New Castle representation in our House of Representatives more and more inequitable and every member of this Body has been aware of this injustice, this inequity, this failure to accept our responsibility as free people to meet the very issues which caused us to form our great Nation.

We must provide reapportionment of the House of Representatives on essentially a population basis similar to the way we reapportion the House of Representatives in Washington every ten years.

As Governor during my first term, I urged reapportionment on many occasions starting in January 1949. Our major political parties, our Congressional delegation, our leading citizens are all in accord that this just goal must be achieved.

So that we might have the benefit of the best advice of the people of Delaware in this matter, early this month I called the leaders of both political parties from the three Counties of the State and from the General Assembly to consult and advise the most appropriate way to achieve reapportionment.

It was agreed by this group that an 8-man Bipartisan Committee of distinguished Delawareans be appointed by the State Chairman of each political party. One of each party to represent each of the three Counties and the City of Wilmington.

William V. Roth, Jr., Chairman of the Republican Party chose former Senator Thomas L. Johnson of Sussex, Harold Schmittinger of Kent, Ernest S. Wilson, Sr., of New Castle County, and Gerald P. Kavanaugh of Wilmington.

John M. Conway, Chairman of the Democratic Party chose Houston Wilson of Sussex, Maurice A. Hartnett, III, of Kent, Frank O'Donnell of New Castle, and Michael A. Poppiti of Wilmington.

Houston Wilson was elected Chairman of the Committee and Harold Schmittinger was elected Secretary. Their assignment was to develop a plan for reapportionment of the General Assembly and recommend steps to be taken in the calling of a Constitutional Convention.

The people of Delaware owe this 8-man Bipartisan Committee a deep vote of appreciation and confidence. They have demonstrated once again that when Delaware is faced with a serious crisis, it is always endowed with the services and assistance of courageous Delaware statesmen who are willing to rise above petty party and regional differences to help to solve the serious vexing dilemmas which beset us. This Committee has brought forth a plan of action in the finest tradition of the great Delaware patriots and founding Fathers.

On behalf of a grateful State, I express to them and to the Bipartisan Advisory Committee our warm and sincere thanks and appreciation.

On reapportionment their plan recommends that there be seven Senators from each County. This equal representation would recognize the sovereignty and geography of each County in the Senate of Delaware just as the United States equally recognized each state of our Nation in the United States Senate regardless of size or population. This principle is traditional in our State and Nation and there are solid and valid reasons for this method of representation which are grounded in the earliest stirrings of free government on this continent.

Each Representative of the State would continue their present representation in the House of Representatives. Any Representative District with a population of over 22,500 would be entitled to two representatives and for each additional 15,000 population, another representative. This would mean that if the Constitutional Amendment for reapportionment is adopted, New Castle County will have 25 instead of 15 representatives while Kent and Sussex Counties would continue with ten representatives each. On the other hand Kent and Sussex would each pick up 2 new State Senators for a total of 7 each, while New Castle County would continue with their present 7 membership. Thus, our Senate would again, as it did for almost 200 years provide equal County representation.

The Committee further recommends that a Constitutional Convention be supported by the Legislature. This will require that 2/3 of each House in the General Assembly pass legislation to place the question "Shall there be a Convention to revise the Constitution and amend the same?" on the ballot next November for the consideration of the people of our State.

The Committee further recommends that a Constitutional Amendment be passed by the General Assembly to provide that in the event a Constitutional Convention is authorized, its membership can be elected in 1963 and the work of the Constitutional Convention can be started next fall instead of being delayed until September 1965, the earliest date possible under our present Constitution. The State is indebted to former Judge Daniel L. Herrmann for his splendid assistance to the Bipartisan Committee in analyzing the problems of calling a Constitutional Convention, and drafting recommendations, many of which the Advisory Committee recommends for legislation to make a Constitutional Convention more flexible and subject to prompter action.

All parties, all parts of the State and practically every Delawarean who was called upon to assist have risen as one to aid their State in a solution to this old problem of unjust representation. With unanimous support, the plan for re-

apportionment was submitted by the Bipartisan Drafting Committee. Almost unanimously, the Bipartisan Advisory Committee of political party leaders has endorsed the plan.

Let us as dedicated public servants rise to this occasion by passing the first leg on the Reapportionment Amendment. The Federal Courts have stayed any action on the case of *Sincock vs. Terry*, pending the outcome of our actions here within the next two legislative days. I sincerely believe that your passage of the Reapportionment Amendment plus the passage of enabling Constitutional Amendments providing for an early Constitutional Convention will demonstrate to the United States District Court that the Delaware Legislature is acting in good faith and that we Delawareans should be given the right to complete the job of reapportioning ourselves through the passage of the final leg of these Amendments during January of 1963.

Let us follow William Penn's admonition that "Government—is a thing sacred in its institutions and ends, free to the people where law rules, and the people are a party to these laws."

May God continue to give to our brave and dedicated people the vision and the courage to ever strive for and provide fair and equitable representation in a just government that is devoted to the principles equality of Liberty and Independence.

The previously named Committee escorted the Governor from the Chamber.

Mr. Cook moved that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals.

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

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

The House reconvened at 3:25 P. M., and Mr. Eskridge moved that the House recess for the purpose of a caucus. The motion prevailed.

The House reconvened at 6:00 P. M.

