

On motion of Mr. Martin **SB 299** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 299—"An Act to Amend Title 3, Delaware Code, by Providing for the Humane Slaughter of Livestock".

On motion of Mr. Simpson the bill was deferred.

The Chair presented the following House Bill which was given first and second readings and referred to the Finance Committee: **HB 326** with **HA 1** and **HA 2**—"An Act to Amend Chapter 66, Title 16, Delaware Code, by the Addition of New Sections for the Establishment and Administration of a State Fire School and to Provide a Supplementary Appropriation for its Operation".

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 6:36 P.M., Wednesday, May 6, 1964.

The Senate met at the expiration of the recess at 3:55 P.M., Monday, June 1, 1964, Lt. Gov. Lammot presiding.

Pres. Pro Tem Steen moved to adjourn to 4:00 P.M., Monday, June 1, 1964.

21st LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 3:57 P.M. on Monday, June 1, 1964, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Tull, Wilgus, Pres. Pro Tem Steen—10.

Members Absent—Messrs. Bookhammer, Cook, Donovan, Isaacs, Johnson, Robbins, Simpson—7.

The Secretary proceeded to read the Journal of the previous days session when Pres. Pro Tem Steen 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 **HB 553**, **HB 591** and **HB 585** and desired the concurrence of the Senate; also that it had passed **SB 155** with **HA 1**, **SB 296** and **SCR 39** and was returning same to the Senate.

The Senate received the following Memorandums No. 31 and No. 32 from the Governor's Legislative Aide:

MEMORANDUM NO. 31

May 6, 1964

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

On date indicated, the Governor approved the following legislation:

May 4, 1964—**SB 213** with **HA 1**;

May 5, 1964—**HB 564**; **HB 34** with **HA 1**; **SB 291**; **HB 140**;

May 6, 1964—**HB 586**;

May 7, 1964—**HB 550**;

May 8, 1964—**HB 535**; **HS 1** for **HB 419** with **HA 1**; **HB 401**; **HB 524**; **HB 544**; **HB 354**; **HB 574** with **SA 1**; **HB 531**; **HB 548** with **HA 2**; and **SB 314**.

MEMORANDUM NO. 32

May 13, 1964

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

On date indicated, the Governor approved the following legislation:

May 12, 1964—**HB 587**; **HB 446**; **HB 489**; **HB 545**; **SB 297**; and **SB 301**.

NOTE: Correction of Memorandum No. 31 dated May 6, 1964 — Under date of May 5, 1964 change **HB 140** to **SB 140**.

Pres. Pro Tem Steen introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 123**—"In Reference to Election of Officers".

WHEREAS, Levi T. Bunting, 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 Levi T. Bunting is hereby discharged from said office.

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

Mmes. Lord and Manning introduced the following resolution which upon further motion was adopted by voice vote: **SR 124**—"Expressing the Congratulations of the Senate to the State House Custodian and Groundkeepers".

WHEREAS, the grounds of Legislative Hall have for several months now been in most attractive condition, and

WHEREAS, the flowering shrubs and springtime flower beds are particularly beautiful, and

WHEREAS, the appearance of the seat of State Government has provoked many favorable comments on the part of visitors and students,

NOW THEREFORE:

BE IT RESOLVED that congratulations be extended to the custodian and to the groundkeepers on the excellent job that they have done, 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 the State House Custodian and Groundkeepers.

The President administered the "Employee's Oath of Office" to Frances Nichols.

Mr. Martin introduced the following bill which was given a first reading and assigned to the Temperance Committee: **SB 316**—"An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors, to Permit the Sale of Beer Only by a Person Dispensing Food at Horse Race Tracks in the State of Delaware".

The Senate received the following communication from the Governor.

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

Dover, Delaware
June 1, 1964

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

On October 8, 1962, Mrs. Frances Temple of Harrington, Delaware, was appointed a member of the Delaware State Board of Cosmetology for a two-year term to expire October 8, 1964.

Following her appointment, Mrs. Temple was named Secretary of the Board and, as such, receives compensation in excess of \$500.00. In order to comply with the Constitution and Laws of the State of Delaware, and in order to follow the Attorney General's opinion dated November 12, 1963 on a similar question, I am submitting Mrs. Temple's name to the Senate for necessary confirmation, effective November 12, 1963, for a term to expire October 8, 1964.

Respectfully submitted,
ELBERT N. CARVEL
Governor

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

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

HB 585—"An Act Making a Supplemental Appropriation in the Fiscal Year Ending June 30, 1964 to Honor an Obligation Incurred in the Fiscal Years 1956-57 to 1962-63"; to Finance.

HS 1 for HB 570—"An Act to Amend § 543, Title 4, Delaware Code, Relating to Grounds for Refusal of a License to Sell Alcoholic Liquors"; to Temperance.

HB 600—"An Act to Authorize the Maturity Date of Bonds Issued for the Use of the State Board of Trustees of the Delaware State Hospital at Farnhurst to be Extended Until June 30, 1984".

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HB 600**. Motion prevailed.

Messrs. Cook, Bookhammer and Robbins asked to be marked present.

On motion of Pres. Pro Tem Steen **HB 600** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 600—"An Act to Authorize the Maturity Date of Bonds Issued for the Use of the State Board of Trustees of the Delaware State Hospital at Farnhurst to be Extended Until June 30, 1984".

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, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, Johnson, Simpson—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. Hoey **HB 320** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 320—"An Act to Amend Chapter 31, Volume 54, Laws of Delaware, Entitled, 'An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1964' and Making a Supplemental Appropriation in the Amount of \$2,500.00 for the Proposed Amendments".

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

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

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, Johnson, Simpson—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, Chairman of the Education Committee, reported the following bills from committee: **HB 538**, 4 favorable; and **HB 567**, 4 favorable.

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

HB 581 with **HA 1**—"An Act Relating to Capital Improvements for Schools of the State and to Bonds and Notes Therefore"; to Education.

HB 517 with **HA 1**—"An Act Appropriating Money to the Delaware Safety Council, Inc"; to Finance.

HB 529—"An Act to Aid Veterans' Organizations and Their Services to Veterans by Making an Appropriation Therefor"; to Finance.

HB 528—"An Act to Amend Chapter 39, Title 7, Delaware Code, Relating to Soil and Water Conservation Districts by Providing for Annual State and County Appropriations to the District"; to Finance.

HB 530—"An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict Who Died While in the Service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from such Service"; to Finance.

HB 527—"An Act Appropriating Moneys to the State Soil Conservation Commission for the Construction, Improvement and Protection of Ditches in the Several Counties"; to Finance.

HB 591—"An Act to Amend Section 2305, Title 14, Delaware Code, Relating to Education"; to Education.

HB 553 with **HA 1**—"An Act to Amend Title 29, Delaware Code, by Creating a State Distribution Agency Transferring to that Agency the Surplus Distribution Program of the State and Making a Supplemental Appropriation Therefor"; to Revised Statutes.

On motion of Mr. Hoey **HB 485** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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".

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, McCullough, Price, Robbins, Tull, Wilgus—12.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, Johnson, Simpson, 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.

A letter from the Family Court of Wilmington endorsing **SB 252** was presented for reading by Mr. Martin.

On motion of Mr. Martin **SB 252** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 252—"An Act to Amend Chapter 9, Title 10, Delaware Code, by Providing for the Appointment of Bailiffs in the Family Court of the State of Delaware and 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, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus—12.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, Johnson, Simpson, 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 for concurrence.

Mr. McCullough moved to suspend Rule 9 to act on **HB 538** and **HB 567**.

On motion of Mr. McCullough **HB 538** with **HA 1** with title as follows was taken up for consideration and read a second time in order to pass the Senate:

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".

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, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, Johnson, Simpson—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. McCullough **HB 567** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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'."

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, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, Johnson, Simpson—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 requested the privilege of the floor for Mr. Maurice Hartnett, III to explain **HB 308**.

On motion of Mr. Hoey **HB 308** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 308—"An Act to Authorize the State Building and Grounds Commission to Acquire Property on the Dover Green and Appropriating Moneys 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, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, Johnson, Simpson
—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. Martin requested the privilege of the floor for Mr. Sidney Balick to explain **SB 300**.

On motion of Mr. Martin **SB 300** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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".

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, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, Johnson, Simpson
—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. Cook, Chairman of the Revised Statutes Committee, reported the following bills from committee: **HB 498**, 4 favorable; and **SB 315**, 4 favorable.

At 4:45 P.M., Pres. Pro Tem Steen moved to adjourn to 1:00 P.M., Tuesday, June 2, 1964.

22nd LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, June 2, 1964, 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, Price, Robbins, Tull, Pres. Pro Tem Steen—6.

Members Absent—Messrs. Bookhammer, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Wilgus—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 4:50 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, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Isaacs, Johnson, Martin—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 **HB 568** and **HB 608** and desired the concurrence of the Senate; also that it had passed **SB 277** and was returning same to the Senate.

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

HB 593—"An Act to Transfer Funds Appropriated by Chapter 31, Volume 54, Laws of Delaware"; to Revised Statutes.

HB 608—"An Act Making a Supplementary Appropriation to the Georgetown Special School District for the Purpose of Replacing Heating Boilers in the Main Building"; to Finance.

HB 568—"An Act to Amend Section 2302, Title 21, Delaware Code, Pertaining to the Application for Certificate of Title and Amend Section 2306, Title 21, Delaware Code, Pertaining to the Issuance of Certificate of Title and Amend

Section 2503, Title 21, Delaware Code, Pertaining to the Transfer of Certificate of Title and Registration Certificate"; to Revised Statutes.

Committee reports submitted were as follows:

HB 591—Education, 3 favorable, by Mr. McCullough; **HB 581** with **HA 1**—Education, 3 favorable, by Mr. McCullough; **HB 326** with **HA 1** and **HA 2**—Finance, 2 favorable, 1 on merits, by Mr. Hoey; and **HS 1** with **HA 1** for **HB 570**—Temperance, 4 favorable, 1 on merits, by Mr. Price.

Mrs. Manning presented **SA 1** to **HB 591**.

Mr. McCullough moved to suspend Rule 9 to act on **SB 317**. Motion prevailed.

On motion of Mr. McCullough **SB 317** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 317—"An Act Providing that a Supplementary Appropriation to New Castle Historic Buildings Commission Shall Not Revert to the General Fund at the End of 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, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Isaacs, 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 for concurrence.

On motion of Mr. Hoey **HB 566** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 566—"An Act Authorizing the State Treasurer to Transfer Certain Balances to the General Fund 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. Bookhammer, Cook, Donovan, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Isaacs, 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. Hoey **HB 556** 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 556 with **HA 1**—"An Act Making a Supplementary Appropriation to the Delaware Commission on Children and Youth for a Study on Mental Retardation".

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, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Cook, Isaacs, Johnson, Martin—4.

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

On motion of Mr. Hoey **HB 573** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 573—"An Act Making a Supplementary Appropriation to the State Treasurer".

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

YEAS—Messrs. Donovan, Hoey, McCullough, Price, Robbins, Tull—6.

NAYS—Pres. Pro Tem Steen—1.

NOT VOTING—Messrs. Bookhammer, DuPont, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—6.

ABSENT—Messrs. Cook, Isaacs, Johnson, Martin—4.

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

Mr. Cook moved to restore **HB 573** to the Calendar. There was some question about the motion.

Mr. Cook moved to suspend Rule 12 to reconsider **HB 573**.

On motion of Mr. Cook to suspend Rule 12 to reconsider **HB 573** the yeas and nays were ordered which being taken were as follows:

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

NAYS—Messrs. Donovan, Pres. Pro Tem Steen—2.

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

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

On motion of Mr. Hoey **HB 573** 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, Hoey, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Isaacs, 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. McCullough the Senate recessed upon call of the Chair at 5:40 P.M.

The Senate met at the expiration of the recess at 5:55 P.M., Lt. Gov. Lammot presiding.

At 5:56 P.M., Pres. Pro Tem Steen moved to adjourn to 1:00 P.M., Wednesday, June 3, 1964.

23rd LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, June 3, 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, (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 3:55 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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—13.

Members Absent—Messrs. Bookhammer, Hoey, Isaacs, Pres. Pro Tem Steen—4.

The following two letters of nomination were received from the Governor, given first reading and referred to the Executive Committee.

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

June 2, 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:

James G. Smith, Jr., 1371 S. State Street, Dover, Delaware—to be a member of the Delaware River and Bay Authority for a term to expire July 1, 1966 (Reappointment);

Harold L. Jacobs, 200 N. Spring Valley Road, Wilmington 7, Delaware—to be a member of the Water Pollution Commission for a term to expire August 1, 1965 (Reappointment);

Vernon B. Derrickson, Hazel Road, Dover, Delaware—to be a member of the Public Service Commission for a term to expire September 1, 1969 (Reappointment).

Respectfully submitted,
ELBERT N. CARVEL
Governor

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

June 3, 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:

Leon C. Donovan, R. D. 2, Harrington, Delaware—to be a member of the Department of Elections for Kent County for a term to expire June 2, 1968. (Reappointment).

Respectfully submitted,
ELBERT N. CARVEL
Governor

The House informed the Senate that it had passed **HB 386**, **HB 157** with **HA 1** and **HA 2**, and **HB 612** and desired the concurrence of the Senate; also that it had passed and was returning **SB 285** and **SB 286** to the Senate.

The following Senators asked to be marked present: Messrs. Pres. Pro Tem Steen, Bookhammer and Hoey.

The Chair presented the following House Bill which was given a first and second reading and acted upon as follows:

HB 612—"An Act to Amend Section 501, Title 1, Delaware Code, Relating to the Designation of Legal Holidays".

Mr. Tull moved to suspend Rule 9 to act on **HB 612**. Motion prevailed.

On motion of Mr. Tull **HB 612** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 612—"An Act to Amend Section 501, Title 1, Delaware Code, Relating to the Designation of Legal Holidays".

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, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Mrs. Lord—1.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mr. Isaacs—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. Price introduced **SB 318**—"An Act Providing that a Supplementary Appropriation to the Public Archives Commission Shall Not Revert to the General Fund at the End of the Fiscal Year Ending June 30, 1964", and moved to suspend Rule 9 to act on it. Motion prevailed.

On motion of Mr. Cook **SB 318** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 318—"An Act Providing that a Supplementary Appropriation to the Public Archives Commission Shall Not Revert to the General Fund at the End of 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, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—14.

NAYS—Pres. Pro Tem Steen—1.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mr. Isaacs—1.

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

The Chair presented the following House Bill which was given a first and second reading and acted upon as follows:

HB 386—"An Act to Amend Section 2301, Title 30, Delaware Code, Pertaining to Occupational License for Tourist Homes".

Mr. Bookhammer moved to suspend Rule 9 to act on **HB 386**. Motion prevailed.

The Chair presented the following House Bill which was given a first and second reading and referred to committee as follows:

HB 157 with **HA 1** and **HA 2**—"An Act to Amend Sections 3902 and 3903, Title 14, Delaware Code, Relating to Teachers' Retirement and Disability Pensions": to Education.

On motion of Mr. Bookhammer **HB 386** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 386—"An Act to Amend Section 2301, Title 30, Delaware Code, Pertaining to Occupational License for Tourist Homes".

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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus—12.

NAYS—Mr. Donovan—1.

NOT VOTING—Messrs. McCullough, Robbins—2.

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. McCullough **HB 581** with **HA 1** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. DuPont the bill was deferred.

On motion of Mr. Hoey **HB 326** 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 326 with **HA 1** and **HA 2**—"An Act to Amend Chapter 66, Title 16, Delaware Code, by the Addition of New Sections for the Establishment and Administration of a State Fire School and to Provide a Supplementary Appropriation for its Operation".

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, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—Mr. Simpson—1.

ABSENT—Mr. Isaacs—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. Hoey, Chairman of the Finance Committee, reported on **HB 517** with **HA 1** as follows: 2 favorable, 2 on merits.

Mr. Hoey moved to suspend Rule 9 to act on **HB 517** with **HA 1**. Motion prevailed.

On motion of Mr. Hoey **HB 517** 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 517 with **HA 1**—"An Act Appropriating Money to the Delaware Safety Council, Inc.".

YEAS—Messrs. Bookhammer, Cook, DuPont, Hoey, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—13.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Isaacs, (Mrs.) Manning, 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 presented **SA 1** to **HB 591** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. McCullough **HB 591** 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 591 with **SA 1**—"An Act to Amend Section 2305, Title 14, Delaware Code, Relating to Education".

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.) Manning, Martin, McCullough, Price, Tull, Wilgus—9.

NAYS—Messrs. Cook, Hoey, (Mrs.) Lord, Robbins, Simpson, Pres. Pro Tem Steen—6.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mr. Isaacs—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.

Committee reports submitted were as follows:

HB 157 with **HA 1** and **HA 2**—Education, 4 favorable, by Mr. McCullough; **HB 579**—Judiciary, 5 favorable, by Mr. Cook; **HB 593**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; **HB 367**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook; and **HB 453**—Revised Statutes, 2 favorable, 2 on merits, by Mr. Cook.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 4:53 P.M.

The Senate met at the expiration of the recess at 5:56 P.M., Lt. Gov. Lammot presiding.

Mr. Price introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 125**—"Expressing the Sympathy of the Senate upon the Illness of Senate Attache S. Allen Moffitt".

WHEREAS, the Senate of the 122nd General Assembly of the State of Delaware has learned that Senate Attache S. Allen Moffitt is ill, and

WHEREAS, the members of the Senate desire to express and extend their regret and sympathy to S. Allen Moffitt,

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 complete and 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 S. Allen Moffitt.

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

SR 126—"Making an Appropriation to Butler's, Inc., for the purchase of a Collator for Legislative Hall".

Pres. Pro Tem Steen introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 127**—"Requesting the Delaware State Planning Office to Supply the Senate of the 122nd General Assembly with Certain Information".

Mr. McCullough moved to suspend Rule 9 to act on **HB 157** with **HA 1** and **HA 2**. Motion prevailed by voice vote.

On motion of Mr. McCullough **HB 157** 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 157 with **HA 1** and **HA 2**—"An Act to Amend Sections 3902 and 3903, Title 14, Delaware Code, Relating to Teachers' Retirement and Disability Pensions".

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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Hoey, Isaacs, Tull—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 593**. Motion prevailed by voice vote.

On motion of Mr. Cook **HB 593** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 593—"An Act to Transfer Funds Appropriated by Chapter 31, Volume 54, 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, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mr. Isaacs—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 House informed the Senate that it had passed **HB 565** with **HA 1**, **HB 602**, **HB 597**, **HB 604** and **HB 598** and desired the concurrence of the Senate.

On motion of Mr. Price **HB 167** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 167—"An Act to Amend Chapter 17, Title 16, Delaware Code, to Regulate the Burning of Refuse and Garbage in Certain Residential Areas".

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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Hoey, Isaacs, 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 presented **SA 1** to **HB 482** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Cook **HB 482** 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 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".

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, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—Mr. McCullough—1.

ABSENT—Mr. Isaacs—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. Hoey presented **SA 1** to **HB 388** and requested that it be placed with the bill.

Mr. Bookhammer presented **SA 1** to **HB 454** and requested that it be placed with the bill.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 6:27 P.M. The President announced that the recess would end at 1:00 P.M., Monday, June 15, 1964.

The Senate met at the expiration of the recess at 2:34 P.M., Monday, June 15, 1964.

Mr. Donovan moved to adjourn to 2:35 P.M., Monday, June 15, 1964.

24th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 2:35 P.M. on Monday, June 15, 1964, Lt. Gov. Lammot presiding.

Prayer by the Chaplain, Rev. E. John Dyer.

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.

The House informed the Senate that it had passed **SB 317** and was returning same; also that it had passed **HB 554** and **HB 606** and desired the concurrence of the Senate.

Mr. McCullough had three communications read.

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

HB 602—"An Act to Amend Title 31, Delaware Code, Entitled Welfare by Providing for Medical Assistance for the Aged and Appropriating Funds for Medical Assistance for the Aged"; to Finance.

