

On motion of Pres. Pro Tem Steen **SJR 6** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SJR 6** with **HA 1**—"Relating to John F. Kennedy Highway".

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

**YEAS**—Messrs. Bookhammer, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

**NAYS**—None.

**NOT VOTING**—Messrs. Hoey, Johnson, Robbins—3.

**ABSENT**—Messrs. Cook—1.

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

The Chair presented **SB 23** with **SA 1** and **SA 2** and **HA 2**.

Pres. Pro Tem Steen suggested that the bill be placed in the Education Committee.

Pres. Pro Tem Steen withdrew his suggestion.

On motion of Mr. McCullough **SB 23** with **SA 1** and **SA 2** and **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 23**—"An Act to Amend Title 14, Delaware Code, Relating to Education, by Providing Scholarships for Students Pursuing Courses of Higher Education Not Available in State Institutions".

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

**YEAS**—Messrs. Bookhammer, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

**NAYS**—None.

**ABSENT**—Messrs. Cook, Donovan—2.

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

The following legislation was introduced, given first reading and acted upon as follows:

**SB 278**—"An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements at the State Welfare Home and Hospital for the Chronically Ill at

Smyrna and to Issue Bonds and Notes Therefore and Appropriating the Money Borrowed to the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna", by Pres. Pro Tem Steen; to Public Health.

Mrs. Lord requested the privilege of the floor and made the following statement:

"If anything I said or anything I did caused embarrassment to these two gentlemen, I publicly and sincerely apologize."

Mr. McCullough answered as follows:

"I'm sorry it had to be." "This morning, when I read the senator's statement, I thought about not asking for the apology. But others felt differently. I thank her very much. I didn't want the bill considered under a cloud."

Mr. Price moved to lift roll call on **HB 402** from the table.

Messrs. Donovan, Simpson, Wilgus, Bookhammer and Robbins changed their vote to "yea".

Then the following roll call was the result.

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

**HB 402**—"An Act to Further Amend Chapter 92, Volume 23, Laws of Delaware as Amended, Being an Act Entitled 'An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington'."

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

**YEAS**—Messrs. Bookhammer, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

**NAYS**—None.

**NOT VOTING**—Messrs. Cook, Isaacs—2.

**ABSENT**—Mr. McCullough—1.

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

The following legislation was introduced, given first reading and acted upon as follows:

**SB 279**—"An Act to Amend Chapter 7, Title 29, Delaware Code, Relating to the General Assembly, by Prohibiting Dual Office Holding", by Mr. Isaacs; to Revised Statutes.

**SB 280**—"An Act to Amend 'An Act to Reincorporate the Town of Bowers', being Chapter 279, Volume 53, Laws of Delaware, by Providing for Collection of Delinquent Taxes", by Mr. Robbins.

Mr. Robbins moved to suspend Rule 9 to act on **SB 280**. Motion prevailed.

On motion of Mr. Robbins **SB 280** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 280**—"An Act to Amend 'An Act to Reincorporate the Town of Bowers', being Chapter 279, Volume 53, Laws of Delaware, by Providing for Collection of Delinquent Taxes".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus—14.

**NAYS**—None.

**ABSENT**—Messrs. Johnson, McCullough, Pres. Pro Tem Steen—3.

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

Mr. Cook moved to suspend Rule 9 to act on **HB 470**. Motion prevailed.

On motion of Mr. Cook **HB 470** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 470**—"An Act to Amend Section 522 of Title 28 of the Delaware Code, Relating to the Maximum Number of Harness Racing Days in any County".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus—13.

**NAYS**—None.

**NOT VOTING**—Mr. Hoey—1.

**ABSENT**—Messrs. Johnson, McCullough, Pres. Pro Tem Steen—3.

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

Mr. Hoey moved to suspend Rule 9 to act on **HB 472**. Motion prevailed.

On motion of Mr. Hoey **HB 472** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 472**—"An Act Making a Supplementary Appropriation to the Department of Elections for New Castle County for the Special Election held in the First Representative District in New Castle County".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus—14.

**NAYS**—None.

**ABSENT**—Messrs. Johnson, McCullough, Pres. Pro Tem Steen—3.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 4:20 P.M.

The Senate met at the expiration of the recess at 5:26 P.M., Lt. Gov. Lamnot presiding.

Mr. Tull asked the privilege of the floor for Mr. Fred Schrieber to explain **HB 281** with **HA 1**.

On motion of Mr. Tull **HB 281** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 281**—"An Act to Amend Chapter 9, Title 18, Delaware Code, Relating to Valuation and Nonforfeiture Requirements of Industrial Life Insurance Policies".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

**NAYS**—None.

**NOT VOTING**—Mr. Hoey—1.

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

Mr. McCullough moved to lift **HB 466** with **HA 1** from the deferment which he had requested on the 86th Legislative Day.

Mr. Cook objected, saying "This is an abrogation of the sole prerogative of a committee chairman to call up a bill reported by his committee and is a violation of the traditional procedure".



On motion of Mr. McCullough to act on **HB 466** with **HA 1** the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Bookhammer, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Pres. Pro Tem Steen—9.

**NAYS**—Messrs. Cook, Donovan, Hoey, Isaacs, Price, Robbins, Tull, Wilgus—8.

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

Mr. Price presented **SA 3** to **HB 466** with **HA 1** and moved for its adoption.

On motion of Mr. Price **SA 3** to **HB 466** with **HA 1** was taken up for consideration.

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

**YEAS**—Messrs. Cook, Donovan, Hoey, Isaacs, Price, Robbins, Tull, Wilgus—8.

**NAYS**—Messrs. Bookhammer, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Pres. Pro Tem Steen—9.

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

On motion of Mr. McCullough **HB 466** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 466** with **HA 1**—"An Act Amending Title 6, Delaware Code of 1953, by Protecting the Public Welfare, Entitling all Persons to Full and Equal Accommodations, Facilities, Advantages and Privileges of Places of Public Accommodations and Making it Unlawful to Refuse the Same to any Person on Account of Race, Creed, Color or National Origin or to Publish any Communication to the Effect that the Same Shall be Refused on Account of Race, Creed, Color or National Origin, Empowering and Directing the State Human Relations Commission to Effect Voluntary Compliance Therewith and Providing Criminal Penalties for the Violations Thereof, and Repealing Section 1501 of Title 24, Section 902 of Title 28 and Section 703 of Title 26, Delaware Code of 1953, Insofar as Said Sections are Inconsistent Herewith".

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

YEAS—Messrs. Bookhammer, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Pres. Pro Tem Steen—10.

NAYS—Messrs. Cook, Donovan, Hoey, Price, Robbins, Tull, Wilgus—7.

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

Mr. Wilgus moved to lift the roll call on SB 205.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Call at 5:48 P.M.

The Senate met at the expiration of the recess at 6:05 P.M., Lt. Gov. Lamot presiding.

At 6:06 P.M., Mr. Donovan moved to adjourn to Wednesday, December 18, 1963, at 1:00 P.M.

Mr. Isaacs requested a roll call on motion which designated a specific time to which to adjourn.

Mr. Donovan withdrew his previous motion at 6:07 P.M.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 6:07 P.M., Tuesday, December 17, 1963.

The Senate met at the expiration of the recess at 3:48 P.M., Wednesday, December 18, 1963, Lt. Gov. Lamot presiding.

Mr. Wilgus withdrew his previous motion.

At 3:50 P.M., Mr. Hoey moved to adjourn to 4:50 P.M. on Wednesday, December 18, 1963.

### 88th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 4:50 P.M. on Wednesday, December 18, 1963, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. T. Dennis Walker.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—14.

Members Absent—Messrs. Cook, Donovan, Pres. Pro Tem Steen—3.

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

The Senate received Memorandum No. 23 from the Governor which read as follows:

## MEMORANDUM NO. 23

December 17, 1963

TO: Secretary of the Senate

FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

December 10, 1963 — **HB 330** with **HA 1**

December 12, 1963—**SB 188; HB 442; HB 443; HB 467.**  
On this date the Governor returned **HB 445** to the House without his approval.

December 13, 1963—On this date the Governor returned **SB 71** to the Senate without his approval.

December 16, 1963—**HB 426** with **HA 2** and **SA 2, SA 3,** and **SA 4.**

The following legislation was introduced, given first reading and acted upon as follows:

**SR 91**—"Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly", by Mr. Robbins; adopted by voice vote.

**SR 82**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 122nd General Assembly", by Mr. Robbins; adopted by voice vote.

**SR 83**—"Providing That the Voice Reinforcement Tapes Shall be Turned Over to the Public Archives Commission at the Conclusion of the Legislative Session", by Mr. Robbins; adopted by voice vote.

**SCR 34**—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered through November 11, 1963", by Mr. Robbins; adopted by voice vote.

**SR 94**—"Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending November 11, 1963", by Mr. Robbins; adopted by voice vote.

Mr. Cook asked to be marked present.

Mr. Cook moved **HB 314** receive final action by the Senate and asked the privilege of the floor for Mr. Kleckman of New Castle Special School District to speak for **HB 314.**

Pres. Pro Tem Steen asked to be marked present.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 5:26 P.M.

The Senate met at the expiration of the recess at 6:08 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Cook **HB 314** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 314**—"An Act to Make Real Property held by the Levy Court of New Castle County within the New Castle Special School District from Which Revenue is Derived Subject to the School Taxes Imposed by said School District, and Providing for the Assessment of such Property".

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

YEAS—Messrs. Cook, Hoey, (Mrs.) Lord, Price, Robbins, Simpson, Tull, Wilgus—8.

NAYS—Messrs. DuPont, Isaacs, (Mrs.) Manning, Martin, Pres. Pro Tem Steen—5.

NOT VOTING—Mr. Bookhammer—1.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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

The House informed the Senate that it had passed and was returning **SB 172, SB 174, SB 258, SB 268, SB 154, SB 272, SB 280, and SB 257** with **SA 1**; also that it had passed **HS 1** with **HA 1** for **HB 296, HB 382, HB 438, HB 462, HB 225, HB 377, HB 437, HB 432, HB 289** with **HA1, HA 2, HA 3, HA 4 and HA 5, HB 484, HB 456, HB 424** with **HA 1, and HCR 24** and desired the concurrence of the Senate.

Mr. Martin moved to suspend Rule 9 to act on **HB 344**. Motion prevailed.

Mr. Martin asked the privilege of the floor for Mr. William Smith to speak for **HB 344**.

On motion of Mr. Martin **HB 344** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 344**—"An Act to Amend Title 9, Delaware Code, as Amended, Relating to Payment of Salaries in New Castle County, and Repealing Laws Inconsistent Therewith".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

ABSENT—Messrs. Donovan, Hoey, Johnson, McCullough, Robbins—5.

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

The Chair presented the following Concurrent Resolution, which was given a first reading and adopted by voice vote:

**HCR 24**—"Fixing the Time for Temporary Adjournment by the House of Representatives and the Senate of the 122nd General Assembly of the State of Delaware".

BE IT RESOLVED, by the House of Representatives of the 122nd General Assembly, the Senate concurring therein, that both the House and Senate shall adjourn at the conclusion of business on December 18, 1963 until the first Tuesday in February 1964, provided however, that the Senate may be reconvened at any time upon the call of the President Pro Tempore for the purpose of receiving and acting upon appointments by the Governor, and further 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. Cook, Chairman of the Revised Statutes Committee, reported on **HB 436** as follows: 4 favorable, 1 on merits.

Mr. Cook, moved to suspend Rule 9 to act on **HB 436**. Motion prevailed.

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

**HB 436**—"An Act to Amend Title 30, Delaware Code, Relating to Income Tax".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—11.

NAYS—None.

NOT VOTING—Messrs. Hoey, Price, Robbins—3.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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

Mr. Steen, Chairman of the Buildings and Highways Committee, reported on **HB 444** as Amended as follows: 4 favorable, 1 on merits.

Mr. DuPont moved to suspend Rule 9 to act on **HB 444** as Amended. Motion prevailed.

Mr. Cook moved for a 3 minute recess to ascertain if several absent senators intended to attend to the numerous bills which had been classified as vital.

On motion of Mr. Cook the Senate recessed upon call of the Chair at 6:28 P.M.

The Senate met at the expiration of the recess at 6:31 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. DuPont **HB 444** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 444** with **HA 1**—"An Act to Enable the Levy Court of New Castle County to Establish a Water Supply and Flood Control System in the White Clay Creek Watershed, to Control the use of Excess Water Thereof, to Augment the Supply of Water for New Castle County to Control the use Thereof and to Charge Fees Therefor to Issue Bonds to Finance Projects and Acquirements, to Acquire by Condemnation, Purchase, Gift or Otherwise Land or Rights Therein, in New Castle County or in the Commonwealth of Pennsylvania, to Levy Taxes Therefor".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Messrs. Hoey, Robbins—2.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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

The Chair presented **HB 424** with **HA 1**—"An Act to Amend Titles 9, 10 and 12, Delaware Code, by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Receiver of Taxes and County Treasurer, Prothonotary, Sheriff, Register in Chancery and Clerk of the Orphans' Court, and Register of Wills in and for New Castle County".

Mr. Isaacs moved to suspend Rule 9 to act on **HB 424** with **HA 1**. Motion prevailed.

On motion of Mr. Isaacs **HB 424** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 424** with **HA 1**—"An Act to Amend Titles 9, 10 and 12, Delaware Code, by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commis-

sioners, Recorder of Deeds, Receiver of Taxes and County Treasurer, Prothonotary, Sheriff, Register in Chancery and Clerk of the Orphans' Court, and Register of Wills in and for New Castle County".

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

**YEAS**—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

**NAYS**—None.

**ABSENT**—Messrs. Donovan, Johnson, McCullough—3.

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

The Chair presented **HB 289** with **HA 1, HA 2, HA 3, HA 4** and **HA 5**—"An Act to Amend Chapter 71, Title 14, Delaware Code, Relating to Free Public Libraries".

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HB 289** as Amended. Motion prevailed.

Pres. Pro Tem Steen asked the privilege of the floor for Mrs. Madden to speak for the bill.

Mr. Simpson asked the privilege of the floor for Mrs. Messick to speak for the bill.

On motion of Pres. Pro Tem Steen **HB 289** with **HA 1, HA 2, HA 3, HA 4** and **HA 5** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 289** with **HA 1, HA 2, HA 3, HA 4** and **HA 5**—"An Act to Amend Chapter 71, Title 14, Delaware Code, Relating to Free Public Libraries".

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

**YEAS**—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

**NAYS**—None.

**NOT VOTING**—Mr. Hoey—1.

**ABSENT**—Messrs. Donovan, Johnson, McCullough—3.

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

On motion of Mr. Price **HB 450** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 450**—"An Act to Amend Chapter 152, Volume 52, Laws of Delaware, Entitled 'An Act Requiring the Doing of all Work and the Furnishing of all Materials and Supplies to the Mayor and Council of Wilmington or to any Board, Commission, Department or Agency Thereof to the Lowest and Best Bidder and Providing the Procedure Relating Thereto' by Providing that a Bid Bond may be Submitted with Bids, and by Providing that Public Bidding shall not be Required on Contracts for Less than One Thousand Dollars or Where Only One Source can Perform the Contract Because of a Patent".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—Mr. Isaacs—1.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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

The Chair presented **HB 494**—"An Act Authorizing and Directing the Harrington Special School District of Kent County to Re-Imburse Mrs. T. C. Collins School Taxes Assessed and Paid in Error".

Mr. Robbins moved to suspend Rule 9 to act on **HB 494**. Motion prevailed.

On motion of Mr. Robbins **HB 494** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 494**—"An Act Authorizing and Directing the Harrington Special School District of Kent County to Re-Imburse Mrs. T. C. Collins School Taxes Assessed and Paid in Error".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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



The Chair presented **HB 495**—"An Act Authorizing and Directing the Receiver of Taxes and County Treasurer of Kent County to Re-Imburse Mrs. T. C. Collins County Taxes Assessed and Paid in Error".

Mr. Robbins moved to suspend Rule 9 to act on **HB 495**. Motion prevailed.

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

**HB 495**—"An Act Authorizing and Directing the Receiver of Taxes and County Treasurer of Kent County to Re-Imburse Mrs. T. C. Collins County Taxes Assessed and Paid in Error".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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

The Chair presented **HB 411**—"An Act to Amend § 2619 (d), Title 9, Delaware Code, Pertaining to Violations of Zoning Regulations and Enforcement of Same".

Mr. Martin moved to suspend Rule 9 to act on **HB 411**. Motion prevailed.

On motion of Mr. Martin **HB 411** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 411**—"An Act to Amend § 2619 (d), Title 9, Delaware Code, Pertaining to Violations of Zoning Regulations and Enforcement of Same".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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

The Chair presented and assigned to the Revised Statutes Committee the following bill: **HB 201**—"An Act Amending Title 9, Chapter 15, Delaware Code, Enabling the Levy Court of New Castle County to Make Improvements for Drainage and Flood Control, to Establish Drainage and Flood Control Regulations and a Drainage Board and Providing for the Issuance of Bonds and the Levying of Taxes to Finance said Improvements".

The Chair presented **HB 150** with **HA 1**—"An Act to Amend § 4913, Title 10, Delaware Code, Relating to Exemption and Attachment of Wages".

Mr. Cook moved to suspend Rule 9 to act on **HB 150** with **HA 1**. Motion prevailed.

On motion of Mr. Cook **HB 150** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 150** with **HA 1**—"An Act to Amend § 4913, Title 10, Delaware Code, Relating to Exemption and Attachment of Wages".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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

Committee reports submitted were as follows:

**SB 275**—Elections, 1 favorable, 2 on merits, 1 unfavorable, by Mr. Robbins for Mr. Johnson; **SB 276**—Elections, 1 favorable, 4 on merits, by Mr. Robbins for Mr. Johnson.

On motion of Pres. Pro Tem Steen **SB 94** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 94** with **HA 1**—"An Act to Amend Section 8324, Title 11, Delaware Code, Relating to Eligibility of Permanently Injured Members of the State Police for Pension Benefits".

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

**YEAS**—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

**NAYS**—None.

**ABSENT**—Messrs. Donovan, Johnson, McCullough—3.

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

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

**HS 1 for HB 296**—"An Act to Completely Revise, Recodify and Amend Title II, Delaware Code, in Relation to Sentencing, Probation, Parole, and Pardons of Adult Offenders, and Procedures with Respect to Executive Clemency"; to Joint Committee.

**HS 1 for HB 297**—"An Act Amending Title 11, Delaware Code, Pertaining to the State Correctional System, and Creating a Department of Correction having Responsibility for the Maintenance, Supervision and Control and Rehabilitation of Persons Committed to Correctional Facilities. The Establishment of Probation and Parole Services Within said Department, and Relating Generally to the said Department of Correction, its Officers, Employees, Policies, Decisions, Responsibilities, Finances and Personnel within its Jurisdiction and Control; Providing for Certain Offenses; and Making a Supplemental Appropriation to the Department"; to Joint Committee.

Mr. Hoey requested that **SB 262** receive final Senate action.

Mr. Cook moved for adoption of **SA 1** to **SB 262**. Motion prevailed by voice vote.

On motion of Mr. Hoey **SB 262** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 262 with SA 1**—"An Act Relating to the Deputy Attorneys General, Creating the Position of Administrative Assistant to the Attorney General, Raising the Salary of Some Deputies and Making a Supplemental Appropriation".

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

**YEAS**—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

**NAYS**—None.

**ABSENT**—Messrs. Donovan, Johnson, McCullough—3.

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

The Chair presented **HB 225**--"An Act to Amend Section 1801, Title 9, Delaware Code, Relating to Indigent Sick".

Mr. Simpson moved to suspend Rule 9 to act on **HB 225**. Motion prevailed.

On motion of Mr. Simpson **HB 225** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 225**--"An Act to Amend Section 1801, Title 9, Delaware Code, Relating to Indigent Sick".

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

YEAS--Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen--14.

NAYS--None.

ABSENT--Messrs. Donovan, Johnson, McCullough--3.

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

On motion of Mr. Price **HB 451** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 451**--"An Act to Amend Chapter 143, Volume 36, Laws of Delaware, being an Act Providing for the Collection of Taxes and Assessments for the City of Wilmington".

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

YEAS--Messrs. Cook, DuPont, (Mrs.) Lord, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen.

NAYS--Mr. Isaacs.

NOT VOTING--Messrs. Bookhammer, Hoey, (Mrs.) Manning.

ABSENT--Messrs. Donovan, Johnson, McCullough.

On motion of Mr. Price the roll call was tabled.

Mr. Cook asked that **HB 292** receive final Senate action.

Mr. Cook moved to defer **HB 292**. Motion prevailed.

Mr. Hoey asked that **HB 270** receive final Senate action.

Mr. Hoey requested the privilege of the floor for Mr. Barnard to speak for the bill.

Mr. Hoey moved to defer **HB 270**. Motion prevailed.

Mr. Hoey moved to suspend Rule 9 to act on **HB 177** with **HA 1**. Motion prevailed.

On motion of Mr. Hoey **HB 177** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 177** with **HA 1**—"An Act to Create a Public Defender and Making a Supplemental Appropriation Therefore".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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

Mr. Hoey asked that **SB 33** receive final Senate action.

Mr. Cook moved to defer **SB 33**. Motion prevailed.

Mr. Cook asked that **HB 283** receive final Senate action.

Mr. Isaacs moved to defer **HB 283**. Motion lost by voice vote.

On motion of Mr. Cook **HB 283** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 283**—"An Act to Amend Chapter 17, Title 24, Delaware Code, by the Exemption of Licensed Medical Practitioners from Civil Liability for Rendering Emergency Care at the Scene of the Emergency".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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

On motion of Mr. Martin **HB 199** with **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 199** with **HA 2**—"An Act to Amend Chapter 21, Title 19, Delaware Code, Relating to Compensation of the Members of the Industrial Accident Board".

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

**YEAS**—Messrs. Cook, Hoey, Isaacs, (Mrs.) Lord, Martin, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

**NAYS**—Mr. DuPont, Mrs. Manning—2.

**NOT VOTING**—Messrs. Bookhammer, Simpson, Wilgus—3.

**ABSENT**—Messrs. Donovan, Johnson, McCullough—3.

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

Mr. Cook moved that the roll call on **HB 223** be stricken. Motion prevailed.

On motion of Mr. Cook **HB 223** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 223**—"An Act Increasing the Membership of the State Board of Trustees of the Delaware State Hospital at Farnhurst".

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

**YEAS**—Messrs. Cook, Martin, Price, Robbins, Tull, Pres. Pro Tem Steen—6.

**NAYS**—Mr. DuPont, Mrs. Manning—2.

**NOT VOTING**—Messrs. Bookhammer, Hoey, Isaacs, (Mrs.) Lord, Simpson, Wilgus—6.

**ABSENT**—Messrs. Donovan, Johnson, McCullough—3.

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

On motion of Mr. Robbins **HB 425** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 425** with **HA 1**—"An Act to Amend Section 5115 of Chapter 51, Title 14, of the Delaware Code, Entitled 'University of Delaware' for the Purpose of Providing that the Revenue Bonds of the University may be Executed by Facsimile Signatures of the Officers of the University, and of Clarifying the Terms and Conditions Upon Which such Bonds may be Issued and Refunded and Increasing the Maximum Allowable Rate of Interest and Interest Cost from Four to Six Percent".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Donovan, Johnson, McCullough—3.