Messrs. Best and Eskridge introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revised Statutes:

HB 574—An Act Proposing an Amendment to Article II of the Constitution of the State of Delaware, Relating to the Composition of the House and Senate, by Providing for Expansion and Reapportionment.

Messrs. Eskridge and Best introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revised Statutes:

HB 575—An Act to Provide for the Submission to the Qualified Electors of Delaware, at the General Election to be Held in 1962, the Question of Whether There Shall be a Convention to Revise and Amend the State Constitution.

Messrs. Best and Eskridge introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Revised Statutes:

HB 576—An Act Proposing Amendments to Section 2 and Section 5 of Article 16 of the Delaware Constitution Relating to Constitutional Conventions.

Messrs. Dineen, Shockley, Keenan and Murray introduced the following resolution, which was given first reading, and on further motion by Mr. Dineen was adopted by voice vote, and ordered to the Senate for concurrence:

HJR 10—Relative to the Death of Archbishop Edmond J. Fitz Maurice, Former Bishop of the Catholic Diocese of Wilmington.

WHEREAS, the members of the 121st General Assembly of the State of Delaware have learned with deep regret of the passing of Archbishop Edmond J. Fitz Maurice, Bishop of the Catholic Diocese of Wilmington for 35 years prior to his retirement in 1960, and

WHEREAS, Archbishop Fitz Maurice during his tenure as Bishop of Wilmington gained the affection, respect and loyalty of all with whom he came in contact and,

WHEREAS, the members of the General Assembly desire to express their own feelings and the sense of loss felt throughout the entire State of Delaware, as well as pay public recognition to the long and faithful service of Archbishop Fitz Maurice to his Diocese and the State of Delaware,

NOW, THEREFORE

BE IT RESOLVED by the Senate and House of Representatives of the 121st General Assembly of the State of Delaware that the members thereof take this public means to express their regret and deep sense of loss they experienced at the passing of Archbishop Fitz Maurice, an outstanding and prominent figure in the entire State of Delaware; and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journals of the proceedings of the Senate and proceedings of the House of Representatives of the 121st General Assembly of the State of Delaware.

#35—MEMORANDUM—A message from the Governor's Office. On date indicated, the Governor approved the following legislation:

May 16, 1962—**HB 29** with **SA 1**, **SA 2**, **SA 3**, **HB 539** with **SA 1**.

May 18, 1962—**SB 289**, **SB 305**, **SB 383**, **HB 371**, **SB 382**.

May 22, 1962—**HB 439** with **HA 2**, **HB 509**, **HB 533**, **HB 389** with **HA 2** and **SA 1**.

May 23, 1962—HB 568, SB 348, SB 361, SB 396, SB 376, SB 377.

#36 MEMORANDUM—A Message from the Governor's Office. On date indicated, the Governor approved the following legislation:

May 25, 1962—HB 538 with SA 1, HB 561 with SA 1, SB 393, HB 543.

May 29, 1962—HB 514 with HA 1, SA 1, SA 2, SA 3 and SA 4.

May 31, 1962—HB 473 with HA 1, HB 522, HB 527, HB 529.

#37 MEMORANDUM—A Message from the Governor's Office. On date indicated, the Governor approved the following legislation:

June 5, 1962—SB 303, SB 409.

June 8, 1962—SB 229, HB 493 with HA 1 and SA 1, HB 407, HB 465, HB 424, HB 404, HB 468 with HA 2.

June 11, 1962—HB 470 with HA 2.

#38 MEMORANDUM—A Message from the Governor's Office. On date indicated, the Governor approved the following legislation:

June 18, 1962—HB 238 with HA 1, SB 124.

June 19, 1962—HB 450, HS 1 for HB 142, SB 233, SB 318.

#40 MEMORANDUM—A Message from the Governor's Office. On date indicated, the Governor approved the following legislation:

July 10, 1962—HB 328.

At 6:07 P. M., Mr. Eskridge moved that the House recess until Monday, July 30, 1962, at 1:00 P. M. Motion prevailed.

The House convened at 2:20 P. M. on July 30, 1962.

At 2:25 P. M., Mr. Eskridge moved that the House adjourn until Monday, July 30, 1962, at 1:00 P. M.

26th LEGISLATIVE DAY

July 30, 1962

The House met pursuant to adjournment at 2:25 P. M. on July 30, 1962.

Prayer by the Chaplain, Rev. James.

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

Members absent—Messrs. Downs, Snowden—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.

Mr. Davidson presented the following for committee report: **HB 574**, 4 on its merits.

Mr. Eskridge moved for the suspension of all rules for the purpose of taking action on **HB 574**. Motion prevailed.

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 574—An Act Proposing an Amendment to Article II of the Constitution of the State of Delaware, Relating to the Composition of the House and Senate, by Providing for Expansion and Reapportionment.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

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

ABSENT—Messrs. Downs, Snowden—2.

NAYS—Messrs. Bartleson, Busker, Gove, Pawson—4.

HB 574 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved for a recess to the call of the Chair. Motion prevailed. The House reconvened at 5:50 P. M.