HB 565—"An Act Making a Supplementary Appropriation to the Board of Game and Fish Commissioners"; to Finance.

HB 598—"An Act to Amend Chapter 9, Title 18, Delaware Code, Relating to Valuation and Nonforfeiture Requirements of Industrial Life Insurance Policies"; to Banking and Insurance.

HB 604—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, Entitled '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, and Making a Supplemental Appropriation in the Amount of \$13,090.00 for the Proposed Amendments';" to Finance.

HB 597—"An Act Making a Supplementary Appropriation to the Delaware Civil War Centennial Commission"; to Finance.

HB 519—"An Act Appropriating Certain Moneys to the Delaware State Fair, Inc., for Prizes"; to Finance.

HB 518—"An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection with the Holding of Boys' State and Girls' State"; to Finance.

HB 516—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware"; to Finance.

HB 515—"An Act Making an Appropriation to the Prisoners Aid Society of Delaware for the Operation of the 308 West Residence"; to Finance.

HB 514—"An Act to Aid Homes for the Aged by Appropriating Money to Palmer Home, Incorporated and Layton Home for Aged Colored Persons"; to Finance.

HB 513—"An Act to Aid Certain Fire Companies which are Organized to Extinguish Fires or Maintain Ambulances or Rescue Trucks, by Making Appropriations for Them"; to Finance.

HB 520—"An Act to Aid Certain Organizations which Maintain an Ambulance in the Public Service, by Appropriating Moneys for Maintenance of the Ambulances"; to Finance.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 2:49 P.M.

The Senate met at the expiration of the recess at 5:30 P.M., Lt. Gov. Lammot presiding.

Mr. McCullough moved to suspend Rule 9 to act on **HB 554**.

On motion of Mr. McCullough to suspend Rule 9 to act on **HB 554** the yeas and nays were ordered which being taken were as follows:

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

NAYS—Messrs. Donovan, Isaacs, Robbins—3.

ABSENT—Mr. Hoey—1.

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

Mr. McCullough asked the privilege of the floor for Mr. James Rosbrow to explain **HB 554**.

On motion of Mr. McCullough **HB 554** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 554—"An Act to Establish High School Extension Programs and Appropriating Funds to the State Board of Education".

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

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

NAYS—None.

NOT VOTING—Messrs. Donovan, Hoey—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 598—Banking and Insurance, 2 favorable, 2 on merits, by Mr. Tull; and **HB 21**—Miscellaneous, 1 favorable, 3 on merits, by Mr. Donovan.

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

SB 319—"An Act to Amend Chapter 47, Title 7, Delaware Code, Relating to State Parks", by Mr. McCullough; to Revised Statutes.

SB 320—"An Act to Amend Chapter 333, Volume 53, Laws of Delaware, relating to Borrowing Money by Issuing Bonds, 'For the Acquisition of Structures on Land Leased by the Levy Court of Sussex County, and for the Construction and Maintenance of an Addition to the Present Court House, as well as Alterations to the Said Present Court House, and to Authorize the Said Levy Court to Exercise the Right of Eminent Domain for Said Purposes,'" by Messrs. Pres. Pro Tem Steen, Tull, Hoey, Wilgus and Bookhammer; to Buildings and Highways.

On motion of Pres. Pro Tem Steen **SB 155** 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 155 with **HA 1**—"An Act to Amend Section 2105, Title 7, Delaware Code, Providing for Fees on Oysters Taken from Delaware Bay".

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, Pres. Pro Tem Steen—16.

NAYS—None.

NOT VOTING—Mr. Isaacs—1.

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

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **HB 608**, 1 favorable, 2 on merits; **HB 516**, 4 on merits; **HB 585**, 2 favorable, 3 on merits; and **HB 528**, 5 on merits.

Mr. McCullough moved to consider **HB 581** with **HA 1** and presented **SA 1** to **HB 581** with **HA 1**.

Mr. McCullough moved to lay **HB 581** with **HA 1** on the table. Motion prevailed.

Mr. Price, Chairman of the Temperance Committee, reported on **SB 316** as follows: 1 favorable, 2 on merits, 2 unfavorable.

The Chair presented the following House Bill which was given first and second readings and referred to the Finance Committee:

HB 606—"An Act Making a Supplemental Appropriation to the State Board of Education for Legal Fees for the Fiscal Year Ending June 30, 1964".

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 129**—"Authorizing Payment to Lieutenant Governor Eugene Lamot for Expenses Incurred for State Business".

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

SB 321—"An Act to Amend Chapter 7, Title 14, Delaware Code, by Providing for Administrative Units in Public School Districts in Delaware and to Make Appropriations Therefore", by Mr. Robbins; to Finance.

SB 322—"An Act to Amend Section 4101, Title 15, Delaware Code, by Defining a Political Party as an Organization Representing Ten Per Cent of the Registered Voters

of the Political Subdivision for Which a Candidate is Nominated, and by Making Such Definition Applicable Throughout", by Mr. Martin; to Elections.

SB 323—"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, Establishing 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; and Completely Revising, Recodifying and Amending Title 11, Delaware Code, in Relation to Sentencing, Probation, Parole, and Pardons of Adult Offenders, and Procedures with Respect to Executive Clemency", by Mr. Cook; to Joint Committee on Corrections.

SB 324—"An Act Proposing a Certain Amendment to Article IV, Section 29 of the Constitution of the State of Delaware, Relating to Justices of the Peace", by Mr. Cook; to Judiciary.

Committee reports submitted were as follows:

SB 320—Buildings and Highways, 3 favorable, 2 on merits, by Mr. Steen; and **SB 323**—Joint Committee on Corrections, 5 favorable, by Mr. Cook.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 6:08 P.M.

The Senate met at the expiration of the recess at 3:07 P.M., Tuesday, June 16, 1964, Lt. Gov. Lammot presiding.

The following two letters of nomination were received from the Governor, given a first reading and referred to the Executive Committee.

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

June 16, 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.

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 date of confirmation, to fill an existing vacancy.

Respectfully submitted,
ELBERT N. CARVEL
Governor

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

June 16, 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.

Howard L. Rawley, Leipsic, Delaware—to be a member of the Department of Elections for Kent County for a term of 4 years from June 30, 1963. (Reappointment).

Homer Wright, Magnolia, Delaware—to be a member of the Department of Elections for Kent County for a term to end January 15, 1965, to fill the unexpired term of James B. McIlvaine, resigned.

Respectfully submitted,
ELBERT N. CARVEL
Governor

The following Memorandum No. 33 was received from the Governor.

MEMORANDUM NO. 33

June 8, 1964

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

On date indicated, the Governor approved the following legislation:

May 20, 1964—**HB 547** with **HA 1**;

May 26, 1964—Duplicate **HB 552**;

June 3, 1964—**HB 308**, **HB 320**, **HB 485**, **HB 600**, **SB 296**;

June 4, 1964—**HB 567**, and **SB 293** with **SA 1**.

NOTE: Correction of Memorandum No. 32 dated May 13, 1964 — House Bill No. 489 under date of May 12, 1964 was signed on May 8, 1964.

The House informed the Senate that it had passed and was returning **SB 318**; also that it had passed **HB 170** with **HA 1**, **HB 615**, **HB 616**, and **HB 617** and desired the concurrence of the Senate.

On motion of Mr. Price **HS 1** with **HA 1** to **HB 570** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 with **HA 1** to **HB 570**—"An Act to Amend § 543, Title 4, Delaware Code, Relating to Grounds for Refusal of a License to Sell Alcoholic Liquors".

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

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

NAYS—Messrs. Cook, Johnson, Robbins, Pres. Pro Tem Steen—4.

ABSENT—Messrs. Isaacs, 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.

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

HB 615—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, Entitled 'An Act Making Appropriations to the Amount of \$110,230.550.00 for the Expenses of the State Government for the Fiscal Year Ending June 30, 1965' and Making a Supplemental Appropriation in the Amount of \$225,000.00 for the Proposed Amendments"; to Finance.

HB 616—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, Entitled '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', and Making a Supplemental Appropriation in the Amount of \$1,500.00 for the Proposed Amendments"; to Finance.

HB 617—"An Act Making a Supplementary Appropriation to the State Board of Education for the Use of the Milton School District No. 8 for the Purpose of Purchasing and Improving an Additional Building Site"; to Finance.

HB 170 with **HA 1**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan by Increasing Benefits for Pensioners not Qualified for Old Age Insurance Benefits"; to Revised Statutes.

Mr. Wilgus presented **SA 1** to **HB 529** and requested that it be placed with the bill.

On motion of Mr. Cook **HB 367** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 367—"An Act 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".

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, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

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.

At 3:55 P.M., Mr. Tull moved to convene in Executive Committee Session.

In the Executive Session, the Senate took the following actions on nominations by the Governor.

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, was confirmed:

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), was confirmed:

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 the date of confirmation by the Senate, succeeding Harry Latchum, deceased, was confirmed:

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 by the Senate (Reappointment), was confirmed:

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, was confirmed:

William E. Savery, 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), was confirmed:

Mrs. Frances Temple, Harrington, Delaware, to be a member of the Delaware State Board of Cosmetology for a term of 2 years to expire October 8, 1964, was confirmed:

Leon C. Donovan, RD 2, Harrington, Delaware, to be a member of the Department of Elections for Kent County for a term to expire June 2, 1968, was confirmed:

James G. Smith, Jr., 1371 S. State Street, Dover, Delaware, to be a member of the Delaware River and Bay Authority for a term to expire July 1, 1966 (Reappointment), was confirmed:

Harold L. Jacobs, 200 N. Spring Valley Road, Wilmington 7, Delaware, to be a member of the Water Pollution Commission for a term to expire August 1, 1965, (Reappointment), was confirmed:

Vernon B. Derrickson, Hazel Road, Dover, Delaware, to be a member of the Public Service Commission for a term to expire September 1, 1969 (Reappointment), was not confirmed.

The Senate returned to regular session and came to order at 4:05 P.M., Lt. Gov. Lammot presiding.

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **HB 565** with **HA 1**, 1 favorable, 3 on merits; **HB 518**, 3 favorable, 3 on merits; **HB 602**, 1 favorable, 3 on merits; **HB 604**, 1 favorable, 3 on merits; **HB 513**, 1 favorable, 3 on merits; and **HB 514**, 1 favorable, 3 on merits.

Mr. Donovan asked for the privilege of the floor for Mr. Charles Harris to explain **HS 2** for **HB 21**.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HS 2** for **HB 21** and **SB 320**. Motion prevailed.

On motion of Mr. Donovan **HS 2** for **HB 21** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 2 for **HB 21**—"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—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Mr. Simpson—1.

ABSENT—Messrs. McCullough, Robbins—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 Pres. Pro Tem Steen **SB 320** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 320—"An Act to Amend Chapter 333, Volume 53, Laws of Delaware, Relating to Borrowing Money by Issuing Bonds, 'For the Acquisition of Structures on Land Leased by the Levy Court of Sussex County, and for the Construction and Maintenance of an Addition to the Present Court House, as well as Alterations to the Said Present Court House, and to Authorize the Said Levy Court to Exercise the Right of Eminent Domain for Said Purposes'."

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, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—8.

NAYS—Messrs. Hoey, Isaacs, Johnson, Martin, Price—5.

NOT VOTING—Mr. Donovan, Mrs. Manning—2.

ABSENT—Messrs. McCullough, Robbins—2.

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

On motion of Mr. Cook **HB 498** with **HA 1** was taken up for consideration and read a second time by title in order to pass the Senate.

On further motion of Mr. Cook the bill was deferred.

Mr. Cook moved to suspend Rule 9 to act on **SB 323**. Motion prevailed.

On motion of Mr. Cook **SB 323** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 323—"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. Establishing 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; and Completely Revising, ReCodifying and Amending Title 11, Delaware Code, in Relation to Sentencing, Probation, Parole,

and Pardons of Adult Offenders, and Procedures with Respect to Executive Clemency”.

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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Messrs. Donovan, Hoey—2.

ABSENT—Messrs. McCullough, Robbins—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. Martin **SB 299** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 299—“An Act to Amend Title 3, Delaware Code, by Providing for the Humane Slaughter of Livestock”.

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, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Wilgus, Pres. Pro Tem Steen—9.

NAYS—Messrs. Donovan, Hoey, Johnson—3.

NOT VOTING—Messrs. Isaacs, Tull—2.

ABSENT—Messrs. Cook, McCullough, Robbins—3.

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

Mrs. Manning moved to re-consider **SB 320**. Motion prevailed.

On motion of Mrs. Manning **SB 320** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 320—“An Act to Amend Chapter 333, Volume 53, Laws of Delaware, Relating to Borrowing Money by Issuing Bonds, For the Acquisition of Structures on Land Leased by the Levy Court of Sussex County, and for the Construction and Maintenance of an Addition to the Present Court House, as well as Alterations to the Said Present Court House, and to Authorize the Said Levy Court to Exercise the Right of Eminent Domain for Said Purposes’.”

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, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—10.

NAYS—Messrs. Donovan, Hoey, Johnson, Martin, Price—5.

ABSENT—Messrs. McCullough, Robbins—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. Martin **SB 316** 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.

Pres. Pro Tem Steen presented **SA 1** to **HB 581** with **HA 1** and moved for its adoption. Motion prevailed by voice vote.

Pres. Pro Tem Steen requested the privilege of the floor for Mr. Maurice Hartnett, III to explain the bill and amendment.

On motion of Pres. Pro Tem Steen **HB 581** 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 581 with **HA 1** and **SA 1**—"An Act Relating to Capital Improvements for Schools of the State and to Bonds and Notes Therefore".

On further motion of Pres. Pro Tem Steen the bill was deferred.

Mr. Isaacs moved to restore **SB 299** to the Calendar. Motion prevailed.

At 5:30 P.M., Mr. Donovan moved to adjourn to 1:00 P.M., Wednesday, June 17, 1964.

25th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:37 P.M. on Wednesday, June 17, 1964, Lt. Gov. Lamot presiding. Prayer by the Chaplain, Rev. E. John Dyer.

By roll call the following Senators were present:

Members Present—Messrs. Price, Pres. Pro Tem Steen—2.

Members Absent—Messrs. Bookhammer, Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Man-

ning, Martin, McCullough, Robbins, Simpson, Tull, Wilgus—15.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:55 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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

Members Absent—Messrs. Bookhammer, Hoey, Isaacs, McCullough, Robbins—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.

Mrs. Manning and Mr. Cook introduced the following bill which was given a first reading and assigned to the Finance Committee: **SB 325**—"An Act Making a Supplementary Appropriation to the State Board of Corrections to be Used for Salaries and Wages of Employees".

Mr. Bookhammer asked to be marked present.

On motion of Mr. Tull **HB 598** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 598—"An Act to Amend Chapter 9, Title 18, Delaware Code, Relating to Valuation and Nonfeiture 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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Hoey, Isaacs, 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.

The following three letters of nominations were received from the Governor, given first readings and referred to the Executive Committee.

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

June 17, 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 submit for the consent and confirmation of the Senate, the following:

Daniel L. Herrmann, 705 Matson Run Parkway, Wilmington, Delaware—Elected by the Board of Trustees of the University of Delaware on June 6, 1964, to be a member of that Board for a term of 6 years, beginning June 6, 1964, to fill the vacancy created by the death of Richard S. Rodney.

Respectfully submitted,
ELBERT N. CARVEL
Governor

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

June 17, 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:

Joseph A. Bradshaw, 2312 Monroe Street, Wilmington, Delaware—to be Chairman of the Department of Labor and Industrial Relations for a term of 5 years from June 30, 1964. (Reappointment).

Respectfully submitted,
ELBERT N. CARVEL
Governor

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

June 17, 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:

Thurman G. Adams, Jr., Bridgeville, Delaware—to be a member of the State Highway Department for a term of 3 years from June 5, 1964 (Reappointment).

Lemuel H. Hickman, Frankford, Delaware—to be a member of the State Highway Department for a term of 3 years from June 5, 1964 (Reappointment).

Respectfully submitted,
ELBERT N. CARVEL
Governor

Mr. Hoey asked to be marked present.

Committee reports submitted were as follows:

HB 617—Finance, 1 favorable, 4 on merits, by Mr. Hoey; and **SB 322**—Elections, 3 favorable, 2 on merits, by Mr. Johnson.

Mr. Martin introduced the following bill which was given a first reading and assigned to the Finance Committee: **SB 326**—"An Act Making a Supplementary Appropriation to the State Highway Department for Temporary Summer Work".

The House informed the Senate that it had passed **SB 290** and **SB 307** with **HA 1** and was returning same; also that it had passed **HB 601** with **HA 2**, **HB 621** and **HB 628** and desired the concurrence of the Senate.

On motion of Mr. Cook **HB 498** 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 498 with **HA 1**—"An Act to Amend Chapter 69, Title 29, Delaware Code, Relating to Competitive Bidding".

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, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Hoey, Isaacs, 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.

Mr. Martin introduced the following bill which was given a first reading and assigned to the Finance Committee: **SB 327**—"An Act Making a Supplementary Appropriation to the Family Court of the State of Delaware in and for New Castle County to be Used for the Payment of Masters of the Court".

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

HB 601 with **HA 2**—"An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and for Improvements to the Public School System of the State and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to Various Agencies of the State"; to Buildings and Highways.

HB 621—"An Act Making a Supplementary Appropriation to Certain Agencies of the State for Capital Improvements"; to Finance.

Mr. Cook moved to suspend Rule 9 to act on **HB 628**. Motion prevailed.

On motion of Mr. Cook **HB 628** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 628—"An Act to Amend Title 29, Chapter 69, Delaware Code, Relating to Contracts for Supplies or Work".

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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Hoey, Isaacs, 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.

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **HB 519**, 1 favorable, 3 on merits; **HB 539**, 3 favorable, 1 on merits; **SB 325**, 3 favorable, 1 on merits; and **SB 327**, 1 favorable, 3 on merits.

Mr. Cook moved to suspend Rule 9 to act on **SB 325**. Motion prevailed.

On motion of Mr. Cook **SB 325** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 325—"An Act Making a Supplementary Appropriation to the State Board of Corrections to be Used for Salaries and Wages of Employees".

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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Isaacs, McCullough, 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.

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

SB 328—"An Act Making an Appropriation to the Board of Parole for the Operation of 308 West Residence", by Mrs. Manning.

Mrs. Manning moved to suspend Rule 9 to act on **SB 328**. Motion did not prevail.

Pres. Pro Tem Steen moved to defer the motion to suspend Rule 9. Motion prevailed.

On motion of Pres. Pro Tem Steen **SB 307** 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 307 with **HA 1**—"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. Cook, Donovan, DuPont, Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—Mr. Price—1.

ABSENT—Messrs. Bookhammer, Isaacs, McCullough, Robbins—4.

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

Mrs. Manning moved to suspend Rule 9 to act on **SB 328**. Motion prevailed.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 5:30 P.M.

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

The President assigned **SB 328** to the Finance Committee.

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

SS 1 for 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 329—"An Act to Amend Chapter 3, Title 15, Delaware Code, Relating to the State Election Commissioner", by Mr. Donovan; to Elections.

Committee reports submitted were as follows:

SB 324—Judiciary, 4 favorable, 1 on merits, by Mr. Cook; and **HB 601**—Buildings and Highways, 4 favorable, by Mr. Steen.

At 6.10 P.M., Mr. Donovan moved to adjourn to 1:00 P.M., Monday, June 22, 1964.

26th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, June 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. Bookhammer, Price, Robbins—3.

Members Absent—Messrs. Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:16 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, (Mrs.) Lord, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

Members Absent—Messrs. Isaacs, Johnson, (Mrs.) Manning, McCullough—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.

The Senate received the following Memorandum No. 34 from the Governor's Aide.

MEMORANDUM NO. 34

June 17, 1964

TO: Secretary of the Senate

FROM: Charles K. Keil

On date indicated, the Governor approved the following legislation:

June 15, 1964—**HB 556** with **HA 1**; **HB 566**; **HB 573**; and **HB 612**.