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

The Chair presented **HB 437**—"An Act to Amend Chapter 96, Title 9, Delaware Code, Relating to Records in the Office of the Recorder of Deeds in and for New Castle County by Providing for a Method of Copying the Original Volumes".

Mr. Isaacs moved to suspend Rule 9 to act on **HB 437**. Motion prevailed.

On motion of Mr. Isaacs **HB 437** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 437**—"An Act to Amend Chapter 96, Title 9, Delaware Code, Relating to Records in the Office of the Recorder of Deeds in and for New Castle County by Providing for a Method of Copying the Original Volumes".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Wilgus—12.

NAYS—None.

ABSENT—Messrs. Donovan, Johnson, McCullough, Tull, Pres. Pro Tem Steen—5.

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

The Chair presented **HB 438**—"An Act to Amend Chapter 25, Title 12, Delaware Code, Relating to Records in the Office of the Register of Wills in and for New Castle County, by Providing for a Method of Copying the Original Volumes".

Mr. Isaacs moved to suspend Rule 9 to act on **HB 438**. Motion prevailed.

On motion of Mr. Isaacs **HB 438** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 438**—"An Act to Amend Chapter 25, Title 12, Delaware Code, Relating to Records in the Office of the Register of Wills in and for New Castle County, by Providing for a Method of Copying the Original Volumes".

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

**YEAS**—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

**NAYS**—None.

**ABSENT**—Messrs. Donovan, Johnson, McCullough—3.

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

Mr. DuPont moved to suspend Rule 9 to act on **HB 382**. Motion prevailed.

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

**HB 382**—"An Act Making a Supplementary Appropriation for the Fiscal Year Ending June 30, 1964, to Reimburse the Arden School Board for Expenditures Made During the Fiscal Year Ending June 30, 1962".

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

**YEAS**—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

**NAYS**—None.

**ABSENT**—Messrs. Donovan, Johnson, McCullough—3.

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

At 8:25 P.M., Pres. Pro Tem Steen moved to adjourn according to **HCR 24**.

## SECOND REGULAR SESSION OF THE 122ND GENERAL ASSEMBLY

Pursuant to Article II, Section 4, of the Constitution of the State of Delaware, the Senate convened in the Second



Regular Session of the 122nd General Assembly, Tuesday, February 4, 1964, at 2:23 P.M.

Prayer by the Chaplain, Rev. Howard Link.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—17.

Members Absent—None.

Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote: **SR 95**—"In Reference to the Reorganization of the Senate of the 122nd General Assembly for the Second Regular Session".

**BE IT RESOLVED** by the Senate of the 122nd General Assembly that the Rules of the Senate at the first regular session of the 122nd General Assembly be and they hereby are adopted as the permanent rules for the governing of the present second regular session of the 122nd General Assembly.

**AND BE IT FURTHER RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware that all the officers of the first regular session of the 122nd General Assembly duly elected to serve, and serving in their respective office at the end of the first regular session of the 122nd General Assembly, which adjourned December 19, 1963, be reelected to their respective office for the second regular session of the 122nd General Assembly to serve at the pleasure of the Senate on the same terms and at the same rate of compensation as they heretofore served.

**AND BE IT FURTHER RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware that all committees and all committee assignments as existing at the end of the first regular session of the 122nd General Assembly be continued for the second regular session.

Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote: **SR 96**—"Notifying the House of Representatives that the Senate is Organized and Ready for Business for the Second Regular Session of the 122nd General Assembly".

**BE IT RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware, that the Secretary of said Senate notify the House that the Senate is organized for the second regular session of the 122nd General Assembly and ready to receive business.

Pres. Pro Tem Steen introduced the following resolution which upon further motion was adopted by voice vote:

**SR 97**—"Appointing a Committee to Notify the Governor that the Senate is Organized".

**BE IT RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware, that the President Pro Tempore of the Senate appoint a committee of 2 members on the part of the Senate to notify the Governor of the State of Delaware, of the convening of the Senate of the 122nd General Assembly, for the second regular session of the 122nd General Assembly and to inform him that the Senate is ready to receive any communication that he may desire to present, or to receive any message that he may choose to deliver at such time as he may designate.

On motion of Mrs. Lord **SB 276** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 276**—"An Act to Amend Title 15, Delaware Code, Relating to Elections to Provide for Special Registration of Voters in Various Locations in Each County and Appropriating Funds Therefore".

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

**YEAS**—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

**NAYS**—Mr. Donovan—1.

**NOT VOTING**—Mr. McCullough—1.

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

On motion of Mr. McCullough the Senate recessed upon call of the Chair at 2:32 P.M.

The Senate met at the expiration of the recess at 3:40 P.M., Lt. Gov. Lamnot presiding.

The Chair directed the reading of the following message from the Governor.

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

December 17, 1963

To the Senate of the 122nd General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following names, elected

by the Board of Trustees of the University of Delaware to be members of that Board for the terms indicated:

Walter J. Beadle, 1101 Westover Road, Westover Hills, Wilmington 6, Delaware—Term to expire December 7, 1969 (Reappointment);

R.R.M. Carpenter, Jr., Church and Montchanin Roads, Montchanin, Wilmington, Delaware—Term to expire December 14, 1969 (Reappointment);

Joseph L. Marshall, Lewes, Delaware—Term to expire December 14, 1969 (Reappointment);

Warren C. Newton, Bridgeville, Delaware—Term to expire May 31, 1970 (Reappointment);

N. Maxson Terry, 36 The Green, Dover, Delaware—Term to expire December 1, 1969 (Replacing George M. Fisher, deceased).

Respectfully submitted,  
ELBERT N. CARVEL  
Governor

The message was referred to the Executive Committee.

The Chair directed the reading of the following two veto nominations.

STATE OF DELAWARE  
SENATE

December 16, 1963  
Dover, Delaware

Lt. Governor Eugene Lammot  
President of Senate  
Dover, Delaware

On Friday, December 13, 1963, the Secretary of the Senate of the 122nd Delaware General Assembly received from the Governor, Senate Bill 71 without the Governor's signature of approval and along with the bill, a message from the Governor relative to his withholding of approval.

LESLIE C. GREENLY  
Secretary of Senate

STATE OF DELAWARE  
SENATE

Dover, Delaware  
December 18, 1963

Lt. Governor Eugene Lammot  
President of Senate  
Dover, Delaware

On Wednesday, December 18, 1963, the Secretary of the Senate of the 122nd Delaware General Assembly received from the Governor, Senate Bill No. 259 without the Gover-

nor's signature of approval and along with the bill, a message from the Governor relative to his withholding of approval.

LESLIE C. GREENLY  
Secretary of Senate

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

**HB 423**—"An Act Creating a Wilmington Civic Center Office Building Commission and Making a Supplementary Appropriation Thereto"; to Finance.

**HB 485**—"An Act Appropriating Funds to the State Board of Examiners of Graduate Nurses to Provide Funds for Printing, Postage, Stationary, and Salary and Travel Expenses for Board Members"; to Finance.

**HB 456**—"An Act to Amend Chapter 6, Section 602, Title 14, Delaware Code, by Providing for Transfer of Pupils Between School Districts Without Regard to Instructions Offered by a Sending District"; to Education.

**HB 432**—"An Act to Provide a Pension for Members of the General Assembly and the Lieutenant Governor"; to Revised Statutes.

**HB 484**—"An Act to Amend Chapter 25, Title 24, Delaware Code, by Providing for an Appeal by any Person Whose Pharmacy License has been Revoked, Suspended or Refused to be Granted"; to Revised Statutes.

**HB 482**—"An Act Authorizing the Levy Court of Kent County to Borrow on the Credit of the County a Sum of Money Not Exceeding Nine Hundred and Fifty Thousand Dollars to be Expended for Acquiring Additional Lands to be Used for the Purpose of Building an Addition or Additions to the Kent County Court House, and for Making such Alterations and Repairs to the Existing Court House as the Levy Court shall Deem Necessary and Expedient"; to Revised Statutes.

**HB 462**—"An Act to Amend Title 9, Delaware Code of 1953, Entitled Counties by Authorizing Levy Courts to Establish County Park and Recreation Commissions for the Development, Equipping, Improving and Maintaining of Parks and Other Recreational Facilities and Activities: and to Carry on Recreational Programs, Authorizing and Regulating the Issuance of County Bonds and Providing for the Payment of such Bonds and the Rights of the Holders Thereof"; to Revised Statutes.

**HB 38 as Amended**—"An Act to Amend Section 132, Title 17, Delaware Code, Relating to the General Powers and Duties of the State Highway Department"; to Buildings and Highways.

**HB 377**—"An Act to Amend Title 24, Delaware Code, Section 2119"; to Judiciary.

**HB 356**—"An Act to Amend Chapter 8, Title 22, Delaware Code, Relating to Home Rule for Municipalities"; to Corporations—Municipal.

**HB 233**—"An Act to Amend Chapter 13, Title 14, by Adding Provisions for Compensation of Teachers on Sabbatical Leave"; to Education.

**HS 2 for HB 21**—"An Act to Amend 5521, Title 29, Delaware Code, Relating to Optional and Mandatory Retirement of Covered School Employees of the State of Delaware"; to Miscellaneous.

**HB 214**—"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 Therefore"; to Buildings and Highways.

**HB 303**—"An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to Information Returns to the State Tax Department from those Making Certain Payments"; to Miscellaneous.

**HB 333**—"An Act to Amend Section 1170, Title 30, Delaware Code, Pertaining to Supplementary Returns"; to Miscellaneous.

Mr. Isaacs presented **SA 2** and **SA 3** to **SB 110** and requested they be placed with the bill.

Mr. Isaacs introduced the following bill which was given a first reading and assigned to the Education Committee: **SB 281**—"An Act to Amend Chapter 41, Title 14, Delaware Code, Relating to Referendums Concerning Education".

The Chair appointed Messrs. Donovan and DuPont to inform the Governor that the Senate was organized and ready to receive any communications or recommendations from him.

On motion of Pres. Pro Tem Steen **HB 83** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 83**—"An Act to Aid Certain Organizations Which Maintain an Ambulance in the Public Service, by Appropriating Moneys for Maintenance of the Ambulances".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Simpson—1.

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

Messrs. DuPont and Donovan reported to the Senate that the Governor would deliver his state of the State Message to a Joint Session of the Legislature Tuesday, February 11, 1964, at 12:00 noon.

Pres. Pro Tem Steen introduced the following concurrent resolution which upon further motion was adopted by voice vote: **SCR 35**—"Making Payment to the National Conference of State Legislative Leaders for Membership Dues for the State of Delaware".

Mr. Robbins introduced the following resolution which upon further motion was adopted by voice vote: **SR 98**—"Authorizing Payment of Amount Due B & B Music Service for Supplies Furnished to the 122nd General Assembly".

Mr. Cook introduced the following bill which was given a first reading and assigned to the Buildings and Highways Committee: **SB 282**—"An Act to Amend Chapter 1, Title 17, of the Delaware Code, Relating to the State Highway Department by Providing that Money Received by the Department or the State as Reimbursement of Money Expended by the Department be Credited to the Fund or Account of the State Highway Department Against Which such Expenditure was Originally Charged".

With personal privilege of the floor, Senator Cook remarked that the General Assembly no longer had the power to control State matters and would need only three or four days, after the Governor's state of the State message, to perform the very limited capacities permitted it by the circumvention of the legislature by state boards and commissions.

The senator stated that the agencies, boards, commissions, and so on, are thwarting the will and abrogating the authority of the General Assembly. "They have seen fit to ignore us and pay as they see fit," he said. "They disregard line items which we approve in the State Budget."

Senator Cook said of reapportionment: "We passed a reapportionment amendment last year. It was a good one. It did not please everyone. But it was a starting point. Now, the Federal Court has over-ruled it. They are going to reapportion the State, I assume. They are taking away our authority."

He also said "a nearby School Board" had ignored and flouted the Assembly by getting school bond funds and then

changing — with the State Board approval — it's certificate so the funds were used for an entirely different purpose.

The senator continued "The joint committee of the Legislature studied hard and considered well the corrections legislation which had been presented to it and has found quite a few mistakes. But we are told it is a perfect program. And we don't need to study the bills or consider changes. We're supposed to pass them without considering them.

"We have a whipping post law to hold down crime. One judge used it. And right away, certain persons and organizations and the Governor stepped in and have stopped this punishment from being inflicted.

"We have the death penalty for serious crimes. It was passed over a veto. The same people keep this law from being used. Delaware has just witnessed another of many serious crimes near Lewes. And these same people will step in again, after many thousands of dollars have been spent on a trial, to protect the person who is responsible.

"If we aren't going to use these laws, there is no use in passing them. There's nothing for us to do but provide money and get revenue.

"If we are dis-satisfied, we should advise the agencies, commissions, boards and so on that it is up to us to pass the laws; and it is up to them to carry them out."

The senator concluded "A lot of the heads of commissions, agencies and boards are not dependent on confirmation by us so they ignore what is our wishes."

The Senate received the following two Memorandums No. 24 and No. 25 from the Governor:

#### MEMORANDUM NO. 24

December 26, 1963

TO: Secretary of the Senate

FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

December 17, 1963—SB 251; SB 34; SB 229; SB 219; SB 232 with SA 1; HS 1 for HB 284; HS 1 for HB 338; HB 36; and HB 76. On this date the Governor returned SB 259 to the Senate without his approval.

December 18, 1963—HB 466 with HA 1; HB 465; HB 353; SB 215; SB 83; HB 351; HB 15; HB 328 with HA 1 and HA 2; and SB 255 with HA 1.

December 20, 1963—SB 58; SB 233; SB 234; SB 235 with SA 1; SB 236 with SA 1; SB 237; SB 264; SB 270; HB 225; HB 472; HB 494; and HB 495.

December 23, 1963—**HB 289** with **HA 1**, **HA 2**, **HA 3**, **HA 4** and **HA 5**; **HB 344**; **HB 402**; **HB 437**; **HB 438**; **HB 450**; **SJR 6** with **HA 1**; **SB 23** with **SA 1**, **SA 2** and **HA 2**; **SB 217** with **HA 1**; **SB 249** with **HA 1** and **HA 2**; **SB 271**; and **SB 245**.

# MEMORANDUM NO. 25

January 14, 1964

TO: Secretary of the Senate  
FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

December 27, 1963—**HB 471**.

December 30, 1963—**SB 222**; **HB 424** with **HA 1**; and **HB 436**. On this date the Governor returned **HB 281** with **HA 1** and **HB 470** to the House without his approval.

December 31, 1963—**SB 154**; **SB 172**; **SB 174**; **SB 272**; **SB 280**; **HB 411**; **HB 425** with **HA 1**; **HB 382**; and **HB 283**.

January 7, 1964—**HB 150** with **HA 1**; **HB 177** with **HA 1**; **SB 257** with **SA 1**; **HB 199** with **HA 2**; and **SB 94** with **HA 1**.

January 9, 1964—**SB 258**; and **SB 268**.

January 11, 1964—**HB 444** with **HA 1**.

At 4:10 P.M., Mr. Donovan moved to recess to Tuesday, February 11, 1964, at 11:30 A.M.

The Senate met at the expiration of the recess at 12:23 P.M., Tuesday, February 11, 1964, Lt. Gov. Lamot presiding.

Pres. Pro Tem Steen moved to adjourn to 12:24 P.M., Tuesday, February 11, 1964.

## 2nd LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 12:24 P.M. on Tuesday, February 11, 1964, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. Howard Link.

By roll call the following Senators were present:

Members Present—Messrs. Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—11.

Members Absent—Messrs. Bookhammer, Donovan, Johnson, Martin, McCullough, Tull—6.

The Secretary proceeded to read the Journal of the previous days sessions when a motion was made that so much be considered the reading of the Journal and the Journal be approved as read.



Pres. Pro Tem Steen introduced the following concurrent resolution which upon further motion was adopted by voice vote: **SCR 36**—"Relating to Amending Senate Concurrent Resolution No. 27 Relating to the Establishment of a Joint Committee on the Returning of Fort Miles at Cape Henlopen to the State".

Pres. Pro Tem Steen introduced the following bill which was given a first reading and assigned to the Finance Committee: **SB 283**—"An Act to Appropriate and Transfer Moneys from the Capital Investment Fund for the Purpose of Obtaining Lands at or Near Cape Henlopen, Delaware".

Mr. Robbins introduced the following resolution which upon further motion was adopted by voice vote: **SR 99**—"Appropriation for Postage Stamps for the Senate of the 122nd General Assembly".

At 12:34 P.M., by order of the Chair, the Senate recessed to attend the Joint Session of the Assembly in the House Chambers.

At 12:35, in the House Chambers, the Sergeant-at-Arms announced the President and Members of the Senate. They were admitted and seated. Speaker S. W. Tribbitt invited the President of the Senate to a seat on the rostrum.

### Joint Session

At 12:35, Rep. Busker moved that the House and Senate convene in Joint Session. Motion prevailed.

Rep. Busker moved that the Speaker of the House preside over the Joint Session. Motion prevailed.

Rep. Busker 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 House Chambers: Messrs. Best, DuPont, Cook and Busker.

At 12:40, the Sergeant-at-Arms admitted the Governor and the duly appointed committee to the House Chambers.

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

The Governor addressed the members of the General Assembly as follows:

MESSAGE  
of  
THE HONORABLE ELBERT N. CARVEL  
Governor of Delaware  
to the  
SECOND REGULAR SESSION OF THE  
ONE HUNDRED TWENTY-SECOND  
GENERAL ASSEMBLY

of the  
STATE OF DELAWARE  
DOVER

February 11, 1964

**GOVERNOR'S MESSAGE**

Mr. President

Mr. Speaker

Members of the 122nd General Assembly

Fellow Delawareans:

During the past three years since this Administration was inaugurated on January 17, 1961, we have participated in a joint effort which has encouraged the progress of the forward movement of our beloved State.

During these three short years we have witnessed the drop of our unemployment rate to one of the lowest in the Nation. This rate now stands at less than half of our rate of December 31, 1960.

Personal income in our State for the first eleven months of 1963 is estimated to have increased 8.7% over the same period of 1962, and is about 31% ahead of our average personal income for the period of 1957-1959.

For the fiscal years 1958, 59, 60 and 61, Delaware was operating with a deficit, while during the fiscal years of 1962-63 we have enjoyed a substantial surplus, and surpluses are forecast for the fiscal years ending 1964 and 1965.

Great strides in providing for the material needs of our economy have been accomplished through the authorization of the massive Freeway-Highway Program, the School Construction bill, the New Delaware River Crossing, the Lewes-Cape May Ferry, and the completion of the John F. Kennedy Turnpike.

Highly desirable new industries have located in Delaware and many more are giving the superior advantages of our State their favorable consideration.

You have given the human and social needs of Delaware a generous measure of your attention. This has resulted in the passage of a long overdue Public Accommodations Act. The passage of important correctional and rehabilitative legislation has been accomplished in the House, and a joint Legislative Committee has approved a major part of our correctional program which should forecast the final passage of the most encouraging advances of any correctional program in our history.

Welfare programs providing for expanded old age pensions and increased medical care to the indigent aged have been successfully implemented. An addition to the Welfare

Home at Smyrna was completed, and comfortable, uncrowded conditions are once more restored to that haven of rest.

In the field of Education we are raising our sights and we are working together to develop more efficient methods of communicating an educational program of excellence to our future citizens. Educational TV, the expanded use of visual aids and the application of computer equipment will play an important part in the increased efficiency in this area.

In the field of Labor we have authorized and put into action an Apprenticeship and Training Council, working under the State Department of Labor and Industrial Relations. This resulted from the recommendations of the Governor's Committee on Training for Employment, and the continuation of expansion of our efforts in this field should help to overcome the maladjustments in the industrial field brought on by automation and increasing industrial efficiency.

The Delaware Commission on Children and Youth is making a broad survey of the cause of drop-outs in our public schools. They are being enthusiastically and ably assisted in this work by the American Association of University Women and the Delaware Section of the National Council of Jewish Women. This survey will uncover the breadth of the present problem and will encourage the people of our State to seek appropriate solutions. It is important to stress that all drop-outs in Delaware should register with the Employment Security Commission. This agency has many opportunities open for jobs and can be most helpful to this important segment of our population. There are many opportunities for job training being provided from this quarter for young people 17 and over. I am encouraged by this effort by the Commission on Children and Youth and the splendid women who are aiding this Commission in making this critical survey. In turn, this Administration is trying to provide the necessary funds and moral support to help get this job done.

There is a new spirit of cooperation prevailing among the people of our State and this spirit is being reflected by you — the General Assembly — by your support of the many constructive measures which your First Regular Session has already passed. This Second Regular Session still has much unfinished work to do, the approval of which will cause Delaware to step up the pace of its forward movement and place us in the vanguard of the knowledgeable progressive states of our Nation.

For several years prior to 1961, while we were operating in the red, a stalemate existed in State government. There was much discussion about how the State should be operated, and valuable time and progress was lost to our people.

Our late beloved President John F. Kennedy challenged our Nation to move forward from dead center, and our State and Nation accepted this challenge. The Business Week index chart averaged at about an index of 100 during the period of 1957 - 1961. Today it stands at 128 and is trending upward. The Diamond State Telephone business index for Delaware stood at 108 in January of 1961, and today it is 135, with the Delaware outlook the best in many years.

We have often referred to Delaware as the "Economic Sunshine State of the Nation." There is no question but what we are standing on the threshold of the greatest progress in our history. Under the leadership of President Lyndon B. Johnson we are continuing the progress so well planned and begun by President Kennedy. In Delaware it is quite possible that instead of under-employment, we will be witnessing a shortage of personnel throughout our State as the year unfolds.

With this splendid prospect, there is plenty of room for both major parties to cooperate and to claim credit for the progress. That is why I am encouraged by the friendly spirit presently prevailing throughout our Nation, our State and our General Assembly. Opportunities for progress and prosperity are most favorable and encouraging. The people are joining hands to turn these opportunities into accomplishments. So, Delaware — let us move forward together.

### **The Budget**

Requests for appropriations submitted to the Budget Director amounted to \$124,049,000.00 for Fiscal 1965. My recommendations for appropriations in the Budget Appropriation Bill for that year amount to \$110,114,000.00. Provisions for usual Grants-in-Aid Supplemental Appropriations and Automatic Appropriations increase these recommendations to \$115,714,000.00. Reversions of appropriations of approximately \$2,200,000.00 are anticipated in the next Fiscal Year. If these recommendations are approved by the General Assembly, it is estimated that total disbursements for Fiscal 1965 will amount to \$113,514,000.00.

The anticipated revenue for Fiscal 1965 is \$110,000,000.00, exclusive of DuPont divestiture funds. Recommended general fund disbursements will thus exceed anticipated revenue by \$3,514,000.00 during that period, but with an estimated cash balance of \$4,323,000.00 to be carried over on June 30, 1964, into Fiscal 1965, this would result in an estimated cash balance of \$809,000.00 on June 30, 1965.

**Main areas of budgetary increase:** The major portion of the budgetary increase for Fiscal 1965 is a result of automatic statutory allotment provisions, especially for the schools. Additional pupil units, implementation of school

employees' salary raises authorized last year, and the new vocational education unit allotment, added approximately \$5 million to the required authorization for public education.

Automatic additions were also necessary for state employees' pensions to cover larger payrolls, the added numbers of pensioners, and especially to provide for the full implementation of legislation passed June 1961 which provided that social security benefits are not deducted from State pension payments after July 1, 1964.