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him was adopted:

HR 172—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware 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 July 27, 1962 and July 30, 1962, of the current session:

Harrison F. Turner	\$ 75.00
James B. Messick	75.00
Gerald Berkowitz	150.00
Noble Carroll	99.00
Mary Ann McCabe	82.50
Elizabeth Wainwright	50.00
Rev. Arthur James	40.00
James Quigley	55.00
David L. Farrone	25.00
John A. Farrone	25.00
Martha Dixon	40.00

Ruth Ross	40.00
Oliver W. Underhill	40.00
Lillian Wallace	40.00
Pauline Holmes	40.00
Jean Demei	55.00
Lillian Weston	50.00
Margaret Walker	55.00
William L. David	40.00
Claude W. Jordan	40.00
Helen Reihm	40.00
Louise H. Pennewill	55.00
Alberta Jackson	40.00
Alton B. Cordrey	40.00
Elizabeth G. Ennis	40.00
Ernest Council	40.00
Allen S. Moffitt	40.00
George L. Everett	50.00
Julia Graham	55.00
Leonard Everett	40.00
Bradford Holliday	40.00
Willard C. Robbins	40.00
Eleanor Johnson	40.00
Helen Collins	40.00
Mary Wilson	40.00
Samuel Messick	50.00
Daniel Boyce	40.00
B. Guy Wheatley	40.00
Emory Spicer	40.00
Melba Webb	687.50
Catherine Swartwood	110.00
L. B. Knapp	50.00
W. Lawrence Hudson	40.00
Lewis Killen	40.00
Vincent Ware	40.00
Walter Conway	40.00
Thomas M. Hearne	40.00
Ernest Homewood	40.00
Joseph W. Baker, Sr.	40.00
Francis X. Splane	50.00
June Roop	82.50
Charles Downs	40.00
George W. Kirkby	40.00
Roy D. Freeman	450.00
Wilson Bailey	40.00

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him was adopted:

HR 173—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly.

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, for July 27th and July 30th, 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	\$10.80
William W. Baker	18.00
William T. Best	19.00
T. Lees Bartleson	22.00
Carlton Blendt, Jr.	10.00
Glenn Busker	5.20
Andrew Casey	20.00
Carlton Clifton	12.00
Robert Davidson	12.80
Russell Dineen	20.00
Robert N. Downs, III	19.20
Norman Eskridge	14.00
George Exley	8.00
Harvey Fifer	2.00
Chester Gove	10.00
Wilbert Hocker	24.00
Ralph S. Keenan	20.00
Charles S. Kleinbach	17.20
Paul F. Livingston	20.00
Orville B. Myers	4.00
Jennings Moore	16.40
Thomas P. Murray	20.00
William Paskey, Jr.	5.60
Robert Pawson	17.60
Harrison Phillips	20.40
Carl Prettyman	6.00
James Quigley	18.00
George Robbins	7.60
Paul Shockley	20.00
Dawson H. Shulties	4.00
Robert Snowden	16.00

Sherman Tribbitt 10.00
 Clarence E. Truitt 20.00

At 5:55 P. M., Mr. Eskridge moved that the House recess to the call of the Chair. Motion was seconded and sustained.

August 3, 1962

At 2:20 P. M., Mr. Eskridge moved that the House adjourn until Friday, August 3, 1962, at 1:00 P. M. Motion was seconded and adopted.

27th LEGISLATIVE DAY

August 3, 1962

The House met pursuant to adjournment at 2:20 P. M. on August 3, 1962.

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, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—33.

Members absent—Messrs. Pawson, Snowden—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 made a part of the Journal:

THE GOVERNOR'S STATE GOALS COMMISSION

Wilmington, Delaware, July 31, 1962

Dear Representative Best:

At a meeting of the Governor's Goals Commission held on July 10, 1962, the following resolution was adopted:

RESOLVED: That the Governor's Goals Commission recommend to the Governor and the General Assembly that, at the general election to be held next November, there be submitted to a state-wide referendum the question of whether there shall be a State Constitutional Convention; and

FURTHER RESOLVED: That the developments of the past 65 years since the last Constitutional Convention in 1897, in many different fields of State and local government, warrant the submission of this question to the people of Delaware at the earliest possible time in the promotion of the general welfare.

Members of the Goals Commission are as follows: William A. Carter, Sidney Clark, Henry B. duPont, Ralph K. Gottshall, Daniel L. Herrmann, Clement J. Lemon, Cecil Liberman, John A. Perkins, Otis H. Smith, N. Maxson Terry and Mildred Tunnell.

Very truly yours,

DANIEL L. HERRMANN, Chairman

The Chair presented the following resolution, which was given first read, and on further motion by Mr. Robbins, was adopted by voice vote and ordered returned to the Senate:

SCR 55—Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending July 11, 1962.

BE IT RESOLVED, by the Senate of the 121st General Assembly of the State of Delaware, the House of Representatives concurring therein, that the sum of \$436.93 be paid to the Diamond State Telephone Company for services rendered through July 11, 1962, for extensions 24, 202, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231 and 232.

The Chair presented the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

SB 411—An Act to Provide for the Submission to the Qualified Electors of Delaware at the General Election to be Held in 1962, the Question of Whether There Shall be a Convention to Revise and Amend the State Constitution.

Mr. Davidson presented the following for committee report: **SB 411**, 3 on its merits, 1 unfavorably.

Mr. Eskridge moved for the suspension of all rules for the purpose of taking action on **SB 411**. Seconded by Mr. Robbins. Motion adopted.

The Chair ordered a Roll Call.

Mr. Eskridge moved that the Roll Call be tabled.