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **HB 527**, 2 favorable, 1 on merits; **HB 529**, 2 favorable, 1 on merits; and **HB 597**, 2 favorable, 1 on merits.

Mr. McCullough asked to be marked present.

On motion of Mr. Martin **SB 12** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mrs. Lord the bill was deferred.

On motion of Mr. Hoey **HB 477** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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".

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.

On motion of Mr. Hoey **HB 513** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 513—"An Act to Aid Certain Fire Companies which are Organized to Extinguish Fires or Maintain Ambulances or Rescue Trucks, by Making Appropriations for Them".

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.

On motion of Mr. Hoey **HB 514** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 514—"An Act to Aid Homes for the Aged by Appropriating Money to Palmer Home, Incorporated and Layton Home for Aged Colored Persons".

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, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, (Mrs.) Manning, McCullough—4.

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

Mr. Hoey moved to suspend Rule 9 to act on **HB 515**. Motion prevailed.

On motion of Mr. Hoey **HB 515** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 515—"An Act Making an Appropriation to the Prisoners Aid Society of Delaware for the Operation of the 308 West Residence".

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

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

NAYS—None.

NOT VOTING—Mr. Donovan—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 Mr. Hoey **HB 516** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 516—"An Act to Appropriate Moneys to Certain Hospitals in 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. 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.

On motion of Mr. Hoey **HB 518** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 518—"An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection with the Holding of Boys' State and Girls' State".

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.

Mr. Hoey asked the privilege of the floor for Mr. Charles Harris to explain **HB 585**.

On motion of Mr. Hoey **HB 585** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 585—"An Act Making a Supplemental Appropriation in the Fiscal Year Ending June 30, 1964 to Honor an Obligation Incurred in the Fiscal Years 1956-57 to 1962-63".

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.

On motion of Mr. Hoey **HB 519** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 519—"An Act Appropriating Certain Moneys to the Delaware State Fair, Inc. for Prizes".

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.

Mr. Hoey moved to suspend Rule 9 to act on **HB 529**. Motion prevailed.

Mr. Hoey presented **SA 1** to **HB 529** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Hoey **HB 529** 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 529 with **SA 1**—"An Act to Aid Veterans' Organizations and Their Services to Veterans by Making an Appropriation 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, Hoey, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Donovan—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 Mr. Hoey **HB 520** was taken up for consideration and read a second time by title in order to pass the Senate.

On further motion of Mr. Hoey the bill was deferred.

Mr. Cook, Chairman of the Revised Statutes Committee, reported on **SB 319** as follows: 2 favorable, 2 on merits.

Mr. Cook moved to adopt **SS 1** for **SB 299**. Motion prevailed by voice vote.

On motion of Mr. Cook **SB 160** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 160—"An Act to Amend Title 16, Delaware Code, Relating to Narcotics".

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.

Mr. McCullough presented **SA 1** and **SA 2** to **HB 581** with **HA 1** and moved for their adoption. Motion prevailed by voice vote.

On motion of Mr. McCullough **HB 581** with **HA 1** and **SA 1** and **SA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 581 with **HA 1** and **SA 1** and **SA 2**—"An Act Relating to Capital Improvements for Schools of the State and to 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, Hoey, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen.

NAYS—Mr. DuPont.

NOT VOTING—Mrs. Lord.

ABSENT—Messrs. Isaacs, Johnson, Mrs. Manning.

On further motion of Mr. McCullough the roll call was tabled.

On motion of Mr. Hoey **HB 602** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 602—"An Act to Amend Title 31, Delaware Code, Entitled Welfare by Providing for Medical Assistance for the Aged and Appropriating Funds for Medical Assistance for the Aged".

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.

On motion of Mr. Hoey **HB 604** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 604—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, Entitled '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, and Making a Supplemental Appropriation in the Amount of \$13,090.00 for the Proposed Amendments'."

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

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

NAYS—Mr. Donovan—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.

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

SB 330—"An Act Making a Supplementary Appropriation to the Family Court of the State of Delaware in and for New Castle County to be Used for the Payment of Masters of the Court", by Mr. McCullough; to Finance.

SB 331—"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", by Mr. Price; to Finance.

On motion of Mr. Cook **HB 377** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

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.

On motion of Mr. Hoey **HB 608** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 608—"An Act Making a Supplementary Appropriation to the Georgetown Special School District for the Purpose of Replacing Heating Boilers in the Main Building".

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

YEAS—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.

On motion of Mr. Hoey **HB 617** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 617—"An Act Making a Supplementary Appropriation to the State Board of Education for the Use of the Milton School District No. 8 for the Purpose of Purchasing and Improving an Additional Building Site".

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.

Mr. Cook requested final action on **HB 579**.

On motion of Mr. DuPont to defer **HB 579** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, (Mrs.) Lord, Martin, McCullough, Price, Simpson, Wilgus, Pres. Pro Tem Steen—9.

NAYS—Messrs. Cook, Donovan, Hoey, Robbins, Tull—5.

ABSENT—Messrs. Isaacs, Johnson, Mrs. Manning—3.

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

On motion of Mr. Cook **SB 324** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 324—"An Act Proposing a Certain Amendment to Article IV, Section 29 of the Constitution of the State of Delaware, Relating to Justices of the Peace".

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

YEAS—Messrs. Cook, DuPont, (Mrs.) Lord, Price.

NAYS—Messrs. Donovan, Martin, McCullough, Robbins, Tull, Wilgus, Pres. Pro Tem Steen.

NOT VOTING—Messrs. Bookhammer, Hoey, Simpson.

ABSENT—Messrs. Isaacs, Johnson, Mrs. Manning.

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

Mr. Cook moved to adopt **SS 1** for **SB 72**. Motion prevailed by voice vote.

On motion of Mr. Cook **SS 1** for **SB 72** 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 72**—"An Act to Amend Chapter 5, Title 10; Delaware Code, in Respect to Law Clerks for the Superior Court".

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, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Donovan—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 for concurrence.

Mr. Hoey, Chairman of the Finance Committee, reported the following bills from committee: **SB 330**, 2 favorable, 1 on merits; and **HB 615**, 2 favorable, 1 on merits.

On motion of Pres. Pro Tem Steen **HB 601** with **HA 2** was taken up for consideration.

Pres. Pro Tem Steen presented **SA 1** to **HB 601** with **HA 2** and requested it be placed with the bill.

On further motion of Pres. Pro Tem Steen the bill was deferred.

On motion of Mr. Martin **SS 1** for **SB 299** 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 299**—"An Act to Amend Title 3, Delaware Code, by Providing for the Humane Slaughter of Livestock".

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, Martin, McCullough, Price, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—Messrs. Donovan, Robbins—2.

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 6:02 P.M., Mr. Donovan moved to recess to call of the Chair and suggested recall date of 1:00 P.M., Tuesday, June 23, 1964.

The Senate met at the expiration of the recess at 5:25 P.M., Tuesday, June 23, 1964, Lt. Gov. Lamot presiding.

Pres. Pro Tem Steen introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 130**—"In Reference to Election of Officers".

WHEREAS, Dennis Brian Tingle, 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 Dennis Brian Tingle is hereby discharged from said office.

BE IT FURTHER RESOLVED that Warren Wingate be and he is hereby elected to the office of Page to serve during the pleasure of the Senate.

OATH OF OFFICE

The State of Delaware

ss.

I, Warren Wingate, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Page for the Senate in the General Assembly of the State, according to the best of my ability.

WARREN WINGATE
(Employees Signature)

Sworn and subscribed to this 23rd day of June, A. D. 1964.

CURTIS W. STEEN

Mr. Johnson asked to be marked present.

Mr. Hoey presented for Mr. Donovan **SA 1** to **SB 319** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Simpson to defer **SB 319** with **SA 1** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, DuPont, (Mrs.) Lord, Simpson, Wilgus—5.

NAYS—Messrs. Cook, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro. Tem Steen—9.

ABSENT—Messrs. Donovan, Isaacs, Mrs. Manning—3.

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

On motion of Mr. McCullough **SB 319** 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 319—"An Act to Amend Chapter 47, Title 7, Delaware Code, Relating to State Parks".

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, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

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

NOT VOTING—Mr. Bookhammer, Mrs. Lord—2.

ABSENT—Messrs. Donovan, Isaacs, 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.

On motion of Mr. Hoey **HB 615** was taken up for consideration and read a second time by title in order to pass the Senate.

On further motion of Mr. Hoey the bill was deferred.

Pres. Pro Tem Steen presented **SA 1** to **HB 615**. The Amendment received no action.

On motion of Mr. Hoey **HB 597** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 597—"An Act Making a Supplementary Appropriation to the Delaware Civil War Centennial 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, DuPont, Hoey, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, 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 Mr. Hoey **HB 565** 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 565—"An Act Making a Supplementary Appropriation to the Board of Game and Fish Commissioners".

YEAS—Messrs. Bookhammer, Cook, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

NAYS—Messrs. DuPont, (Mrs.) Lord, Simpson, Wilgus—4.

ABSENT—Messrs. Donovan, Isaacs, 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 Mr. Hoey **HB 539** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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 De-

vices and Mechanism of the Prison Cells at the Sussex Correctional Institution".

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, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, 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 Mr. Hoey **HB 527** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 527—"An Act Appropriating Moneys to the State Soil Conservation Commission for the Construction, Improvement and Protection of Ditches in the Several Counties".

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, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, 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 Mr. Hoey **HB 520** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 520—"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, DuPont, Hoey, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, 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.

The following letter of nomination by the Governor was received, given first reading and referred to the Executive Committee.

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

June 23, 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:

George Rissel Dougherty, 2019 Delaware Avenue, Wilmington, Delaware—to be a member of the Delaware Alcoholic Beverage Control Commission for a term to end on May 15, 1969, replacing William E. Savery, Sr., deceased.

Respectfully submitted,

ELBERT N. CARVEL
Governor

Mr. Hoey moved to re-consider **HB 539**. Prevailed by voice vote.

Mr. Hoey presented **SA 1** to **HB 539** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Hoey **HB 539** 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 539 with **SA 1**—"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".

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, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

ABSENT—Messrs. Donovan, Isaacs, 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.

Mr. Cook moved that roll call on **SB 324** be stricken. Motion prevailed by voice vote.

Mr. Cook moved to re-consider **SB 324**. Motion prevailed by voice vote.

Mr. DuPont moved for a 10 minute recess. Prevailed.

The Senate met at the expiration of the recess at 6:53 P.M., Lt. Gov. Lamnot presiding.

Mr. Simpson moved "to defer **SB 324** till tomorrow". Prevailed.

Mr. Cook requested **HB 579** receive final action.

Mr. McCullough presented **SA 1** to **HB 579** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Cook **HB 579** 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 579 with **SA 1**—"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".

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, Tull, Pres. Pro Tem Steen—10.

NAYS—Messrs. Bookhammer, DuPont, Simpson, Wilgus—4.

ABSENT—Messrs. Donovan, Isaacs, 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.

Mr. Cook requested **SB 115** receive final action.

Mr. Cook presented **SA 1** to **SB 115** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Cook **SB 115** 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 115 with **SA 1**—"An Act to Amend Chapter 5, Title 10, Delaware Code, in Respect to Law Clerks for the Court of Chancery".

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

YEAS—Messrs. Cook, DuPont, (Mrs.) Lord, Price, Robbins, Tull.

NAYS—Messrs. Bookhammer, Hoey, Martin, Wilgus, Pres. Pro Tem Steen.

NOT VOTING—Messrs. Johnson, McCullough.

ABSENT—Messrs. Donovan, Isaacs, (Mrs.) Manning, Simpson.

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

Mr. McCullough moved to lift the roll call on **HB 581** with **HA 1** and **SA 1** and **SA 2**—"An Act Relating to Capital Improvements for Schools of the State and to Bonds and Notes Therefore". The final vote was as follows:

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

NAYS—Mr. DuPont—1.

ABSENT—Mr. Isaacs, Mrs. 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.

Committee reports submitted were as follows:

SB 303—Revised Statutes, 3 favorable, 2 on merits, by Mr. Cook; and **SB 329**—Elections, 2 favorable, 2 on merits, by Mr. Johnson.

On motion of Mr. Martin **SB 12** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 12—"An Act to Permit the Exploration and Leasing of Submerged State Lands for the Discovery and Removal of Minerals, Oil and Gas".

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, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen.

NAYS—Messrs. Hoey, (Mrs.) Lord, Wilgus.

NOT VOTING—Messrs. Bookhammer, Johnson.

ABSENT—Messrs. Donovan, Isaacs, (Mrs.) Manning, Simpson.

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

At 6:50 P.M., Pres. Pro Tem Steen moved to recess to call of the Chair — call to be at 1:00 P.M., Wednesday, June 24, 1964.

The Senate met at the expiration of the recess at 3:24 P.M., Wednesday, June 24, 1964, Lt. Gov. Lamot presiding.

Mr. Isaacs asked to be marked present.

The House informed the Senate that it had passed **HB 633** and **HB 614** and desired the concurrence of the Senate; also that it had passed and was returning **SB 243** and **SB 320**.

The following two letters of nominations from the Governor were read, given first reading and referred to the Executive Committee.

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

June 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:

Joseph C. Ellis, Laurel, Delaware—to be a member of the Department of Elections for Sussex County for a term of 4 years from June 13, 1964. (Reappointment.)

Respectfully submitted,
ELBERT N. CARVEL
Governor

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

June 22, 1964

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

On June 2, 1964, the name of James G. Smith, Jr., 1371 S. State Street, Dover, was submitted to the Senate for confirmation as a member of the Delaware River and Bay Authority for a term to expire July 1, 1966. The request was for a re-appointment, and was confirmed by the Senate on June 16, 1964.

Chapter 17, Section 1714 of the Delaware Code provides that, after the initial appointment, all subsequent appointments to the Delaware River and Bay Authority shall be for a term of 5 years. In order to comply with the provisions of the statute it is therefore respectfully requested that Mr. Smith's term of office be corrected to show that his term of office will end on July 1, 1968.

Respectfully submitted,
ELBERT N. CARVEL
Governor

Pres. Pro Tem Steen introduced the following bill which was given a first reading and assigned to the Revised Statutes Committee: **SB 332**—"An Act to Amend Title 29, Part II, Delaware Code, Relating to the General Assembly by Providing for the Composition and Reapportionment Thereof".

On motion of Mr. DuPont **SR 131** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SR 131—"Authorizing the Recording and Publication for Use of the Members of the Senate all Proceedings Relating to Reapportionment of the General Assembly".

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

YEAS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, Simpson, Wigus,—6.

NAYS—Messrs. Cook, Donovan, Hoey, Johnson, Price, Robbins, Tull, Pres. Pro Tem Steen—8.

ABSENT—Mrs. Manning, Messrs. Martin, McCullough—3.

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

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 3:28 P.M.

The Senate met at the expiration of the recess at 4:48 P.M., Lt. Gov. Lammot presiding.

Pres. Pro Tem Steen requested **HB 601** with **HA 2** receive final action.

Pres. Pro Tem Steen presented **SA 1** to **HB 601** with **HA 2** and moved for its adoption. Motion prevailed by voice vote.

Pres. Pro Tem Steen asked the privilege of the floor for Mr. Maurice Hartnett to explain **SA 1** to **HB 601** with **HA 2**.

Mr. Donovan, in proxy for Pres. Pro Tem Steen, presented **SA 2** to **HB 601** with **HA 2** and **SA 1** and moved for its adoption. Chair ruled that motion carried by voice vote.

Mr. DuPont moved to rescind vote on **SA 2**. Motion prevailed.

Mr. Cook presented **SA 3** to **HB 601** with **HA 2** and **SA 1** and requested it be placed with the bill.

Mr. Cook presented **SA 4** to **HB 601** with **HA 2** and **SA 1** and requested it be placed with bill.

On motion of Mr. DuPont the Senate recessed upon call of the Chair at 5:03 P.M.

The Senate met at the expiration of the recess at 5:53 P.M., Lt. Gov. Lammot presiding.

Pres. Pro Tem Steen moved to adopt **SA 2** to **HB 601** with **HA 2** and **SA 1**. Motion prevailed by voice vote.

Pres. Pro Tem Steen moved to adopt **SA 3** to **HB 601** with **HA 2** and **SA 1**. Motion prevailed by voice vote.

Pres. Pro Tem Steen moved to adopt **SA 4** to **HB 601** with **HA 2** and **SA 1**. Motion prevailed by voice vote.

On motion of Pres. Pro Tem Steen **HB 601** with **HA 2** and **SA 1**, **SA 2** **SA 3** and **SA 4** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 601 with **HA 2** and **SA 1**, **SA 2**, **SA 3** and **SA 4**—“An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and for Improvements to the Public School System of the State and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to Various Agencies of the State”.

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, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Mrs. Manning Mr. 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 for concurrence.

Mr. Johnson requested **HS 1** for **HB 179** receive final action.

Mr. Johnson presented **SA 1** to **HS 1** for **HB 179** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. Johnson **HS 1** for **HB 179** 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:

HS 1 for **HB 179** with **SA 1**—“An Act to Amend Section 108, Title 15, Delaware Code, Relating to the Compensation of Members of the Departments of Elections and Making an Appropriation Therefor”.

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, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, Simpson, Wilgus—6.

ABSENT—Mrs. Manning, 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 for concurrence.

Mr. McCullough moved to suspend Rule 9 to act on **HB 633**. Motion prevailed.

On motion of Mr. McCullough **HB 633** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 633—"An Act to Amend Sections 3902 and 3903, Title 14, Delaware Code, Relating to Teachers' Retirement and Disability Pensions".

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, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mrs. Manning, Mr. 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.

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 132**—"Authorizing Payment of Amounts Due Various Companies for Supplies and Services Furnished to the 122nd General Assembly".

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 133**—"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 resolution which upon further motion by him was adopted by voice vote: **SR 134**—"Authorizing Payment for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

Mrs. Lord introduced the following bill which was given a first reading and assigned to the Finance Committee: **SB 333**—"A Supplementary Appropriation Act for the Fiscal Year Commencing July 1, 1964 to the Delaware Archeological Board for Salaries, Equipment and Expenses".

On motion of Mr. Cook **SB 324** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 324—"An Act Proposing a Certain Amendment to Article IV, Section 29 of the Constitution of the State of Delaware, Relating to Justices of the Peace".

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

YEAS—Messrs. Cook, DuPont, Hoey, Johnson, (Mrs.) Lord, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

NAYS—None.

NOT VOTING—Messrs. Bookhammer, Donovan, Isaacs, Simpson, Wilgus—5.

ABSENT—Mrs. Manning, Mr. Martin—2.

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

On motion of Mr. McCullough **SB 303** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 303—"An Act to Amend Section 8323, Title 11, Delaware Code, Relating to Eligibility for Pensions by Giving Credit for Prior Service as a Memorial Bridge Policeman".

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

YEAS—Messrs. Johnson, McCullough, Price, Tull, Pres. Pro Tem Steen—5.

NAYS—Messrs. Cook, Donovan—2.

NOT VOTING—Messrs. Bookhammer, DuPont, Hoey, Isaacs, (Mrs.) Lord, Robbins, Simpson, Wilgus—8.

ABSENT—Mrs. Manning, Mr. Martin—2.

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

Committee reports submitted were as follows:

SB 333—Finance, 4 on merits, by Mr. Hoey; **HB 616**—Finance, 2 favorable, 3 on merits, by Mr. Hoey; **HB 568**—Revised Statutes, 5 favorable, by Mr. Cook; **HB 170**—Revised Statutes, 3 favorable, 2 on merits, by Mr. Cook; and **SB 332**—Revised Statutes, 2 favorable, 2 on merits, 1 unfavorable, by Mr. Cook.

Messrs. Cook and Isaacs introduced **SS 1** for **SB 311**. Mr. Cook moved for its adoption. Motion prevailed by voice vote.

Pres. Pro Tem Steen presented **SA 1** to **SB 332** and requested it be placed with the bill.

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

SB 334—"An Act Making a Supplementary Appropriation to Hartly School No. 96", by Mr. Cook.