A further escalation of approximately \$2 million was caused by additional debt service. The rest of the total increase over last year is caused for the most part by a 5% increase in salary allocations for the majority of State employees. This is not a cost of living increase, but is included to help our State agencies be more competitive in securing and retaining competent personnel.

During the First Regular Session of the 122nd General Assembly, you appropriated over \$3 million from surplus funds for School and Highway Capital Construction and Replacement for projects similar to those for which you have previously issued State Bonds. This was a conservative act, but we cannot continue to follow such a policy because of the simple mathematics surrounding the projected condition of our surplus.

Of course, the expanding economy may brighten the outlook for these surpluses considerably, but it would appear in the best interests of our State to provide conservative estimates which could improve, rather than optimistic estimates which could diminish.

### **Reapportionment**

Because the matter of reapportionment for the State of Delaware has been heard and is now being considered by the Supreme Court, I shall defer any comment on this question until it has been disposed of by that Judicial Body. Whatever decision is made, Delaware is certain to have a House of Representatives which will be reasonably representative, based upon the population of the various political subdivisions. This is a forward step and indeed a real victory for the democratic process.

### **The duPont - General Motors Divestiture Revenue**

During your first session, you authorized funds for the office of the State Tax Commissioner for the purpose of separating, earmarking and investing the revenue derived from the duPont-General Motors divestiture windfall during the fiscal year ending June 30, 1963.

This revenue amounted to slightly over \$3 million for that period and was promptly invested in short term U.S.

Government Bonds by the Budget Commission with the aid of the Farmers Bank of the State of Delaware.

In my message of December 2, 1963, I urged you to adopt a plan involving a Constitutional Amendment, plus other majority legislation which would provide funds from this source for the acquisition and restoration of additional public lands for State and County parks, recreational facilities, historic sites, and for conservation purposes.

Following an expenditure of slightly over \$3 million from the fund for these purposes, the balance of these monies would be placed in a Capital Investment Trust Fund created by legislation requiring a 2/3 vote of each House following such authorization by a Constitutional Amendment.

The monies of this Capital Investment Trust Fund would be invested and the annual interest would be used for similar purposes as mentioned above.

Again, I emphasize a paragraph from my December 1963 message, "The enactment of this program would cause this General Assembly to be long remembered for its vision and wisdom by utilizing these 'windfall' funds for the embellishment of our beloved Delaware."

### **The Correctional Program**

You are continued to be urged to pass the legislation providing for the reform of our correctional institutions. This legislation is the result of the studies made by the Governor's Committee for a State Correctional Program from funds provided by the Delaware Crime Commission. The National Council on Crime and Delinquency, the outstanding organization in this field, made the study, and the recommendations have the full support of the statewide bipartisan "Three-S" Citizen Committee.

The bills provide for an expanded professional staff to step up the rehabilitative process and programs of probation and parole. A single Family Court with statewide jurisdiction with sufficient professional staff will be instituted.

The adoption of this plan will help us to build a stronger Delaware — morally, spiritually and physically, save the State substantial sums, and will serve as a living memorial to the vision and wisdom of this 122nd General Assembly.

### **Mental Health**

As the result of a broad and penetrating survey made by the American Psychiatric Association, sponsored by the Mental Health Association of Delaware, the Board of Trustees of the State Hospital, and the Governor's Advisory Committee on Mental Health, legislation will be promptly introduced to provide for a Mental Health Department under the leadership of a Mental Health Director and a Mental Health

Commission. Individual professional superintendents would be responsible to the Mental Health Director for the operation of the facilities at the State Hospital, Farnhurst, Governor Bacon Health Center, and the Hospital for the Mentally Retarded at Stockley.

In the field of Mental Health, there have been many highly encouraging developments which indicate great hope for solutions to this grievous human ailment. Our late President John F. Kennedy gave the problems of this field his brilliant leadership, and as a result the Federal government has authorized its support of a cooperative Federal - State crash program to step up research, the construction of improved facilities and development of improved methods to combat this dreaded scourge which strikes one person out of ten of our population sometime during their life.

I urge you to take the prompt, wise action of considering and passing this needed legislation which can help so much in this valiant fight for reason and tranquility.

### **Mental Retardation**

The Delaware Commission on Children and Youth is about to make a study on the problems of the mentally retarded. The Federal government has authorized \$30,000 for such a study, provided we furnish up to an additional \$10,000 in funds or services. Appropriate legislation will be introduced to provide the necessary funds and authorization for a successful study.

### **Education**

1. The Governor's Committee on Educational Television, in cooperation with the State Board of Education, is making encouraging progress. Already, because of their recommendation, you have appropriated \$150,000.00 for the purchase of television sets to start our program. Presently, the school of Delaware can receive one channel broadcasts from TV Stations WHYY and WBOC.

Many of you, in conjunction with the Governor's Committee, have traveled to Hagerstown, Maryland and Columbia, South Carolina, to witness the utilization of closed circuit ETV for regional and state areas. Using one co-axial cable it is possible to broadcast 6 programs consecutively, and it takes little imagination to realize that with 2 co-axial cables the 12 grades of our public schools could be covered from one central broadcasting station such as Dover.

Educational TV holds out the opportunity for the mass production of excellence of educational curricula on a broad, uniform, statewide basis, by master teachers or communicators. These lessons are received over television and are interpreted and supervised by the class-room teachers who, incidentally, receive standard briefing material well in ad-

vance of the session. Thus, classroom teachers become better prepared and, as has been demonstrated in well organized broadcasts, the pupil progresses faster and shows improved retention of the information communicated.

One picture is worth 10,000 words. It is my considered opinion that the intelligent use of ETV may well provide the giant leap forward in education so important to our future peace, prosperity, world leadership, and to the elimination of poverty.

2. The recent passage of the School Bond Issue failed to provide for the customary 1½% for the supervisory and auditing services by the Delaware School Auxiliary. Legislation will be shortly introduced to correct this oversight. It is vital that inspection of construction be provided by the State as a safeguard to our taxpayers in this mammoth \$60,000,000.00 school construction program, and I urge your support of a bill to remedy this oversight.

3. I strongly urge the passage of House Bill 236, providing for the establishment of adult evening schools throughout the State. This is one more step to provide opportunities for better-trained, better-qualified citizens who, through this training, will be better prepared to take their rightful place in our complicated, automated economy. It has the full support of the Governor's Committee for Training for Employment.

### University of Delaware

Delaware is justly proud of the esteem in which our great University is held throughout the Nation and the world. During the past 15 years, our University has expanded in quality and quantity, and we have all observed the recognition which the University constantly receives for the excellence of its curriculum and the capable, well-rounded students which it graduates. It is constantly making plans for the expansion and the up-grading of its programs, and it is highly important that it have your support in its present effort to amend its charter relating to fiscal and budget matters.

Over the years, statutes have accumulated (sometimes without giving a thought to our University) which too often fail to recognize the University's unique relationship to the State. This has resulted in the University being inadvertently drawn into the complicated fiscal processes of State government where it just does not belong.

This Administration has full confidence in the judgment and integrity of the Board of Trustees of the University and its efficient personnel. It believes that in the best interest of the public, the University should be permitted to follow the course it has heretofore been permitted to pur-



sue, and I urge you to enact the charter amendment which the Board of Trustees is submitting.

This charter amendment will serve to forestall future misunderstandings and to preserve our cordial and successful relationship.

### **Labor**

Let us enact a state minimum wage law to cover the many workers in our State who are not otherwise covered by the Federal Wage and Hour Law.

### **Welfare**

House Bill No. 18, now in the Senate, provides for an additional \$50.00 assistance to mothers or caretakers relatives of dependent children.

Presently, the average payment per dependent child is \$21.90 per month, with no provision for the mother or caretaker relative. This bill would remedy this serious defect. Let us provide this positive attack against extreme poverty and lay the foundation for rehabilitation by promptly passing this needed legislation.

House Bill No. 367 provides a community work and training program for unemployed parents and older children who are receiving Public Assistance. The passage of this bill will greatly expand the relief-work program which is meeting with increased success in parts of the State. Further, it will assist our all-important program of training the illiterate and uneducated to find a place in the highly specialized automated world of today. I urge the prompt passage of this logical law.

House Bill No. 354 permits employers of the Department of Welfare to administer oaths to applicants for public assistance and will save our case workers from the time-wasting action of obtaining acknowledgements from Notaries Public in each case. This is an easy law to pass; it requires no appropriation and it saves the State money by cutting through red tape. Let's pass it.

### **The Delaware Magistrate System**

In each of my three Annual Messages I have urged you to enact legislation to revise and reform our present antiquated and outmoded Magistrate System. In recent conversations with the Chief Justice, I have been informed that the Council on the Administration of Justice is about to reconsider the bills which they have been recommending and are planning to appoint a committee to re-draft the present bills which it previously suggested. It is thought that the committee might submit legislation which would be more adaptable to our present judicial operation. I welcome this leadership on the part of the Council and hope that within

a reasonable time this year appropriate legislation will be referred to the Executive Department for its consideration and support.

### **Highways**

Because of the extreme delay last year in passing the \$45 million Highway Bond Bill, the State has lost ground in two areas. First, the completion of this much-needed program has been delayed for one year. Secondly, during that period of uncertainty the Highway Department lost 23 members of its engineering, design and technical staff. This places the Highway Department in a position of designing a massive highway program with an understaffed design department, during a period when the national and state demand for qualified engineers is at a peak.

In order to assure the maintenance of our present professional staff and encourage the all-important replacements needed to prepare the designs and specifications for the massive \$125 million Highway program generated by the passage of the Bond Bill, I urge you to remove the \$300 pay increase ceiling from job classifications of this important engineering group.

### **Capital Improvements**

It is my intention to address this session of the General Assembly in a few weeks on another matter of extreme importance, the Annual Capital Budget. With the assistance of the State Planning Office and the Budget Director, I will recommend legislation for your consideration and adoption which will give to our State of Delaware a Capital Budget for the first time. This Capital Budget will include appropriations to meet the most immediate needs we have for capital facilities and improvements.

The State of Delaware has need for additional office buildings to alleviate crowded and uneconomical conditions being faced by many of our State agencies both in Dover and Wilmington. In New Castle County alone there are 69 State agencies scattered in many offices. We must provide new office space for these agencies in a building in Wilmington which is worthy of the dignity and distinction of the State of Delaware.

At the same time, we must move from talk to action on the restoration of the Old State House here in Dover. In order to restore this historic building, we must provide for the housing of those agencies which are currently using that important structure for offices.

I recommend the immediate passage of a Bond Issue which would provide \$600,000 for planning, site acquisition and preliminary architectural design of a State Office Build-

ing in Wilmington, and \$3,100,000 for planning, architectural design, site preparation and construction of another State Office Building in Dover.

These office buildings are included as a part of the Annual Capital Budget but time is of the essence. The Federal government has given the State a deadline of March 1, 1964, for the passage of this legislation if the General Services Administration is to reconsider its location of a Federal office building at the site recommended by the City of Wilmington. This will rejuvenate the whole Urban Renewal work in that city. It is for this reason that I recommend the passage of this State Office Building legislation in advance of the Capital Budget legislation.

The State Planning Office has undertaken an inventory of State property. Property included in this inventory consists of all property owned in the name of the State of Delaware or one of the State agencies. The purpose of this property inventory is to establish a central store of information on State land and buildings. So that the inventory may be kept current, I intend to issue an Executive Order which will provide for prior recommendations from the State Planning Office on the acquisition and disposition of State property. Legislation and an appropriation may be necessary to determine the extent of some of our public and subaqueous lands.

### **Uniform Personnel Policies**

Senate Bill No. 148 was drafted as the result of broad studies of uniform personnel policies by a committee of the State Council of Presidents and Executives.

It provides for uniform job classification, uniform vacation and holiday procedures, and would bring order out of our present personnel policy chaos. This is a progressive step toward a merit system and I urge the prompt passage of this bill.

### **Elections**

1. Increased opportunities should be provided for registration by mobile registration teams operating in the heavily populated areas of the State. Senate Bill 276, now in the House, provides for this reform. I urge its prompt passage.

2. All contributions over \$100 to and by any political party or political organization should be reported to the State as they were during my first term as Governor of Delaware. The passage of Senate Bill No. 19 will assure this step toward cleaner elections.

3. I again urge the creation of a State Department of Elections, authorized to report official election information to our people.

### **Additional Legislative Program**

1. Legislation preventing the operation of highway vehicles which emit a dangerous amount of noxious gases into the atmosphere.

2. The passage of legislation providing for a State Fire School.

3. A leasing law authorizing the practice of off-shore leasing of areas for exploration of mineral and oil resources.

4. The prompt passage of Senate Bill No. 42, to establish a Water Resources Commission to develop a program so that our posterity may be assured of adequate water supplies.

5. The passage of a law authorizing an interstate compact on drivers licenses.

6. Legislation in conjunction with Federal Financing for the permanent protection of our valued and cherished ocean shores and beaches.

### **The Dedicated People Who Serve Our State**

On behalf of the people of Delaware, I express warm thanks to the thousands of State employees who devote their lives to the service of the people of Delaware. We are fortunate to have the help of these dedicated public servants.

There are many hundreds of capable public-spirited citizens who administer the affairs of our State on its various Boards, Departments and Commissions. It is a constant source of inspiration to observe the broad capabilities and enthusiasm which these volunteer (and generally unpaid) State leaders bring to our government.

On behalf of our State, I express to them our grateful thanks for their magnificent contributions to our way of government.

### **Conclusion**

Delaware is moving forward. We are facing up to our problems and we are making a determined effort to find the answers to our perplexing questions.

Unemployment is on the wane. New, desirable industry is finding our State to be a good place in which to locate. The spirit of our people is good and we look forward to a future of greater opportunities and accomplishments.

We are endowed with few natural resources, but with great human resources. The most important contribution which our state can make to a successful future is to nurture, encourage and inspire our great human resources, the vibrant, vital and valiant people of our State.

May we, the people of Delaware, continue this forward progress, thankful for the many blessings which God has

seen fit to shower upon us, ever seeking more light and understanding, and ever using this knowledge for the welfare and advancement of all of humanity.

The Governor concluded his message at 1:25 P.M.

At 1:27 P.M., the previously named committee escorted the Governor from the Chambers.

Rep. Busker 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 Speaker.

Rep. Busker moved the two Houses now separate to re-convene in their respective Chambers. Motion prevailed.

The Senate met at the expiration of the recess at 2:39 P.M., Lt. Gov. Lamnot presiding.

The following message from the Governor was read and referred to the Executive Committee.

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

February 7, 1964

To the Senate of the 122nd General Assembly  
of the State of Delaware:

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

Carl J. Scott, Summit Bridge Road, Newark, Delaware—to be a member of the Department of Labor and Industrial Relations, effective February 7, 1964, for a term to end June 30, 1968. (Reappointment).

Edward West, Hartly, Delaware—to be a member of the Department of Elections for Kent County for a term of 2 years from date of confirmation by the Senate, replacing L. Winfred Hughes.

George P. Tatman, Clark Street, Harrington, Delaware—to be a member of the Department of Elections for Kent County for a term of 2 years from date of confirmation by the Senate, replacing Charles L. Peck, Jr.

George W. Mitchell, Clarkesville, Delaware—to be a member of the Department of Elections for Sussex County for a term of 2 years from date of confirmation by the Senate, replacing Donald J. Hickman.

Robert B. Hopkins, Bridgeville, Delaware—to be a member of the Department of Elections for Sussex County for

a term of 2 years from date of confirmation by the Senate, replacing Woodrow W. Steen.

Respectfully submitted,  
**ELBERT N. CARVEL**  
 Governor

Mr. McCullough asked to be marked present.

The House informed the Senate that it had passed **HCR 25** and **HJR 7** and desired the concurrence of the Senate.

Mr. Cook introduced the following bill which upon further motion by him was adopted by voice vote: **SS 1 to SB 282**—"An Act to Amend Chapter 1, Title 17, of the Delaware Code, Relating to the State Highway Department by Providing that Money Received by the Department or the State as Reimbursement of Money Expended by the Department be Credited to the Fund or Account of the State Highway Department Against Which such Expenditure was Originally Charged".

Mr. Cook introduced the following bill which was given a first reading and assigned to the Revised Statutes Committee: **SB 284**—"An Act to Amend Chapter 69, Title 29, of the Delaware Code, by Providing that Where a State Agency Offers Material in Trade on the Purchase Price of New Material, the Value Assigned to the Material Offered in Trade Shall be Excluded from the Bid and Contract Price for the Purpose of Calculating the Amount of the Bid and Contract Bonds Required".

Mr. McCullough moved to suspend Rule 9 to act on **HJR 7**. Motion prevailed.

On motion of Mr. McCullough **HJR 7** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HJR 7**—"Designating the Week of March 15th to March 21st, 1964, as National Tall Cedars of Lebanon Week".

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

**YEAS**—Messrs. Cook, DuPont, Hoey, Isaacs, (Mrs.) Manning, McCullough, Price, Robbins, Wilgus, Pres. Pro Tem Steen—10.

**NAYS**—None.

**NOT VOTING**—Mrs. Lord, Mr. Simpson—2.

**ABSENT**—Messrs. Bookhammer, Donovan, Johnson, Martin, Tull—5.

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

The Chair presented the following concurrent resolution which was adopted by voice vote: **HCR 25**—"That the Two Houses of the 122nd General Assembly Meet in Joint Session to Hear the State of the State Message of the Governor".

At 3:00 P.M., Pres. Pro Tem Steen moved to adjourn to Thursday, February 13, 1964, at 1:00 P.M.

### 3rd LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:35 P.M. on Thursday, February 13, 1964, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. Howard Link.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, Dupont, Hoey, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Tull, Wilgus—12.

Members Absent—Messrs. Cook, Isaacs, (Mrs.) Manning, Simpson, Pres. Pro Tem Steen—5.

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

The House informed the Senate that it had passed **SB 276** and was returning same to the Senate.

The President administered the "Officers' Oath of Office" to the following: Frances A. Chandler, Jackie Howard, Pearl Betts, Margaret L. Doughten, William Perry, Robert C. Heller, B. Guy Wheatley, William E. Clark, Thomas R. Taylor, Edith M. Peters, Shirley Agnor and John T. Cannon.

Mr. Donovan introduced the following resolution which upon further motion was adopted by voice vote: **SR 100**—"In Reference to Election of Officers".

**BE IT RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware that the following named persons be and they hereby are elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate.

Sergeant-at-Arms—William Perry

Minority Clerk—Margaret L. Doughten

Page—Willie Clark

Attorney Messenger—Pearle Betts

Attorney Messenger—Thomas R. Taylor

Attorney Messenger—Jackie Howard

Reading Clerk—Frances A. Chandler

Mail Clerk—Robert Heller

Attorney Messenger—B. Guy Wheatley.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:45 P.M.

The Senate met at the expiration of the recess at 4:40 P.M., Lt. Gov. Lammot presiding.

The following Senators asked to be marked present: Mrs. Manning, Messrs. Simpson and Cook.

Mr. Johnson introduced the following resolution which upon further motion was adopted by voice vote: **SR 101**.—"In Reference to Election of Officers".

WHEREAS, Marion A. Palmer, who was previously elected to the office of Secretary, has now submitted her resignation from said office, and

WHEREAS, Shirley Agnor, who was previously elected to the office of Reading Clerk, has now submitted her resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Marion Palmer is hereby discharged from said office and Shirley Agnor is hereby elected to the office of Secretary to serve during the pleasure of the Senate.

BE IT FURTHER RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Shirley Agnor is hereby discharged from said office and Edith M. Peters is elected to the office of Reading Clerk to serve during the pleasure of the Senate.

Mr. Hoey introduced the following resolution which upon further motion was adopted by voice vote: **SR 102**.—"In Reference to Election of Officers".

WHEREAS, James Mills, Sr., who was previously elected to the office of Sergeant-at-Arms, has now submitted his resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that James Mills, Sr. is hereby discharged from said office.

BE IT FURTHER RESOLVED that John Cannon be and he is hereby elected to the office of Sergeant-at-Arms to serve during the pleasure of the Senate.

Mr. DuPont introduced the following resolution which upon further motion was adopted by voice vote: **SR 103**.—"Expressing the Sympathy of the Senate of the 122nd General Assembly upon the Death of Former Senator Elwood Bryan Griffenberg".

WHEREAS, the Senate of the 122nd General Assembly of the State of Delaware has learned with regret of the passing of Former Senator Elwood Bryan Griffenberg, who



served in the State Senate during the years 1931-1933, being the 103rd and 104th General Assembly, and

WHEREAS, Former Senator Elwood Bryan Griffenberg started Reynolds Candy Co., was active in the Masonic Order, Sons of American Revolution and Grace Methodist Church, and

WHEREAS, Former Senator Elwood Bryan Griffenberg was the past-president of the Delaware Shrine Club, a member of the Wilmington Chamber of Commerce and the Wilmington Elks, and

WHEREAS, Former Senator Elwood Bryan Griffenberg was a dedicated public servant whose accomplishments for the State of Delaware will never be forgotten by its citizens,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Former Senator Elwood Bryan Griffenberg, a prominent figure in his community, and

BE IT FURTHER RESOLVED, that the family of the deceased has full sympathy of the members of the Senate of the 122nd General Assembly of the State of Delaware which is extended by sending a copy of this resolution to the members of his immediate family, and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the Proceedings of the Senate of the 122nd General Assembly.

Mr. Donovan and all Senators introduced the following resolution which upon further motion was adopted by voice vote: **SR 104**—"Expressing the Sympathy of the Senate of the 122nd General Assembly of the Illness of Senator Curtis W. Steen".

WHEREAS, the members of the Senate of the 122nd General Assembly of the State of Delaware have learned that Senator Curtis W. Steen is ill and a patient at the Peninsula General Hospital, Salisbury, Maryland, and

WHEREAS, Senator Curtis W. Steen has for many years faithfully and diligently served as a member of the Delaware General Assembly, and

WHEREAS, Senator Curtis W. Steen is presently serving as President Pro Tem of the Senate, and

WHEREAS, the members of the Senate of the 122nd General Assembly, in conjunction with all the people of the State of Delaware, desire to express and extend in this public manner their regrets to Senator Curtis W. Steen that he is ill and to extend the best wishes for his speedy recovery,

NOW THEREFORE:

BE IT RESOLVED, that the members of the Senate of the 122nd General Assembly of the State of Delaware do hereby express their sincere wishes for a speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the Senate of the 122nd General Assembly of the State of Delaware and a copy be forwarded to Senator Curtis W. Steen.

On motion of Mr. Cook **HB 18** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Hoey the bill was deferred.

Committee reports submitted were as follows:

**HB 432**—Revised Statutes, 5 on merits, by Mr. Cook; **HB 462**—Revised Statutes, 3 favorable, 2 on merits, by Mr. Cook; **SB 269**—Revised Statutes, 3 favorable, 2 on merits, by Mr. Cook; and **HB 427**—Finance, 4 on merits, by Mr. Hoey.

Mr. Robbins introduced **SR 105**—"Authorizing Payments for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly", which upon further motion by him was adopted by voice vote.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 5:00 P.M., February 13, 1964.

The Senate met at the expiration of the recess at 2:15 P.M., February 25, 1964, Lt. Gov. Lammot presiding.

Pres. Pro Tem Steen asked to be marked present.