The Chair ordered a Roll Call on the motion, which revealed the following:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Casey, Davidson, Dineen, Downs, Ehinger, Eskridge, Fifer, Hocker, Keenan, Kleinbach, Myers, Murray, Phillips, Quigley, Shockley, Truitt, Mr. Speaker Tribbitt—22.

ABSENT—Messrs. Gove, Pawson, Snowden—3.

NAYS — Messrs. Busker, Clifton, Exley, Livingston, Moore, Paskey, Jr., Prettyman, Richards, Robbins, Shulties—10.

Messrs. Shockley, Murray and Keenan introduced the following bill, which was given first and second reading by title only, and referred to the Committee on Appropriations:

HB 577—An Act to Amend Title 31, Delaware Code, Entitled "Welfare" to Obtain Increased Federal Financial Participation in Aid and Services to Needy Families With Children by Revising Certain Provisions with Respect to Aid to Dependent Children to Comply with Federal Statutes: Appropriating Funds.

Mr. Best introduced the following bill, which was given first and second reading by title only and referred to the Committee on Appropriations:

HB 578—An Act Making a Supplementary Appropriation to the Board of Post Mortem Examiners for the Fiscal Year Ending June 30, 1963.

The Chair presented the following resolution, which was given first reading and on further motion by Mr. Eskridge, was adopted and ordered returned to the Senate:

SCR 54—Making Payment to the National Conference of State Legislative Leaders for Membership Fees for the State of Delaware.

BE IT RESOLVED by the Senate of the 121st General Assembly of the State of Delaware, the House of Representative concurring therein that the sum of \$1,000 be paid to the National Conference of State Legislative Leaders, Office of the Secretary, State Capitol, Albany, New York, for membership fees of the State of Delaware for the fiscal year 1962-63.

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him, was adopted:

HR 174—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly.

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, for August 3, 1962, 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	\$ 5.40
William W. Baker	9.00
William T. Best	9.50
T. Lees Bartleson	11.00
Carlton Blendt, Jr.	5.00
Glenn Busker	2.60
Andrew Casey	10.00
Carlton Clifton	6.00
Robert Davidson	6.40
Russell Dineen	10.00

Robert N. Downs, III	9.60
Norman Eskridge	7.00
George Exley	4.00
Harvey Fifer	1.00
Chester Gove	5.00
Wilbert Hocker	12.00
Ralph S. Keenan	10.00
Charles S. Kleinbach	8.60
Paul F. Livingston	10.00
Orville B. Myers	2.00
Jennings Moore	8.20
Thomas P. Murray	10.00
William Paskey, Jr.	2.80
Robert Pawson	8.80
Harrison Phillips	10.20
Carl Prettyman	3.00
Jaames Quigley	9.00
George Robbins	3.80
Paul Shockley	10.00
Dawson H. Shulties	2.00
Robert Snowden	8.00
Sherman Tribbitt	5.00

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him, was adopted:

HR 175—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware 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 to be regarded as payments in full for services rendered by said attaches and employees for the day, August 3, 1962, of the current session:

Harrison F. Turner	\$37.50
James B. Messick	37.50
Gerald Berkowitz	75.00
Noble Carroll	33.00
Mary Ann McCabe	27.50
Elizabeth Wainwright	25.00
Rev. Arthur James	20.00
James Quigley	27.50
David L. Farrone	12.50
John A. Farrone	12.50
Martha Dixon	20.00
Ruth Ross	20.00
Oliver W. Underhill	20.00

Lillian Wallace	20.00
Pauline Holmes	20.00
Jean Demel	27.50
Lillian Weston	25.00
Margaret Walker	27.50
William L. David	20.00
Claude W. Jordan	20.00
Helen Reihm	20.00
Louise H. Pennewill	27.50
Alberta Jackson	20.00
Alton B. Cordrey	20.00
Elizabeth G. Ennis	20.00
Ernest Council	20.00
Allen S. Moffitt	20.00
George L. Everett	25.00
Julia Graham	27.50
Leonard Everett	20.00
Bradford Holliday	20.00
Willard C. Robbins	20.00
Eleanor Johnson	20.00
Helen Collins	20.00
Mary Wilson	20.00
Samuel Messick	25.00
Daniel Boyce	20.00
B. Guy Wheatley	20.00
Emory Spicer	20.00
Melba Webb	13.75
Catherine Swartwood	27.50
L. B. Knapp	25.00
W. Lawrence Hudson	20.00
Lewis Killen	20.00
Vincent Ware	20.00
Walter Conway	20.00
Thomas M. Hearne	20.00
Ernest Homewood	20.00
Joseph W. Baker, Sr.	20.00
Francis X. Splane	25.00
June Roop	27.50
Charles Downs	20.00
George W. Kirkby	20.00
Roy D. Freeman	22.50
Wilson Bailey	20.00

Mr. Best introduced the following bill, which was given first and second reading by title only and referred to the Committee on Revised Statutes:

HB 579—An Act Proposing an Amendment to Article II of the Constitution of the State of Delaware, Relating to the Composition of the House and Senate, by Providing for Reapportionment by Statute.

Messrs. Best, Eskridge, Casey, Downs and Bartleson introduced the following resolution, which was given first reading:

HR 176—Expressing the Sympathy of the House of Representatives on the Death of Davis Keenan.