Mr. Cook moved to suspend Rule 9 to act on the bill. Motion prevailed.

On motion of Mr. Cook **SB 334** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 334—"An Act Making a Supplementary Appropriation to Hartly School No. 96".

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, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mrs. Manning, Mr. 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 for concurrence.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 6:43 P.M., Wednesday, June 24, 1964.

The Senate met at the expiration of the recess at 5:00 P.M., Wednesday, July 1, 1964, Lt. Gov. Lammot presiding.

The following 3 letters of nominations from the Governor were received, given first readings and referred to the Executive Committee.

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

June 24, 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:

Elmer Pratt, Smyrna, Delaware—to be a member of the Delaware State Highway Department for a term of 3 years from June 5, 1964. (Reappointment.)

Albert S. Moor, Odessa, Delaware—to be a member of the Delaware State Highway Department for a term of 3 years from June 5, 1964. (Reappointment.)

Respectfully submitted,
ELBERT N. CARVEL
Governor.

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

July 1, 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:

Elwood F. Melson, Jr., Esquire, 24 Myrtle Avenue, Claymont, Delaware—to be a Judge of the Family Court of the State of Delaware in and for New Castle County, to fill the unexpired term of Elwood F. Melson, Sr., (resigned) to expire July 2, 1969.

Respectfully submitted,
ELBERT N. CARVEL
Governor

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

July 1, 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:

Michael A. Poppiti, 706 South Clayton, Wilmington, Delaware—to be a member of the Bingo Control Commission for a term to expire September 1, 1968.

James F. Kelleher, Esquire, 400 Brighton Road, North Hills, Wilmington 3, Delaware—to be Public Defender for a term of six years from July 1, 1964. (New appointment.)

Respectfully submitted,
ELBERT N. CARVEL
Governor

The House informed the Senate that it had passed **HB 613** and **HB 623** with **HA 1** and **HA 2** and desired the concurrence of the Senate; also that it had passed and was returning **SS 1** for **SB 13**, **SB 323** and **SB 325**.

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

HB 614—"An Act to Amend Sections 2716 and 2717, Title 10, Delaware Code, Relating to the Appointment of Special Constables"; to Judiciary.

HB 613—"An Act Making an Appropriation to New Castle Special School District, and Authorizing said School

District to Expend Certain Funds from its Debt Service Account"; to Finance.

Mr. Bookhammer presented **SJR 7**—"Relating to an Amendment of the United States Constitution Affecting Apportionment of the Senates of the Several States", and moved to suspend Rule 9 to act on it. Motion prevailed by voice vote.

Mrs. Manning asked to be marked present.

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

SJR 7—"Relating to an Amendment of the United States Constitution Affecting Apportionment of the Senates of the Several States".

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

YEAS—Messrs. Bookhammer, DuPont, Hoey, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Tull, Wilgus—10.

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Cook, Donovan—2.

ABSENT—Messrs. Isaacs, Johnson, Simpson, Pres. Pro Tem Steen—4.

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

Mr. Robbins presented **SB 335**—"An Act Making a Supplementary Appropriation to Benjamin Bannecker School, Milford Special School District", and moved to suspend Rule 9 to act on it. Motion prevailed.

On motion of Mr. Robbins **SB 335** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 335—"An Act Making a Supplementary Appropriation to Benjamin Bannecker School, Milford Special School District".

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

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Isaacs, Johnson, 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 for concurrence.

On motion of Mr. Hoey **HB 616** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 616—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, Entitled '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', and Making a Supplemental Appropriation in the Amount of \$1,500.00 for the Proposed Amendments".

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

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

NAYS—None.

ABSENT—Messrs. Isaacs, Johnson, 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.

Mrs. Lord presented **SA 1** to **SB 333** and requested that it be placed with the bill.

On motion of Mr. Martin **SB 316** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 316—"An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors, to Permit the Sale of Beer Only by a Person Dispensing Food at Horse Race Tracks in 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, DuPont, Hoey, (Mrs.) Lord, Martin, McCullough, Robbins.

NAYS—Messrs. Bookhammer, Donovan, (Mrs.) Manning, Price, Tull, Wilgus.

NOT VOTING—Pres. Pro Tem Steen.

ABSENT—Messrs. Isaacs, Johnson, Simpson.

On further motion of Mr. Martin the roll call was tabled.

Mr. McCullough, Chairman of the Education Committee, reported on **HB 623** with **HA 1** and **HA 2** as follows: 3 favorable, 1 on merits.

Mr. McCullough moved to suspend Rule 9 to act on **HB 623** with **HA 1** and **HA 2**. Motion prevailed by voice vote.

Mr. McCullough requested the privilege of the floor for Mr. James Rosbrow to explain **HB 623** with **HA 1** and **HA 2**.

On motion of Mr. McCullough **HB 623** 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 623 with **HA 1** and **HA 2**—"An Act to Establish an Educational Television Board for the State of Delaware to Set Forth the Duties and Powers of such Board and to Provide Appropriations for the Operations 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, (Mrs.) Lord, (Mrs.) Manning, McCullough, Price, Robbins, Tull, Wilgus—10.

NAYS—Mr. Martin—1.

NOT VOTING—Messrs. Donovan, Hoey—2.

ABSENT—Messrs. Isaacs, Johnson, 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.

Mrs. Lord moved to suspend Rule 9 to act on **SB 333**. Motion prevailed by voice vote.

Mrs. Lord moved to adopt **SA 1** to **SB 333**. Motion prevailed by voice vote.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 5:43 P.M.

The Senate met at the expiration of the recess at 6:12 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Donovan to defer **SB 333** with **SA 1** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Martin, Price, Robbins, Tull, Pres. Pro Tem Steen—8.

NAYS—Messrs. Bookhammer, DuPont, (Mrs.) Lord, (Mrs.) Manning, McCullough, Simpson, Wilgus—7.

ABSENT—Messrs. Isaacs, Johnson—2.

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

On motion of Mr. Donovan **SB 329** was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Simpson the bill was deferred.

On motion of Mr. McCullough **SB 37** was taken up for consideration and read a second time by title in order to pass the Senate.

On further motion of Mr. McCullough the bill was tabled.

Pres. Pro Tem Steen presented **SA 2** to **SB 332** and requested it be placed with the bill.

At 6:37 P.M., Mr. Donovan moved to adjourn to 1:00 P.M., Monday, July 6, 1964.

27th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Monday, July 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, Pres. Pro Tem Steen—2.

Members Absent—Messrs. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus—15.

Lacking a quorum, the President declared a recess to the call of the Chair.

The Senate met at the expiration of the recess at 4:37 P.M., Lt. Gov. Lamot presiding.

The Secretary again took the roll of the members present which was as follows:

Members Present—Messrs. Cook, Donovan, DuPont, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Bookhammer, Hoey, 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.

Mr. Martin moved to lift roll call on **SB 316** from table.

Messrs. Bookhammer and Hoey asked to be marked present.

On motion of Mr. Martin **SB 316** was taken up for consideration.

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, Johnson, (Mrs.) Lord, Martin, McCullough, Robbins, Pres. Pro Tem Steen—9.

NAYS—Messrs. Bookhammer, Donovan, (Mrs.) Manning, Price, Tull, Wilgus—6.

ABSENT—Messrs. Isaacs, 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.

Pres. Pro Tem Steen moved to adopt SA 1 to SB 332. Motion prevailed by voice vote.

Pres. Pro Tem Steen moved to strike from Calendar SA 2 to SB 332. Motion prevailed by voice vote.

On motion of Mr. DuPont SA 3 to SB 332 was taken up for consideration and read 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, Wilgus—6.

NAYS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

ABSENT—Mr. Simpson—1.

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

Mrs. Manning requested of the Attorney General, Honorable David Buckson, who had been granted the privilege of the floor, to give an opinion about the status of "Hold-over Senators" who had been elected in 1962 for four year terms if and when SB 332 became effective.

On motion of Pres. Pro Tem Steen SB 332 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 332 with SA 1—"An Act to Amend Title 29, Part II, Delaware Code, Relating to the General Assembly by Providing for the Composition and Reapportionment Thereof".

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, Tull, Pres. Pro Tem Steen—9.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Robbins, Wilgus—7.

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 for concurrence.

Committee reports submitted were as follows:

SB 200—Revised Statutes, 5 on merits, by Mr. Cook;
HB 614—Judiciary, 3 favorable, 1 on merits, by Mr. Cook;
 and **HB 613**—Finance, 4 on merits, by Mr. Hoey.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 5:35 P.M.

The Senate met at the expiration of the recess at 6:15 P.M., Lt. Gov. Lammot presiding.

The Senate received the following Memorandum No. 35 from the Legislative Aide of the Governor.

MEMORANDUM NO. 35

June 26, 1964

TO: Secretary of the Senate

FROM: Charles K. Keil

On date indicated, the Governor approved the following legislation:

June 19, 1964—**HB 482** with **SA 1**; **HB 517** with **HA 1**; **HB 538** with **HA 1**; **HB 554**; **HB 593**; **SB 285**; **SB 286**; **SB 317**; **SB 318**;

June 23, 1964—**HB 326** with **HA 1** and **HA 2**; **HB 591** with **SA 1**; **HB 167**; **HB 386**;

June 24, 1964—vetoed **HB 157** with **HA 2**; vetoed **SB 155** with **HA 1**;

June 29, 1964—**SB 277**; **HB 367**; **HS 1** for **HB 570** with **HA 1**; and **HS 2** for **HB 21**.

Mr. McCullough requested that **SB 37** be lifted from the table.

Mr. Robbins presented **SA 3** to **SB 37** and moved for adoption. The Chair declared that the motion had prevailed by voice vote.

Mr. McCullough demanded a roll call vote.

On motion of Mr. McCullough **SA 3** to **SB 37** was taken up for consideration 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, Donovan, DuPont, Hoey, Isaacs, Price, Robbins, Wilgus, Pres. Pro Tem Steen.

NAYS—Messrs. Cook, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough.

ABSENT—Messrs. Simpson, Tull.

On further motion of Mr. McCullough the roll call was tabled.

On motion of Mr. McCullough to table roll call on **SA 3** to **SB 37** and to table the bill, **SB 37**, itself, the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Johnson, (Mrs.) Manning, Martin, McCullough.

NAYS—Messrs. Bookhammer, Donovan, DuPont, Hoey, Isaacs, (Mrs.) Lord, Price, Robbins, Wilgus, Pres. Pro Tem Steen.

NOT VOTING—Mr. Cook.

ABSENT—Messrs. Simpson, Tull.

On further motion of Mr. McCullough this roll call was tabled.

The Chair did not announce any action whatever on the above last roll call.

At 6:50 P.M., Mr. Cook moved to adjourn to 1:00 P.M., Tuesday, July 7, 1964.

28th LEGISLATIVE DAY — Second Regular Session

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, July 7, 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, Price—2.

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

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. 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, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—14.

Members Absent—Messrs. Johnson, 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.

Mr. DuPont requested that the following letter be read and made a part of the Journal.

DELAWARE STATE SENATE
LEGISLATIVE HALLDover, Delaware
July 7, 1964Honorable Elbert N. Carvel
Dover, Delaware
Dear Governor:

During the meeting called by you to discuss reapportionment in your office on June 22, 1964, there was a slight discussion between you, some others and myself regarding the proposal for an equal bi-partisan committee to work out a reapportionment plan. You asserted that it was the majority's divine right to exercise its majority control on any committee. Normally I completely respect that right and agree with it.

However, in this particular instance the facts of the matter indicate that perhaps a better and more statesman-like attitude might be to give consideration to the people themselves. This thinking was brought clearly into focus on December 4, 1962 when Jack Russell, then a staff political writer for the "Evening Journal", indicated that the Republican members of both Houses of the General Assembly were elected by the majority of the voters. The 20 Democrats in the House were elected by 216,977 voters, while the 11 Republicans were elected by 220,229 voters, or 3,252 more people. In the Senate the Republicans were elected by 52,374 voters and the Democrats by 44,178 voters, or a majority of 8,196 votes. It is also interesting to note that the senatorial districts won by the Republicans contain 28,000 more population than those won by the Democrats in the 1962 election.

If you and your Party are interested in any way in proper reapportionment without attempts to gerrymander, it is quite obvious to me and many others would be willing to go along with an equal bi-partisan committee actually setting up the districts. Mr. Dukes' statement that no decision could be reached by an even number is quite obviously absurd since even he should realize that even numbers can and often do decide to do things for the benefit of the people. Uneven boards are notorious for their ability to get things done for the benefit of the controlling political party. This is obviously quite true in Delaware, as you and I well know.

It is very difficult for me to see in what direction the majority is attempting to move and because of this I am certainly not in a position to be able to support you or your Party in any program that you have proposed. Previous attempts along the line of good and fair apportionment have

been very feeble. One shining exception to this is the now defunct Senate Bill 195, minus, of course, its provisions for super-senators, etc. I am sure that you are aware that through the influence of a prominent member of your Party, this bill received nearly unanimous support when it passed in the Senate, and it has always struck me as being a real shame that it was permitted to die such a miserable death in the House along with its companion bill which covered reapportionment of that body.

In closing, I would be happy to offer my services in any way to work with an equal bi-partisan committee for fair and equitable reapportionment of Delaware.

Very truly yours,
REYNOLDS DuPONT
3rd Senatorial District
New Castle County

Pres. Pro Tem Steen requested the privilege of personal request to read the following statement and then requested that it be "placed in the Journal".

The Evening Journal of today, July 7, 1964, quotes Mr. Peterson, of the prison-reform group, as listing me among the powerful opponents of the new prison legislation.

Either the newspaper, or Mr. Peterson, or both are wrong. I voted for the legislation. I never opposed it. I have no pressure from any of my constituents for or against this bill. I have no idea how Mr. Peterson gets his information and I don't particularly want to know. But I would like to point out that this is not the first time the newspapers have been wrong about me. And I'm sure it's not the last time. These Wilmington newspapers hate a Democrat, walking or riding, even when the Democrats pass the bills here that these Wilmington newspapers want. I don't aim to please these newspapers or any other newspapers, but I do aim to make them tell the truth.

I just want it known, Mr. President, that I supported this legislation right along and that I voted for it. Let Mr. Peterson and his Republican newspapers smoke that a while.

Mr. McCullough asked to be marked present.

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

SB 336—"An Act to Set the Boundaries of the Representative and Senatorial Districts of the General Assembly", by Mr. Cook; to Revised Statutes.

SB 337—"An Act to Prescribe Minimum Wages for Employees, to Provide for the Administration of the Minimum Wage Provisions, to Provide for the Enforcement of Such Provisions", by Mrs. Manning and Mr. McCullough; to Labor.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 5:10 P.M.

The Senate met at the expiration of the recess at 6:12 P.M., Lt. Gov. Lammot presiding.

Mr. Simpson asked to be marked present.

The House informed the Senate that it had passed **HB 561** and desired the concurrence of the Senate.

The following letter of nomination from the Governor was received, given first reading and referred to the Executive Committee:

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

July 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:

Howard J. Weston, 228 Bassett Avenue, Leedom Estates, New Castle, Delaware—to be a Justice of the Peace for the State of Delaware for a term of 4 years, to expire July 7, 1968. (New Appointment.)

Respectfully submitted,
ELBERT N. CARVEL
Governor

The Chair presented the following House Bill which was given a first and second reading and referred to committee as follows:

HB 561—"An Act to Amend the Law Relating to Appointment and Election of School Boards and to Provide for Five Member School Boards"; to Education.

At 6:15 P.M., Mr. Cook moved to recess to 1:00 P.M., Wednesday, July 8, 1964.

The Senate met at the expiration of the recess at 4:30 P.M., Wednesday, July 8, 1964, Lt. Gov. Lammot presiding.

Mr. Johnson asked to be marked present.

Mr. Martin, Chairman of the Labor Committee, reported on **SB 337** as follows: 2 favorable, 3 on merits.

Mr. McCullough moved to suspend Rule 9 to act on **SB 337**. Motion prevailed by voice vote.

Mr. Simpson presented **SA 1** to **SB 337** and moved for its adoption.

On motion of Mr. Simpson **SA 1** to **SB 337** was taken up for consideration and read 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, Donovan, DuPont, Hoey, Isaacs, Price, Robbins, Simpson, Pres. Pro Tem Steen—9.

NAYS—Messrs. Cook, Johnson, (Mrs.) Lord, (Mrs.) Manning, McCullough, Tull—7.

ABSENT—Mr. Wilgus—1.

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

On motion of Mr. McCullough the Senate recessed upon call of the Chair at 4:40 P.M.

The Senate met at the expiration of the recess at 4:55 P.M., Lt. Gov. Lammot presiding.

On motion of Mrs. Manning **SB 337** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 337 with **SA 1**—"An Act to Prescribe Minimum Wages for Employees, to Provide for the Administration of the Minimum Wage Provisions, to Provide for the Enforcement of Such Provisions".

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, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—10.

NAYS—Messrs. Donovan, Hoey—2.

NOT VOTING—Mmes. Lord, Manning—2.

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 for concurrence.

Mr. Cook, Chairman of the Revised Statutes Committee, reported on **SB 336** as follows: 2 favorable, 1 on merits, 2 unfavorable.

Mr. Robbins presented **SB 338** and moved to suspend Rule 9 to act on it. Motion prevailed by voice vote.

On motion of Mr. Robbins **SB 338** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 338—"An Act Making a Supplementary Appropriation to the Bingo Control 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, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Cook, 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 for concurrence.

Mrs. Manning requested that the Chair direct the President Pro Tempore to investigate and ascertain why Senators could not get their bills prepared expeditiously in the Senate Attorneys' office.

Pres. Pro Tem Steen and others commented. The Chair issued no directive.

Mr. DuPont introduced **SB 339**—"An Act to Amend Title 29, Part II, Delaware Code, Relating to the General Assembly by Providing for the Composition and Reapportionment Thereof", which was given a first reading and assigned to the Revised Statutes Committee.

Mr. Cook requested that **HB 568** receive final Senate action.

On motion of Mr. Cook to defer **HB 568** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, Price, Robbins, Tull—7.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus, Pres. Pro Tem—8.

ABSENT—Messrs. Martin, McCullough—2.

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

On motion of Mr. Cook **HB 568** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 568—"An Act to Amend Section 2302, Title 21, Delaware Code, Pertaining to the Application for Certificate of Title and Amend Section 2306, Title 21, Delaware Code, Pertaining to the Issuance of Certificate of Title and Amend Section 2503, Title 21, Delaware Code, Pertaining to the Transfer of Certificate of Title and Registration Certificate".

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.

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 a first reading and acted upon as follows:

SB 340—"An Act Proposing an Amendment to Article 2, Section 15, of the Constitution of the State of Delaware, Relating to Compensation, Expenses, and Allowances of Members of the General Assembly", by Mr. Cook.

Mr. Cook moved to suspend Rule 9 to act on **SB 340**. Motion prevailed by voice vote.

On further motion of Mr. Cook the bill was deferred.

Mr. Cook moved to suspend Rule 9 to act on **SB 336**. Motion prevailed by voice vote.

Mr. Bookhammer moved to defer **SB 336**. The Chair ruled the motion lost by voice vote.

On motion of Mr. Cook **SB 336** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 336—"An Act to Set the Boundaries of the Representative and Senatorial Districts of the General Assembly".

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

YEAS—Messrs. Cook, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus.

ABSENT—Mr. Donovan.

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

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

SB 341—"An Act to Amend Chapter 9, Title 7, Delaware Code, Relating to Fishing from Power Vessels in the Delaware Bay", by Mr. Cook.

Mr. Cook moved to suspend Rule 9 to act on **SB 341**.

On motion of Mr. Robbins the Senate recessed upon call of the Chair at 6:08 P.M.

The Senate met at the expiration of the recess at 6:20 P.M., Lt. Gov. Lamnot presiding.

The Chair ruled that the motion to suspend Rule 9 to act on **SB 341** had prevailed by voice vote.

On motion of Mr. Simpson **SB 341** was deferred.