The Chair presented the following House Bills and Joint Resolution, which were given first and second readings and referred to committees as follows:

**HB 503**—"An Act to Amend Chapter 16, Volume 54, Laws of Delaware, Entitled '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' by Providing that Monies Due on Executed Contracts and Unpaid shall not Revert as Therein Provided"; to Education.

**HB 496**—"An Act to Amend Chapter 171, Volume 54, Delaware Laws, by Adding an Additional Georgetown School and Decreasing the Cost and Maximum Shares of Another Georgetown School and Providing for an Increase in the Amount of Bond Issue to Cover these Changes"; to Education.

**HJR 6**—"Designating March 21, 1964 as Delaware Conservation Day"; to Miscellaneous.

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 106**—"In Reference to Election of Officers".

WHEREAS, John Walls, who was previously elected to the office of Senate Page, has now submitted his resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that John Walls, is hereby discharged from said office.

BE IT FURTHER RESOLVED that Helen A. Mills be and she is hereby elected to the office of Senate Page to serve during the pleasure of the Senate.

The following legislation was introduced, given first reading and acted upon as follows:

**SB 285**—"An Act to Provide for the Refund of County Taxes Paid in Error", by Mr. Robbins; to Claims.

**SB 286**—"An Act to Provide for the Refund of Local School Taxes Paid in Error", by Mr. Robbins; to Claims.

The President administered the "Officer's Oath of Office" to Helen A. Mills.

Mr. McCullough, Chairman of the Education Committee, reported on **HB 496** as follows: 4 on merits.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 2:31 P.M.

The Senate met at the expiration of the recess at 5:33 P.M., Lt. Gov. Lammot presiding.

The Chair directed the reading of the following message from the Governor:

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

February 20, 1964

To the Senate of the 122nd General Assembly  
of the State of Delaware:

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

William F. Lynch, II, 10 Dickinson Lane, West Haven, Wilmington 7, Delaware—to be a member of the Department of Election for New Castle County for a term of 1 year from date of confirmation by the Senate.

Walter A. Gebhart, 50 East 4th Street, New Castle, Delaware—to be a member of the Department of Elections for New Castle County for a term of 2 years from date of confirmation by the Senate.

Daniel F. Shields, Jr., Greenville, Wilmington 7, Delaware—to be a member of the Delaware Industrial Building Commission, effective February 20, 1964, for a four year term to expire February 20, 1968. (Reappointment.)

Respectfully submitted,  
ELBERT N. CARVEL  
Governor

The Governor's message was referred to the Executive Committee.

Mr. Robbins introduced the following resolution which upon further motion was adopted unanimously: **SCR 37**—“Expressing the Sympathy of the 122nd General Assembly upon the Death of Former Representative and Senator James Harry Latchum”.

WHEREAS, the 122nd General Assembly of the State of Delaware has learned with regret of the passing of Former Representative and Senator James Harry Latchum, and

WHEREAS, James Harry Latchum served the State of Delaware as a member of the House of Representatives in the years 1925-1926 as a Representative from the 10th Representative District of Kent County, and

WHEREAS, James Harry Latchum, also served the State of Delaware as a member of the Senate in the years 1927-1934 as a Senator from the 5th Senatorial District of Kent County, and

WHEREAS, James Harry Latchum was a dedicated public servant whose accomplishments for the State of Delaware will never be forgotten by its citizens,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly, the House of Representatives concurring therein, that the members herein give expression to the deep personal regret they experienced at the passing of James Harry Latchum, a prominent figure in his community, County, and State, and

BE IT FURTHER RESOLVED, that the people of the State of Delaware hereby extend their full sympathy to the members of his immediate family, and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the Proceedings of the Senate and House of Representatives of the 122nd General Assembly of the State of Delaware and that a copy of this resolution be sent to the members of his immediate family.

Mr. Martin introduced the following resolution which upon further motion by him was adopted by voice vote: **SR**

107—"Advocating the Location of the National Aeronautics and Space Administrations Electronics Research Center in the Delaware Valley Area".

WHEREAS, the Area Survey Committee of the National Aeronautics and Space Administration (abbreviated NASA) is considering, among many areas, the location of the NASA Electronics Research Center in or around that area which is the Delaware Valley area of Delaware, New Jersey and Pennsylvania, and

WHEREAS, this Delaware Valley area is centrally located within the Washington, D.C. - New York, N. Y. Industrial strip containing the greatest concentration of electronics research and supporting electronic resources — electronics organizations, electronics employees, Industrial laboratories, engineers and scientists, electrical engineers, electronic technicians — in the United States, and

WHEREAS, this area is most accessible to and from NASA Centers and other centers of electronics activity in the United States in terms of travel time and cost savings, and

WHEREAS, there is a great concentration of large established electronics firms and supporting small business firms, many specializing in some aspects of electronics, with a large capital Investment in this area, and

WHEREAS, there is a great concentration of Industrial electronics research laboratories, with extensive supporting services, in this area, with a large capital Investment in special space-oriented electronics research facilities, and

WHEREAS, there is a great concentration of electronics engineers and scientists with supporting technicians and craftsmen, highly qualified and experienced in associated fields, in and around this area, and

WHEREAS, there are good technical educational institutions with advanced scientific and engineering graduate training facilities in and around this area — including the University of Pennsylvania, Princeton, Drexel, Temple University, University of Delaware, and others, and

WHEREAS, there are excellent and economical urban and suburban living conditions, with available homes in choice residential areas convenient to the Delaware Valley area, and

WHEREAS, this area offers an excellent and diversified cultural environment, and

WHEREAS, there is plenty of land in and around this area from which to choose available suitable 1,000 acre sites, and

WHEREAS, excellent transportation, communications, and utility services — power, water, etc., are readily available, and

WHEREAS, there is convenient access from this area to the Philadelphia Industrial Airport and to other transportation terminals, and

WHEREAS, this area provides for most efficient and most economical operation of a Research Center of this type.

NOW THEREFORE:

BE IT RESOLVED that those responsible persons in the National Aeronautics and Space Administration, in the United States Senate, in the United States House of Representatives, and in the Executive Branch of the United States Government give sole consideration to the location of the NASA Electronics Research Center in the Delaware Valley area of Pennsylvania, New Jersey and Delaware, and

BE IT FURTHER RESOLVED that the Delaware delegation in the United States Senate and the United States House of Representatives give full support without deviation to the location of the NASA Electronics Research Center in the Delaware Valley, and

BE IT FURTHER RESOLVED that the Secretary of the Senate forward a copy of this Resolution to the President of the United States of America, and

BE IT FURTHER RESOLVED that the Secretary of the Senate forward a copy of this Resolution to each member of the Delaware delegation to the United States Congress, and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following persons:

Mr. James E. Webb, Administrator, NASA, Washington, D.C.

Dr. Hugh L. Dryden, Deputy Administrator, NASA, Washington, D.C.

Dr. Robert C. Seamens, Jr., Associate Administrator, NASA, Washington, D.C.

Mr. George P. Miller, Chairman, House Committee on Science and Astronautics, House Office Bldg., Washington, D.C.

Mr. Clinton P. Anderson, Chairman, Senate Committee on Aeronautical and Space Sciences, Senate Office Bldg., Washington, D.C.

Mr. Edward C. Welsh, Chairman, National Aeronautics and Space Council, Executive Office Bldg., Washington, D.C.

Mr. Carl Hayden, President of the Senate Pro Tempore, Washington, D.C. and

Mr. John W. McCormack, Speaker, The House of Representatives, Washington, D.C.

Mr. Cook, Chairman of the Revised Statutes Committee, reported on SB 248 as follows: 2 favorable, 2 on merits.

Mr. McCullough moved to suspend Rule 9 to act on **HB 496**. Motion prevailed.

Mr. Isaacs asked to be marked present.

On motion of Mr. McCullough **HB 496** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 496**—"An Act to Amend Chapter 171, Volume 54, Delaware Laws, by Adding an Additional Georgetown School and Decreasing the Cost and Maximum Shares of Another Georgetown School and Providing for an Increase in the Amount of Bond Issue to Cover these Changes".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. DuPont, Simpson, Wilgus—3.

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

On motion of Mr. Cook **SB 269** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 269**—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Public Service Commission by Providing for the Regulation of Motor Carriers of Household Goods for Hire".

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

YEAS—Messrs. Cook, Donovan, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—11.

NAYS—None.

NOT VOTING—Messrs. Bookhammer, Isaacs—2.

ABSENT—Messrs. DuPont, Hoey, Simpson, Wilgus—4.

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

Mr. McCullough, Chairman of the Education Committee, reported on **HB 456** as follows: 1 favorable, 3 on merits, 1 unfavorable.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 5:51 P.M.

The Senate met at the expiration of the recess at 6:40 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 6:41 P.M. on Tuesday, February 25.

The Senate met at the expiration of the recess at 3:20 P.M., Wednesday, February 26, Lt. Gov. Lammot presiding.

The House informed the Senate that it had passed **HJR 6**, **HS 1** for **HB 461**, **HB 496**, **HB 503** and **HB 505** with **HA 1** and **HA 2** and desired the concurrence of the Senate; also that it had passed and was returning **SCR 37**, **SB 240**, **SB 262** with **SA 1** and **SB 276**.

Mr. Cook as Chairman of "The Delaware Commission on Inter-State Cooperation" requested that the following list of committee membership be journalized.

**AGRICULTURE** — Howard H. Dickerson, Chairman; Sen. Curtis W. Steen; Rep. Harvey Fifer; John Tarburton, State Board of Agriculture; and George M. Worrlow, Dean, School of Agriculture, University of Delaware.

**AVIATION** — Rep. Harvey Fifer, Chairman; Sen. Allen J. Cook; Hon. Raymond Phillips; Stewart Poole, Delaware Aeronautics Commission; and Brigadier General William W. Spruance.

**CONSERVATION** — Rep. Harrison Phillips, Chairman; Sen. Curtis W. Steen; Parker Wheatly, Game & Fish Commission; W. S. Taber, State Forester; Norman Wilder, Director, Game & Fish Commission; Clayton Hoff, Brandywine Valley Association; and Hon. Raymond Phillips.

**HIGHWAY** — Sen. Curtis W. Steen, Chairman; Rep. Paul Shockley; N. Maxson Terry, Chairman, State Highway Department; and Thurman Adams, Sr., Highway Department.

**SAFETY** — Sen. Margaret Manning, Chairman; Sen. Calvin R. McCullough; Col. Eugene B. Ellis, Delaware State Police; Col. J. J. Ashton, Delaware Safety Council; and Rep. Paul E. Shockley.

**MARINE FISHERIES** — Sen. Walter J. Hoey, Chairman; Sen. Curtis W. Steen; Dr. Carl Shuster, University of Delaware; Samuel J. Fox, Shell Fisheries; and Otis Smith, Consolidated Fisheries.

**SANITATION** — Rep. Harvey Fifer, Chairman; Rep. Harrison Phillips; Hon. Raymond Phillips; Dr. Floyd Hudson, Board of Health; Donald K. Harmeson, State Sanitary Engineer; and Charles Murphy, Mosquito Control.

**WELFARE & RELIEF** — Rep. Paul Shockley, Chairman; Sen. Margaret Manning; Rep. Harrison Phillips; and Thurman Adams.

**WATER RESOURCES** — Clayton Hoff, Chairman, Brandywine Valley Association; Hon. Raymond Phillips; Gen.



Norman Lack, Water Resources Committee; Sen. Curtis W. Steen; and George M. Worrilow, Dean, University of Delaware.

**MENTAL HEALTH** — Thurman Adams, Chairman; Sen. Margaret Manning; Rep. Paul Shockley; Rep. Harvey Fifer; and Sen. Curtis Steen.

**LEWES-CAPE MAY FERRY** — Sen. Curtis W. Steen, Chairman; Sen. Walter J. Hoey; Thurman Adams; Hon. Harry Mayhew; and Paul Carpenter, State Highway Department.

Mr. McCullough presented **SA 1** to **HB 310** and requested it be placed with the bill.

On motion of Mr. McCullough **HB 310** was taken up for consideration and read a second time in order to pass the Senate.

On motion of Mr. McCullough the bill was deferred.

On motion of Mr. DuPont the Senate recessed upon call of the Chair at 3:55 P.M.

The Senate met at the expiration of the recess at 5:12 P.M., Lt. Gov. Lammot presiding.

Mr. McCullough moved to suspend Rule 9 to act on **HB 505** with **HA 1**. Motion prevailed.

On motion of Mr. McCullough **HB 505** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 505** with **HA 1**—"An Act Creating a Wilmington Civic Center Office Building Commission and Authorizing the State of Delaware to Borrow Money to be Used for Planning, Design and Land Acquisition for a State Building in the Wilmington Civic Center".

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

**YEAS**—Messrs. Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—13.

**NAYS**—Messrs. Isaacs—1.

**ABSENT**—Messrs. Bookhammer, Simpson, Wilgus—3.

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

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HS 1** for **HB 461**. Motion prevailed.

On motion of Pres. Pro Tem Steen **HS 1** for **HB 461** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—13.

NAYS—Mr. Hoey—1.

NOT VOTING—Mr. Johnson—1.

ABSENT—Messrs. Simpson, Wilgus—2.

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

Mr. Steen, Chairman of the Buildings and Highways Committee, reported on **HB 38** as follows: 1 favorable, 3 on merits.

Mr. Bookhammer introduced **SB 287**—"An Act to Amend Chapter 39, Title 14, Delaware Code, Entitled Teachers' Retirement and Disability Pensions by Providing Benefits Payable to Surviving Spouse", which was given a first reading and referred to the Education Committee.

At 5:56, Mr. Donovan moved to recess to the call of the Chair.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 5:46 P.M., February 26.

The Senate met at the expiration of the recess at 2:50 P.M., April 6, 1964, Lt. Gov. Lamnot presiding.

Mr. Donovan moved to adjourn to Monday, April 6, at 2:50 P.M.

The Senate returned to order at 2:50 P.M., Monday, April 6, 1964.

Mr. Donovan moved to adjourn to April 6, at 2:51 P.M.

#### 4th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 2:55 P.M. on Monday, April 6, 1964, Lt. Gov. Lamnot presiding.

Prayer by Senator Price.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—15.

Members Absent—Messrs. McCullough, Wilgus—2.

The Secretary proceeded to read the Journal of the previous days session when Mr. Donovan moved that so much

be considered the reading of the Journal and the Journal be approved as read.

The Chair directed the reading of the following two messages from the Governor:

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

March 6, 1964

To the Senate of the 122nd General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following-named individuals, to be members of the Department of Elections for New Castle County:

The Reverend Levander A. Lawson, 1306 West Street, Wilmington, Delaware—for a term of 4 years from date of confirmation by the Senate;

Charles Solomon, 3621 Washington Street, Wilmington, Delaware—for a term of 3 years from date of confirmation by the Senate.

Respectfully submitted,  
ELBERT N. CARVEL  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

April 6, 1964

To the Senate of the 122nd General Assembly  
of the State of Delaware:

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

Charles Mills, 15 Fields End, Henlopen Acres, Rehoboth, Delaware—to be a member of the State Board of Agriculture for a term to expire March 1, 1967 (Reappointment).

Respectfully submitted,  
ELBERT N. CARVEL  
Governor

The Senate received the following Memorandums No. 26 and No. 27, from the Governor's office:

**MEMORANDUM NO. 26**

March 3, 1964

TO: Secretary of the Senate  
FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

February 18, 1964—**SB 276**;  
 February 19, 1964—**HB 83, HJR 7**;  
 February 28, 1964—**HB 97** with **HA 1** and **SA 1, HS 1**  
 for **HB 461, HB 505** with **HA 1** and **2**;  
 March 2, 1964—**SB 262** with **SA 1**.

## MEMORANDUM NO. 27

March 9, 1964

TO: Secretary of the Senate  
 FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

March 6, 1964—**SB 240**.

Pres. Pro Tem Steen requested the reading of a letter of appreciation from James L. Latchum.

Mr. Johnson introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 108**—"In Reference to Election of Officers".

WHEREAS, Shirley Agnor, who was previously elected to the office of Secretary, has now been removed from said office,

## NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Shirley Agnor is hereby discharged from said office.

BE IT FURTHER RESOLVED that Katherine Mayer be and she is hereby elected to the office of Secretary to serve during the pleasure of the Senate.

The Governor's two messages were referred to the Executive Committee.

The Chair administered the "Oath of Employee" to Katherine Mayer.

The House informed the Senate that it had passed and was returning to the Senate **SB 119, SCR 34, SCR 35** and **SCR 36**.

The following legislation was introduced, given first reading and acted upon as follows:

**SB 288**—"An Act Appropriating Funds to the State Highway Department to Construct and Maintain a Dam on Duck Creek, the Boundary between Kent County and New Castle County, Delaware", by Mr. Price; to Finance.

**SB 289**—"An Act to Amend Chapter 11, Title 17, Delaware Code, Relating to Regulation of Outdoor Advertising", by Mr. Cook; to Revised Statutes.

**SB 290**—"An Act to Appropriate Funds to the State Highway Department for the Dredging of Certain Underwater Lands at the Head of Indian River at Millsboro", by Pres. Pro Tem Steen; to Finance.

Committee reports submitted were as follows:

**SB 283**—Finance, 3 favorable, 2 on merits, by Mr. Hoey;  
**HB 484**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **SB 161**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **SB 289**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook.

Mr. Cook moved to suspend Rule 9 to act on **SB 289**. Motion prevailed.

Mr. McCullough asked to be marked present.

Mr. Cook requested the privilege of the floor for Mr. George S. Thorbahn to explain **SB 289**.

Mr. Wilgus asked to be marked present.

On motion of Mr. Cook **SB 289** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 289**—"An Act to Amend Chapter 11, Title 17, Delaware Code, Relating to Regulation of Outdoor Advertising".

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

YEAS—Messrs. Cook, Hoey, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull—10.

NAYS—Mr. Donovan, Mrs. Manning—2.

NOT VOTING—Messrs. Bookhammer, DuPont, Isaacs, Wilgus—4.

ABSENT—Pres. Pro Tem Steen—1.

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

Mr. Cook asked the privilege of the floor for Mr. M. Hartnett to explain **HB 257**, **HB 258**, **HB 259**, **HB 260**, **HB 261**, **HB 262**, **HB 263**, **HB 264**, **HB 265**, **HB 266** and **HB 267**.

On motion of Mr. Cook **SB 33** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 33**—"An Act to Amend Title 29, Delaware Code, by Increasing the Salary of the Governor".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus—14.

NAYS—Mr. Donovan—1.

NOT VOTING—Mr. Robbins—1.

ABSENT—Pres. Pro Tem Steen—1.

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

On motion of Mr. Cook **HB 257** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 257**—"An Act to Amend 10 Delaware Code, Section 9578 Relating to Entry of Security on Appeal from the Justice of the Peace to Provide Circumstances under which Plaintiff Need Not Enter Security".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus—14.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Martin, Pres. Pro Tem Steen—2.

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

On motion of Mr. Cook **HB 258** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 258**—"An Act to Amend Title 10, Delaware Code, Chapter 31, Section 3112 to Provide a Method for Service of Process upon the Foreign Personal Representative of the Non-Resident Owner or Operator of a Motor Vehicle Involved in an Accident in this State".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Martin, McCullough—2.

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

On motion of Mr. Cook **HB 259** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 259**—"An Act to Amend Section 8705 of Title 10, Delaware Code, Relating to the Fees of the Prothonotary in Civil Proceedings".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Johnson, Martin—2.

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

On motion of Mr. Cook **HB 260** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 260**—"An Act to Amend Title 12, Delaware Code, Chapter 35, Section 3508 Relating to Appointment of Fiduciary to Receive Benefits Payable by the United States of America".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Mr. Hoey—1.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Johnson, Martin—2.

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

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

**HB 261**—"An Act to Repeal § 4309, Title 10, Delaware Code, Relating to Admissibility of Book of Original Entries".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Hoey, Johnson, Martin—3.

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

On motion of Mr. Cook **HB 262** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 262**—"An Act to Amend Chapter 19, Title 12, Delaware Code, Relating to Decedents' Estates".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Mr. Johnson—1.

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

On motion of Mr. Cook **HB 263** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 263**—"An Act to Amend Chapter 51, Title 11, Delaware Code, Relating to Crimes and Criminal Procedures".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Johnson—1.

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

On motion of Mr. Cook **HB 264** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 264**—"An Act to Amend Section 2733, Title 21, of the Delaware Code, Relating to Discretionary Suspension or Revocation of Drivers Licenses".



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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen.

NAYS—Messrs. Hoey, (Mrs.) Manning, Martin, Wilgus.

NOT VOTING—Mr. McCullough.

ABSENT—Mr. Johnson.

On motion of Mr. Cook the roll call was tabled.

On motion of Mr. Cook **HB 265** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 265**—"An Act to Amend Title 10, Delaware Code, Chapter 31, to Provide a Method for Service of Process on Resident Owners or Operators of Motor Vehicles Involved in an Accident in this State where such Resident Departs from this State Subsequent to the Accident".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Johnson—1.

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

On motion of Mr. Cook **HB 266** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 266**—"An Act to Amend Chapter 35, Sub-Chapter I, Title 12 of the Delaware Code of 1953, Entitled 'Appointment of Trustees by Court: Title of Appointee to Trust Property', by Amending Section 3509 Thereof Relating to the Vesting of Title to Trust Property in Successor Trustees and the Giving of Bond by Such Trustees".

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

YEAS—Messrs. Donovan, (Mrs.) Lord, Price, Robbins, Pres. Pro Tem Steen—5.

NAYS—Messrs. Bookhammer, Hoey, Isaacs, Martin, McCullough, Simpson, Tull, Wilgus—8.

NOT VOTING—Messrs. Cook, DuPont, (Mrs.) Manning—3.

ABSENT—Mr. Johnson—1.

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

On motion of Mr. Cook **HB 267** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 267**—"An Act to Amend Chapter 45 of Title 10 of the Delaware Code Relating to Drawing of Petit Jury".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, Martin, Price, Simpson, Tull, Wilgus—11.

NAYS—None.

NOT VOTING—Mrs. Manning, McCullough—2.

ABSENT—Messrs. Hoey, Johnson, Robbins, Pres. Pro Tem Steen—4.

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

Mr. Cook remarked that the method of procuring jurors for trial courts in Kent County definitely merited an overhaul and that the whole system of the entire State very likely could well be improved.

On motion of Pres. Pro Tem Steen **HB 369** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 369**—"An Act to Amend Chapter 1, Title 17, Delaware Code, Relating to Powers and Duties of the State Highway Department".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Messrs. Martin, McCullough—2.

ABSENT—Mr. Johnson—1.

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

Pres. Pro Tem Steen asked for personal privilege of the floor. Request granted.

The following legislation was introduced, given first reading and acted upon as follows:

**SB 291**—"An Act to Amend Chapter 219, Volume 54, Laws of Delaware, Entitled 'An Act Making a Supplementary Appropriation to New Castle Historic Building Commission'," by Mr. McCullough.

Mr. McCullough moved to suspend Rule 9 to act on **SB 291**. Motion prevailed.

On motion of Mr. McCullough **SB 291** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 291**—"An Act to Amend Chapter 219, Volume 54, Laws of Delaware, Entitled 'An Act Making a Supplementary Appropriation to New Castle Historic Building Commission'."

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

**NAYS**—None.

**ABSENT**—Mr. Johnson—1.

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

Mr. Robbins, Chairman of the Claims Committee, reported the following bills from committee: **SB 286**, 1 favorable, 4 on merits, and **SB 285**, 1 favorable, 4 on merits.