WHEREAS, the members of the 121st General Assembly of the State of Delaware have learned of the death of Davis Keenan, the son of Representative Ralph S. Keenan, and

WHEREAS, the members of the House of Representatives desire to express their condolences to Representative and Mrs. Ralph S. Keenan,

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 regret and sympathy, 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 and Mrs. Ralph S. Keenan.

Mr. Eskridge moved for a Roll Call, and that the Roll Call accompany the resolution when sent to the family.

On the question, "Shall the Resolution pass the House?" the Roll Call revealed:

YEAS—Messrs. Baker, Bartleson, Best, Blendt, Busker, Casey, Davidson, Dineen, Downs, Ehinger, Eskridge, Fifer, Hocker, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—27.

ABSENT—Messrs. Annett, Clifton, Exley, Gove, Keenan, Pawson, Quigley, Snowden—8.

NAYS—None.

HR 176 having received the constitutional majority, passed the House.

Mr. Best moved for the suspension of all rules for the purpose of taking action on **HB 579**. Motion lost by voice vote.

At 5:34 P. M., Mr. Eskridge moved that the House recess to the call of the Chair. Seconded by Mr. Robbins. Motion prevailed.

The House convened at 4:20 P. M., on August 22, 1962.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Phillips, Quigley, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—29.

Members absent—Messrs. Clifton, Davidson, Livingston, Pawson, Prettyman, Richards—6.

The following message was received from the Governor:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, Delaware, August 21, 1962

To the Members of the 121st General Assembly
of the State of Delaware:

For the convening of the Assembly today to consider important problems facing the State, I express thanks to the leaders of both Houses.

On Friday, August 3, 1962, Senate Bill No. 411 providing for a referendum on the question of a Constitutional Convention, failed to receive the required two-thirds majority in the House of Representatives, and the roll call was tabled. The General Assembly is not being called upon to vote for or against a Constitutional Convention. It is merely being called upon to vote on the question of whether or not the people of our State shall be given the opportunity to make a decision as to the need for a Convention.

We should never take the position that we know better than the people what is good for them. The citizens of our State entrusted the Charter to the Legislature sixty-five years ago. Is it now not time to return that Charter to the people of Delaware for their review?

I fully support the position of the bi-partisan committee appointed by the State chairmen of our two political parties that the calling of a Constitutional Convention is an integral part of the program we must follow to demonstrate to the citizens of Delaware and to the Federal Court that we are sincere in our intention to fairly and equitably reapportion our General Assembly. The passage of House Bill No. 574 was a commendable step in the right direction, but this action must be reinforced by the guarantee that this problem will in due course be given further careful study and consideration by a Constitutional Convention.

Recent action by the Congress of the United States has made it possible for the needy families of certain incapacitated or unemployed wage earners to be under an assistance category for which the Federal government will provide 70% of the cost. Until a year ago this entire cost was borne by General Assistance funds contributed equally by the State and counties. During the past year the children of such families qualified for the Federal assistance, but not adults, who were supported through General Assistance.

House Bill No. 577 would make the necessary changes in our State law to place all of the members of such families in a category supported by 70% Federal Aid. At the same time, this bill would increase the assistance to such families

by as much as \$50 per month. The estimated saving, if this measure is enacted, is about \$70,000 annually to the State and \$70,000 for the counties.

If, in its wisdom, the General Assembly enacts House Bill No. 577, I will approve it. I do, however, have reservations about making such a substantial change in the benefit provisions on such short notice and during a session in which there is little time for study or debate. For this reason, I recommend an alternative proposal which will be presented for introduction today. This new measure will make the necessary technical changes in the law to allow Delaware to receive the Federal matching funds without changing the total benefit payments. This legislation is estimated to save the counties and the State about \$240,000 each.

Our State Department of Public Welfare has been informed by the Federal government that we cannot receive Federal aid assistance for the hospital costs of our indigent aged under House Bill No. 493 (Kerr-Mills program) so long as our counties are still legally responsible for the costs of such hospital care. Legislation has been prepared for introduction today which will remove this technical obstacle, and I wholeheartedly recommend your favorable consideration of it.

Senate Bill No. 142 will equitably adjust those salaries of our State officials which have been frozen by statute for thirteen years. This measure has been passed by the Senate and is awaiting House action. It is not retroactive, but becomes effective on the first day of the month following its passage. In the interest of good government and simple justice, I strongly urge the House to take prompt action to correct this grave inequity and oversight.

Respectfully submitted,

ELBERT N. CARVEL, Governor

#41 MEMORANDUM—A message from the Governor's office. On date indicated, the Governor approved the following legislation:

August 6, 1962—SB 251 with SA 1, SA 2, SA 3, SA 4, SA 5, SA 6 and SA 7.

August 13, 1962—SB 326, SB 327, SB 363 with SA 1, SA 2 and SA 3, SB 407.

#42 MEMORANDUM—A message from the Governor's office. On date indicated, the Governor approved the following legislation:

August 23, 1962—HB 580, HB 581, HB 583.

August 30, 1962—HB 250 with HA 1 and SA 1, HB 492.

#45 MEMORANDUM—A message from the Governor's office. On date indicated, the Governor approved the following legislation:

December 6, 1962—HB 68.