Pres. Pro Tem Steen presented **SB 342** and moved to suspend Rule 9 to act on the bill. Motion prevailed by voice vote.

On motion of Pres. Pro Tem Steen **SB 342** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 342—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, entitled '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,' by Changing the Salary of the Librarian for the Library Commission for 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. Bookhammer, Cook, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Donovan—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. Wilgus presented **SB 343** and moved to suspend Rule 9 to act on the bill. Motion prevailed by voice vote.

On motion of Mr. Wilgus **SB 343** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 343—"An Act Making a Supplementary Appropriation to Phillip C. Showell School No. 210 to Pay Expenditures Incurred During Prior Fiscal Years".

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, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

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

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

The President directed that the following communication be read and made a part of the Journal.

DELAWARE SCHOOL BOARDS ASSOCIATION

Two Wood Road
Wilmington, Delaware
July 8, 1964

Lt. Governor Eugene Lammot
Legislative Hall
Dover, Delaware
Dear Sir:

House Bill 67 — Equalization
House Amendment No. 1

House Amendment No. 1 for House Bill 67 should soon pass the House and be sent to the Senate. On behalf of the Delaware School Boards Association I would like to urge your assistance in securing passage of this bill through the Senate. Passage of this bill will be of great assistance to all the school districts in the state — helping them to improve the quality of their educational programs for all the children of Delaware.

The bill has been endorsed unanimously by members of the DSBA both at their recent annual meeting on May 28 and at their meeting on legislation in 1963. Your support for this legislation will be greatly appreciated.

Very truly yours,
ROBERT W. LAWRENCE

cc: Governor Elbert N. Carvel
Mrs. Margaret M. O'Neill
Mr. George W. Wright

Mr. Cook moved that the roll call on **SB 336** be lifted from the table.

On motion of Mr. Cook **SB 336** was taken up for consideration.

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, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—9.

NAYS—Messrs. Bookhammer, DuPont, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus—7.

ABSENT—Mr. Donovan—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.

Mrs. Lord presented **SB 344** and moved to suspend Rule 9 to act on the bill. Motion prevailed by voice vote.

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

SB 344—"An Act to Amend Chapter 17, Title 24, Delaware Code, by Providing for Reports of Treatment of Unexplained or Suspicious Injury to 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, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

NOT VOTING—Mr. Donovan—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, Chairman of the Revised Statutes Committee, reported on **SB 305** as follows: 5 on merits.

Messrs. Cook and Isaacs presented **SB 345**. Mr. Cook moved to suspend Rule 9 to act on the bill.

On motion of Mr. Cook to suspend Rule 9 to act on **SB 345**, 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 Sten—12.

NAYS—Messrs. Donovan, Hoey, Johnson, Martin, McCullough—5.

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

On motion of Mr. Cook **SB 345** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 345—"An Act to Amend Section 602, Title 14, Delaware Code, by Allowing Pupils Who Have Transferred School Districts to Continue to Do So".

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

YEAS—Messrs. Bookhammer, Cook, DuPont, Isaacs, Simpson, Tull, Wilgus—7.

NAYS—Messrs. Hoey, Johnson, (Mrs.) Manning, Martin, McCullough, Price, Pres. Pro Tem Steen—7.

NOT VOTING—Messrs. Donovan, (Mrs.) Lord, Robbins—3.

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

The Senate received the following Memorandum No. 36 from the Governor's Legislative Aide.

MEMORANDUM NO. 36

July 8, 1964

TO: Secretary of the Senate

FROM: Charles K. Keil

On date indicated, the Governor approved the following legislation:

July 1, 1964—**HB 633; HB 616;**

July 6, 1964—vetoed **HB 585;**

July 7, 1964—**SS 1 for SB 13; SB 290; SB 307 with HA 1; SB 320; HB 377; HB 477; HB 498 with HA 1; HB 513; HB 514; HB 516; HB 518; HB 519; HB 520; HB 527; HB 529 with SA 1; HB 539 with SA 1; HB 579 with SA 1; HB 581 with HA 1, SA 1 and SA 2; HB 597; HB 598; and HB 604.**

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 7:07 P.M., Wednesday, July 8, 1964.

The Senate met at the expiration of the recess at 3:30 P.M., Thursday, July 9, 1964, Lt. Gov. Lamot presiding.

The House informed the Senate that it had passed and was returning **SB 336**; also that it had passed **HB 639, HB 640 and HB 641** and desired the concurrence of the Senate.

Mr. Wilgus moved to suspend Rule 9 to act on **HB 639**. Motion prevailed by voice vote.

On motion of Mr. Wilgus **HB 639** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 639—"An Act Making a Supplemental Appropriation in the Fiscal Year Ending June 30, 1965 to Honor an Obligation Incurred in the Fiscal Years 1956-57 to 1962-63".

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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Robbins, Tull, Wilgus—9.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Bookhammer, Isaacs, Martin, McCullough, Price, Simpson, Pres. Pro Tem Steen—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.

The Chair referred the following bill to the Finance Committee: **HB 640**—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, entitled 'An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1965'."

Mr. Hoey moved to suspend Rule 9 to act on **HB 641**. Motion prevailed by voice vote.

Mr. Hoey further moved to defer **HB 641**.

On motion of Mr. Cook **HB 614** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 614—"An Act to Amend Sections 2716 and 2717, Title 10, Delaware Code, Relating to the Appointment of Special Constables".

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, Price, Robbins, Tull, Wilgus—12.

NAYS—None.

ABSENT—Messrs. Isaacs, Martin, McCullough, Simpson, 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.

On motion of Mr. Hoey **HB 641** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 641—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, entitled '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, and Making a Supplemental Appropriation in the Amount of \$1,550.00 for the Proposed Amendments'."

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

YEAS—Messrs. Bookhammer, Cook, Hoey, Johnson, (Mrs.) Lord, Price, Robbins, Tull.

NAYS—None.

NOT VOTING—Messrs. Donovan, DuPont, Isaacs, (Mrs.) Manning, McCullough, Wilgus.

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

On further motion of Mr. Hoey the roll call was tabled.

Mr. Cook moved to suspend Rule 9 to act on **SB 346**. Motion prevailed by voice vote.

Mr. Cook requested that the follow communication be read and journalized.

**THE FAMILY COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY**

Public Building
Wilmington, Delaware 19801
July 6, 1964

The Honorable Allen Cook, Senator
Chairman, Interstate
Committee on Cooperation
Dear Senator Cook:

I am requesting your aid in obtaining funds for two purposes which I believe beneficial financially to the taxpayers of the State of Delaware.

At a meeting of the Northeastern Regional Section on Uniform Reciprocal Enforcement held in Hartford, Connecticut on June tenth through the twelfth, I was elected Chairman of the Executive Board which consists of members of ten eastern states (Members included welfare officials, court personnel, prosecuting attorneys and assistant generals from all these states).

I serve as Support Master for the Family Court of New Castle County and such a position handles all cases regarding action under the Uniform Reciprocal Support Act dealing with all fifty member states.

In order for me to attend the National Regional Conference to be held in Las Vegas, Nevada on November tenth through the fourteenth, it will be necessary to have funds for my expenses which will be approximately \$450. Since the travel appropriation for our Court is only \$900. for the whole year, we feel that to have to use \$450. for one conference would amount to over half of our appropriation for the full year.

Early in April, 1965, Delaware has been selected and asked to be "Host State" for our Northeastern Regional Conference in which all states take their turn. From information received from past chairman of the executive board, I have found that the cost involved as "Host State" should not exceed \$350. This money is used for preparation for the conference, printing material, obtaining pamphlets,

etc. and which includes usually a dinner and social hour which state officials are invited.

Inasmuch as there are ten member states and a Regional Conference held once a year, Delaware would only be "Host State" once every ten years. I personally believe our membership in the Regional and National Association is very important to our State in our reciprocal actions involving support for dependent wives and children. The cooperation received from other states under this act would naturally reduce the additional tax burden on our tax payers by taking these people off welfare.

I would be most happy to appear before you and the committee to go into more detail regarding these two items totaling approximately \$800. or any other information you may need.

I have spoken to Senator Manning about this subject and she suggested I contact you.

Respectfully,
K. W. SINGLETON
Support Master

cc: Senator Manning

On motion of Mr. Cook **SB 346** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 346—"An Act Making a Supplementary Appropriation to the Delaware Commission on Interstate Co-Operation to be Used for Attendance at the National Regional Conference on Uniform Reciprocal Non-Support and for the Northeastern Regional Conference in 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. Bookhammer, Cook, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Tull, Wilgus.

NAYS—Messrs. Hoey, Johnson.

NOT VOTING—Messrs. Donovan, DuPont, Isaacs, McCullough, Robbins.

ABSENT—Messrs. Simpson, Pres. Pro Tem Steen.

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

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 4:05 P.M.

The Senate met at the expiration of the recess at 6:24 P.M., Lt. Gov. Lamnot presiding.

Mr. Cook moved to lift roll call on **SB 346** from the table. Motion prevailed.

On motion of Mr. Cook **SB 346** was taken up for consideration 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, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Simpson, Tull, Wilgus—9.

NAYS—Messrs. Hoey, Johnson—2.

NOT VOTING—Messrs. Donovan, DuPont, Isaacs, McCullough, Robbins—5.

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.

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

SB 347—"An Act to Amend Section 921, Title 11, Delaware Code, Relating to Loitering by Excluding Certain Persons", by Mr. Martin; to Revised Statutes.

SB 348—"An Act to Amend Chapter 9, Title 7, Delaware Code, Relating to Fishing from Power Vessels in the Delaware Bay", by Messrs. Cook and Bookhammer.

Mr. Cook moved to suspend Rule 9 to act on **SB 348**. Motion prevailed.

On motion of Mr. Cook **SB 348** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 348—"An Act to Amend Chapter 9, Title 7, Delaware Code, Relating to Fishing from Power Vessels in the Delaware Bay".

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, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

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

The House informed the Senate that it had passed and was returning **SS 1** to **SB 72** and **SB 283**; also that it had passed **HB 605** and **HB 643** and desired the concurrence of the Senate.

On motion of Mrs. Lord **SB 333** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 333—"A Supplementary Appropriation Act for the Fiscal Year Commencing July 1, 1964 to the Delaware Archeological Board for Salaries, Equipment and Expenses".

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, Pres. Pro Tem Steen—15.

NAYS—Mr. Donovan—1.

NOT VOTING—Mr. Robbins—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. Donovan the Senate recessed upon call of the Chair at 6:33 P.M., Thursday, July 9, 1964.

The Senate met at the expiration of the recess at 3:14 P.M., Monday, August 3, 1964, Lt. Gov. Lammot presiding.

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

HB 605—"An Act Making a Supplementary Appropriation to the Department of Civil Defense"; to Finance.

HB 643—"An Act to Amend Chapter 3, Title 9, Delaware Code, by Providing for the Election of Levy Court Commissioners in Kent County on a County Wide at Large Basis and Nomination by Districts"; to Elections.

The following letter of nomination from the Governor was received, given a first reading and referred to the Executive Committee.

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

August 3, 1964

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

In my letter of July 1, 1964, I nominated and appointed for the consent and confirmation of the Senate, James F. Kelleher, Esquire, to be Public Defender for a term of six years from July 1, 1964. On July 9, 1964, I received an opinion from the Attorney General stating, in substance, that it will be necessary to have the Senate act and con-

firm Mr. Kelleher prior to the time when he will assume his responsibilities under the newly-enacted Public Defender statute.

For this reason, I hereby nominate and appoint for the consent and confirmation of the Senate, James F. Kelleher, Esquire, 400 Brighton Road, North Hills, Wilmington 3, Delaware, to be Public Defender for a term of six years from date of confirmation.

Respectfully submitted,
ELBERT N. CARVEL
Governor

The Senate received the following Memorandum No. 37 from the Governor's Legislative Aide.

MEMORANDUM NO. 37

July 20, 1964

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

On date indicated, the Governor approved the following legislation:

July 8, 1964—**SB 323; SB 325; HB 515; HB 623 with HA 1 and HA 2;**

July 9, 1964—**HB 565 with HA 1; HB 608; HB 617; HB 628; SB 243; SB 334;**

July 10, 1964—**HB 602;**

July 13, 1964—**SB 332 with SA 1; SB 336;**

July 17, 1964—**HB 614.**

Mrs. Lord moved to rescind roll call on **SB 333**. Motion prevailed by voice vote.

Mrs. Lord presented **SA 1** to **SB 333** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mrs. Lord **SB 333** 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 333 with **SA 1**—"A Supplementary Appropriation Act for the Fiscal Year Commencing July 1, 1964 to the Delaware Archeological Board for Salaries, Equipment and Expenses".

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, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—Mr. Donovan—1.

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. Bookhammer—1.

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

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

SB 349—"An Act to Amend Chapter 70, Title 6, Delaware Code, by Clarifying the Power of the Industrial Building Commission with Respect to Revenue Bonds", by Pres. Pro Tem Steen; to Revised Statutes.

SB 350—"An Act Transferring Funds from the Reapportionment Appeal Commission to the Legislative Reference Bureau", by Pres. Pro Tem Steen. Pres. Pro Tem Steen moved to suspend Rule 9 to act on the bill. Motion lost by voice vote. The bill was then referred to Revised Statutes.

SB 351—"An Act to Amend Part II, Title 16, Delaware Code, being Regulatory Provisions Concerning Public Health, to Provide for the Mandatory Reporting by Physicians and Institutions of Certain Physical Abuse of Children, and the Penalty for Failure to Make Such Reports", by Mrs. Lord. Mrs. Lord moved to suspend Rule 9 to act on the bill. Motion lost by roll call vote and the bill was referred to Revised Statutes.

On motion of Mrs. Lord to suspend Rule 9 to act on **SB 351** 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.

Mr. Isaacs introduced the following bill which was given a first reading and referred to the Revised Statutes Committee: **SB 352**—"An Act to Amend Section 1117, Title 30, Delaware Code, by Increasing the Amount of Personal Exemptions".

Mr. Hoey moved to lift roll call on **HB 641**. Prevailed by voice vote.

On motion of Mr. Hoey **HB 641** was taken up for consideration.

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, Hoey, Isaacs, Johnson, (Mrs.) Lord, Martin, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Messrs. Donovan, DuPont, (Mrs.) Manning, McCullough, 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.

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

SB 353—"An Act Making a Supplementary Appropriation in the Amount of \$1,000,000.00 to the State Highway Department for Use of the Mosquito Control Division for the Purpose of Initiating a Permanent Program for the Control of Mosquitoes in the State of Delaware", by Mr. Hoey and all other Democrat Senators; to Finance.

Mr. Martin requested that **SB 322** receive final action.

On motion of Mr. Simpson the Senate recessed upon call of the Chair at 3:45 P.M.

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

On motion of Mr. Martin **SB 322** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 322—"An Act to Amend Section 4101, Title 15, Delaware Code, by Defining a Political Party as an Organization Representing Ten Per Cent of the Registered Voters of the Political Subdivision for Which a Candidate is Nominated, and by Making Such Definition Applicable Throughout".

On motion of Mr. Simpson the bill was deferred.

Mr. McCullough, Chairman of the Education Committee, reported on **HB 561** as follows: 3 favorable, 2 on merits.

On motion of Mr. Hoey **SB 305** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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".

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 for concurrence.

Mr. Cook moved to suspend Rule 9 to act on **SB 354**. Motion prevailed by voice vote.

On motion of Mr. Cook **SB 354** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 354—"An Act to Amend § 466, Title 11, Delaware Code, Relating to Discharge of Fire Arms".

On motion of Mr. Simpson the bill was deferred.

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

SB 355—"An Act Making a Supplementary Appropriation to the State Highway Department to be Used for the Correction of a Certain Safety and Health Hazard in New Castle County", by Mr. McCullough; to Finance.

SB 356—"An Act to Amend Chapter 7 of Title 13, Delaware Code, Relating to the Consent of Married Minors to the Performance of Diagnostic and Therapeutic Procedures", by Mr. Cook; to Revised Statutes.

Mr. McCullough moved to suspend Rule 9 to act on **HB 561**. Motion prevailed by voice vote.

Messrs. Hoey and Robbins presented **SA 1** to **HB 561**. Mr. Robbins moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. McCullough **HB 561** 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 561 with **SA 1**—"An Act to Amend the Law Relating to Appointment and Election of School Boards and to Provide for Five Member School Boards".

On motion of Mrs. Manning the bill was deferred.

The House informed the Senate that it had passed **HB 601** with **HA 2** and **HA 3** and **SA 1**, **SA 2**, **SA 3** and **SA 4** and desired the concurrence of the Senate.

Committee reports submitted were as follows:

SB 353—Finance, 2 favorable, 3 on merits, by Mr. Hoey; **SB 355**—Finance, 3 favorable, 2 on merits, by Mr. Hoey; **SB 350**—Revised Statutes, 2 favorable, 3 on merits, by Mr. Cook; **SB 351**—Revised Statutes, 4 favorable, 1 on merits, by Mr. Cook; and **SB 356**—Revised Statutes, 2 favorable, 3 on merits.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 5:36 P.M., Monday, August 3, 1964.

The Senate met at the expiration of the recess at 4:25 P.M., Tuesday, August 4, 1964, Lt. Gov. Lamot presiding.

The following letter of nomination from the Governor was received, given a first reading and referred to the Executive Committee.

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

June 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:

Vernon B. Derrickson, 128 Hazel Road, Dover, Delaware—to be Chairman of the Public Service Commission for a term to expire September 1, 1969. (Reappointment.)

Respectfully submitted,
ELBERT N. CARVEL
Governor

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **SB 350**. Motion prevailed by voice vote.

On motion of Pres. Pro Tem Steen **SB 350** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 350—"An Act Transferring Funds from the Reapportionment Appeal Commission to the Legislative Reference Bureau".

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

YEAS—Messrs. Cook, Donovan, Hoey, Johnson, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—11.

NAYS—Messrs. DuPont, Isaacs, (Mrs.) Manning—3.

NOT VOTING—Mrs. Lord—1.

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.

Mr. McCullough moved to suspend Rule 9 to act on **SB 355**. Motion prevailed by voice vote.

On motion of Mr. McCullough **SB 355** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 355—"An Act Making a Supplementary Appropriation to the State Highway Department to be Used for the

Correction of a Certain Safety and Health Hazard 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. Cook, Donovan, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—14.

NAYS—None.

NOT VOTING—Mrs. Manning—1.

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.

Mr. Hoey moved to suspend Rule 9 to act on **SB 353**. Prevailed by voice vote.

On motion of Mr. Hoey **SB 353** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 353—“An Act Making a Supplementary Appropriation in the Amount of \$1,000,000.00 to the State Highway Department for Use of the Mosquito Control Division for the Purpose of Initiating a Permanent Program for the Control of Mosquitoes in 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, Hoey, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Pres. Pro Tem Steen—12.

NAYS—None.

NOT VOTING—Messrs. DuPont, Isaacs, (Mrs.) Manning, Wilgus—4.

ABSENT—Mr. Bookhammer—1.

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

The House informed the Senate that it had passed and was returning **SB 33** and **SB 342**; also that it had passed **HJR 11**, **HB 654**, **HB 635**, **HB 638**, **HB 645**, **HB 646**, **HB 637**, **HB 622**, **HB 650**, **HB 623** and **HB 601** with **HA 2** and **HA 3** and **SA 1**, **SA 2**, **SA 3** and **SA 4**, and desired the concurrence of the Senate.

Mrs. Lord moved to suspend Rule 9 to act on **SB 351**. Prevailed by voice vote.

On motion of Mrs. Lord **SB 351** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 351—"An Act to Amend Part II, Title 16, Delaware Code, being Regulatory Provisions Concerning Public Health, to Provide for the Mandatory Reporting by Physicians and Institutions of Certain Physical Abuse of Children, and the Penalty for Failure to Make Such Reports".

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, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—Mr. Donovan—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 moved to strike from Calendar **SA 1** to **HB 561**. Motion prevailed by voice vote.

Mr. McCullough presented **SA 2** to **HB 561** and moved for its adoption. Motion prevailed by voice vote.