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

**HB 427**—"An Act Making a Supplementary Appropriation to the State Law Library in Kent County".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—14.

**NAYS**—Mr. Isaacs—1.

**NOT VOTING**—Mr. Wilgus—1.

**ABSENT**—Mr. Johnson—1.

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

The following legislation was introduced, given first reading and acted upon as follows:

**SB 292**—"An Act to Amend Section 2127, Title 19, Delaware Code, Relating to Workmen's Compensation, by Providing for an Attorney's Fee for an Injured Employee", by Mr. Martin; to Labor.

**SB 293**—"An Act to Amend Title 19, Delaware Code, by Adding a New Chapter after Chapter 7 to be Known as Chapter 8 Entitled 'Protection of Employees Rights' by Providing for the Protection of the Interests of Employees Affected when the State of Delaware, any Political Sub-Division Thereof, Board, Commission, or any Other Public Agency or Instrumentality of this State Operates or Takes Over the Operation of any Transportation System by Rail, Bus or Other Conveyance now Serving the General Public", by Mr. Martin; to Labor.

At 5:15 P.M., Mr. Donovan moved to adjourn to 1:00 P.M., Tuesday, April 7, 1964.

#### **5th LEGISLATIVE DAY — Second Regular Session**

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, April 7, 1964, Lt. Gov. Lamot presiding.

Prayer by Senator Price.

By roll call the following Senators were present:

Members Present—Messrs. Cook, Donovan, Johnson, Price, Robbins, Wilgus, Pres. Pro Tem Steen—7.

Members Absent—Messrs. Bookhammer, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Tull—10.

The Chair declared a recess in the absence of a quorum.

The Senate met at the expiration of the recess at 3:15 P.M., Lt. Gov. Lamot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McClullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—17.

Members Absent—None.

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

The following legislation was introduced, given first reading and acted upon as follows:

**SB 294**—"An Act to Amend Chapter 7, Title 29, Delaware Code, Relating to the General Assembly, by Prohibiting Dual Office Holding", by Mr. Isaacs.

Mr. Isaacs moved to suspend Rule 9 to act on **SB 294**. Mr. McCullough objected.

On motion of Mr. McCullough to defer **SB 294** the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Johnson, Martin, McCullough, Price, Robbins, Tull—6.

**NAYS**—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus, Pres. Pro Tem Steen—10.

**ABSENT**—Mr. Cook—1.

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

On motion of Mr. Isaacs **SB 294** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 294**—"An Act to Amend Chapter 7, Title 29, Delaware Code, Relating to the General Assembly, by Prohibiting Dual Office Holding".

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

**YEAS**—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Simpson, Wilgus, Pres. Pro Tem Steen—11.

**NAYS**—Messrs. Johnson, Martin, Robbins, Tull—4.

**ABSENT**—Messrs. Cook, McCullough—2.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 3:23 P.M.

The Senate met at the expiration of the recess at 4:35 P.M., Lt. Gov. Lamnot presiding.

The following legislation was introduced, given first reading and acted upon as follows:

**SB 295**—"An Act to Amend 'An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1964', being Chapter 31, Volume 54, Laws of Delaware, in Respect to Appropriations to the Sussex County Department of Elections by Making Trans-

fers in Certain Appropriation Items Therein", by Pres. Pro Tem Steen; to Finance.

**SB 296**—"An Act Making a Supplementary Appropriation to the Delaware State Board of Cosmetology", by Mr. Donovan; to Finance.

Mr. Martin, Chairman of the Labor Committee, reported the following bills from committee: **SB 292**, 2 favorable, 2 on merits, and **SB 293**, 2 favorable, 2 on merits.

On motion of Mr. Tull **HB 238**—"An Act to Repeal Section 312, Title 18, Delaware Code, Relating to Expenses and Contingent Fund of the Insurance Commissioner" was taken up for consideration and read a second time by title in order to pass the Senate.

Representatives Dineen and Best were granted the privilege of the floor to explain **HB 238**.

On motion of Mr. DuPont to defer **HB 238** until the budget bill is presented, the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

**NAYS**—Messrs. Cook, Donovan, Hoey, Martin, Price, Robbins, Tull, Pres. Pro Tem Steen—8.

**ABSENT**—Messrs. Johnson, McCullough—2.

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

Mr. Tull moved to defer **HB 238** till April 8, 1964. Motion prevailed.

On motion of Mr. Cook **HB 484** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 484**—"An Act to Amend Chapter 25, Title 24, Delaware Code, by Providing for an Appeal by any Person Whose Pharmacy License has been Revoked, Suspended or Refused to be Granted".

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

**YEAS**—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

**NAYS**—Mr. Hoey—1.

**NOT VOTING**—Mr. Donovan—1.

**ABSENT**—Messrs. Johnson, Martin, McCullough—3.

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

Mr. Cook requested **SB 160** be given final action before the Senate.

Mr. Simpson moved to defer **SB 160**. Motion prevailed.

On motion of Mr. DuPont the Senate recessed upon call of the Chair at 4:50 P.M.

The Senate met at the expiration of the recess at 5:12 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Cook **SB 161** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 161**—"An Act to Amend Chapter 35, Title 24, Delaware Code, Relating to Pharmacy".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Donovan, Johnson, McCullough, Robbins—4.

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

At 5:54 P.M., Mr. Cook moved to adjourn to 1:00 P.M., Wednesday, April 8, 1964.

## 6th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 4:02 P.M. on Wednesday, April 8, 1964, Lt. Gov. Lammot presiding. Prayer by Senator Price.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—17.

Members Absent—None.

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

Mr. Donovan introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 109**—"Expressing the Sympathy of the Senate of the 122nd General Assembly of the Illness of Howard D. Furniss".

WHEREAS, the members of the Senate of the 122nd General Assembly of the State of Delaware have learned that Howard D. Furniss is ill and a patient at the Memorial Hospital, Wilmington, Delaware, and

WHEREAS, Howard D. Furniss is Mayor of the town of Milford, and

WHEREAS, the members of the Senate of the 122nd General Assembly, in conjunction with all the people of the State of Delaware, desire to express and extend in this public manner their regrets to Howard D. Furniss that he is ill and to extend the best wishes for his speedy recovery,

NOW THEREFORE:

BE IT RESOLVED, that the members of the Senate of the 122nd General Assembly of the State of Delaware do hereby express their sincere wishes for a speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the Senate of the 122nd General Assembly of the State of Delaware and a copy be forwarded to Howard D. Furniss.

Mr. McCullough, Chairman of the Education Committee, reported the following bills from committee: **HB 233**, 2 favorable, 2 on merits, 1 unfavorable, and **HB 503**, 3 favorable, 2 on merits.

Pres. Pro Tem Steen moved to reconsider **SB 294**, to restore it to the Calendar, and to place it before the Senate for a new vote. Mr. Isaacs objected.

On motion of Pres. Pro Tem Steen to reconsider **SB 294** and to vote again on the bill, the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—12.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, Wilgus—5.

So the question was decided in the affirmative and the motion prevailed.

Mr. Cook moved to suspend Rule 17. Motion prevailed. Mr. Cook made a personal statement.

Mr. McCullough moved to suspend Rule 17. Motion prevailed. Mr. McCullough made a personal statement.

Mr. Isaacs moved to suspend Rule 17. Motion prevailed. Mr. Isaacs made a personal statement.

On motion of Pres. Pro Tem Steen **SB 294** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:



**SB 294**—"An Act to Amend Chapter 7, Title 29, Delaware Code, Relating to the General Assembly, by Prohibiting Dual Office Holding".

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

**YEAS**—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

**NAYS**—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

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

At 4:35 P.M., the House informed the Senate that it had passed **SB 16** and **SCR 33** and was returning same to the Senate, and that it had passed **HB 34** with **HA 1**, **HS 1** for **HB 388**, **HB 453**, **HB 454** with **HA 1**, **HB 477** and **HB 542** and desired the concurrence of the Senate.

The following legislation was introduced, given first reading and acted upon as follows:

**SB 297**—"An Act Making a Supplementary Appropriation to the State Highway Department", by Pres. Pro Tem Steen; to Buildings and Highways.

Mr. Cook moved to lift the roll call on **HB 264** from table.

Mr. Johnson changed his vote from absent to yea.

Mr. McCullough changed his vote from not voting to yea.

The following legislation was introduced, given first reading and acted upon as follows:

**SB 298**—"An Act to Amend Chapter 3, Title 11, Delaware Code, Entitled Specific Crimes Relating to Racial Demonstrations", by Mr. Cook; to Revised Statutes.

On motion of Mr. Cook **HB 264** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 264**—"An Act to Amend Section 2733, Title 21, of the Delaware Code, Relating to Discretionary Suspension or Revocation of Drivers Licenses".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—13.

**NAYS**—Messrs. Hoey, (Mrs.) Manning, Martin, Wilgus—4.

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

Mr. Cook moved to restore **HB 266** to Calendar. Motion prevailed.

Committee reports submitted were as follows:

**SB 296**—Finance, 1 favorable, 3 on merits, by Mr. Hoey;  
**HB 542**—Finance, 3 on merits, 1 unfavorable, by Mr. Hoey;  
**HB 214**—Buildings and Highways, 5 favorable, by Mr. Steen;  
**SB 277**—Buildings and Highways, 4 favorable, 1 on merits, by Mr. Steen; **SB 297**—Buildings and Highways, 4 favorable, 1 on merits, by Mr. Steen; **HS 1** for **HB 296**—Joint Corrections, 2 favorable, 2 on merits, by Mr. Cook; and **HS 1** for **HB 297**—Joint Corrections, 2 favorable, 2 on merits, by Mr. Cook.

Mr. Hoey introduced **SA 1** to **HB 270** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Hoey **HB 270** with **HA 1** and **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 270** with **HA 1** and **SA 1**—"A Supplementary Appropriation Act to Re-Imburse Certain Trucking Companies for Filing Fees Paid to the Public Service Commission Under a Provision of the Delaware Code now Rescinded".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Johnson—1.

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

Mr. Tull moved to act on **HB 238** as Amended. Mr. DuPont moved to defer the bill until the budget bill is passed.

On motion of Mr. DuPont to defer **HB 238** till House budget bill is passed, the yeas and nays were order which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

NAYS—Messrs. Cook, Donovan, Hoey, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

ABSENT—Mr. Johnson—1.

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

On motion of Mr. Tull **HB 238** with **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 238** with **HA 2**—"An Act to Repeal Section 312, Title 18, Delaware Code, Relating to Expenses and Contingent Fund of the Insurance Commissioner".

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

YEAS—Messrs. Cook, Donovan, Hoey, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

ABSENT—Mr. Johnson—1.

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

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

**SB 285**—"An Act to Provide for the Refund of County Taxes Paid in Error".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Johnson—1.

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

On motion of Mr. Robbins **SB 286** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 286**—"An Act to Provide for the Refund of Local School Taxes Paid in Error".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

**NAYS**—None.

**ABSENT**—Mr. Johnson—1.

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

Mr. Cook moved to suspend Rule 9 to act on **HS 1** for **HB 296** and **HS 1** for **HB 297**. Motion prevailed.

Mr. Cook requested the privilege of the floor for Mr. Robert Crosswhite, of Prisoner's Aid, to explain the two bills.

On Mr. Hoey's motion to defer **HS 1** for **HB 297** and to refer it to Finance Committee so that the Joint Finance may consider it, the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Cook, Donovan, Hoey, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

**NAYS**—Messrs. Bookhammer, DuPont, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—6.

**NOT VOTING**—Mr. Isaacs—1.

**ABSENT**—Mr. Johnson—1.

So the question was decided in the affirmative and the motion having received the majority passed the Senate.

At 5:25 P.M., Mr. Donovan moved to adjourn to 1:00 P.M., Thursday, April 9, 1964.

## 7th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Thursday, April 9, 1964, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. E. John Dyer. Prayer for the Senate: Almighty God has revealed to us that man becomes man in personal encounter; but personal encounter requires address and response between person and person. We know man has dominion over the created world, and there is no limit there that can bind him. But man cannot have dominion in the world of the personal. He must meet the other person as an equal.

The senators in this chamber demand, by their very existence, to be acknowledged. Therefore, God offers dialogue, an exchange of meanings. And dialogue offers the possibility for a relationship; and out of a sincere exchange of meanings we may all be called forth as persons in a relationship of mutual trust.

By roll call the following Senators were present:

Members Present—Messrs. Bookhammer, Donovan, Isaacs, McCullough, Price, Robbins, Wilgus—7.

Members Absent—Messrs. Cook, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Tull, Pres. Pro Tem Steen—10.

The Chair declared a recess in the absence of a quorum.

The Senate met at the expiration of the recess at 5:10 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—16.

Members Absent—Mr. Tull—1.

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

Mr. Price, Chairman of the Public Health Committee, reported on **SB 278** as follows: 3 favorable, 2 on merits.

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

**HS 1 for HB 388**—"An Act to Amend Title 7, Delaware Code, by Providing for Appropriations for the Acquisition of Public Park, Recreation and Conservation Lands from the Capital Investment Fund Created by Chapter 32, Volume 54, Laws of Delaware"; to Finance.

**HB 34**—"An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the State's Share of the Initial Costs of the Improvement of White's Creek between Indian River Bay and a Point beyond Assawoman Canal to Lord Baltimore School in Sussex County, and Authorizing and empowering the said Commission to Act as the Agency of the State of Delaware to do all Things Necessary to Comply with the Requirements of the United States Government relative to the State's Contribution to said Government"; to Finance.

**HB 453**—"An Act to Amend Article Eight of the Constitution of the State of Delaware"; to Revised Statutes.

**HB 454**—"An Act Establishing a Capital Investment Trust Fund and Providing for the Payment into the 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 IIII of the United States Inter-

nal Revenue Code of 1954; and Providing for Expenditures from such Trust Fund"; to Finance.

**HB 477**—"An Act to Transfer Moneys from the Capital Investment Fund for the Restoration of the Old State House and Appropriating Same to the Public Archives Commission"; to Finance.

Mr. Tull asked to be marked present.

The following legislation was introduced, given first reading and acted upon as follows:

**SB 299**—"An Act to Amend Title 3, Delaware Code, by Providing for the Humane Slaughter of Livestock", by Mr. Martin; to Revised Statutes.

**SB 300**—"An Act Proposing an Amendment to Article 4, Section 28, of the Constitution of the State of Delaware, relating to Appeals from Inferior Courts", by Mr. Martin; to Judiciary.

At 5:23 P.M., Mr. Tull moved for Executive Session. Motion prevailed.

In Executive Session, the Senate refused to confirm the Governor's nomination of Herbert L. Cobin, 902 West 22nd Street, Wilmington, Delaware, to be a Judge of the Family Court of the State of Delaware in and for New Castle County, for a term of 12 years from the confirmation by the Senate, to fill a vacancy.

It also confirmed the following Governor's nominations:

Joseph P. Hurley, to be a Judge of the Family Court of the State of Delaware in and for the New Castle County, for a term of 12 years from date of confirmation, to fill a vacancy;

Donald F. Stevenson, Box 124, St. Georges, Delaware, to be a Justice of the Peace for the State of Delaware, for a term of four years to expire October 7, 1967, succeeding Calvin Staats, deceased;

Brig. General George J. Shulz, to be a member of the Delaware Alcoholic Beverage Control Commission for a term to expire May 15, 1968 (Reappointment);

John G. Tarburton, N. Little Creek Road, Dover, Delaware, to be a member of the State Board of Agriculture for a term to expire March 1, 1966 (Reappointment);

Ralph D. Knotts, Sr., 171 N. DuPont Highway, Dover, Delaware, to be a Justice of the Peace for the State of Delaware, for a term of four years, to expire September 10, 1967 (Reappointment).

The following persons, elected by the Board of Trustees of the University of Delaware to be members of that Board for the terms indicated:

Walter J. Beadle, 1101 Westover Road, Westover Hills, Wilmington 6, Delaware, term to expire December 7, 1969 (Reappointment);

R. R. M. Carpenter, Jr., Church and Montchanin Roads, Montchanin, Wilmington, Delaware, term to expire December 14, 1969 (Reappointment);

Joseph L. Marshall, Lewes, Delaware, term to expire December 14, 1969 (Reappointment);

Warren C. Newton, Bridgeville, Delaware, term to expire May 31, 1970 (Reappointment);

N. Maxon Terry, 36 The Green, Dover, Delaware, term to expire December 1, 1969 (Replacing George M. Fisher, deceased);

Charles Mills, 15 Fields End, Henlopen Acres, Rehoboth, Delaware, to be a member of the State Board of Agriculture for a term to expire March 1, 1967 (Reappointment).

The Senate returned to order at 5:55 P.M., Lt. Gov. Lammot presiding.

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **SB 290**, 4 favorable, and **SB 295**, 4 favorable.

The House informed the Senate that it had passed **HB 504** with **HA 1** and desired the concurrence of the Senate.

Committee reports submitted were as follows:

**HB 401**—Judiciary, 1 favorable, 4 on merits, by Mr. Cook; and **SB 298**—Revised Statutes, 4 favorable, 1 on merits, by Mr. Cook.

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

**HB 504** with **HA 1**—"An Act to Amend Chapter 51, Title 14, Delaware Code, being the Charter of the University of Delaware, by Clarifying and Redefining Certain Powers of the Board of Trustees of the University which Pertain to Fiscal Matters and by Including in the said Charter an Express Limitation upon the Powers of any State Official to Inquire into the Sources, Management, or Disposition of any Funds or Property Coming to the University of Delaware Otherwise than by State Appropriation"; to Revised Statutes.

Mr. Cook announced that there would be a public hearing on **HB 505** with **HA 1** in the Senate Chambers by the Revised Statutes Committee at 2:00 P.M. on Tuesday, April 14, 1964.

Mr. Cook moved to suspend Rule 9 to act on **HB 542**. Motion prevailed.

On motion of Mr. Hoey **HB 542** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 542**—"An Act Appropriating Funds to the State Police Pension Fund to Pay Retired State Policemen Authorized Monthly Pensions and to Reimburse Loans Made Previously to the Fund for that Purpose".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—15.

**NAYS**—None.

**ABSENT**—Messrs. Johnson, Pres. Pro Tem Steen—2.

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

At 6:08 P.M., Mr. Donovan moved to adjourn to 1:00 P.M., Monday, April 13, 1964.

### **8th LEGISLATIVE DAY — Second Regular Session**

Because of wide-spread respect and reverence for former Delaware Governor and U. S. Senator from Delaware, Honorable John G. Townsend, whose funeral was on Monday, April 13, 1964, the Senate did not meet pursuant to adjournment on Monday, April 13, 1964, but met instead on Tuesday, April 14, 1964, at 1:32 P.M., Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

**Members Present**—Messrs. Cook, Donovan, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Tull—9.

**Members Absent**—Messrs. Bookhammer, DuPont, Isaacs, Martin, McCullough, Simpson, Wilgus, Pres. Pro Tem Steen—8.

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

Mr. Wilgus asked to be marked present.

The President administered the "Oath of Employee" to Rev. E. John Dyer.



The following Senators asked to be marked present: Messrs. DuPont and Martin.

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 110**—"In Reference to Election of Officers".

WHEREAS, Rev. T. Dennis Walker, who was previously elected to the office of Chaplain, has now submitted his resignation from said office;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Rev. T. Dennis Walker be and he is hereby discharged from the office of Chaplain;

BE IT FURTHER RESOLVED that Rev. E. John Dyer be and he is hereby elected to the office of Chaplain, to serve during the pleasure of the Senate.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 1:40 P.M.

The Senate met at the expiration of the recess at 4:49 P.M., Lt. Gov. Lamot presiding.

During the recess, the Revised Statutes Committee held a public hearing, in the Senate Chambers, on **HB 504** with **HA 1**.

The following Senators asked to be marked present: Messrs. Bookhammer, Pres. Pro Tem Steen, Isaacs, Simpson and McCullough.

Mr. Cook, Chairman of the Revised Statutes Committee, reported on **HB 504** with **HA 1** as follows: 3 favorable, 2 on merits.

Pres. Pro Tem Steen asked for the privilege of the floor for Dr. Bush, Director of Mental Hygiene of Delaware, to explain **HB 214**. Motion prevailed.

On motion of Pres. Pro Tem Steen **HB 214** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 214**—"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 Therefore".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen.

NAYS—None.

NOT VOTING—Messrs. Donovan, Hoey, Isaacs.

ABSENT—Messrs. Johnson, McCullough.

On motion of Pres. Pro Tem Steen the roll call was tabled.

The House informed the Senate that it had passed **HJR 8** and **HB 308**, **HB 446** and **HB 552** and desired the concurrence of the Senate; also that it had passed and was returning to the Senate **SB 213** with **HA 1**, **SB 126**, **SB 186** and **SB 244**.

Mr. DuPont moved to suspend Rule 9 to act on the following **HJR 8**. Motion prevailed.

**HJR 8**—"Relative to the Death of John G. Townsend, Jr., a Former Member of the House of Representatives and a Distinguished Citizen of the State of Delaware".

WHEREAS death, which comes to all of us in the course of time, has taken from Delaware one of her most illustrious, loved and venerated men in the person of John Gillis Townsend, Jr., and

WHEREAS, Mr. Townsend brought unequalled wisdom and dedicated service to bear in a long and distinguished career of service as a member of the House of Representatives of the General Assembly in 1901, as World War Governor of the State from 1917 to 1921 and as United States Senator from Delaware from 1929 to 1941 and,

WHEREAS, Mr. Townsend carved out many careers in the business, banking and agricultural life of the state to the ultimate economic benefit of all its citizens and,

WHEREAS, Mr. Townsend participated in negotiations leading to the establishment of the United Nations at the personal behest of the President of the United States, Harry S. Truman, and

WHEREAS, Mr. Townsend walked for all of his years in our midst, nearly 93 in all, without losing any degree of "the common touch" that made his friendliness universally warm to all who knew him and left him with deep and spiritual humility in spite of great honors and unprecedented achievement and,

WHEREAS, this devoted Delawarean was "a living legend" in his own time,

NOW THEREFORE

BE IT RESOLVED by the House of Representatives and the Senate of the 122nd General Assembly of the State of Delaware that by unanimous vote of its membership, nearly all of whom were fortunate enough to know him and share of his abundant wisdom and indomitable courage, that the memory of John G. Townsend, Jr., be here highly honored

in this generation and commended to posterity from this time forth as an illustration of the principle that nothing ennoble a man so much as loyalty to his friends, dedication to his state and nation and humble service to God and his fellow man and be it,

**FURTHER RESOLVED** that copies of this resolution be spread on the record of the House and Senate, sent to Mr. Townsend's sons and daughters and placed in perpetuity in the public archives of the State of Delaware and be it,

**FURTHER RESOLVED** that in cherished memory we the members of the House and Senate of the 122nd General Assembly hereby affix our names to the original of this resolution directly below that of the Governor of the State of Delaware.