Messrs. Shockley and Murray introduced the following bill, which was given first and second reading by title only:

HB 580—An Act to Amend Title 31, Delaware Code, Entitled "Welfare" to Obtain Increased Federal Financial Participation in Aid and Services to Needy Families with Children by Revising Certain Provisions with Respect to Aid to Dependent Children to Comply with Federal Statutes.

On motion of Mr. Shockley, rules were suspended.

Mr. Shockley moved that **HB 580** be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Hocker, Keenan, Kleinbach, Moore, Murray, Paskey, Jr., Phillips, Quigley, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—24.

ABSENT—Messrs. Blendt, Clifton, Davidson, Livingston, Pawson, Prettyman, Richards—7.

NAYS—Messrs. Busker, Casey, Fifer, Myers—4.

HB 580 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Murray introduced the following bill, which was given first and second reading by title only:

HB 581—An Act to Amend Chapter 5, Title 31, Delaware Code, Relating to Welfare and Medical Payments for Old Age Assistance.

On motion of Mr. Murray, rules were suspended.

Mr. Murray moved that **HB 581** be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Busker, Casey, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Phillips, Quigley, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—28.

ABSENT—Messrs. Blendt, Clifton, Davidson, Livingston, Pawson, Prettyman, Richards—7.

NAYS—None.

HB 581 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Annett introduced the following bill, which was given first and second reading by title only:

HB 582—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.

All rules were suspended on motion by Mr. Annett.

Mr. Annett moved that **HB 582** be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

The Roll Call was tabled on motion by Mr. Best.

Mr. Best moved that the Roll Call be lifted from the table. The Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Downs, Ehinger, Eskridge, Fifer, Gove, Hocker, Keenan, Kleinbach, Myers, Moore, Paskey, Jr., Phillips, Quigley, Robbins, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—25.

NOT VOTING—Mr. Shockley—1.

ABSENT—Messrs. Clifton, Davidson, Exley, Livingston, Pawson, Prettyman, Richards—7.

NAYS—None.

PRESENT—Messrs. Dineen, Murray—2.

HB 582 not having received the constitutional majority, was lost in the House.

Mr. Eskridge moved that the House take a short recess. Motion sustained. The House reconvened at 5:10 P. M.

Mr. Bartleson introduced the following bill, which was given first and second reading by title only:

HB 583—An Act to Amend Section 603, Title 14, Delaware Code, Relating to Tuition Charges and Providing an Exception Thereto.

All rules were suspended on motion by Mr. Bartleson.

Mr. Bartleson moved that **HB 583** be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the Roll Call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Dineen, Downs, Ehinger, Eskridge, Fifer, Gove, Hocker, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Phillips, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—27.

ABSENT—Messrs. Clifton, Davidson, Exley, Livingston, Pawson, Prettyman, Quigley, Richards—8.

NAYS—None.

HB 583 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge introduced the following resolution, which was given first reading and on further motion by him was adopted:

HR 177—Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending August 11, 1962.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the sum of \$88.05 be paid to the Diamond State Telephone Company for services rendered for the period ending August 11, 1962.

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him, was adopted:

HR 178—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware 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 26th Legislative Day and including the 26th Legislative Day of the current session.

Harrison F. Turner	\$37.50
James B. Messick	37.50
Gerald Berkowitz	75.00
Noble Carroll	33.00
Mary Ann McCabe	27.50
Elizabeth Wainwright	25.00
Rev. Arthur James	20.00
James Quigley, Jr.	27.50
David L. Farrone	12.50
John A. Farrone	12.50
Martha Dixon	20.00
Ruth Ross	20.00
Oliver W. Underhill	20.00
Lillian Wallace	20.00
Pauline Holmes	20.00
Jean Demel	27.50
George W. Kirkby	20.00
Roy D. Freeman	22.50
Charles Downs	20.00
Joseph W. Baker, Sr.	20.00
Francis X. Splane	25.00
Wilson Bailey	20.00
June Roop	27.50
Lillian Weston	25.00
Margaret Walker	27.50
William L. David	20.00
Claude W. Jordan	20.00
Helen Reihm	20.00
Louise H. Pennewill	27.50
Alberta Jackson	20.00

Alton B. Cordrey	20.00
Elizabeth G. Ennis	20.00
Ernest Council	20.00
Allen S. Moffitt	20.00
George L. Everett	25.00
Julia Graham	27.50
Bradford Holliday	20.00
Willard G. Robbins	20.00
Leonard Everett	20.00
Eleanor Johnson	20.00
Helen Collins	20.00
Mary Wilson	20.00
Samuel Messick	25.00
Daniel Boyce	20.00
B. Guy Wheatley	20.00
Emory Spicer	20.00
Melba Webb	13.75
Catherine Swartwood	27.50
L. B. Knapp	25.00
W. Lawrence Hudson	20.00
Lewis Killen	20.00
Vincent Ware	20.00
Walter Conway	20.00
Thomas M. Hearne	20.00
Ernest Homewood	20.00

Mr. Robbins introduced the following resolution, which was given first reading and on further motion by him, was adopted:

HR 179—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly.