On motion of Mr. McCullough **HB 561** with **SA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 561 with **SA 2**—"An Act to Amend the Law Relating to Appointment and Election of School Boards and to Provide for Five Member School Boards".

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.

The Chair presented **HJR 11**—"In Reference to the Death of James H. Wood, Custodian of the State House".

WHEREAS, James H. Wood, the Custodian of the State House departed this life on July 11, 1964 while still actively engaged in his official capacity, and

WHEREAS, James H. Wood from February, 1961 until the day of his death faithfully served the State of Delaware in performance of his duties as Custodian of State Buildings, and

WHEREAS, during the period that the deceased had charge of the maintenance, upkeep and repair of the State Buildings and grounds, multitudinous innovations and modernizations were introduced, all to the establishment of a well kept and beautiful exterior appearance of State owned property and of modern eye appealing and efficient interior of all State Buildings, and

WHEREAS, it is the wish of the General Assembly and His Excellency, the Governor, to give expression to the regret they experienced at the passing of James H. Wood, a prominent figure in his Community and Custodian of the State House at the time of his death,

NOW THEREFORE:

BE IT RESOLVED, by the House of Representatives of the 122nd General Assembly, the Senate concurring therein, that the passing of James H. Wood be noted with sincere and deep regret on the part of His Excellency, the Governor, of the State of Delaware, and all members of the 122nd General Assembly, and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members 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 House of Representatives and of the Senate of the 122nd General Assembly of the State of Delaware.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HJR 11**. Motion prevailed by voice vote.

On motion of Pres. Pro Tem Steen **HJR 11** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HJR 11—"In Reference to the Death of James H. Wood, Custodian of the State House".

On the question "Shall the Joint Resolution 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, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Donovan—1.

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.

Mr. Cook moved to suspend Rule 9 to act on **SB 356**. Prevailed by voice vote.

On motion of Mr. Cook **SB 356** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 356—"An Act to Amend Chapter 7 of Title 13, Delaware Code, Relating to the Consent of Married Minors to the Performance of Diagnostic and Therapeutic 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, DuPont, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Donovan—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. Hoey presented **SJR 8**—"Requesting that U.S. Army Corps of Engineers Remove a Sand Bar at the Mouths of the Mispillion River and Cedar Creek".

WHEREAS, there is a sand bar which extends out approximately one hundred (100) feet from the mouths of the Mispillion River and Cedar Creek, and

WHEREAS, the U.S. Army Corps of Engineers is presently dredging in the Mispillion River, and

WHEREAS, it is now convenient and less expensive for the U.S. Army Corps of Engineers to remove the said sand bar while they are dredging in this area, and

WHEREAS, the said sand bar should be removed as it endangers tug boats, fishing boats as well as pleasure boats and as it endangers adjacent land owners because of the forced flow of the waters around it,

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 122nd General Assembly of the State of Delaware, the House of Representatives concurring therein that the General Assembly of Delaware requests and respectfully urges the U.S. Army Corps of Engineers to remove the sand bar at the mouths of the Mispillion River and Cedar Creek at this time; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to U.S. Congressman Harris B. McDowell, Jr., Senator Caleb Boggs, Senator John J. Williams as well as Col. Yates, U.S. Army Corps of Engineers, Philadelphia, Pa.

Mr. Hoey moved to suspend Rule 9 to act on **SJR 8**. Motion prevailed by voice vote.

On motion of Mr. Hoey **SJR 8** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SJR 8—"Requesting that U.S. Army Corps of Engineers Remove a Sand Bar at the Mouths of the Mispillion River and Cedar Creek".

On the question "Shall the Joint Resolution 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, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Donovan—1.

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 for concurrence.

Mr. Cook moved to suspend Rule 9 to act on **SB 357**. Motion prevailed by voice vote.

On motion of Mr. Cook **SB 357** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 357—"An Act to Amend Chapter 309, Volume 54, Laws of Delaware, by Striking said Title and Inserting a New Title to Read: '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 the Acquisition of Additional Lands to be Used for the Purpose of Building an Addition or Additions to the Kent County Court House, the Construction of Such Addition or Additions, and for the Making of Such Alterations and Repairs to the Existing Court House as the Levy Court Shall Deem Necessary and Expedient' and by Raising the Rate of Interest for Which the Bonds Authorized May be Issued for".

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, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Donovan—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. McCullough and Mmes. Manning, Lord, Messrs. Isaacs, Martin and Johnson presented **SB 358**.

Mr. McCullough moved to suspend Rule 9 to act on **SB 358**. Motion prevailed by voice vote.

On motion of Mr. McCullough **SB 358** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 358—"An Act to Amend Chapter 9, Title 10, Delaware Code, by Creating the Office of Administrative Assistant of the Family Court of the State of Delaware 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. Cook, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Tull, Pres. Pro Tem Steen—12.

NAYS—Messrs. Bookhammer, DuPont, Simpson, Wilgus—4.

ABSENT—Mr. Donovan—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 601** with **HA 2** and **HA 3** and **SA 1**, **SA 2**, **SA 3** and **SA 4** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 601 with **HA 2** and **HA 3** and **SA 1**, **SA 2**, **SA 3** and **SA 4**—"An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and for Improvements to the Public School System of the State and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to Various Agencies of the State".

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, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Donovan—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 Chair presented the following House Bills, which were given first and second readings and referred to committees as follows:

HB 622—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware entitled '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, and Making a Supplemental Appropriation in the Amount of \$10,480.00 for the Proposed Amendments';" to Finance.

HB 653—"An Act to Amend Chapter 363, Volume 54, Laws of Delaware, entitled 'An Act to Appropriate and Transfer Money from the Capital Investment Fund for the Purpose of Obtaining Lands at or Near Cape Henlopen, Delaware';" to Revised Statutes.

HB 635—"An Act to Amend Title 7, Delaware Code, Chapter 25, Relating to the Taking of Lobsters"; to Fish, Oyster and Game.

HB 654—"An Act Making a Supplemental Appropriation to the Board of Trustees of the Department of Mental Health for the Salary and Wages Account for the Governor Bacon Health Center"; to Finance.

HB 638—"An Act Appropriating Funds to the State Park Commission for Development and Maintenance of the Lands at Cape Henlopen"; to Finance.

Mrs. Manning moved to suspend Rule 9 to act on **HB 645**. Motion prevailed by voice vote.

On motion of Mrs. Manning **HB 645** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 645—"An Act to Amend Title 21 of the Delaware Code, Relating to Motor Vehicles and the Uniform Rules of the Road and Other Matters by Adopting a Saving Clause".

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, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Donovan—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 suspend Rule 9 to act on **HB 637**. Prevailed by voice vote.

On motion of Mr. McCullough **HB 637** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 637—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, being an Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1965, by Increasing the Appropriation to the Department of Public Welfare".

On motion of Mr. Hoey the bill was deferred.

Mr. Cook moved to suspend Rule 9 to act on **HB 650**. Prevailed by voice vote.

On motion of Mr. Cook **HB 650** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 650—"An Act Appropriating Funds to the Chief Justice of the Supreme Court of the State of Delaware to Provide Office Space, a Secretary, Travel Expense and Office Supplies for the Deputy Administrator to the Chief Justice".

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, Johnson, (Mrs.) Lord, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Mrs. Manning—1.

NOT VOTING—Messrs. Bookhammer, Isaacs—2.

ABSENT—Mr. Donovan—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 moved to suspend Rule 9 to act on **HB 646**. Prevailed by voice vote.

On motion of Pres. Pro Tem Steen **HB 646** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 646—"An Act Permitting Millsboro School, District No. 23, to Transfer Surplus Funds from a Debt Service Local Funds Account to the Millsboro Local Funds Account".

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, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Donovan—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, Chairman of the Revised Statutes Committee, reported on **SB 349** as follows: 2 favorable, 3 on merits.

Mr. Robbins moved to suspend Rule 9 to act on **SB 359**. Prevailed by voice vote.

On motion of Mr. Robbins **SB 359** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 359—"An Act to Amend Section 2308, Title 31, Delaware Code, Relating to the Amount of Assistance to the Blind".

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, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

ABSENT—Messrs. Donovan, Hoey—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.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **SB 349**. Prevailed by voice vote.

On motion of Pres. Pro Tem Steen **SB 349** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 349—"An Act to Amend Chapter 70, Title 6, Delaware Code, by Clarifying the Power of the Industrial Building Commission with Respect to Revenue Bonds".

On motion of Mr. Bookhammer the bill was deferred.

On motion of Mr. McCullough the Senate recessed upon call of the Chair at 6:20 P.M., Tuesday, August 4, 1964.

The Senate met at the expiration of the recess at 4:23 P.M., Wednesday, August 5, 1964, Lt. Gov. Lamot presiding.

The House informed the Senate that it had passed **HB 656** with **HA 1** and desired the concurrence of the Senate; also that it had passed and was returning **SB 357**, **SB 343** and **SB 338**.

The Senate received the following Memorandum No. 38 from the Governor's Legislative Aide:

MEMORANDUM NO. 38

July 28, 1964

TO: Secretary of the Senate

FROM: Charles K. Keil

On date indicated, the Governor approved the following legislation:

July 20, 1964—**HS 1** for **HB 179** with **SA 1**;

July 21, 1964—**HB 568**; **HB 639**; **SB 283**; and **SS 1** to **SB 72**.

The House informed the Senate that it had passed **HB 652**, **HB 577**, **HB 629** and **HCR 27** and **HCR 28** and desired the concurrence of the Senate.

On motion of Mr. McCullough **HB 637** was taken up for consideration.

On motion of Mr. DuPont the bill was deferred.

Mr. Cook moved to lift roll call on **SB 346** from the table.

On motion of Mr. Cook **SB 346** was taken up for consideration.

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—Messrs. Hoey, Johnson—2.

NOT VOTING—Messrs. Donovan, Isaacs, Robbins—3.

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. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 135**—"Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending February 11, 1964".

Mr. Robbins introduced the following concurrent resolution which upon further motion by him was adopted by voice vote: **SCR 40**—"An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through June 23, 1964".

Mr. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 136**—"Making an Appropriation to the Diamond State Telephone Company for Services Rendered for the Period Ending June 11, 1964".

Mr. Robbins introduced **SR 137**—"Making an Appropriation for Expenses of the Senate".

Mr. Simpson moved to defer **SR 137**. Prevailed by voice vote.

The Chair presented the following concurrent resolutions, which were given first and second readings and acted on as follows:

HCR 28—"Making Appropriations to Various Companies for Supplies and Services Rendered the 122nd General Assembly of the State of Delaware". Pres. Pro Tem moved for adoption. Adopted by voice vote.

HCR 27—"In Reference to a Celebration to Commemorate the 200th Anniversary of the War of Independence". Mr. Donovan moved for adoption. Adopted by voice vote.

Pres. Pro Tem Steen moved to suspend Rule 9 to act on **HB 577**. Prevailed by voice vote.

On motion of Pres. Pro Tem Steen **HB 577** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 577—"An Act to Amend Title 29, Delaware Code, Section 5525".

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.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mrs. Lord—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 Chair presented the following House Bill which was given a first and second reading and referred to the Revised Statutes Committee: **HB 629**—"An Act to Amend Chapter 4, Title 24, Delaware Code, in Relation to the Profession of Barbering".

Mr. Hoey moved to suspend Rule 9 to act on **SB 360** which he stated would be "available for consideration in a few minutes". Prevailed by voice vote.

On motion of Mr. Hoey **SB 360** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 360—"An Act Making a Supplementary Appropriation to Lincoln School No. 3 to Pay Expenditures Necessary for Repairs and Replacements".

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, Hoey, Isaacs, Johnson, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—None.

NOT VOTING—Messrs. Donovan, DuPont, Mrs. Manning—3.

ABSENT—Mrs. Lord—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 introduced the following resolution which upon further motion by him was adopted by voice vote: **SR 138**—"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 resolution which upon further motion by him was adopted by voice vote: **SR 139**—"Authorizing Payment for Services Rendered by Attaches and Employees of the Senate of the Present Session of the 122nd General Assembly".

Mr. Cook, Chairman of the Revised Statutes Committee, reported on **HB 629** as follows: 4 favorable, 1 on merits.

Mr. Cook moved to suspend Rule 9 to act on **HB 629**. Prevailed by voice vote.

On motion of Mr. Cook **HB 629** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 629—"An Act to Amend Chapter 4, Title 24, Delaware Code, in Relation to the Profession of Barbering".

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.) Manning, Martin, McCullough, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—None.

NOT VOTING—Mr. Donovan—1.

ABSENT—Mrs. Lord—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 moved to strike **SB 349** from Calendar. Prevailed by voice vote.

Pres. Pro Tem Steen introduced **SS 1** for **SB 349**—"An Act to Amend Chapter 70, Title 6, Delaware Code, by Clarifying the Power of the Industrial Building Commission with Respect to Revenue Bonds", which was given a first reading. Pres. Pro Tem Steen further moved to adopt **SS 1** to **SB 349**. Motion prevailed by voice vote.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 5:57 P.M.

The Senate met at the expiration of the recess at 6:27 P.M., Lt. Gov. Lammot presiding.

The House informed the Senate that it had passed **HB 624** and desired the concurrence of the Senate.

Mr. Cook moved to suspend Rule 9 to act on **HB 652**. Prevailed by voice vote.

On motion of Mr. Cook **HB 652** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 652—"An Act Proposing an Amendment to Article 2, Section 15, of the Constitution of the State of Delaware, Relating to Compensation, Expenses, and Allowances of Members of the General Assembly and the President of 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. Cook, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Robbins, Tull, Wilgus, Pres. Pro Tem Steen—12.

NAYS—Messrs. Bookhammer, DuPont, Price, Simpson—4.

ABSENT—Mr. Donovan—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. Robbins moved to suspend Rule 9 to act on **HB 565** with **HA 1**. Prevailed by voice vote.

On motion of Mr. Price **HB 656** 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 656 with **HA 1**—"An Act to Provide an Extension of Time Within Which Certain Appropriated School Construction Funds are to Revert to the State of Delaware and to the Debt Service Account of a School District".

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—14.

NAYS—None.

ABSENT—Messrs. Cook, Donovan, 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. McCullough **HB 456** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 456—"An Act to 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".

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, Martin, McCullough, Robbins, Simpson, Wilgus—9.

NAYS—Messrs. Hoey, Johnson, (Mrs.) Lord, (Mrs.) Manning, Price, Tull—6.

ABSENT—Messrs. Donovan, 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.

The Chair presented the following House Bill which was given first and second readings and referred to the Finance Committee:

HB 634—"An Act to Amend Chapter 291, Volume 54; Laws of Delaware, entitled '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 and Making a Supplemental Appropriation in the Amount of \$1,710.00 for the Proposed Amendments'."

On motion of Mr. Cook **HB 170** 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:

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, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—16.

NAYS—None.

ABSENT—Mr. Donovan—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. Tull moved to go into Executive Session.

The Senate went into Executive Session at 6:48 P.M.

In the Executive Session, the Senate took the following action:

James J. Kelleher, Esquire, 400 Brighton Road, North Hills, Wilmington 3, Delaware, to be Public Defender for a term of six years from date of confirmation; was confirmed:

Howard J. Weston, 228 Bassett Avenue, Leedom Estates, New Castle, Delaware, to be a Justice of the Peace for a term of 4 years, to expire July 7, 1968 (New Appointment); was confirmed.

The Senate returned to order in Regular Session at 7:03 P.M.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 7:04 P.M., Wednesday, August 5, 1964.

The Senate met at the expiration of the recess at 5:50 P.M., Wednesday, August 12, 1964, Lt. Gov. Lammot presiding.

On motion of Mr. McCullough **HB 637** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 637—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, being an Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1965, by Increasing the Appropriation to the Department of Public Welfare".

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

YEAS—Messrs. Bookhammer, Hoey, Isaacs, Johnson, (Mrs.) Lord, (Mrs.) Manning, Martin, McCullough, Price, Robbins, Wilgus, Pres. Pro Tem Steen—12.

NAYS—None.

ABSENT—Messrs. Cook, Donovan, DuPont, Simpson, Tull—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.

Mr. Hoey moved to suspend Rule 9 to act on **HB 638**. Prevailed by voice vote.

On motion of Mr. Hoey **HB 638** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 638—"An Act Appropriating Funds to the State Park Commission for Development and Maintenance of the Lands at Cape Henlopen".

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

NAYS—None.

ABSENT—Messrs. Cook, DuPont—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.

The House informed the Senate that it had passed and was returning **SB 335**.

On motion of Pres. Pro Tem Steen the Senate recessed upon call of the Chair at 6:07 P.M.

The Senate met at the expiration of the recess at 6:42 P.M., Lt. Gov. Lammot presiding.

On motion of Mr. Donovan the Senate recessed upon call of the Chair at 6:43 P.M., Wednesday, August 12, 1964.

The Senate met at the expiration of the recess at 4:05 P.M., Tuesday, September 8, 1964, Lt. Gov. Lammot presiding.

At 4:08 P.M., the Senate received the following message of nomination, which was given a first reading and referred to the Executive Committee.

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

September 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:

Daniel L. Herrmann, 705 East Matson Run Parkway, Brandywine Hills, Wilmington 2, Delaware—to be Chief Justice of the Supreme Court of the State of Delaware for a term of 12 years from date of confirmation by the Senate, succeeding Charles L. Terry, Jr., retired.

Respectfully submitted,
ELBERT N. CARVEL
Governor

The Senate received the following Memorandums No. 39, 40 and 41 from the Governor's Legislative Aide.

MEMORANDUM NO. 39

August 13, 1964

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

On date indicated, the Governor approved the following legislation:

August 5, 1964—**HJR 11**;
August 6, 1964—**HB 645**;
August 11, 1964—**HB 641**; **HB 646**, and **HB 650**.

MEMORANDUM NO. 40

August 24, 1964

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

On date indicated, the Governor approved the following legislation:

August 21, 1964—**SB 33**; **SB 316**; **SB 335**; **SB 338**; **SB 342**; **SB 343**; **SB 357**; **HB 561** with **SA 2**; **HB 601** with **SA 1**, **SA 2**, **SA 3** and **SA 4**, and **HA 2** and **HA 3**; and **HB 638**.

MEMORANDUM NO. 41

August 31, 1964

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

On date indicated, the Governor approved the following legislation:

August 28, 1964—**SB 356**; **HB 170** with **HA 1**; **HB 577**; **HB 629**; **HB 637**; **HB 656** with **HA 1**; and **HB 456**.

At 4:10 P.M., Mr. Tull moved to go into Executive Session.

The Senate went into Executive Session.

In the Executive Session, the Senate took the following action:

Daniel L. Herrmann, 705 East Matson Run Parkway, Brandywine Hills, Wilmington 2, Delaware to be Chief Justice of the Supreme Court of the State of Delaware for a term of 12 years from date of confirmation by the Senate, succeeding Charles L. Terry, Jr., retired; was not confirmed.

At 4:20 P.M., Pres. Pro Tem Steen moved for the Executive Session to recess to call of the Chair.

The Senate resumed Executive Session at 2:10 P.M. on Monday, October 12, 1964.