On motion of Pres. Pro Tem Steen **HJR 8** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HJR 8**—"Relative to the Death of John G. Townsend, Jr., a Former Member of the House of Representatives and a Distinguished Citizen of the State of Delaware".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

**NAYS**—None.

**ABSENT**—Messrs. Johnson, McCullough—2.

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

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

**HB 552**—"An Act to Amend Chapter 5, Title 28, Delaware Code, Relating to Harness Racing"; to Buildings and Highways.

The following message from the Governor was read and referred to the Executive Committee:

**GOVERNOR'S MESSAGE**  
**STATE OF DELAWARE**  
**EXECUTIVE DEPARTMENT**

April 8, 1964

To the Senate of the 122nd General Assembly of the State of Delaware:

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

Harry F. Faust, Lewes, Delaware—to be a member of the Department of Elections for Sussex County for a term of 3 years from date of confirmation by the Senate, succeeding Frederick A. Walls.

Respectfully submitted,  
ELBERT N. CARVEL  
Governor

Mr. Hoey, Chairman of the Finance Committee, reported on **HB 320** as follows: 3 favorable, 1 on merits.

Pres. Pro Tem Steen requested final action on **SB 297**.

On motion of Mr. DuPont to defer **SB 297** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

ABSENT—Mr. Johnson—1.

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

On motion of Mr. Simpson to turn over **SB 297** to the Finance Committee for study, the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Isaacs, Simpson, Wilgus—5.

NAYS—Messrs. Cook, Donovan, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Pres. Pro Tem Steen—8.

NOT VOTING—Messrs. Hoey, (Mrs.) Manning, Tull—3.

ABSENT—Mr. Johnson—1.

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

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

**SB 297**—"An Act Making a Supplementary Appropriation to the State Highway Department".

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

YEAS—Messrs. Cook, Donovan, Hoey, Martin, McCullough, Price, Robbins, Pres. Pro Tem Steen.

NAYS—Mrs. Manning, Mr. Simpson.

NOT VOTING—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, Tull, Wilgus.

ABSENT—Mr. Johnson.

On motion of Pres. Pro Tem Steen the roll call was tabled.

Pres. Pro Tem Steen moved to lift from table and strike roll call on **HB 214**. Motion prevailed.

Pres. Pro Tem Steen presented **SA 1** to **HB 214** and moved for its adoption. Motion prevailed.

On motion of Pres. Pro Tem Steen **HB 214** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 214** 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 Therefore".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

**NAYS**—None.

**ABSENT**—Messrs. Johnson—1.

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

On motion of Mr. Cook **SB 298** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 298**—"An Act to Amend Chapter 3, Title 11, Delaware Code, Entitled Specific Crimes Relating to Racial Demonstrations".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—11.

**NAYS**—Messrs. DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough—5.

**ABSENT**—Mr. Johnson—1.

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

On motion of Pres. Pro Tem Steen **SB 277** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 277**—"An Act Making a Supplementary Appropriation to Millsboro School No. 204 for the Installation of a Sanitary Sewer, Water Service and Fire Hydrants".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

**NAYS**—None.

**ABSENT**—Messrs. Hoey, Johnson—2.

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

Mr. Cook asked for the privilege of the floor for Mr. Houston Wilson to explain **HB 18**. Privilege granted.

On motion of Mr. Cook **HB 18** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 18**—"An Act to Amend Title 31, Delaware Code, entitled 'Welfare' in Relation to the Needs of the Caretaker Relative in Aid and Services to Needy Families with Children".

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

**YEAS**—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

**NAYS**—Messrs. Price, Robbins—2.

**ABSENT**—Messrs. Donovan, Hoey, Johnson—3.

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

On motion of Pres. Pro Tem Steen **SB 278** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 278**—"An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements at the State Welfare Home and Hospital for the Chronically Ill at Smyrna and to Issue Bonds and Notes Therefore and Appropriating the Money Borrowed to the Board of Trustees of the State Welfare Home & Hospital for the Chronically Ill at Smyrna".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, (Mrs.) Lord, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen.

NOT VOTING—Messrs. Isaacs, (Mrs.) Manning, McCullough.

ABSENT—Messrs. Donovan, Hoey, Johnson.

On motion of Pres. Pro Tem Steen the roll call was tabled.

At 6:30 P.M., Pres. Pro Tem Steen moved to adjourn to 1:00 P.M., Wednesday, April 15, 1964.

### 9th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:34 P.M. on Wednesday, April 15, 1964, Lt. Gov. Lamot presiding. Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 3:50 P.M., Lt. Gov. Lamot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—14.

Members Absent—Messrs. Hoey, Isaacs, Pres. Pro Tem Steen—3.

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

The House informed the Senate that it had passed and was returning **SB 140**; also that it had passed **HB 367**, **HB 354**, **HB 489**, **HB 521**, **HB 524**, **HB 535**, **HB 540** and **HB 545** and requested the concurrence of the Senate.

Mr. Isaacs asked to be marked present.

Pres. Pro Tem Steen asked to be marked present.

Mr. Bookhammer introduced the following bill which was given a first reading and assigned to the Temperance Committee: **SB 301**—"An Act to Amend Chapter 9, Title 4, Delaware Code, to Provide a Penalty for the Possession or Consumption of Alcoholic Liquor by a Minor".

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

**HB 446**—"An Act to Amend Section 1912, Title 14, Delaware Code, by Changing the Name 'Poll Tax' to 'School Capitation Tax';" to Education.

**HB 308**—"An Act to Authorize the State Building and Grounds Commission to Acquire Property on the Dover Green and Appropriating Moneys Therefore"; to Finance.

Pres. Pro Tem Steen requested the privilege of the floor for Mr. Russell Whitby, Motor Vehicle Commissioner, to explain **SB 213** with **HA 1**.

Mrs. Manning moved to defer **SB 213** with **HA 1**.

Mr. Hoey asked to be marked present.

On motion of Mrs. Manning to defer **SB 213** with **HA 1** for one day the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Wilgus—6.

**NAYS**—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—11.

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

On motion of Pres. Pro Tem Steen **SB 213** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 213** with **HA 1**—"An Act to Amend Section 2733, Title 21, Delaware Code, Entitled Discretionary Suspension or Revocation of License".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, Hoey, Isaacs, Johnson, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

**NAYS**—Mmes. Lord, Manning—2.

**NOT VOTING**—Mr. DuPont—1.

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

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



**HB 545**—"An Act Making a Supplementary Appropriation to the State Board of Education for the Fiscal Year Ending June 30, 1964, for the Additional Cost of Transporting School Children"; to Finance.

**HB 540**—"An Act Making a Supplementary Appropriation to the Sussex County Vocational-Technical Center for 'All Other Costs' for the Fiscal Year Ending June 30, 1964"; to Finance.

**HB 524**—"An Act Making a Supplemental Appropriation to the Board of Trustees of the Delaware State Hospital for the Salary and Wages Account of the Governor Bacon Health Center"; to Finance.

**HB 521**—"An Act Making an Appropriation to the State Fire Prevention Commission for the Training of Volunteer Firemen"; to Finance.

**HB 489**—"An Act Making a Supplementary Appropriation to the Secretary of State"; to Finance.

**HB 367**—"An Act to Amend Title 31, Delaware Code, Entitled 'Welfare' by Repealing Chapter 9, Work Assignments for Recipients of Relief, and Substituting in Lieu Thereof a New Chapter 9"; to Revised Statutes.

**HB 354**—"An Act to Amend Section 507, Title 31, Delaware Code, Pertaining to Application for State Public Assistance"; to Revised Statutes.

**HB 535**—"An Act to Amend Chapter 21, Title 19, Delaware Code, Relating to Workmen's Compensation Claims"; to Labor.

Pres. Pro Tem Steen moved to lift the roll call on **SB 297**. Motion prevailed.

Mr. Tull changed his vote to yea from not voting; Mr. Johnson voted yea as previously was absent.

The final roll call on **SB 297**—"An Act Making a Supplementary Appropriation to the State Highway Department" was as follows:

**YEAS**—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

**NAYS**—Mrs. Manning, Mr. Simpson—2.

**NOT VOTING**—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, Wilgus—5.

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

Mr. McCullough withdrew **SA 1** to **HB 310**.

Mr. McCullough presented **SA 2** to **HB 310**. No further action was taken on the Amendment.

On motion of Mr. McCullough **HB 310** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 310**—"An Act to Amend Section 1321, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees".

On motion of Mr. McCullough the bill was deferred.

On motion of Mr. McCullough the Senate recessed upon call of the Chair at 4:45 P.M.

The Senate met at the expiration of the recess at 5:18 P.M., Lt. Gov. Lammot presiding.

Pres. Pro Tem Steen moved to lift the roll call on **SB 278**. Motion prevailed.

Messrs. Isaacs, (Mrs.) Manning and McCullough changed their votes from not voting to yeas.

The final roll call on **SB 278**—"An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements at the State Welfare Home and Hospital for the Chronically Ill at Smyrna and to Issue Bonds and Notes Therefore and Appropriating the Money Borrowed to the Board of Trustees of the State Welfare Home & Hospital for the Chronically Ill at Smyrna" was as follows:

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, Hoey, Johnson—3.

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

On motion of Mr. Cook **HB 504** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 504** with **HA 1**—"An Act to Amend Chapter 51, Title 14, Delaware Code, being the Charter of the University of Delaware, by Clarifying and Redefining Certain Powers of the Board of Trustees of the University which Pertain to Fiscal Matters and by Including in the said Charter an Express Limitation upon the Powers of any State Official to Inquire into the Sources, Management, or Disposition of any Funds or Property coming to the University of Delaware Otherwise than by State Appropriation".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NOT VOTING—Mr. Martin—1.

ABSENT—Mr. Johnson—1.

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

At 5:32 P.M., Mr. Donovan moved to adjourn to 1:00 P.M. Thursday, April 16, 1964.

### 10th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:35 P.M. on Thursday, April 16, 1964, Lt. Gov. Lamnot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, (Mrs.) Lord, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—7.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, McCullough, Simpson—10.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 3:10 P.M., Lt. Gov. Lamnot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—15.

Members Absent—Messrs. McCullough, Simpson—2.

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

The Chair directed the reading of the following message:

April 16, 1964

To the Members of the Family  
of John G. Townsend

On April 14, 1964, the Senate of the 122nd General

Assembly of the State of Delaware in constitutional session unanimously passed House Joint Resolution 8.

Sympathetically yours,  
LESLIE C. GREENLY  
Secretary of the Senate

Mr. Hoey, chairman of the Finance Committee, reported the following bills from committee: **HB 521**, 3 favorable, 2 on merits; **HB 540**, 2 favorable, 2 on merits, 1 unfavorable; and **HB 545**, 1 favorable, 4 on merits.

The following Senators asked to be marked present: Messrs. Simpson and McCullough.

Pres. Pro Tem Steen requested final action on **SB 283**. Messrs. Isaacs and DuPont objected.

On motion of Messrs. Isaacs and DuPont to defer **SB 283** until next week the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Wilgus—7.

NAYS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—10.

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

On motion of Pres. Pro Tem Steen **SB 283** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 283**—"An Act to Appropriate and Transfer Moneys from the Capital Investment Fund for the Purpose of Obtaining Lands at or Near Cape Henlopen, Delaware".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Messrs. DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning—4.

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

Pres. Pro Tem Steen requested final action on **HB 38** with **HA 1**.

Mr. DuPont moved for a 20 minute recess. Motion prevailed.

The Senate met at the expiration of the recess at 4:22 P.M., Lt. Gov. Lammot presiding.

Pres. Pro Tem Steen asked for the privilege of the floor for Rep. Dineen to explain **HB 38** with **HA 1**.

On motion of Pres. Pro Tem Steen **HB 38** with **HA 1** title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 38** with **HA 1**—"An Act to Amend Section 132, Title 17, Delaware Code, Relating to the General Powers and Duties of the State Highway Department".

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

YEAS—Messrs. Johnson, Martin, McCullough, Tull—4.

NAYS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Price, Simpson, Wilgus, Pres. Pro Tem Steen—10.

NOT VOTING—Messrs. Donovan, Hoey, Robbins—3.

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

On motion of Pres. Pro Tem Steen **SB 295** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 295**—"An Act to Amend 'An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1964', being Chapter 31, Volume 54, Laws of Delaware, in Respect to Appropriations to the Sussex County Department of Elections by Making Transfers in Certain Appropriation Items Therein".

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

YEAS—Messrs. Cook, Donovan, (Mrs.) Lord, Martin, McCullough, Price, Tull, Pres. Pro Tem Steen.

NAYS—Messrs. Bookhammer, Isaacs, (Mrs.) Manning, Simpson, Wilgus.

NOT VOTING—Mr. DuPont.

ABSENT—Messrs. Hoey, Johnson, Robbins.

On motion of Pres. Pro Tem Steen the roll call was tabled.

Mr. McCullough introduced the following bill which was given a first reading and assigned to the Education Committee: **SB 302**—"An Act to Amend § 5105, Title 14, Delaware Code, Relating to Composition of the Board of Trustees of the University of Delaware".

Mr. McCullough moved for final action on **HB 310**.

Mr. McCullough moved to strike or withdraw **SA 2** to **HB 310**.

Mr. McCullough presented **SA 3** to **HB 310** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. McCullough **HB 310** with **SA 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 310** with **SA 3**—"An Act to Amend Section 1321, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees".

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

YEAS—Messrs. Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NOT VOTING—Mr. Hoey—1.

NAYS—None.

ABSENT—Messrs. Bookhammer, Donovan, Johnson, Robbins—4.

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

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

**SB 22**—"An Act to Amend Title 16, Section 6606 (a), Delaware Code, Relating to the Salary of the State Fire Marshal".

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

YEAS—Messrs. Cook, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus—10.

NAYS—Messrs. Hoey, Isaacs, Pres. Pro Tem Steen—3.

ABSENT—Messrs. Bookhammer, Donovan, Johnson, Robbins—4.

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

Pres. Pro Tem Steen and All Sussex County Senators introduced the following resolution which upon further motion by Pres. Pro Tem Steen was adopted unanimously by voice vote: **SR 111**—"Expressing the Sympathy of the Sen-

ate of the 122nd General Assembly of the Illness of Former Senator Harvey Spicer”.

WHEREAS, the members of the Senate of the 122nd General Assembly of the State of Delaware have learned that former Senator Harvey Spicer is ill and a patient at the Peninsula General Hospital, Salisbury, Maryland, and

WHEREAS, Harvey Spicer was formerly a member of the Senate representing the 5th Senatorial District, Sussex County, Delaware, and

WHEREAS, Harvey Spicer is a former Mayor of Georgetown and has for many years faithfully and diligently served the people of the State of Delaware, and

WHEREAS, the members of the Senate of the 122nd General Assembly, in conjunction with all the people of the State of Delaware, desire to express and extend in this public manner their regrets to Harvey Spicer that he is ill and to extend the best wishes for his speedy recovery,

NOW THEREFORE:

BE IT RESOLVED, that the members of the Senate of the 122nd General Assembly of the State of Delaware do hereby express their sincere wishes for a speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the Senate of the 122nd General Assembly of the State of Delaware and a copy be forwarded to former Senator Harvey Spicer.

Mr. Martin requested final Senate action on **SB 292**.

Mr. Martin presented **SA 1** to **SB 292**.

Mr. Martin requested the privilege of the floor for S. Balick, Senate Attorney, to explain **SB 292**.

On motion of Mr. Simpson the Senate recessed upon call of the Chair at 5:05 P.M.

The Senate met at the expiration of the recess at 5:15 P.M., Lt. Gov. Lammot presiding.

Mr. Martin moved to defer **SB 292**. Motion prevailed.

At 5:17 P.M., Mr. Donovan moved to adjourn to 1:00 P.M. Monday, April 20, 1964.

## 11th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, April 20, 1964, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Hoey, Johnson, (Mrs.) Lord, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—9.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Manning, Martin, McCullough, Simpson—8.

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

Mrs. Manning asked to be marked present.

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 112**—"Authorizing Payment for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 113**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 122nd General Assembly".

Mr. Robbins introduced the following concurrent resolution which upon further motion by him was adopted by voice vote: **SCR 38**—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered through February 11, 1964".

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 1:45 P.M.

The Senate met at the expiration of the recess at 3:52 P.M., Lt. Gov. Lamnot presiding.

The following Senators asked to be marked present: Messrs. DuPont, Bookhammer, Simpson, Martin, and McCullough.

The Senate received the following Memorandum No. 28 from the Governor:

#### MEMORANDUM NO. 28

April 15, 1964

TO: Secretary of the Senate  
FROM: Charles K. Keil

On date indicated, the Governor approved the following legislation:

April 14, 1964—**SB 119; HB 257; HB 258; HB 259; HB 260; HB 261; HB 262; HB 263; HB 265; HB 267; HB 369; HB 427; HB 484; and HB 496.**

The House informed the Senate that it had passed and was returning **SB 213** with **HA 1** and **SB 291**; also that it had passed **HB 544** and **HB 551** with **HA 2** and **HA 3** and **HCR 26** and desired the concurrence of the Senate.



At 3:56 P.M., Mr. Tull moved to go into Executive Session.

In the Executive Session, the Senate took the following action on the nominations of the Governor:

Carl J. Scott, Summit Bridge Road, Newark, Delaware—to be a member of the Department of Labor and Industrial Relations, effective February 7, 1964, for a term to end June 30, 1968 (Reappointment), was confirmed:

Edward West, Hartly, Delaware—to be a member of the Department of Elections for Kent County for a term of 2 years from date of confirmation by the Senate, replacing L. Winfred Hughes, was confirmed:

George P. Tatman, Clark Street, Harrington, Delaware—to be a member of the Department of Elections for Kent County for a term of 2 years from date of confirmation by the Senate, replacing Charles L. Peck, Jr., was confirmed:

George W. Mitchell, Clarksville, Delaware—to be a member of the Department of Elections for Sussex County for a term of 2 years from date of confirmation by the Senate, replacing Donald J. Hickman, was confirmed:

Robert B. Hopkins, Bridgeville, Delaware—to be a member of the Department of Elections for Sussex County for a term of 2 years from date of confirmation by the Senate, replacing Woodrow W. Steen, was confirmed:

William F. Lynch, II, 10 Dickinson Lane, West Haven, Wilmington 7, Delaware—to be a member of the Department of Elections for New Castle County for a term of 1 year from date of confirmation by the Senate, was confirmed:

Walter A. Gebhart, 50 East 4th Street, New Castle, Delaware—to be a member of the Department of Elections for New Castle County for a term of 2 years from the date of confirmation by the Senate, was confirmed:

Daniel F. Shields, Jr., Greenville, Wilmington 7, Delaware—to be a member of the Delaware Industrial Building Commission, effective February 20, 1964 for a four year term to expire February 20, 1968 (Reappointment), was confirmed:

The Reverend Levander A. Lawson, 1306 West Street, Wilmington, Delaware—to be a member of the Department of Elections for New Castle County for a term of 4 years from date of confirmation by the Senate, was confirmed:

Charles Solomon, 3621 Washington Street, Wilmington, Delaware—to be a member of the Department of Elections for New Castle County for a term of 3 years from date of confirmation by the Senate, was confirmed.

The Senate returned to regular order at 4:25 P.M., Lt. Gov. Lammot presiding.

Committee reports submitted were as follows:

**SB 301**—Temperance, 4 favorable, 1 on merits, by Mr. Price; **HB 535**—Labor, 3 favorable, 2 on merits, by Mr. Martin; **HB 446**—Education, 3 favorable, 2 on merits, by Mr. McCullough; and **SB 302**—Education, 2 favorable, 2 on merits, 1 unfavorable, by Mr. McCullough.

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

**HB 551**—"An Act to Amend Chapter 331, Volume 53, Laws of Delaware, entitled 'An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for said Purpose; Authorizing the Financing of such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions';" to Education.

**HB 544**—"An Act to Amend Chapter 398, Volume 53, Laws of Delaware, entitled '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 Therefore';" to Buildings and Highways.

**HCR 26**—"Making Appropriations to Various Companies for Supplies and Services Rendered the 122nd General Assembly of the State of Delaware"; to Accounts.

Mr. McCullough asked for the privilege of the floor for Mr. Harris to explain **HB 23**.

On motion of Mr. McCullough **HB 233** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 233**—"An Act to Amend Chapter 13, Title 14, by Adding Provisions for Compensation of Teachers on Sabbatical Leave".

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

**YEAS**—Messrs. Bookhammer, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

**NAYS**—Messrs. Donovan, Hoey, Robbins—3.

ABSENT—Messrs. Cook, Isaacs—2.

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

On motion of Mr. Martin **SB 293** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 293**—"An Act to Amend Title 19, Delaware Code, by Adding a New Chapter after Chapter 7 to be Known as Chapter 8 entitled 'Protection of Employees Rights' by Providing for the Protection of the Interests of Employees Affected when the State of Delaware, any Political Sub-Division Thereof, Board, Commission, or any Other Public Agency or Instrumentality of This State Operates or Takes Over the Operation of any Transportation System by Rail, Bus or Other Conveyance now Serving the General Public".

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

YEAS—Messrs. DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Tull, Pres. Pro Tem Steen.

NAYS—Messrs. Price, Simpson, Wilgus.

NOT VOTING—Messrs. Bookhammer, Donovan.

ABSENT—Messrs. Cook, Hoey, Isaacs, Robbins.

On motion of Mr. Martin the roll call was tabled.

Mr. Cook asked to be marked present.

On motion of Pres. Pro Steen **SB 290** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 290**—"An Act to Appropriate Funds to the State Highway Department for the Dredging of Certain Underwater Lands at the Head of Indian River at Millsboro".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Hoey, Isaacs, Robbins—3.

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

On motion of Mr. McCullough **HB 503** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 503**—"An Act to Amend Chapter 16, Volume 54, Laws of Delaware, entitled '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' by Providing that Monies Due on Executed Contracts and Unpaid Shall Not Revert as Therein Provided".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

**NAYS**—None.

**ABSENT**—Messrs. Hoey, Isaacs, Johnson, Robbins—4.

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

Mr. McCullough introduced the following bill which was given a first reading and assigned to the Revised Statutes Committee: **SB 303**—"An Act to Amend 8323, Title 11, Delaware Code, Relating to Eligibility for Pensions by Giving Credit for Prior Service as a Memorial Bridge Policeman".

Mr. Martin moved to strike the roll call on **SB 293**. Motion prevailed.

Mr. Martin introduced **SA 1** to **SB 293** and asked the privilege of the floor for Mr. Abbott to explain the bill and amendment.

Mr. Martin moved for adoption of **SA 1** to **SB 293**. Motion prevailed by voice vote.

Mr. Martin moved roll call on **SB 293** be stricken. Motion prevailed by voice vote.

On motion of Mr. Martin **SB 293** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 293** with **SA 1**—"An Act to Amend Title 19, Delaware Code, by Adding a New Chapter after Chapter 7 to be Known as Chapter 8 entitled 'Protection of Employees Rights' by Providing for the Protection of the Interests of Employees Affected when the State of Delaware, any Political Sub-Division Thereof, Board, Commission, or any Other Public Agency or Instrumentality of this State Operates or Takes Over the Operation of any Transportation System by Rail, Bus or Other Conveyance now Serving the General Public".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Simpson, Tull, Wilgus—11.

NAYS—None.

NOT VOTING—Messrs. Donovan, Robbins—2.

ABSENT—Messrs. Hoey, Isaacs, Johnson, Pres. Pro Tem Steen—4.

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

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

**HB 540**—"An Act Making a Supplementary Appropriation to the Sussex County Vocational-Technical Center for 'All Other Costs' for the Fiscal Year Ending June 30, 1964".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—14.

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, Pres. Pro Tem Steen—3.