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, for August 22, 1962, 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	\$ 5.40
William W. Baker	9.00
William T. Best	9.50
T. Lees Bartleson	11.00
Carlton Blendt, Jr.	5.00
Glenn Busker	2.60
Andrew Casey	10.00
Carlton Clifton	6.00
Robert Davidson	6.40
Russell Dineen	10.00
Robert N. Downs, III	9.60
Norman Eskridge	7.00
George Exley	4.00
Harvey Fifer	1.00
Chester Gove	5.00
Wilbert Hocker	12.00
Ralph S. Keenan	10.00
Charles S. Kleinbach	8.60
Paul F. Livingston	10.00
Orville B. Myers	2.00
Jennings Moore	8.20
Thomas P. Murray	10.00
William Paskey, Jr.	2.80
Robert Pawson	8.80
Harrison Phillips	10.20
Carl Prettyman	3.00
James Quigley	9.00
George Robbins	3.80
Paul Shockley	10.00
Dawson H. Shulties	2.00
Robert Snowden	8.00
Sherman Tribbitt	5.00

#43 MEMORANDUM—A message from the Governor's office. On date indicated, the Governor approved the following legislation:

September 14, 1962—**HB 570.**

#44 MEMORANDUM—A message from the Governor's office. On date indicated, the Governor approved the following legislation:

November 9, 1962—**HB 216.**

At 5:35 P. M., Mr. Eskridge moved that the House recess to the call of the Chair. Motion sustained.

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Bills (House)—

HB 1—An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1692, and Authorizing the Allocation of Funds. Introduced, first and second reading and referred, p. 14.

HB 2—An Act to Amend Article 2, Section 2, of the Constitution of the State of Delaware. Introduced, first and second reading, assigned to committee, p. 28; **HS 1** introduced, read and referred, p. 578.

HB 3—An Act Agreeing to a Proposed Amendment to Article 8 of the Constitution of the State of Delaware, Entitled "Revenue and Taxation." Introduced, first and second reading, assigned to committee, p. 29; reported from committee, p. 283; passed, p. 291.

HB 4—An Act Proposing an Amendment to Article 2, Section 25, of the Constitution of the State of Delaware, Relating to Zoning in Sussex County. Introduced, first and second reading, assigned to committee, p. 29; reported from committee, p. 336.

HB 5—An Act Appropriating Certain Money to Palmer Home, Incorporated. Introduced, first and second reading and assigned to committee, p. 29; reported from committee, p. 113; passed, p. 132.

HB 6—An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for Allocation of Funds. Introduced, first and second reading and assigned to committee, p. 29; reported from committee, p. 59; passed, p. 66; **HA 1** introduced and adopted, **SA 1** presented, p. 194; passed, p. 194.

HB 7—An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware. Introduced, first and sec-

ond reading, assigned to committee, p. 29; reported from committee, p. 297; **HS 1** for, introduced, p. 341; passed, p. 369.

HB 8—An Act to Appropriate Funds to the Department of Public Welfare for Salaries, Assistance Grants and Child Welfare Service. Introduced, first and second reading, assigned to committee, p. 29; **HS 1** for, introduced, p. 82; reported from committee, p. 97; passed, p. 109.

HB 9—An Act Establishing a Department of Labor, Defining Its Duties. Introduced, first and second readings, assigned to committee, p. 29.

HB 10—An Act Proposing an Amendment to Article 2, Section 25 of the Constitution of the State of Delaware, Relating to Zoning in Kent County. Introduced, first and second reading and assigned to committee, p. 29; **HA 1** introduced, p. 303; reported from committee, p. 339.

HB 11—An Act Proposing an Amendment to the Constitution of the State of Delaware, by Inserting at the End Thereof an Article Providing for Municipal Home Rule. Introduced, first and second reading and referred, p. 30.

HB 12—An Act Appropriating Money to the Booker T. Washington School. Introduced, first and second reading and referred, p. 30; reported from committee, p. 280; passed, p. 286.

HB 13—An Act to Amend Title 9, Delaware Code with Regard to Powers of the Levy Court of New Castle County. Introduced, first and second reading and assigned to committee, p. 30; reported from committee, p. 47; third reading and passed, p. 54.

HB 14—An Act Amending Section 1602, Title 10, Delaware Code, Relating to the Salary of the Judge of the Court of Common Pleas for Sussex County. Introduced, first and second reading and assigned to committee, p. 31; **HS 1** introduced, p. 110; reported from committee, p. 197; passed, p. 207.

HB 15—An Act to Amend Section 603, Chapter 134, Volume 52, Laws of Delaware, Entitled "Exceptions and Claims." Introduced, first and second reading and referred, p. 33; stricken from calendar, p. 46.

HB 16—An Act to Amend Section 132, Title 17, Delaware Code, Relating to the General Powers and Duties of the State Highway Department. Introduced, first and second reading and assigned to committee, p. 43; reported from committee, p. 147; passed, p. 241.