In Executive Session, the Senate took the following action:

Michael A. Poppiti, Esquire, 706 South Clayton, Wilmington, Delaware to be a member of the Bingo Control Commission for a term to expire September 1, 1968; was not confirmed:

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 date of confirmation, to fill an existing vacancy; was not confirmed:

William J. Hopkins, Jr., to be a member of the State Highway Department for a term of 3 years from June 5, 1963 (Reappointment); was not confirmed:

Harry Bonk, Rehoboth, Delaware to be a member of the State Highway Department for a term of 3 years from June 5, 1963 (Reappointment); was confirmed:

Thurman G. Adams, Jr., to be a member of the State Highway Department for a term of 3 years from June 5, 1964 (Reappointment); was confirmed:

Lemuel H. Hickman, Frankford, Delaware to be a member of the State Highway Department for a term of 3 years from June 5, 1964 (Reappointment); was confirmed:

Elmer Pratt, Smyrna, Delaware to be a member of the Delaware State Highway Department for a term of 3 years from June 5, 1964 (Reappointment); was confirmed:

Albert S. Moor, Odessa, Delaware to be a member of the Delaware State Highway Department for a term of 3 years from June 5, 1964; was confirmed:

Howard L. Rawley, Leipsic, Delaware to be a member of the Department of Elections for Kent County for a term of 4 years from June 30, 1963 (Reappointment); was confirmed:

Homer Wright, Magnolia, Delaware to be a member of the Department of Elections for Kent County for a term to end January 15, 1965, to fill the unexpired term of James B. McIlvaine, resigned; was confirmed:

Joseph C. Ellis, Laurel, Delaware to be a member of the Department of Elections for Sussex County for a term of 4 years from June 13, 1964 (Reappointment); was confirmed:

Elwood F. Melson, Jr., Esquire, 24 Myrtle Avenue, Claymont, Delaware to be a Judge of the Family Court of the State of Delaware in and for New Castle County, to fill the unexpired term of Elwood F. Melson, Sr., (resigned) to expire July 2, 1969; was confirmed:

George Rissel Dougherty, 2019 Delaware Avenue, Wilmington, Delaware to be a member of the Delaware Alcoholic Beverage Control Commission for a term to end on May 15, 1969, replacing William E. Savery, Sr., deceased; was confirmed:

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; was confirmed:

Daniel L. Herrmann, 705 Matson Run Parkway, Wilmington, Delaware, elected by the Board of Trustees of the University of Delaware on June 6, 1964, to be a member of that Board for a term of 6 years, vacancy created by the death of Richard S. Rodney; was confirmed:

Joseph A. Bradshaw, 2312 Monroe Street, Wilmington, Delaware to be Chairman of the Department of Labor and Industrial Relations for a term of 5 years from June 30, 1964 (Reappointment); was confirmed: and

James G. Smith, Jr., 1371 S. Street Street, Dover, Delaware to be a member of the Delaware River and Bay Authority for a term to expire July 1, 1968; was confirmed.

The Senate returned to order in Regular Session at 5:15 P.M., Monday, October 12, 1964, Lt. Gov. Lamot presiding.

Mr. Bookhammer presented an amendment to **HS 1** for **HB 388**. Due to confusion about former proposed amendments to the bill, Mr. Hoey moved that all formerly proposed amendments be stricken. Motion prevailed by voice vote.

Mr. Bookhammer and all Republicans presented **SA 4** to **HS 1** for **HB 388**.

Mr. Bookhammer moved for adoption of **SA 4** to **HS 1** for **HB 388**. Prevailed by voice vote.

Mr. DuPont moved to defer action on **HS 1** for **HB 388** with **SA 4** until **HB 453** and **HB 454** are considered. Motion lost by voice vote.

On motion of Mr. Hoey **HS 1** with **SA 4** for **HB 388** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 with **SA 4** 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".

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, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—15.

NAYS—Mr. DuPont—1.

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 for concurrence.

Mr. Hoey moved to suspend Rule 9 to act on **HB 530**. Prevailed by voice vote.

On motion of Mr. Hoey **HB 530** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 530—"An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict Who Died While in the Service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service".

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, (Mrs.) Manning, Martin, Price, Robbins, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—13.

NAYS—Mrs. Lord—1.

ABSENT—Messrs. DuPont, 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. Robbins introduced the following resolution which upon further motion by him was adopted by voice vote:

SR 140—"Making an Appropriation to Defray Expenses of Legislative Leaders at National Legislative Leaders Convention".

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

SR 141—"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 resolution which upon further motion by him was adopted by voice vote:

SR 142—"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 143—**BE IT RESOLVED:** by the Senate of the 122nd General Assembly of the State of Delaware, that the State Treasurer be and hereby is authorized and directed to pay to Leslie C. Greenly, Secretary of Senate, the sum of twelve-hundred dollars (\$1200.00) covering the cost of proofing, certifying and indexing the Journal of Proceedings of the Senate of the 122nd General Assembly.

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

SR 144—"Authorizing Payment of Amount Due B & B Music Service for Supplies Furnished to the 122nd General Assembly".

The House informed the Senate that it had passed **HB 67** with **HA 2**, **HA 4** and **HA 5**, and desired the concurrence of the Senate.

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

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

October 12, 1964
Dover, Delaware

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

The President Pro Tem will introduce four Administration-sponsored bills into the Senate this afternoon. Because time is of the essence, a brief explanation about each bill follows:

The supplementary appropriation to the three County Departments of Elections is caused by the Reapportionment of the Senate and Legislative districts which was authorized by the General Assembly and signed into law July 13, 1964.

The need for a supplementary appropriation to the office of Public Defender amounting to \$40,000.00 is brought about by Superior Court Judges who have begun to refer cases to the Public Defender. In order for his office to operate as provided by law it is imperative that these additional funds be made available.

The Adult High School Evening Extension Program has been a resounding success throughout our State. Enrollments have greatly exceeded anticipation, and this bill has been prepared for this minimum appropriation of \$19,700.00 to carry on this important program.

We have a moral obligation to appropriate \$110,000.00 to the State Board of Education to support this step of Broadcast Educational Television, and this bill will meet that obligation.

I urge you to take action on this emergency legislation today so that the House may be able to act at their early convenience.

Respectfully submitted,
ELBERT N. CARVEL
 Governor

Pres. Pro Tem Steen introduced **SB 361** and moved to suspend Rule 9 to act upon the bill. Prevailed by voice vote.

On motion of Pres. Pro Tem Steen **SB 361** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 361—"An Act Making a Supplementary Appropriation to the Several County Boards of Elections".

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, (Mrs.) Lord, (Mrs.) Manning, Martin, Price, Robbins, Tull, Pres. Pro Tem Steen—10.

NAYS—Mr. Bookhammer—1.

NOT VOTING—Messrs. Isaacs, Simpson, Wilgus—3.

ABSENT—Messrs. DuPont, 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.

Pres. Pro Tem Steen introduced **SB 362** and moved to suspend Rule 9 to act upon the bill. Prevailed by voice vote.

On motion of Pres. Pro Tem Steen **SB 362** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 362—"An Act Making a Supplementary Appropriation to the State Board of Education".

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

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

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. DuPont, Johnson, McCullough, Simpson—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 introduced **SB 363** and moved to suspend Rule 9 to act upon the bill. Prevailed by voice vote.

On motion of Pres. Pro Tem Steen **SB 363** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 363—"An Act Making a Supplementary Appropriation to the Public Defender".

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

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

NAYS—Mr. Donovan—1.

NOT VOTING—Messrs. Bookhammer, Hoey, Simpson, Wilgus—4.

ABSENT—Messrs. DuPont, 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.

Pres. Pro Tem Steen introduced **SB 364** and moved to suspend Rule to act upon the bill.

On motion of Pres. Pro Tem Steen to suspend Rule 9 to consider **SB 364** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Cook, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Wilgus, Pres. Pro Tem Steen—8.

NAYS—Messrs. Donovan, Hoey, Martin, Price, Robbins, Tull—6.

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

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

On motion of Pres. Pro Tem Steen **SB 364** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 364—"An Act to Amend Chapter 291, Volume 54, Laws of Delaware, being an Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1965, by Increasing the Appropriation to the State Board of Education for Implementation of Educational Television".

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, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Simpson, Tull, Wilgus, Pres. Pro Tem Steen—9.

NAYS—Messrs. Donovan, Martin, Price—3.

NOT VOTING—Messrs. Hoey, Robbins—2.

ABSENT—Messrs. DuPont, 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.

Messrs. Hoey and Tull introduced **SB 365**. Mr. Hoey moved to suspend Rule 9 to act upon the bill. Prevailed by voice vote.

On motion of Mr. Hoey **SB 365** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 365—"An Act to Amend Chapter 6, Title 29, Delaware Code, Relating to Composition and Reapportionment of the General Assembly by Providing for a Senate Based on Geographical Factors in Certain Instances".

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, Hoey, Isaacs, (Mrs.) Manning, Price, Robbins, Simpson, Tull, Wilgus—10.

NAYS—None.

NOT VOTING—Messrs. Cook, (Mrs.) Lord, Martin, Pres. Pro Tem Steen—4.

ABSENT—Messrs. DuPont, 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.

On motion of Mr. Donovan to recess to call of the Chair the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Donovan, Hoey, Price, Robbins—5.

NAYS—Messrs. Bookhammer, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Tull, Wilgus—8.

NOT VOTING—Pres. Pro Tem Steen—1.

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

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

On motion of Mrs. Manning to suspend Rule 9 to act upon **HS 1** to **HB 67** the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Bookhammer, Isaacs, (Mrs.) Lord, (Mrs.) Manning, Martin, Simpson, Tull, Wilgus—8.

NAYS—Messrs. Cook, Donovan, Hoey, Price, Robbins—5.

NOT VOTING—Pres. Pro Tem Steen—1.

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

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

On motion of Mrs. Manning **HS 1** for **HB 67** with **HA 2**, **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:

HS 1 for **HB 67** with **HA 2**, **HA 4** and **HA 5**—"An Act to Amend Chapters 13, 17 and 21, Title 14, Delaware Code, Relating to Education".

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

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

NAYS—Messrs. Cook, Donovan—2.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. DuPont, 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. Donovan the Senate recessed upon call of the Chair at 7:20 P.M., Monday, October 12, 1964.

On Tuesday, October 27, 1964, the House informed the Senate that it had passed **SB 305**, **SB 333** with **SA 1**, **SB 355**, **SB 359**, **SB 361**, **SB 362**, **SB 363** and **SB 364** and was returning same to the Senate.

STANDING COMMITTEES OF SENATE

Accounts—Johnson, Chairman; Tull, Price, Simpson, DuPont.

Agriculture—Robbins, Chairman; Tull, Johnson, Isaacs, Bookhammer.

Banking and Insurance—Tull, Chairman; McCullough, Price, Wilgus, Isaacs.

Building and Highway—Steen, Chairman; Cook, Johnson, Wilgus, Isaacs.

Claims—Robbins, Chairman; Johnson, Hoey, Simpson, Wilgus.

Corporations—Municipal—Price, Chairman; Steen, Martin, Bookhammer, Lord.

Corporations—Private—McCullough, Chairman; Donovan, Hoey, Simpson, Lord.

Education—McCullough, Chairman; Robbins, Steen, Manning, Isaacs.

Elections—Johnson, Chairman; Price, Tull, Bookhammer, Manning.

Executive—Tull, Chairman; Cook, Martin, Isaacs, Simpson.

Finance—Hoey, Chairman; Tull, Johnson, Isaacs, Simpson.

Fish, Oyster and Game—Robbins, Chairman; Hoey, Johnson, Bookhammer, DuPont.

Judiciary—Cook, Chairman; Steen, Martin, Simpson, Manning.

Labor—Martin, Chairman; McCullough, Cook, Wilgus, Manning.

Miscellaneous—Donovan, Chairman; Hoey, Johnson, Lord, Simpson.

Passed Bill—Donovan, Chairman; McCullough, Tull, Manning, Lord.

Printing and Supplies—Hoey, Chairman; Robbins, McCullough, Manning, Bookhammer.

Public Health—Price, Chairman; Robbins, McCullough, Lord, Isaacs.

Public Lands—Martin, Chairman; McCullough, Donovan, Lord, DuPont.

Revised Statutes—Cook, Chairman; Tull, Johnson, Wilgus, Bookhammer.

Rules—Cook, Chairman, Johnson, Hoey, Wilgus, DuPont.

Temperance—Price, Chairman, Martin, Tull, Bookhammer, DuPont.

RULES OF THE SENATE

Rule 1. Order of Business

1. Prayer.
2. Roll Call.
3. Reading of Journal.
4. Presentation of petitions, memorials, or communications.
5. Reports of standing and select committees.
6. Introduction of bills and joint resolutions.
7. Concurrent and other resolutions.
8. Bills for third reading.
9. Miscellaneous business.

Rule 2. Convening of Senate

Unless otherwise ordered by a majority of its members, the Senate will convene every day, except Saturday and Sunday, at one o'clock P.M.

Rule 3. Attendance of Members

Section 1. Every members shall be in his place at the time to which the Senate stands adjourned.

Section 2. No Senator shall absent himself from the service of the Senate without leave.

Rule 4. Roll Call; Reading of Journal

Each legislative day and before the Senate proceeds to the consideration of any business, the Secretary shall call the names of the members in alphabetical order, and shall then read the Journal of the preceding legislative day, which shall be approved or corrected by order of the Senate.

Rule 5. Contents of Journal

The proceedings of the Senate shall be briefly and accurately stated on the Journal; messages of the Governor in full; the titles of all bills and resolutions; every motion with the name of the member making the same, except motions for adjournment; the names of the members voting in the affirmative or negative on all roll calls.

Rule 6. Presentation of Petitions, Memorials, or Communications to the Senate

Section 1. After the Journal is read, the Presiding Officer shall lay before the Senate communications or messages from the Governor, reports and communications from Departments, Commissions, or State Boards and other communications addressed to the Senate, and such bills, joint resolutions and other messages from the House of Representatives as may be upon his table, undisposed of.

Section 2. When petitions, memorials and other papers addressed to the Senate are presented by the President, or a member, the contents thereof shall be briefly stated.

Section 3. The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the Governor or the House of Representatives and any question pending at the time shall be suspended for this purpose. Any motion so made shall be determined without debate.

Section 4. Messages from the Governor or from the House of Representatives may be received at any stage or proceedings, except while the Journal is being read, or while a question of order or a motion to adjourn is pending.

Section 5. When a message is brought to the Senate by a member of the House of Representatives or any officer thereof, the members of the Senate shall rise upon their feet, if so directed by the Presiding Officer.

Rule 7. Delivery of Messages from the Senate; Duties of Secretary

Messages shall be delivered to the House of Representatives by the Secretary, or by a Senator or other officer of the Senate directed by the Presiding Officer. The Secretary shall certify previous to delivery the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the Governor all resolutions and other communications which may be directed to him by the Senate.

Rule 8. Preparation of Bills and Resolutions

(a) No bill or joint resolution shall be received by the Senate unless it be prefaced by a brief statement of the purpose of the bill or resolution, which shall be known as the title, and shall also contain the text of the bill or resolution in full. The original of all bills and resolutions shall be printed or stenciled on permanent rag content bond paper be properly backed, contain no erasures or interlineations and shall be produced in such a manner as shall be approved by the State Archivist and Director of the Legislative Reference Bureau.

(b) Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary, shall be introduced with one original and at least eight backed copies. The original shall at all times remain in the custody of the Chairman of the Committee to which it was referred, or of the Secretary of the Senate; one copy shall at all times be under the general supervision of the Bill Clerk of the Senate; one copy shall be delivered to Presiding Officer of the Senate; one copy shall be delivered upon introduction to the Majority Leader of the Senate; one copy upon intro-

duction shall be delivered to the Minority Leader of the Senate; one copy shall be delivered to the member introducing the bill or resolution; and one copy shall be delivered to the Legislative Reference Bureau; and one copy shall be delivered to the representative of the Press who may be present upon the introduction of the bill or resolution. In addition, every Senator shall be provided with an unbacked copy of the text of the bill or resolution.

(c) *The stencil used to produce the bill or resolution (except in the case of printed bills or resolutions), together with 160 true copies of the bill or resolution, shall be made available to the Legislative Reference Bureau immediately after the introduction of a bill.*

(d) All bills for the amendment of any statutes contained in the Delaware Code of 1953 shall be made with reference to the statutes or parts of statutes contained in said Code, and shall conform to the arrangement of said Code.

Rule 9. Procedure Applicable to Bills and Joint Resolutions

Section 1. Every bill and joint resolution when introduced shall be read one time by title only after which it shall be assigned to the proper committee.

Section 2. No bill or joint resolution shall be put upon its passage on the same day it is reported out of committee, nor in the absence of the member who introduced it, unless by his written consent.

Section 3. When put upon its passage, each bill or joint resolution shall be read again by title only unless the Senate directs a reading in full.

Rule 10. Motions

Section 1. All motions shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before the same shall be debated.

Section 2. Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays.

Section 3. A motion shall be in order at any time to amend or substitute a title to any bill or resolution only in order to correct typographical errors.

Section 4. When a question is pending, no motion shall be received but:

To adjourn.

To adjourn to a certain day, or that when the Senate adjourned it shall be a certain day.

To take a recess.

- To proceed to the consideration of executive business.
- To lay on the table.
- To postpone indefinitely.
- To postpone to a certain day.
- To commit.
- To amend.

Which several motions shall have precedence as they stand arranged; and the motion to adjourn to take recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

Rule 11. Voting

Every bill or joint resolution shall be decided by a roll call vote. The names of the Senators shall be called alphabetically and each Senator shall without debate answer "yes", "No", or "Not Voting"; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may change or withdraw his vote prior to said announcement.

Rule 12. Reconsideration

When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

Rule 13. Procedure When Bill or Other Matter Sought to be Reconsidered Has Been Sent to the House of Representatives

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Rule 14. Question of Order

A question of order may be raised at any stage of the proceedings, and, unless submitted to the Senate, shall be

decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. The Presiding Officer may submit any question of order for the decision of the Senate.

Rule 15. Special Order of Business

Any subject may, by a vote of the majority of the members elected to the Senate, be made a special order; and when the time so fixed for its consideration arrives, the Presiding Officer shall lay it before the Senate.

Rule 16. Petition Out of Committee

Upon the written request signed by the majority of the members elected to the Senate and directed to the Presiding Officer, any bill, joint resolution or other business, which shall have been referred to a committee, shall be reported to the Senate.

Rule 17. Conduct

Section 1. When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him.

Section 2. No Senator shall interrupt another in debate without his consent, and to obtain such consent he shall first address the Presiding Officer; and no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate which shall be determined without debate.

Section 3. No Senator in debate shall, directly, or indirectly by any form of words, impute to any Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

Section 4. If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order; and when a Senator shall be called to order, he shall sit down and not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

Rule 18. Appointment of Committees

The President Pro Tempore shall appoint all committees, unless the Senate shall otherwise direct.

Rule 19. Standing Committees

The following standing committees shall be appointed, to whom business appropriate to them shall be referred:

- Committee on Accounts
- Committee on Agriculture
- Committee on Banking & Insurance
- Committee on Building & Highway
- Committee on Claims
- Committee on Corporations—Municipal
- Committee on Corporations—Private
- Committee on Education
- Committee on Elections
- Committee on Executive
- Committee on Finance
- Committee on Fish, Oyster & Game
- Committee on Judiciary
- Committee on Labor
- Committee on Miscellaneous
- Committee on Passed Bills
- Committee on Printing & Supplies
- Committee on Public Health
- Committee on Public Lands
- Committee on Revised Statutes
- Committee on Rules
- Committee on Temperance

Rule 20. Committee on Printing; Motions to Print

Every motion or resolution to print documents, reports, bills, or any other matter shall, unless the Senate otherwise orders, be referred to the Committee on Printing. When a motion is made to commit with instructions, it shall be in order to add thereto a motion to print.

Rule 21. Committee on Elections; Contents

Any contest for a seat in this body shall be referred to the Committee on Elections without debate.

Rule 22. Rules Committee; Supervision of Attaches

The officers, attaches and employees of the Senate shall be under the supervision of the Rules Committee of the Senate in the performance of the duties of their respective offices.

Rule 23. Privilege of the Floor

Section 1. No person who is not a member of the Senate shall be granted the privilege of the floor, or be seated or stand in front of the rear line of the last row of members seats from the rostrum, while the Senate is in session except:

- The Governor of the State,
- The Secretary of the State,

Ex-Governors of the State
Ex-Lieutenant Governors of the State,
Ex-State Senators
Members of the Congress of the United States,
Ex-Members of the Congress of the United States,
Members of the House of Representatives of the State,
Officers and Employees of the Senate,
Officers and Employees of the House of Representa-
tives of the State, or
Official representatives of the Press

Section 2. Notwithstanding anything contained in Section 1 of this Rule, any other person or persons may be granted the privilege of the floor, or of being seated or to stand in front of the rear line of the last row of member seats aforesaid, by and with the consent of this body.