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

Mr. McCullough, Chairman of the Education Committee, reported on **HB 551** with **HA 2** and **HA 3** as follows: 3 favorable.

Mr. McCullough moved to suspend Rule 9 to act on **HB 551** with **HA 2** and **HA 3**. Motion prevailed.

Mr. McCullough asked the privilege of the floor for Dr. Cobbs to explain the bill.

On motion of Mr. McCullough **HB 551** with **HA 2** and **HA 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 551** with **HA 2** and **HA 3**—"An Act to Amend Chapter 331, Volume 53, Laws of Delaware, entitled 'An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for said Purpose; Authorizing the Financing of such En-

largement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions'."

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—14.

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, Pres. Pro Tem Steen—3.

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

Committee reports submitted were as follows:

**SB 287**—Education, 3 favorable, 1 on merits, by Mr. McCullough; **SB 72**—Judiciary, 4 favorable, 1 on merits, by Mr. Cook; and **SB 115**—Judiciary, 4 favorable, 1 on merits, by Mr. Cook.

On motion of Mr. Hoey **SB 296** was taken up for consideration.

On further motion of Mr. Hoey the bill was deferred.

On motion of Mr. Hoey **HB 521** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 521**—"An Act Making an Appropriation to the State Fire Prevention Commission for the Training of Volunteer Firemen".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, (Mrs.) Manning—3.

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

At 5:20 P.M., Mr. Donovan moved to adjourn to 1:00 P.M. Tuesday, April 21, 1964.

## 12th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:35 P.M. on Tuesday, April 21, 1964, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Hoey, (Mrs.) Lord, (Mrs.) Manning, Price, Tull—6.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, Martin, McCullough, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—11.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:35 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Martin, McCullough, Wilgus—3.

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

Mr. McCullough asked to be marked present.

On motion of Mr. Hoey **SB 296** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 296**—"An Act Making a Supplementary Appropriation to the Delaware State Board of Cosmetology".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—14.

**NAYS**—None.

**ABSENT**—Messrs. Martin, Simpson, Wilgus—3.

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

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

The following legislation was introduced, given first reading and acted upon as follows:

**SB 304**—"An Act Proposing an Amendment to Section 13, Article 2, of the Constitution of the State of Delaware, Relating to Immunity from Arrest", by Mmes. Lord and Manning; to Judiciary.

**SB 305**—"An Act to Amend Section 720, Title 7, Delaware Code, Relating to the Violations and Penalty for Trespassing upon Land with Gun or Dog", by Messrs. Hoey and Cook; to Revised Statutes.

The House informed the Senate that it had passed **HS 1** for **HB 419** with **HA 1**; **HB 531**; **HB 538** with **HA 1**; **HB 539**; **HB 547** with **HA 1**; **HB 564**; **HB 574**, and **HB 576** and desired the concurrence of the Senate.

Committee reports submitted were as follows:

**HCR 26**—Accounts, 2 favorable, 3 on merits, by Mr. Johnson; and **HB 544**—Buildings and Highways, 4 favorable, by Mr. Steen.

On motion of Mr. Tull **SB 246** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Isaacs the bill was deferred.

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

**HB 564**—"An Act to Amend Chapter 4, Title 21, Delaware Code, Relating to the Reciprocity Commission in their Negotiations with Other Jurisdictions in the Matter of Operation, Regulation and Taxation of Motor Vehicles Properly Registered in said Other Jurisdictions"; to Revised Statutes.

**HB 574**—"An Act to Amend Chapter 160, Volume 54, Laws of Delaware, Relating to Motor Vehicles"; to Revised Statutes.

**HB 531**—"An Act to Amend Chapter 27, Title 31, Delaware Code, Relating to the Delaware Commission on Children and Youth by Expanding its Powers"; to Revised Statutes.

**HB 547** as Amended—"An Act to Amend Chapter 53, Title 30, Delaware Code, Relating to Cigarette Taxes and Licenses"; to Revised Statutes.

**HS 1** for **HB 419**—"An Act to Amend Chapter 17, Title 24, Delaware Code, Relating to the Disposition of Unclaimed Dead Bodies, the Use Thereof by Approved Institutions or Persons in Connection with Anatomical Studies, and the Pow-



ers and Duties of the Medical Council and the Attorney General of Delaware with Regard Thereto"; to Public Health.

**HB 538**—"An Act Authorizing the State Board of Education to Provide for the Supervision and the Auditing of the School Construction Provided for Under Chapter 171, Volume 54, Laws of Delaware, and Making Provisions for the Cost Thereof"; to Education.

**HB 539**—"A Supplementary Appropriation Act for the Fiscal Year Ending June 30, 1964 to Repair, Adjust and Place in First Class Condition the Closing and Locking Devices and Mechanism of the Prison Cells at the Sussex Correctional Institution"; to Finance.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HB 576**. Motion prevailed.

On motion of Pres. Pro Tem Steen **HB 576** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 576**—"An Act Making a Supplementary Appropriation to the Governor for the Purpose of Defraying the Costs of Extending the State's Hospitality to Visiting Japanese Governors".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—14.

**NAYS**—None.

**ABSENT**—Messrs. Johnson, Martin, Wilgus—3.

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

Pres. Pro Tem Steen introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 114**—"In Reference to Election of Officers".

**WHEREAS**, Thomas R. Taylor, who was previously elected to the office of Page, has now submitted his resignation from said office;

**NOW THEREFORE:**

**BE IT RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware, that Thomas R. Taylor be and he is hereby discharged from the office of Page;

**BE IT FURTHER RESOLVED** that Levi T. Bunting be and he is hereby elected to the office of Page, to serve during the pleasure of the Senate.

Mr. Isaacs presented **SB 306**.

Mr. Isaacs moved to suspend Rule 9 to act on **SB 306**. Motion prevailed.

On motion of Mr. Isaacs **SB 306** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 306**—"An Act Authorizing and Directing the Levy Court of New Castle County to Reimburse David Wright and Janet Wright School Taxes Paid in Error".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, Price, Simpson, Tull, Pres. Pro Tem Steen—11.

NAYS—None.

NOT VOTING—Mrs. Manning, Messrs. McCullough, Robbins—3.

ABSENT—Messrs. Johnson, Martin, Wilgus—3.

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

On motion of Mr. Bookhammer **SB 301** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 301**—"An Act to Amend Chapter 9, Title 4, Delaware Code, to Provide a Penalty for the Possession or Consumption of Alcoholic Liquor by a Minor".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Johnson, Martin, Wilgus—3.

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

Mr. Cook requested **HB 462** receive final action by the Senate. Motion prevailed.

Mrs. Manning presented **SA 1** to **HB 462** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Cook **HB 462** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 462** with **SA 1**—"An Act to Amend Title 9, Delaware Code of 1953 entitled Counties by Authorizing Levy Courts to Establish County Park and Recreation Comissions for the Development, Equipping, Improving and Maintaining of Parks and Other Recreational Facilities and Activities; and to Carry on Recreational Programs, Authorizing and Regulating the Issuance of County Bonds and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Simpson, Tull.

NAYS—Messrs. Donovan, Hoey, Robbins, Pres. Pro Tem Steen.

ABSENT—Messrs. Johnson, Martin, Wilgus.

On motion of Mr. Cook the roll call was tabled.

On motion of Mr. Bookhammer **SB 287** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 287**—"An Act to Amend Chapter 39, Title 14, Delaware Code, entitled Teachers' Retirement and Disability Pensions by Providing Benefits Payable to Surviving Spouse".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Johnson, Martin, Wilgus—3.

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

Mr. Hoey, Chairman of the Finance Committee, reported on **HB 34** with **HA 1** as follows: 3 on merits.

At 5:17 P.M., Mr. Donovan moved to adjourn to 1:00 P.M. Wednesday, April 22, 1964.

**13th LEGISLATIVE DAY — Second Regular Session**

The Senate met pursuant to adjournment at 1:34 P.M. on Wednesday, April 22, 1964, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Hoey, Johnson, Price, Robbins—4.

Members Absent—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:53 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

Members Absent—Mr. Martin—1.

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

The Chair directed the reading of the following message from the Governor of Delaware:

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

April 22, 1964

To the Senate of the 122nd General Assembly  
of the State of Delaware:

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

John T. Gallagher, 203 North Road, Lindamere, Wilmington 3, Delaware—to be a member of the Delaware Code Revision Commission, effective on date of confirmation by the Senate, for a term to expire February 1, 1965, replacing Samuel S. Arsht.

Respectfully submitted,  
ELBERT N. CARVEL  
Governor

The Governor's message was referred to the Executive Committee.

The House informed the Senate that it had passed **HB 550** and desired the concurrence of the Senate.

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

**HB 550**—"An Act to Amend Part V of Title 16, Delaware Code, by Revising and Redefining the Powers Heretofore Vested in the State Board of Trustees of the Delaware State Hospital at Farnhurst and Vesting all such Revised and Redefined Powers in a Department of the State Government to be Called the Department of Mental Health"; to Public Health.

At 4:57 P.M., Mr. Donovan moved to adjourn to 1:00 P.M. Thursday, April 23, 1964.

#### 14th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:32 P.M. on Thursday, April 23, 1964, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Johnson, Price, Tull—4.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—13.

The Chair declared a recess in the absence of a quorum.

The Senate met at the expiration of the recess at 3:32 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—13.

Members Absent—Messrs. Bookhammer, Martin, Simpson, Wilgus—4.

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

Mr. Price, Chairman of the Public Health Committee, reported the following bills from committee: **SB 169**, 5 on merits; **SB 170**, 5 on merits; **HB 550**, 1 favorable, 4 on merits; and **HS 1** for **HB 419**, 1 favorable, 3 on merits.

Mr. Johnson, Chairman of the Accounts Committee, reported that he found **HCR 26** all in order and moved for its adoption. Motion prevailed by voice vote.

The following Senators asked to be marked present: Messrs. Bookhammer and Wilgus.

Pres. Pro Tem Steen introduced the following bill which was given a first reading and referred to the Finance Committee: **SB 307**—"An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the Transplanting of Oysters in Indian River".

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 115**—"Authorizing Payment of Amounts Due Various Companies for Supplies and Services Furnished to the 122nd General Assembly".

Mr. Cook, Chairman of the Revised Statutes Committee, reported the following bills from committee: **HB 430**, 2 favorable, 3 on merits; and **HB 564**, 2 favorable, 3 on merits.

On motion of Mr. Wilgus **HB 34** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 34** with **HA 1**—"An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the State's Share of the Initial Costs of the Improvement of White's Creek Between Indian River Bay and a Point Beyond Assawoman Canal to Lord Baltimore School in Sussex County, and Authorizing and Empowering the Said Commission to Act as the Agency of the State of Delaware to do all Things Necessary to Comply with the Requirements of the United States Government Relative to the State's Contribution to Said Government".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Mrs. Manning, Messrs. Martin, Simpson—3.

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

Mr. Simpson asked to be marked present.

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **SB 307**, 1 favorable, 3 on merits; and **HB 524**, 1 favorable, 3 on merits.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **SB 307**. Mrs. Manning objected. Pres. Pro Tem Steen withdrew his motion.

At 3:50 P.M., Mr. Donovan moved to adjourn to 1:00 P.M., E.D.T., Monday, April 27, 1964.

### 15th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, April 27, 1964, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Hoey, Price, Robbins—4.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:28 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Cook, Donovan, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—13.

Members Absent—Messrs. Bookhammer, DuPont, Isaacs, Pres. Pro Tem Steen—4.

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

Mr. Cook introduced the following bill which was given a first reading and assigned to the Revised Statutes Committee: **SB 308**—"An Act Establishing the Delaware Water Commission; Defining the Purposes, Powers and Duties Thereof and Providing for the Appointment of Commissioners".

The House informed the Senate that it had passed and was returning to the Senate **SCR 38**; also that it had passed **HB 556** with **HA 1**; **HB 548** with **HA 1** and **HA 2**; **HB 566**; **HB 573**; and **HB 586** and desired the concurrence of the Senate.

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

**HB 556** with **HA 1**—"An Act Making a Supplementary Appropriation to the Delaware Commission on Children and Youth for a Study on Mental Retardation"; to Finance.

**HB 573**—"An Act Making a Supplementary Appropriation to the State Treasurer"; to Finance.

**HB 548** with **HA 1** and **HA 2**—"An Act to Amend Title 14, Delaware Code, Relating to Education by Creating the Educational Aid Advisory Commission"; to Education.

**HB 586**—"An Act Permitting Georgetown Special School District to Transfer Surplus Funds from a Debt Service Account to the Fund Established from Sale of Local Bonds"; to Education.

**HB 566** with **HA 1**—"An Act Authorizing the State Treasurer to Transfer Certain Balances to the General Fund of the State of Delaware"; to Finance.

On motion of Mr. Hoey **HB 524** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 524**—"An Act Making a Supplemental Appropriation to the Board of Trustees of the Delaware State Hospital for the Salary and Wages Account of the Governor Bacon Health Center".

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

**YEAS**—Messrs. Cook, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—12.

**NAYS**—Mr. Donovan—1.

**ABSENT**—Messrs. Bookhammer, DuPont, Isaacs, Pres. Pro Tem Steen—4.

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

Mr. McCullough introduced the following bill which was given a first reading and assigned to the Education Committee: **SB 309**—"An Act to Amend Section 5521, Title 29, Delaware Code, Relating to Optional and Mandatory Retirement of Covered School Employees of the State of Delaware".

Committee reports submitted were as follows:

**HB 482**—Revised Statutes, 3 favorable, 1 on merits, by Mr. Cook; **HB 547** with **HA 1**—Revised Statutes, 3 favorable, 1 on merits, by Mr. Cook; **HB 354**—Revised Statutes, 2 favorable, 1 on merits, by Mr. Cook; **HB 531**—Revised Statutes, 4 favorable, by Mr. Cook; **SB 299**—Revised Statutes, 3 favorable, 1 on merits, by Mr. Cook; **SB 300**—Judiciary, 5 fav-



orable, by Mr. Cook; and **SB 308**—Revised Statutes, 2 favorable, 1 on merits.

The following Senators asked to be marked present: Messrs. Bookhammer and DuPont.

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

**HB 535**—"An Act to Amend Chapter 21, Title 9, Delaware Code, Relating to Workmen's Compensation Claims".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—15.

NAYS—None.

ABSENT—Messrs. Isaacs, Pres. Pro Tem Steen—2.

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

On motion of Mr. Cook **HB 430** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 430**—"An Act to Amend Section 2101, Chapter 21, Title 21, of the Laws of Delaware".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, McCullough, Robbins, Simpson, Tull.

NAYS—Messrs. DuPont, (Mrs.) Lord, (Mrs.) Manning, Price, Wilgus.

ABSENT—Messrs. Isaacs, Johnson, Martin, Pres. Pro Tem Steen.

On motion of Mr. Cook the roll call was tabled.

Pres. Pro Tem Steen asked to be marked present.

On motion of Mr. Cook **HB 564** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 564**—"An Act to Amend Chapter 4, Title 21, Delaware Code, Relating to the Reciprocity Commission in Their Negotiations with Other Jurisdictions in the Matter of Operation, Regulation and Taxation of Motor Vehicles Properly Registered in Said Other Jurisdictions".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, Hoey, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Mr. DuPont—1.

ABSENT—Messrs. Isaacs, Johnson, Mrs. Manning—3.

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

On motion of Pres. Pro Tem Steen **SB 307** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 307**—"An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the Transplanting of Oysters in Indian River".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, Mrs. Manning—3.

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

At 5:26 P.M., Mr. Donovan moved to adjourn to 1:00 P.M. Tuesday, April 28, 1964.

## 16th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, April 28, 1964, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Hoey, Johnson, Price, Robbins—5.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:45 P.M., Lt. Gov. Lamot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus—15.

Members Absent—Messrs. Martin, Pres. Pro Tem Steen—2.

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

At 4:47 P.M., Mr. Donovan moved to adjourn to 1:00 P.M., E.D.T., Wednesday, April 29, 1964.

### 17th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, April 29, 1964, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Johnson, McCullough, Wilgus—4.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—13.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:02 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

Members Absent—Messrs. Cook, Hoey—2.

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

The Senate received the following Governor's "Capital Improvement" message:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, Delaware  
April 28, 1964

The Honorable Eugene Lamot  
President of the Senate of the  
122nd General Assembly of the State of Delaware  
Dover, Delaware  
Dear Mr. President:

Here is by Capital Improvement Program and Budget  
Message which is presented to the members of the 122nd  
General Assembly of the State of Delaware for their con-  
sideration and action.

Respectfully submitted,  
ELBERT N. CARVEL  
Governor

Enclosure

EXECUTIVE DEPARTMENT  
Dover, Delaware  
Governor Elbert N. Carvel's  
**CAPITAL IMPROVEMENT PROGRAM**  
and  
**BUDGET MESSAGE**  
to the  
Members of the 122nd General Assembly  
of the  
State of Delaware  
April 29, 1964

Mr. President  
Mr. Speaker  
Members of the 122nd General Assembly

Our State is undergoing rapid growth and urbanization. Rapid growth and urbanization result in the need for additional governmental services and facilities. Recognizing the growing demand for additional governmental needs and facilities, this Administration has sought to constructively change and improve the operation of the State government of Delaware.

Part of the efforts of this Administration to improve State government have been in fiscal management and in state planning. The revisions in fiscal management have resulted in more effective administration of the State's revenues and expenditures. With the cooperation of the General Assembly, this Administration established the State Planning Office which has been active for nearly two years.

No other program brings together these two separate reforms more effectively than the Annual Capital Budget and the Six-Year Capital Improvement Program. It is with

a certain sense of accomplishment, therefore, that the first Annual Capital Budget for Fiscal Year 1965 and the first Capital Improvement Program for Fiscal Years 1965-1970 are now presented.

For the first time, the General Assembly will have the opportunity to view all the projects as a whole. For the first time, the General Assembly will have an estimate of the State capital investment needs six years in advance. For the first time, the General Assembly will be able to examine capital improvement needs with an estimate of the future financial conditions of the State. With this information provided, the General Assembly will have a firm basis upon which it may determine appropriate legislative action.

Presented to the General Assembly are all of the capital improvement projects that are requested by this Administration for authorization for the utilization either of State general obligation bonds or of the divestiture funds.

The requests for legislative authorization for long-term debt are presented in a single omnibus bond bill including all the proposed projects to be financed in this manner. These projects are also summarized in Table 1 of the adopted **Annual Capital Budget, Fiscal Year 1965 and Capital Improvement Program, Fiscal Years 1965-1970**. The total general obligation bond request amounts to \$20,326,100. Included with this legislation is a companion bill, H.B. 581, which incorporates the legal phraseology of bond acts for school capital improvements into the Delaware Code.

The projects being financed from divestiture funds can be authorized by legislation now pending with the General Assembly. It is recommended that H.B. 477, appropriating \$90,000 for the restoration of the Old State House, and House Substitute No. 1 for H.B. 388, appropriating \$3,250,000 for open space acquisition, be enacted, as well as S.B. 283 which appropriates \$100,000 for obtaining Fort Miles. This should be followed by H.B. 453 and H.B. 454 which provide for the establishment of a Capital Investment Trust Fund for the utilization of the divestiture funds.

These requests for authorization are based on the Annual Capital Budget which is now presented to you. This Budget includes all capital improvement projects that have been previously enacted during this fiscal year, as well as those projects for which authorization is proposed.

The Annual Capital Budget is the first year of the Six-Year Capital Improvement Program. This six-year program requires no legislative action, but simply indicates the estimated capital improvement requirements over the coming six fiscal years.

One of the main purposes of the Six-Year Capital Improvement Program is to effectuate a State-wide Comprehensive Development Plan which is now under preparation by the State Planning Office. That Plan will guide the long range future development by the planned provisions of State facilities. To implement the required State facilities, a Capital Improvement Program is utilized. Since the Delaware State Planning Office has been in existence for a short period of time, a State Comprehensive Development Plan has yet to be prepared. Since decisions regarding State facilities will continue to occur, the Capital Improvement Program provides a means by which sound judgment can be exercised while the State Development Plan is being prepared.

Capital improvement programing is an orderly process of planning for the expenditure of public funds for meeting the expressed needs for capital facilities. Thus, one of the objectives of the Capital Improvement Program is to establish a logical procedure for this activity of State government.

It is important that proposed projects be considered in relationship to total State Capital requirements and the future fiscal situation of the State. An overall view of State facility needs is one objective of the Capital Improvement Program. From such a comprehensive view we are able to establish policy regarding the relative priorities and urgency of certain kinds of projects in relationship to the total capital expenditures.

Since future needs and capacity are subject to change, it is important that the Six-Year Capital Improvement Program remain flexible. Only the first year of the Program or the Capital Budget, when translated into legislative authorization for the expenditure of funds, will be relatively fixed. Each of the remaining years will be reassessed as a part of subsequent Capital Improvement Programs.

The Six-Year Capital Improvement Program includes \$268,557,000 of State funds which are distributed in the following manner:

- \$126,641,000, or approximately 47% for highways;
- \$71,634,000, or approximately 27% for local school construction;
- \$30,146,000, or approximately 11% for higher education; and
- \$40,136,000, or approximately 15% for other State agencies.

The total Six-Year Capital Improvement Program is \$18,268,000 less than what the program would have been if some projects had not been deferred beyond fiscal year 1970. This deferral was necessitated by the legal debt limitation recently imposed by the enactment of S.B. 130. This

legal debt limitation controls the amount that can be authorized for State general obligation bonds so that total debt service payments in a particular fiscal year do not exceed a certain percentage of the general fund of the previous year. Under this limitation, the total debt service payment for fiscal 1964 cannot exceed 30% of the fiscal 1963 general fund. This percentage is reduced each subsequent year to 20% of the fiscal 1973 general fund representing the limit for the permitted debt service payments in 1974.

This method of debt limitation provides relatively liberal debt service controls in its earlier years which represent an additional debt service obligation in later years when the debt limitation is relatively more stringent. It is apparent that in the later years the debt service limitation may be overly confining.

While some form of debt service limitation is desirable, to establish this particular method of debt limitation as a part of the State Constitution, as is currently proposed, will impose rigid controls upon future State legislatures and administrations, and consideration of this effect should be given by the members of the 123rd General Assembly before passing the final leg of the proposed Constitutional Amendment authorizing debt ceilings.

It seems incumbent on both the Administration and the General Assembly of the State to be concerned with the future needs of the State as well as its future financial condition. We should recognize the impact upon our future development resulting from the decisions made by this State government. The Six-Year Capital Improvement Program will be of material assistance to this and future General Assemblies and Administrations as they seek to make decisions in the best public interest.

The Senate received the following memorandum:

MEMORANDUM NO. 29

April 27, 1964

TO: Secretary of the Senate  
FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

- April 20, 1964— **HB 238** with **HA 2**;
- April 22, 1964— **HB 504** with **HA 1**; **HB 18**; **HB 576**;
- April 23, 1964— **HB 542**;
- April 24, 1964— **HB 521**; and **HB 264**.

The House informed the Senate the it had passed and was returnig **SB 293** with **SA 1**; also that it had passed **HB 579** and desired the concurrence of the Senate.

Mr. Donovan introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 116**—"In Reference to Election of Officers".

WHEREAS, Laura Belle Wilson, who was previously elected to the office of Messenger, has now submitted her resignation from said office;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Laura Belle Wilson be and she is hereby discharged from the office of Messenger;

BE IT FURTHER RESOLVED that Maurice Adams be and he is hereby elected to the office of Messenger, to serve during the pleasure of the Senate.