- HB 17**—An Act to Amend Chapter 9, Title 29, Delaware Code, Relating to Legislative Bills by Providing That Bills May be Stenciled. Introduced, first and second reading and assigned to committee, p. 43; reported from committee, p. 53; third reading and passed, p. 58; SA 1 as amended and passed, p. 87.
- HB 18**—An Act to Amend Chapter 188, Volume 18, Laws of Delaware, Creating a Street and Sewer Department, as an Agency of the Mayor and Council of Wilmington, and the Acts Amendatory Thereof and Supplemental Thereto, by Changing the Name of Said Department to the Department of Public Works. Introduced, first and second reading and assigned to committee, p. 43; reported from committee, p. 75; passed, p. 78.
- HB 19**—An Act to Authorize the Comptroller of New Castle County to Select and Employ Deputies and Clerical Assistance. Introduced, first and second reading and assigned to committee, p. 43; reported from committee, p. 53; third reading and passed, p. 62; with SA 1 amended and passed, p. 83.
- HB 20**—An Act Appropriating Money to the Disabled American Veterans of Delaware for the Fiscal Year Beginning July 1, 1961, and Ending June 30, 1962. Introduced, first and second reading and assigned to committee, p. 43; passed, p. 371.
- HB 21**—An Act to Amend Chapter 51, Title 29, Delaware Code, by Authorizing the State Treasurer to Make Certain Pay Roll Deductions. Introduced, first and second reading and assigned to committee, p. 43; reported from committee, p. 222.
- HB 22**—An Act to Increase the Compensation of the Comptroller for New Castle County and the Clerk of the Peace for New Castle County. Introduced, first and second reading and assigned to committee, p. 43; reported from committee, p. 77; passed, p. 129.
- HB 23**—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees. Introduced, first and second reading, assigned to committee, p. 43; reported from committee, p. 65; HA 1 introduced and adopted, p. 111; passed, p. 111.
- HB 24**—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees. Introduced, first and second reading and assigned to committee, p. 43.

HB 25—An Act to Amend An Act Entitled “An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown”, Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Permitting the Council to Levy and Collect Annual Occupational, Mercantile, Manufactory, and Amusement Taxes Through the Use of Licenses and Providing for the Enforcement Thereof. Introduced, first and second reading and assigned to committee, p. 43; reported from committee, p. 75.

HB 26—An Act Making a Supplementary Appropriation to the State Highway Department for the Fiscal Year Ending June 30, 1961. Introduced, first and second reading and assigned to committee, p. 43; **HA 1** placed with **HB 26**, p. 54.

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. Introduced, first and second reading and assigned to committee, p. 44; reported from committee, p. 106; passed, p. 139; with **SA 1**, passed, p. 150.

HB 28—An Act Appropriating Money to Booker T. Washington School. Introduced, first and second reading and assigned to committee, p. 44.

HB 29—An Act to Amend Sections 6913, 6914 and 6915, Title 29, Delaware Code, Relating to Wages. Introduced, first and second reading and assigned to committee, p. 44; reported from committee, p. 64; passed, p. 136; **SA 1** presented and adopted, p. 621; **SA 2** presented and adopted, p. 621; **SA 3** presented and adopted, p. 622; passed, p. 622.

HB 30—An Act to Amend Title 19, Delaware Code, by Prohibiting Any Person, Firm or Corporation, Not Directly Involved in a Labor Strike or Lockout from Recruiting, Securing or Offering to Secure Employment for Persons to Take the Places of Employees Where a Labor Strike or Lockout Exist; and Providing for Legally Established Employment Service. Introduced, first and second reading and assigned to committee, p. 44; reported from committee, p. 64; passed, p. 67; **HA 1** as amended by **SA 1** and **SA 2** introduced, read and adopted, p. 146; passed, p. 146.

HB 31—An Act Making a Supplementary Appropriation to the Lewes Memorial Commission for the Fiscal Year Ending June 30, 1961. Introduced, first and second reading and assigned to committee, p. 44; reported from committee, p. 297.

- HB 32**—An Act to Amend Chapter 5, Title 7, Delaware Code, Relating to License Fees for Residents. Introduced, first and second reading and assigned to committee, p. 44.
- HB 33**—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Imperial Drive Civic Association from Assessment and Taxation. Introduced, first and second reading and assigned to committee, p. 44; reported from committee, p. 78; passed, p. 179.
- HB 34**—An Act Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic. Introduced, first and second reading and assigned to committee, p. 44; reported from committee, p. 203; passed, p. 212.
- HB 35**—An Act Prohibiting the Use of State Owned Motor Vehicles and Equipment for Hire or for Personal Use and Providing Penalties Therefor; Duties of Departments Exceptions: Penalties. Introduced, first and second reading and assigned to committee, p. 44.
- HB 36**—An Act to Further Amend Chapter 121, Volume 28, Laws of Delaware, as Amended by Chapter 142, Volume 36 and Chapter 4, Volume 51, Laws of Delaware, and Relating to the Taking and Hearing of Appeals from the Board of Assessment for the City of Wilmington. Introduced, first and second reading and assigned to committee, p. 46; reported from committee, p. 87; passed, p. 94; with SA 1 and SA 2, passed, p. 144.
- HB 37**—An Act to Amend Title 18, Delaware Code, Relating to “Insurance” by Redefining the Term “Insurance Company”. Introduced, first and second reading and assigned to committee, p. 46.
- HB 38**—An Act to Amend Title 29, Delaware Code, Entitled “State Government” in Regard to Retired School Employees. Introduced, first and second reading and assigned to committee, p. 46; reported from committee, p. 109; passed, p. 116.
- HB 39**—An Act to Amend Title 21, Authorizing Blue Lights on Vehicles Used by Fire Police. Introduced, first and second reading and assigned to committee, p. 46; reported from committee, p. 68; passed, p. 75.
- HB 40**—An Act to Authorize the Levy Court of Kent County to Appropriate Money to the Kent County Volunteer Firemen’s Association. Introduced, first and second reading and assigned to committee, p. 46 reported from committee, p. 180; passed, p. 190.