Rule 24. Change or Suspension of Rules

Any rule of the Senate may be changed or suspended by approval of a majority of all members elected to the Senate.

Rule 25. Rules of Order

All questions of parliamentary procedure not covered or provided for by the Rules of the Senate or the Constitution of the State of Delaware shall be decided in accordance with Mason's Manual of Legislative procedure.

R U L E S**GOVERNING EXECUTIVE SESSIONS OF THE SENATE
OF THE STATE OF DELAWARE**

Rule 1—

When about to act on confidential or executive business, the Chamber shall be cleared of all persons except the Secretary and such other officers as the presiding officers shall deem necessary; and all such officers shall be pledged to secrecy.

Rule 2—

The Executive proceedings and the confidential legislative proceedings shall be kept in separate Journals.

Rule 3—

When nominations shall be made by the Governor of the State, they shall, unless otherwise ordered by the Senate, be referred to a committee to be hereinafter provided for; and the final question on every nomination, shall be, "WILL THE SENATE CONSENT TO THIS NOMINATION?" Which question shall not be put on the same day on which it may be reported by a Committee, unless by the consent of a majority of the members elected to the Senate.

Rule 4—

All information communicated, or remarks made by a Senator when acting on nominations concerning the character or qualifications of the person nominated, shall be kept secret, if, however, charge shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a nomination has been made, or that it has been confirmed or rejected, shall not be regarded as a secret.

Rule 5—

When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual sessions of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the Governor before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the Governor to return such notification to the Senate. Any motion to reconsider the vote

on a nomination may be laid on the table without prejudice to the nomination and shall be a final disposition of such motion.

Rule 6—

Nominations, confirmed or rejected by the Senate, shall not be returned by the Secretary to the Governor until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending unless otherwise ordered by the Senate.

Rule 7—

Nominations, neither confirmed nor rejected, during the session at which they are made, shall not be acted upon at any succeeding session without being again made by the Governor, and if the Senate shall adjourn sine die, all nominations pending and not finally acted upon at the time of the final adjournment shall be returned by the Secretary to the Governor, and shall not again be considered unless they shall again be made by the Governor.

Rule 8—

Any Senator or officers of the Senate who shall disclose the secret or confidential business or proceedings of the Senate, shall be liable, if a Senator, to be called before the bar of the Senate for reprimand; and if an officer, to be dismissed from the services of the Senate and to punishment for contempt.

Rule 9—

The Governor of the State shall, from time to time be furnished with a copy of the list of appointments confirmed or rejected by the Senate, but no further extract from the Executive Journal shall be furnished by the Secretary except by special order of the Senate.

Rule 10—

The President Pro Tem of the Senate shall appoint a Committee, which shall be styled "The Executive Committee," to which all nominations of the Governor shall be referred.

JOINT RULES — 1963

Rule 1—

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

Rule 2—

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

Rule 3—

Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary shall upon its final passage in both Houses be delivered by the Chief Clerk of the House and/or the Secretary of the Senate, as the case may be, in which such bill or resolution originated, into the custody of the Bill Clerk of said House and it shall be the duty of the Bill Clerk of the Senate and the Bill Clerk of the House of Representatives jointly to see that such bill or resolution has attached to it a proper parchment backing and that each and every page of the said bill or resolution has been properly initiated, sealed, or stamped, unless otherwise ordered, and upon being assured that such is the case, shall immediately, if the Houses be in session and, if not, at the earliest opportunity, present the said bill or resolution to the presiding officer of each House for his signature, the presiding officer of the House in which the bill or resolution originated signing first. Said Bill Clerks shall then certify with the Secretary of the Senate and the Clerk of the House on the backing of said bill or resolution that such bill or resolution is the same as that which passed both Houses of the General Assembly, and the said bill or resolution shall then be delivered by the Bill Clerk of the House in which such bill or resolution originated to the Chairman of the Committee on Passed Bills of said House. The Chairman of the Passed Bills Committee shall then deliver the bill to the Governor within 5 calendar days unless instructed otherwise by a concurrent resolution passed by both Houses.

Rule 4—

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

other matter save such point or points over which the Houses disagree.

Rule 5—

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

Rule 6—

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

Rule 7—

The General Assembly may, by a concurrent resolution passed by both Houses, request the return of a bill or resolution after it has been delivered to the Governor. The Governor may or may not return the bill at his option, but if he returns it, he shall deliver it to the Chairman of the Committee on Passed Bills of the House in which the bill originated and the Chairman shall retain the bill unless directed otherwise by a concurrent resolution passed by both Houses.

A P P E N D A G E

VOTES REQUIRED TO ENACT BILLS, RESOLUTIONS AND RULES

1. Three-fourths vote of all the members elected to each House required.
 - a. To borrow money or create a debt by or on behalf of the State.
 Exceptions: (Require majority vote of elected members)
 1. To supply casual deficiencies of revenue
 2. Repel invasion
 3. Suppress insurrection
 4. Defend the State in war
 5. Pay existing debts
 Article VIII, Section 3
 - b. To appropriate public money to any county, municipality or corporation.
 Article VIII, Section 4
 - c. To issue or loan bonds of this State to any county, municipality or corporation.
 Article VIII, Section 4

- d. To pledge the credit of the State by guaranteeing or endorsing the bonds of other undertakings of any county, municipality or corporation.
Article VIII, Section 4
- 2. Two-thirds vote of all the members elected to each House required.
 - a. To expel a member for disorderly conduct.
Article II, Section 9
 - b. To lay out, open, alter or maintain roads and highways which form continuous roads or highways through at least a portion of the three counties. (Local laws of this nature cannot be enacted.)
Article II, Section 19
 - c. To create courts other than constitutional courts.
Article IV, Section 1
 - d. To grant jurisdiction over additional misdemeanors to inferior courts.
Article IV, Section 28
 - e. To initiate impeachment proceedings.
Article VI, Section 1
 - f. To enact or amend the general corporation law.
Article IX, Section 1
 - 9. To enact any special act of incorporation.
Article IX, Section 1
 - h. To amend the Constitution.
Article XVI, Section 1
- 3. Three-fifths vote of all members elected to each House required.
 - a. To override the Governor's veto of any bill or resolution requiring the concurrence of both Houses, except on a question of adjournment.
Article III, Section 18
- 4. In all other bills and resolutions a majority vote of all the members elected to each House required.
- 5. Rules
"Each House may determine the rules of its proceedings" (The vote required is not stated in the Constitution.)
Article II, Section 9

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—A—

Abbreviations—

HB	House Bill
HR	House Resolution
HCR	House Concurrent Resolution
HJR	House Joint Resolution
HA	House Amendment
HS	House Substitute
SB	Senate Bill
SR	Senate Resolution
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution
SA	Senate Amendment
SS	Senate Substitute

Absalom Jones School District—

Appropriation to, see **SB 188**

Advertising—

Relating to outdoor, see **SB 289**

Air Service—

Relating to continuance and expansion of, see **SJR 4**

Alcoholic Liquors—

Relating to refusal of license, see **HB 570, SB 17**

Providing for penalty for possession by a minor, see **SB 301**

Relating to liquors and sale of beer by person dispensing food at horse race tracks, see **SB 316**

Relating to restriction of number of licenses in given area, see **HB 110**

Ambulances—

Aid to organizations which maintain ambulances in public service, see **HB 83, HB 520**

American Legion and Auxiliary—

Appropriation for expenses of Boys' and Girls' State, see **HB 96, HB 518**

Appeals—

Relating to appeals in criminal matters, see **SB 30**

Relating to appeals to Supreme Court, see **SB 31**

Relating to appeals in civil matters, see **SB 32**

Relating to appeals from Inferior Courts, see **SB 300**

Arden School Board—

Supplementary appropriation to, see **HB 382**

Assets—

Relating to pledging or hypothecating assets, see **HB 78**

Attorney General—

Supplementary appropriation for printing of Attorney General's opinions, see **SB 260**

Power to enforce unfair acts or practices in trade or commerce, see **SB 263**

Autopsies—

Relating to, see **SB 98**

Automobiles—

Relating to limitation on cost of for state use, see **HB 107**

—B—**Banking—**

Relating to installment loans, see **SB 239**

Banning, Virginia Lee—

Reimbursement of taxes, see **SB 177**

Barbers—

Relating to, see **HB 33, HB 629**

Benjamin Banneker School—

Supplementary appropriation to, see **SB 335**

Bidding—

Relating to competitive, see **HB 498**

Bill Clerks—

Relating to appointment and duties of, see **SB 274**

Bills (House)—

HB 2—"An Act making an emergency appropriation to the State Custodian for the purpose of installing an elevator in Legislative Hall." Introduced, read and acted upon, p. 33; reported from committee, p. 34; passed, p. 36; Governor approved, p. 53.

HB 3—"An Act agreeing to a proposed Amendment to Article 2 of the Constitution of the State of Delaware, relating to the composition of the House and Senate, by providing for expansion and reapportionment." Presented, read and referred, p. 34; reported from committee, p. 35; passed, p. 40; became law without Governor's signature, p. 53.

- HB 6**—"An Act to amend Title 29, Delaware Code, entitled, 'State Government', by providing for a budget director, transferring certain function thereto, transferring certain other functions among existing state agencies." With **HA 1** presented, read and referred, p. 122; reported from committee, p. 139; passed, p. 141; Governor approved, p. 195.
- HB 7**—"An Act making an appropriation to the State Board of Education for certain improvements and repairs to the public school buildings of the State." Presented, read and referred, p. 58; reported from committee, p. 102; with **HA 1** passed, p. 110; Governor approved, p. 134.
- HB 10**—"An Act to amend Article Three of the Constitution of the State of Delaware." Introduced, read and referred, p. 43; reported from committee, p. 66; became law without Governor's signature, p. 86.
- HB 11**—"An Act proposing an Amendment to the Constitution of the State of Delaware relating to the President Pro Tempore, Speaker, and other officers; absence of presiding officers." Introduced, read and referred, p. 43; reported from committee, p. 66; became law without Governor's signature, p. 86.
- HB 13**—"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." Presented, read and referred, p. 69; reported from committee, p. 72; passed, p. 84; Governor approved, p. 115.
- HB 15**—"An Act to amend Chapter 3, Title 30, Delaware Code, relating to the State Tax Board." Presented, read and referred, p. 302; reported from committee, p. 351; roll call tabled, p. 387; passed, p. 389; Governor approved, p. 425.
- HS 1 for HB 17**—"An Act making a supplementary appropriation to the Public Archives Commission for the fiscal year ending June 30, 1963 to be used on March 29, 1963 in cooperation with the City of Wilmington in their celebration of commemoration of the settlement of "The Rocks" by the Swedes in 1638." Introduced, read and acted upon, p. 37; reported from committee, p. 37; passed, p. 38; Governor approved, p. 53.

- 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." Presented, read and referred, p. 270; reported from committee, p. 290; bill deferred, p. 444; passed, p. 480; Governor approved, p. 513.
- HS 2 for HB 21**—"An Act to amend Section 5521, Title 29, Delaware Code, relating to optional and mandatory retirement of covered employees of the State of Delaware." Presented, read and referred, p. 423; reported from committee, p. 554; passed, p. 560-561; Governor approved, p. 597.
- HB 22**—"An Act to amend Chapter 83, Title 11, Delaware Code, relating to state police pensions by liberalizing the same." Presented, read and referred, p. 58; reported from committee, p. 145; with **HA 1**, **HA 2** and **HA 3** passed, p. 214; Governor vetoed, p. 277.
- HB 25**—"An Act to appropriate moneys to certain hospitals in the State of Delaware." Presented, read and referred, p. 154; reported from committee, p. 229; passed, p. 236; Governor approved, p. 277.
- HB 29**—"An Act to amend Chapter 6, Title 24, Delaware Code, relating to the practice of cosmetology." Presented, read and referred, p. 43; reported from committee, p. 45; passed, p. 48; Governor approved, p. 53.
- HB 30**—"An Act to amend Section 2301, Title 30, Delaware Code, relating to occupations requiring licenses: definitions; fees." Introduced, read and referred, p. 43; reported from committee, p. 45; passed, p. 48; Governor approved, p. 53.
- HB 31**—"An Act to empower the State Board of Cosmetology to refund monies collected under Chapter 6, Title 24, Delaware Code." Introduced, read and referred, p. 43; reported from committee, p. 45; passed, p. 49; Governor approved, p. 53.
- HB 32**—"An Act appropriating funds to the State Board of Cosmetology for the fiscal year ending June 30, 1963, for the purpose of carrying out the provisions of Chapter 6, Title 24, Delaware Code." Introduced, read and referred, p. 43; reported from committee, p. 45; passed, p. 49; Governor approved, p. 60.

- HB 33**—"An Act to amend Chapter 4, Title 24, Delaware Code, relating to barbers." With **HA 1** and **HA 2** presented, read and referred, p. 100; reported from committee, p. 169; bill lost, p. 179; restored to calendar, p. 185.
- 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." Presented, read and referred, p. 471; reported from committee, p. 501; with **HA 1** passed, p. 504; Governor approved, p. 534.
- HB 36**—"An Act to amend Section 1183 (d), Title 30, Delaware Code, relating to payment of refunds." Presented, read and referred, p. 333; reported from committee, p. 378; passed, p. 386; Governor approved, p. 425.
- HB 37**—"An Act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of the Henlopen Grange, No. 20, Patrons of Husbandry, Inc., from assessment and taxation." Presented, read and referred, p. 95.
- HB 38**—"An Act to amend Section 132, Title 17, Delaware Code, relating to the general powers and duties to the State Highway Department." Presented, read and referred, p. 422; reported from committee, p. 452; bill lost, p. 487.
- HB 40**—"An Act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of the Camden-Wyoming Little League, Inc., from assessment and taxation." Presented, read and referred, p. 95.
- HB 41**—"An Act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of the Colonel David Hall Chapter, D.A.R., from assessment and taxation." Presented, read and referred, p. 85.

- HB 42**—"An Act to amend Section 5920, Title 11, Delaware Code, pertaining to collections by Justices of the Peace." Presented, read and referred, p. 58; **SA 1** included, p. 70; reported from committee, p. 92; **SA 1** stricken from calendar, p. 204; passed, p. 226; Governor approved, p. 276.
- HB 44**—"An Act making a supplementary appropriation to the State Law Library in Kent County for the fiscal year ending June 30, 1963." Presented, read and referred, p. 130; reported from committee, p. 201; passed, p. 260.
- HB 45**—"An Act to amend Subchapter 11, Title 20, Delaware Code, relating to military." Presented, read and referred, p. 175.
- HB 46**—"An Act to provide, in the event of attack upon the United States, for the continuity of the executive functions of the government of the State and the governments of political sub-division of the State by providing for emergency interim succession to executive officers of the State and its political subdivisions to enact resolutions and ordinances relating to the subject." With **HA 1** presented, read and referred, p. 171; reported from committee, p. 224; with **HA 1** passed, p. 272; Governor approved, p. 308.
- HB 50**—"An Act to amend Title 31, Delaware Code, with respect to support from relatives to persons applying for or receiving public assistance." Presented, read and referred, p. 130; reported from committee, p. 172; passed, p. 204; Governor approved, p. 277.
- HB 53**—"An Act to amend Chapter 1, Title 13, Delaware Code, relating to marriage license and marriage license applications, and making a supplementary appropriation to the State Board of Health to effectuate the Amendment." With **HA 1** presented, read and referred, p. 172; reported from committee, p. 209; roll call tabled, p. 261; with **HA 1** passed, p. 289; Governor approved, p. 309.
- HB 64**—"An Act to amend Section 9701, Title 10, Delaware Code, pertaining to charges for services by Justices of the Peace." Presented, read and referred, p. 58; **SA 1** included, p. 70; reported from committee, p. 92; **SA 1** stricken from calendar, p. 204; passed, p. 226; Governor approved, p. 276.

- HS 1 for HB 65**—"An Act to amend Title 10, Delaware Code, relating to the appointment of Judges of the Family Court of the State of Delaware in and for New Castle County." Presented, read and referred, p. 154; reported from committee, p. 169; **SA 1** to **HS 1** introduced, p. 226; bill deferred, p. 226; **SA 2** to **HS 1** introduced and lost, p. 252; **HS 1** for **HB 65** with **HA 1** and **HA 2** passed, p. 253; Governor approved, p. 277.
- HS 1 for 67**—"An Act to amend Chapters 17, 19 and 21, Title 14, Delaware Code, relating to education." With **HA 2**, **HA 4** and **HA 5** bill passed, p. 643.
- HB 71**—"An Act to authorize the State Building and Grounds Commission to acquire property on the Dover Green and appropriating moneys thereof." Passed, p. 55; Governor approved, p. 60.
- HB 72**—"An Act relating to aid to the blind by lowering the age eligibility." Presented, read and referred, p. 65; reported from committee, p. 80; passed, p. 92; Governor approved, p. 119.
- HB 75**—"An Act to amend Chapter 13, Title 14, Delaware Code, relating to State supported salary schedules for school employees and making a supplementary appropriation to the State Board of Education." With **HA 2** presented, read and referred, p. 130; reported from committee, p. 152; passed, p. 165; Governor approved, p. 200.
- HB 76**—"An Act to amend Chapter 1, Title 30, Delaware Code, pertaining to State taxes by adding a new Section thereto providing for reciprocal collection of taxes." Presented, read and referred, p. 248; reported from committee, p. 378; passed, p. 386; Governor approved, p. 425.
- HB 77**—"An Act making an appropriation to the Delmar School District No. 163, Sussex County, for costs incurred in equipping a science room." Presented, read and referred, p. 69; reported from committee, p. 79; passed, p. 79; Governor approved, p. 115.
- HB 78**—"An Act to amend Title 5, Delaware Code, relating to pledging or hypothecating assets." Presented, read and referred, p. 74; reported from committee, p. 114; **SA 1** introduced, p. 124; with **SA 1** passed, p. 231; Governor approved, p. 277.

- HB 80**—"An Act to aid veteran's organizations and their services to veterans by making an appropriation thereof." With **HA 1** presented, read and referred, p. 160; reported from committee, p. 256; with **HA 1** passed, p. 323; Governor approved, p. 369.
- HB 82**—"An Act to aid certain fire companies which are organized to extinguish fires or maintain ambulances or rescue trucks, by making appropriations for them." Presented, read and referred, p. 130; reported from committee, p. 235; **SA 1** introduced and adopted, p. 261; with **SA 1** passed, p. 261; Governor approved, p. 308.
- HB 83**—"An Act to aid certain organizations which maintain an ambulance in the public service by maintenance of the ambulances." Presented, read and referred, p. 154; reported from committee, p. 256; bill passed, p. 423-424; Governor approved, p. 454.
- HB 84**—"An Act appropriating certain moneys to the Delaware State Fair, Inc., for prizes." Presented, read and referred, p. 154; reported from committee, p. 256; passed, p. 289-290; Governor approved, p. 308.
- HB 85**—"An Act to aid Homes for the Aged by appropriating money to Palmer Home, Incorporated, and Layton Home for Aged Colored Persons." Presented, read and referred, p. 154; reported from committee, p. 256; passed, p. 290; Governor approved, p. 309.
- HB 90**—"An Act making an appropriation to the State Fire Prevention Commission for the training of volunteer firemen." Presented, read and referred, p. 85; reported from committee, p. 102; with **HA 1** Governor approved, p. 119.
- HB 91**—"An Act making a supplemental appropriation in the fiscal year ending June 30, 1963 to honor an obligation incurred in the fiscal year — ending June 30, 1962." Presented, read and referred, p. 80.
- HB 92**—"An Act to amend Title 5, Delaware Code, relating to direct-reduction loans by building and loan associations by providing for the authority to secure loans by mortgages on real estate within the State of Delaware or outside the State of Delaware if within 50 miles of the main office of the association." Presented, read and referred, p. 74; reported from committee, p. 114; passed, p. 207-208; Governor approved, p. 244.