Mr. Tull introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 117**—"In Reference to Election of Officers".

WHEREAS, Jackie Howard, who was previously elected to the office of Messenger, has now submitted her resignation from said office;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Jackie Howard be and she is hereby discharged from the office of Messenger;

BE IT FURTHER RESOLVED that Mary C. Cannon be and she is hereby elected to the office of Messenger, to serve during the pleasure of the Senate.

The President administered the "Employees' Oath of Office" to Mary C. Cannon and Maurice Adams.

Mr. Cook asked to be marked present.

Mr. Cook asked the privilege of the floor for Mr. Leon Weiner to explain **HB 401**.

On motion of Mr. Cook **HB 401** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 401**—"An Act Relating to the Ownership of Real Property, the Division Thereof into Units, the Submission of Real Property to the Provisions of this Act and the Withdrawal of such Property from the Provisions of this Act, Providing for the Improvement, Management, Operation, Assessment and Taxation of such Property, Establishing Certain Procedures in Connection Therewith, Providing for the Conveyancing, Leasing, and Mortgaging Thereof, Establishing a Procedure for the Assessment and Collection of



Certain Expenses with Respect Thereto, Setting Forth Certain Lien Rights with Respect Thereto and Providing for the Recording of Certain Information”.

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Hoey—1.

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

The following legislation was introduced, given first reading and acted upon as follows:

**SB 310**—“An Act to Amend Section 5004, Title 15, Delaware Code, Relating to the Use of Voting Machines in School Board Elections”, by Mrs. Manning.

Mrs. Manning moved to suspend Rule 9 to act on **SB 310**. Pres. Pro Tem Steen objected.

Mr. Hoey asked to be marked present.

On Mrs. Manning’s motion to suspend Rule 9 to act on **SB 310** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

NAYS—Messrs. Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

NOT VOTING—Mr. Cook—1.

So the question was decided in the negative and the motion was lost and **SB 310** was referred to the Education Committee.

Mr. Price requested that **HB 550** receive final action.

On motion of Mr. Donovan the Senate recessed for majority caucus at 4:30 P.M.

The Senate met at the expiration of the recess at 4:48 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Price **HB 550** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 550**—“An Act to Amend Part V of Title 16, Delaware Code, by Revising and Redefining the Powers Hereofore Vested in the State Board of Trustees of the Dela-

ware State Hospital at Farnhurst and Vesting all such Revised and Redefined Powers in a Department of the State Government to be Called the Department of Mental Health".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

NOT VOTING—Messrs. Donovan, Hoey—2.

ABSENT—Mr. Johnson—1.

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

Pres. Pro Tem Steen asked for the privilege of the floor for Dr. Bush to explain **HB 544**.

On motion of Pres. Pro Tem Steen **HB 544** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 544**—"An Act to Amend Chapter 398, Volume 53, Laws of Delaware, entitled '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 Therefore'."

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson—2.

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

Committee reports submitted were as follows:

**SB 310**—Education, 5 favorable, by Mr. McCullough; **HB 586**—Education, 4 favorable, 1 on merits, by Mr. McCullough; **SB 309**—Education, 4 favorable, 1 unfavorable, by Mr. McCullough; **HB 548** with **HA 1** and **HA 2**—Education, 3 favorable, 2 on merits, by Mr. McCullough; and **HB 574**—Revised Statutes, 1 favorable, 3 on merits, by Mr. Cook.

Mr. McCullough moved to suspend Rule 9 to act on **HB 548** with **HA 1** and **HA 2**.

Mr. DuPont requested a fifteen minute recess to permit the minority to caucus with Mr. Charles Keil, Legislative Aide to the Governor.

On motion of Mr. DuPont the Senate recessed upon call of the Chair at 5:07 P.M.

The Senate met at the expiration of the recess at 5:40 P.M., Lt. Gov. Lamot presiding.

Mr. McCullough withdrew his motion.

Mr. Isaacs introduced the following bill which was given a first reading and referred to the Revised Statutes Committee: **SB 311**—"An Act to Amend Section 5109, Title 14, Delaware Code, by Providing that the University of Delaware shall make its Annual Audit Report Available to the Members of the General Assembly".

Mr. Cook requested final action on **HB 547** with **HA 1**.

Mr. DuPont voiced some misgivings about the bill.

Mr. Cook moved to defer.

On motion of Mr. Cook **HB 354** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 354**—"An Act to Amend Section 507, Title 1, Delaware Code, Pertaining to Application for State Public Assistance".

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

**YEAS**—Messrs. Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

**NAYS**—None.

**ABSENT**—Messrs. Bookhammer, Hoey, Johnson—3.

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

Mr. Isaacs asked Mr. Cook to arrange a public hearing on **SB 308**. Mr. Cook agreed to do so and promised to set the date for the hearing later.

At 6:00 P.M., Mr. Donovan moved to adjourn to 1:00 P.M. Thursday, April 30, 1964.

## 18th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:36 P.M. on Thursday, April 30, 1964, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Tull, Wilgus—7.

Members Absent—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Martin, McCullough, Simpson, Pres. Pro Tem Steen—10.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 2:31 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—12.

Members Absent—Messrs. Cook, Hoey, Isaacs, Martin, Simpson—5.

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

The Senate received the following two messages from the Governor. They were read and referred to the Executive Committee.

**GOVERNOR'S MESSAGE**  
**STATE OF DELAWARE**  
**EXECUTIVE DEPARTMENT**

Dover, Delaware  
April 29, 1964

To the Senate of the 122nd General Assembly  
of the State of Delaware:

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

Roland Wilkinson, Sr., 200 N. Mechanic Street, Wyoming, Delaware—to be a member of the Department of Elections for Kent County for a term of 4 years from date of confirmation by the Senate. (Reappointment).

Paris C. Kirby, Box 314, Lynchs Heights, Milford, Delaware—to be a member of the Department of Elections for Kent County for a term of 4 years from date of confirmation by the Senate, succeeding James Harry Latchum, deceased.

Hayward R. Hearn, Seaford, Delaware—to be a member of the Department of Elections for Sussex County for a term of 4 years from date of confirmation. (Reappointment).

Lewis B. Harrington, Haven Lake Avenue, Milford, Delaware—to be a member of the Department of Elections for Sussex County for a term of 4 years from date of confirmation by the Senate, succeeding William B. Morgan, Jr.

William E. Savery, Sr., 5 Nenagh Drive, Fairfax Farms, Wilmington 3, Delaware—to be a member of the Delaware Alcoholic Beverage Control Commission for a term of 4 years from May 15, 1964. (Reappointment).

Respectfully submitted,  
ELBERT N. CARVEL  
Governor

**GOVERNOR'S MESSAGE**  
**STATE OF DELAWARE**  
**EXECUTIVE DEPARTMENT**

Dover, Delaware  
April 29, 1964

To the Senate of the 122nd General Assembly  
of the State of Delaware:

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

Harry F. Faust, Lewes, Delaware—to be a member of the Department of Elections for Sussex County for a term of 4 years from date of confirmation by the Senate, succeeding Frederick A. Walls.

This request supersedes my letter to you of April 8, 1964 (which specified the term as being for 3 years) and is in accordance with 15 Del. C. § 104(e), as amended.

Respectfully submitted,  
ELBERT N. CARVEL  
Governor

The House informed the Senate that it had passed **HB 587** and desired the concurrence of the Senate.

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

**HB 579**—"An Act to Amend Title 10, Delaware Code, Providing for the Appointment of a Deputy Administrator to the Chief Justice of the Supreme Court to Assist in the Supervision of the Justices of the Peace and Designating the Duties, Salary and Term of Office Thereof"; to Judiciary.

**HB 587**—"An Act Making Appropriations to the Amount of \$110,230,550.00 for the Expense of the State Government for the Fiscal Year Ending June 30, 1965"; to Finance.

Messrs. Hoey, Martin, and Isaacs asked to be marked present.

On motion of Mrs. Manning **SB 310** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 310**—"An Act to Amend Section 5004, Title 15, Delaware Code, Relating to the Use of Voting Machines in School Board Elections".

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

YEAS—Messrs. Bookhammer, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus—13.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Cook, Simpson, Pres. Pro Tem Steen—3.

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

On motion of Mr. McCullough **HB 548** with **HA 1** and **2** was taken up for consideration.

On motion of Mr. Isaacs the bill was deferred.

Mr. Price asked the privilege of the floor for Dr. Gehret to explain **HS 1** for **HB 419** with **HA 1**.

On motion of Mr. Price **HS 1** for **HB 419** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HS 1** for **HB 419** with **HA 1**—"An Act to Amend Chapter 17, Title 24, Delaware Code, Relating to the Disposition of Unclaimed Bodies, the Use Thereof by Approved Institutions or Persons in Connection with Anatomical Studies, and the Powers and Duties of the Medical Council and the Attorney General of Delaware with Regard Thereto".

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

YEAS—Messrs. DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus—11.

NAYS—Mr. Donovan—1.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Bookhammer, Cook, Simpson, Pres. Pro Tem Steen—4.

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

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **HB 308**, 2 favorable, 2 on merits; and **HB 556** with **HA 1**, 4 on merits.

Mr. Robbins introduced the following resolution which upon further motion of him was adopted by voice vote: **SR 118**—"In Reference to Election of Officers".

WHEREAS, Robert Smith, who was previously elected to the office of Sergeant-at-Arms, has now submitted his resignation from said office;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that Robert Smith be and he is hereby discharged from the office of Sergeant-at-Arms;

BE IT FURTHER RESOLVED that Grover Dill be and he is hereby elected to the office of Sergeant-at-Arms, to serve during the pleasure of the Senate.

The President administered the "Employees Oath of Office" to Grover Dill.

On motion of Mr. Johnson **HS 1** for **HB 179** was taken up for consideration.

On further motion of Mr. Johnson the bill was deferred.

Mr. Simpson asked to be marked present.

Mr. Simpson presented **SA 1** to **SB 311** and requested its placement with the bill.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 3:18 P.M.

The Senate met at the expiration of the recess at 4:00 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. McCullough **HB 586** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 586**—"An Act Permitting Georgetown Special School District to Transfer Surplus Funds from a Debt Service Account to the Fund Established from Sale of Local Bonds".

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

YEAS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus—14.

NAYS—None.

ABSENT—Messrs. Cook, Simpson, Pres. Pro Tem Steen—3.

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

Mr. Isaacs presented **SA 1** to **HB 548** and requested its placement with the bill.

At 4:08 P.M., Mr. Donovan moved to adjourn to 1:00 P.M., Monday, May 4, 1964.

### 19th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, May 4, 1964, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, Johnson, (Mrs.) Manning, Price, Robbins, Tull, Pres. Pro Tem Steen—7.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, Martin, McCullough, Simpson, Wilgus—10.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 3:00 P.M., Lt. Gov. Lammot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Cook, McCullough, Simpson—3.

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

Pres. Pro Tem Steen introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 119**—"In Reference to Election of Officers".



WHEREAS, William E. Clark, who was previously elected to the office of Page, has now submitted his resignation from said office,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, that William E. Clark is hereby discharged from said office.

BE IT FURTHER RESOLVED that Dennis Brian Tingle be and he is hereby elected to the office of Page to serve during the pleasure of the Senate.

The President administered the "Employees Oath of Office" to Dennis Brian Tingle.

The following legislation was introduced, given first reading and acted upon as follows:

**SB 312**—"An Act to Amend Section 1309, Title 7, Delaware Code, Relating to Jurisdiction of Justices of the Peace in the Enforcement of Game and Fish Laws", by Mr. Isaacs.

Mr. Isaacs moved to suspend Rule 9 to act on **SB 312**. Motion prevailed.

Mr. Cook asked to be marked present.

On motion of Mr. Isaacs **SB 312** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 312**—"An Act to Amend Section 1309, Title 7, Delaware Code, Relating to Jurisdiction of Justices of the Peace in the Enforcement of Game and Fish Laws".

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

**YEAS**—Messrs. Bookhammer, DuPont, Hoey, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Tull, Wilgus, Pres. Pro Tem Steen—9.

**NAYS**—Messrs. Donovan, Martin—2.

**NOT VOTING**—Messrs. Cook, Johnson, Price, Robbins—4.

**ABSENT**—Messrs. McCullough, Simpson—2.

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

Mr. Simpson asked to be marked present.

Mr. Cook asked the privilege of the floor for Mr. Glennon and Mr. Brill to explain **HB 547** with **HA 1**.

On motion of Mr. Cook **HB 547** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 547** with **HA 1**—"An Act to Amend Chapter 53, Title 30, Delaware Code, Relating to Cigarette Taxes and Licenses".

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

**YEAS**—Messrs. Cook, Hoey, Isaacs, Johnson, (Mrs.) Manning, Martin, Price, Robbins, Tull—9.

**NAYS**—Messrs. Donovan, DuPont, Simpson, Wilgus, Pres. Pro Tem Steen—5.

**NOT VOTING**—Mr. Bookhammer—1.

**ABSENT**—Mrs. Lord, Mr. McCullough—2.

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

Committee reports submitted were as follows:

**HB 485**—Finance, 4 on merits, by Mr. Hoey; **HB 477**—Finance, 1 favorable, 3 on merits, by Mr. Hoey; **HB 566**—Finance, 4 on merits, by Mr. Hoey; **HB 573**—Finance, 2 favorable, 2 on merits, by Mr. Hoey; **HB 587**—Finance, 2 favorable, 3 on merits, by Mr. Hoey; **SB 252**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; **HB 377**—Judiciary, 3 favorable, 2 on merits, by Mr. Cook; and **SB 274**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 3:40 P.M.

The Senate met at the expiration of the recess at 5:28 P.M., Lt. Gov. Lamnot presiding.

Mr. Cook announced his intention to, as Chairman of the Revised Statutes Committee, hold a public hearing on **SB 308** at 3:00 P.M. on Wednesday, May 6, 1964.

Mr. Cook requested the privilege of the floor for Mr. Charles Keil to explain **HB 531**.

Mr. McCullough asked to be marked present.

On motion of Mr. Cook **HB 531** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 531**—"An Act to Amend Chapter 27, Title 31, Delaware Code, Relating to the Delaware Commission on Children and Youth by Expanding its Powers".

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

**YEAS**—Messrs. Bookhammer, Cook, DuPont, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Donovan, Isaacs, Johnson, Price—4.

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

Mr. McCullough requested the privilege of the floor for Mr. Charles Harris to explain **SB 309**.

Mr. Robbins moved to defer **SB 309**. Motion lost by voice vote.

On motion of Mr. McCullough **SB 309** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 309**—"An Act to Amend Section 5521, Title 29, Delaware Code, Relating to Optional and Mandatory Retirement of Covered School Employees of the State of Delaware".

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

YEAS—Mrs. Manning, Messrs. Martin, McCullough, Price, Tull—5.

NAYS—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, (Mrs.) Lord, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—10.

ABSENT—Messrs. Donovan, Johnson—2.

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

The House informed the Senate that it had passed **HB 498** with **HA 1**, **HB 513**, **HB 514**, **HB 515**, **HB 516**, **HB 518**, **HB 519**, **HB 520** and **HB 567** and that it desired the concurrence of the Senate.

On motion of Mr. Isaacs **SA 1** to **HB 548** with **HA 1** and **2** was taken up for consideration and read a second time in order to pass the Senate.

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

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

NAYS—Messrs. Cook, Hoey, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—8.

ABSENT—Messrs. Donovan, Johnson—2.

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

On motion of Mr. McCullough **HB 548** with **HA 1** and **HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 548** with **HA 1** and **HA 2**—"An Act to Amend Title 14, Delaware Code, Relating to Education by Creating the Educational Aid Advisory Commission".

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

YEAS—Messrs. Cook, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Messrs. Bookhammer, Isaacs—2.

ABSENT—Messrs. Donovan, Johnson—2.

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

Mr. Cook introduced **SA 1** to **HB 574** and moved for its adoption. Motion prevailed by voice vote.

Mr. Cook requested the privilege of the floor for Mr. Hartnett to explain **HB 574**.

On motion of Mr. Cook **HB 574** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 574** with **SA 1**—"An Act to Amend Chapter 160, Volume 54, Laws of Delaware, Relating to Motor Vehicles".

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

YEAS—Messrs. Cook, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Bookhammer, Donovan, Hoey, Johnson—4.

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

On motion of Mr. Cook **SB 160** was taken up for consideration and read a second time by title in order to pass the Senate.

On further motion of Mr. Simpson the bill was deferred.

Mr. Cook introduced the following bill which was given a first reading and assigned to the Revised Statutes Committee: **SB 313**—"An Act Proposing an Amendment to Article 2, Section 15, of the Constitution of the State of Del-

aware Relating to Compensation, Expenses, and Allowances of Members of the General Assembly".

At 6:24 P.M., Pres. Pro Tem Steen moved to adjourn to 1:00 P.M. Wednesday, May 6, 1964.

## 20th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, May 6, 1964, Lt. Gov. Lamot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Donovan, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Wilgus—6.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, Martin, McCullough, Simpson, Tull, Pres. Pro Tem Steen—11.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:34 P.M., Lt. Gov. Lamot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—15.

Members Absent—Messrs. Cook, Simpson—2.

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

The Senate received the following Memorandum No. 30 from the Governor's Aide:

Mr. Cook asked to be marked present.

### MEMORANDUM NO. 30

April 28, 1964

TO: Secretary of the Senate  
FROM: Charles K. Keil

On the date indicated, the Governor approved the following legislation:

April 27, 1964—**HB 233; HB 270 with HA 1 and SA 1; HB 503; HB 540; HB 551 with HA 2 and 3; SB 16; SB 186; SB 244;**

April 28, 1964—**HB 214 with SA 1; SB 126;**

April 30, 1964—**HB 310 with SA 3.**

On motion of Mr. Hoey **HB 587** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 587**—"An Act Making Appropriations to the Amount of \$110,230,550.00 for the Expense of the State Government for the Fiscal Year Ending June 30, 1965".

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

**YEAS**—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

**NAYS**—None.

**NOT VOTING**—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Wilgus—6.

**ABSENT**—Mr. Simpson—1.

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

Mr. McCullough asked the privilege of the floor for Mr. James Rosbrow to explain **SS1** for **SB 13**.

On motion of Mr. McCullough **SS 1** for **SB 13** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SS 1** for **SB 13**—"An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation, by Providing for a Method of Election of Coverage and Reimbursement for Benefits Paid by Agencies and Political Subdivisions of the State of Delaware".

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

**YEAS**—Messrs. Cook, Donovan, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

**NAYS**—Messrs. DuPont, (Mrs.) Manning, Wilgus—3.

**NOT VOTING**—Messrs. Hoey, Isaacs—2.

**ABSENT**—Messrs. Bookhammer, Simpson—2.

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

The House informed the Senate that it had passed **HB 529**, **HB 527**, **HB 528**, **HB 530**, **HB 593**, **HS 1** for **HB 570**, **HB 581** with **HA 1**, **HB 517** with **HA 1**, **HB 578** with **HA 1** and **HA 2**, and **HB 326** with **HA 1** and **HA 2**; and that it desired the concurrence of the Senate.

Mr. Johnson moved to suspend Rule 9 to act on **SB 314**. Prevailed by voice vote.

Mr. Simpson asked to be marked present.

Mr. Johnson asked for the privilege of the floor for Mr. Frank O'Donnott to explain **SB 314**. Request granted by voice vote.

On motion of Mrs. Manning to defer **SB 314** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

NAYS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

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

On motion of Mr. Johnson **SB 314** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 314**—"An Act to Amend Title 15, Delaware Code, Relating to Elections to Provide for Central and Continuous Registration of Voters in Various Locations in Each County".

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

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, Simpson, Wilgus—5.

NOT VOTING—Mmes. Lord, Manning—2.

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

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

**HB 567**—"An Act to Amend Chapter 171, Volume 54, Laws of Delaware, entitled: 'An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money

to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions';" to Education.

**HB 498** with **HA 1**—"An Act to Amend Chapter 69, Title 29, Delaware Code, Relating to Competitive Bidding"; to Revised Statutes.

The House informed the Senate that it had passed **HB 600** and desired the concurrence of the Senate; also that it had passed **SB 297**, **SB 301** and **SB 314** and was returning same to the Senate.

On motion of Mr. Hoey **HB 545** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 545**—"An Act Making a Supplementary Appropriation to the State Board of Education for the Fiscal Year Ending June 30, 1964, for the Additional Cost of Transporting School Children".

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

**YEAS**—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—17.

**NAYS**—None.

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

Mr. Cook introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 120**—"Relating to House Bill No. 552".

**WHEREAS**, House Bill No. 552 passed the House on April 14, 1964 and was duly delivered to the President of the Senate; and

**WHEREAS**, the original of House Bill No. 552 has mysteriously disappeared;

**NOW THEREFORE**:

**BE IT RESOLVED** by the Senate of the 122nd General Assembly of the State of Delaware that the duplicate of House Bill No. 552 be substituted for the original of House Bill No. 552.

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

**HB 446**—"An Act to Amend Section 1912, Title 14, Delaware Code, by Changing the Name 'Poll Tax' to 'School Capitation Tax'."



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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Hoey, Johnson, Wilgus—3.

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

Mr. Cook introduced a duplicate of **HB 552** and moved to suspend Rule 9 to act upon it. Motion prevailed by voice vote.

Pres. Pro Tem Steen objected.

On motion of Mr. Cook a duplicate of **HB 552** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 552**—"An Act to Amend Chapter 5, Title 28, Delaware Code, Relating to Harness Racing".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson—11.

NAYS—Mr. Hoey—1.

NOT VOTING—Messrs. McCullough, Tull, Pres. Pro Tem Steen—3.

ABSENT—Messrs. Johnson, Wilgus—2.

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

Mr. Hoey, Chairman of the Finance Committee, reported on **HB 489** as follows: 2 favorable, 2 on merits.

Mr. McCullough introduced the following bill which was given a first reading and assigned to the Revised Statutes Committee: **SB 315**—"An Act to Amend Section 5521, Title 29, Delaware Code, Relating to Eligibility; Optional and Mandatory Retirement".

Mr. Robbins introduced the following concurrent resolution which upon further motion by him was adopted by voice vote: **SCR 39**—"Making Appropriations to Various Companies for Supplies and Services Rendered the 122nd General Assembly".

Mr. Cook introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 121**—"Relating to St. Georges Bridge".

WHEREAS, the bridge over the Chesapeake and Delaware canal at St. Georges which carries the traffic using U.S. 13, the main traffic artery through the State of Delaware, is now closed to traffic; and

WHEREAS, responsibility for the repair of the bridge rests with the U.S. Army Corps of Engineers; and

WHEREAS, there is no suitable route for the moving of traffic up and down the State of Delaware; and

WHEREAS, the repair work on the bridge is being undertaken only during daylight hours and in other states similar repair work is done during off-peak times;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware that the Governor of the State is hereby requested to call an emergency meeting of Representatives of the U.S. Corps of Engineers, Delaware State Highway Department and members of the General Assembly to investigate the closing of the bridge.

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 122**—"Authorizing Payment for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

Mr. Hoey moved to suspend Rule 9 to act on **HB 489**. Motion prevailed:

On motion of Mr. Hoey **HB 489** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 489**—"An Act Making a Supplementary Appropriation to the Secretary of State".

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

YEAS—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Mr. Johnson, Mmes. Lord, Manning—3.

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