

STATE OF DELAWARE



JOURNAL
of the
HOUSE OF REPRESENTATIVES

REGULAR SESSION

of the

121ST GENERAL ASSEMBLY

Convened

Tuesday, January 3, 1961

Dover, Delaware

STATE OF DELAWARE
FIRST SESSION
of the
121ST GENERAL ASSEMBLY
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MEMBERS OF THE HOUSE OF REPRESENTATIVES
NEW CASTLE COUNTY

WILMINGTON

District

- 1—Paul F. Livingston, 501 Spruce St., Wilmington
 - 2—Russell D. F. Dineen, 1804 Monroe St., Wilmington
 - 3—Ralph S. Keenan, 1411 N. Bancroft Parkway, Wilmington
 - 4—Paul E. Shockley, 731 W. 4th St., Wilmington
 - 5—Thomas P. Murray, 308 N. Jackson St., Wilmington
- RURAL NEW CASTLE COUNTY**
- 6—T. Lees Bartleson, 105 North Rd., Wilmington
 - 7—Robert N. Downs, 933 Center Road, Wilmington
 - 8—Andrew Casey, 1801 Limestone Rd., Wilmington
 - 9—Charles S. Kleinbach, Coochs Bridge Rd., RD 1, Newark
 - 10—James R. Quigley, Hare's Corner, New Castle
 - 11—Robert E. Pawson, 21 Marlin Dr., Brookside Pk., Newark
 - 12—Robert C. Davidson, St. Georges
 - 13—Sherman W. Tribbitt, Odessa Heights, Odessa
 - 14—Chester Gove, Jr., R. D. No. 1, Townsend
 - 15—Carlton Blendt, Jr., Gumbush Road, Townsend

KENT COUNTY

- 1—Glenn W. Busker, 215 W. Mt. Vernon St., Smyrna
- 2—George Ehinger, 12 Kings Highway, Dover
- 3—Carl Prettyman, Kenton
- 4—Orville Myers, Hartly
- 5—Charles F. Richards, 314 N. Bradford St., Dover
- 6—Dawson Shulties, Wyoming
- 7—Harvey P. Fifer, Box 341, Dover
- 8—William J. Paskey, Jr., Felton-Harrington Rd., Harrington
- 9—George H. Exley, 105 Commerce St., Harrington
- 10—George A. Robbins, RFD 2, Box 85, Milford

SUSSEX COUNTY

- 1—W. Carlton Clifton, Milford-Rehoboth Hwy., Milford
- 2—John Annett, Harrington

- 3—Norman A. Eskridge, Seaford
- 4—Jennings Moore, 601 Market St., Seaford
- 5—William H. Phillips, Laurel
- 6—Clarence E. Truitt, Dagsboro
- 7—Wilbert E. Hocker, Millville
- 8—William W. Baker, Sr., Millsboro
- 9—Robert Snowden, Route 3, Box 232, Georgetown
- 10—William T. Best, Box 51, Nassau

OFFICERS OF THE HOUSE

First Session of the 121st General Assembly

Speaker—Sherman W. Tribbitt
 Attorney—Joseph T. Walsh
 Attorney—James B. Messick
 Attorney—William H. Draper, Jr.
 Chief Clerk—Fred Lord, Jr.
 Chief Clerk—Noble Carroll
 Assistant Chief Clerk—Mary Ann McCabe
 Reading Clerk—Francis X. Shoemaker
 Reading Clerk—William McClafferty
 Assistant Reading Clerk—Elizabeth Wainwright
 Chaplain—Rev. Arthur James
 Bill Clerk—James Quigley, Jr.
 Assistant Bill Clerk—David Farrone
 Page—Ruth Ross
 Page—Mary Ann Wilson
 Page—Martha Dixon
 Page—Harold Hudson
 Stenographer—Jean Demel
 Stenographer—Louise Staats
 Stenographer—Judy Graham
 Stenographer—Louise Pennewill
 Stenographer—Margaret Walker
 Door Tender—Ernest Council
 Door Tender—Gove Jarvis
 Door Tender—W. Harrison Melivn
 Door Tender—Paul Lowe
 House Messenger—Ralph McClain
 House Messenger—Bradford Holliday
 House Messenger—Willard Robbins
 House Messenger—Catherine Fonville—Telephone
 House Messenger—Pauline Holmes—Telephone
 Cloak Room Attendant—Clydas Colder
 Cloak Room Attendant—John R. Willey
 Cloak Room Attendant—B. Guy Wheatley
 Multilith Operator—George L. Everett
 Assistant Multilith Operator—Lloyd Minner
 Mail Clerk—Frank P. Ingram
 Mail Clerk—Helen Collins

File Clerk—William B. Morgan, Jr.
 File Clerk—Allen S. Moffitt
 File Clerk—Elizabeth G. Ennis
 File Clerk—Claude W. Jordan
 File Clerk—Helen Reihm
 Document Clerk—Lillian Weston
 Assistant Document Clerk—William D. David
 Sergeant-at-Arms—Emory Spicer
 Sergeant-at-Arms—Donald Ralph
 Sergeant-at-Arms—Edgar Brown
 Sergeant-at-Arms—George W. Kirkby
 Messenger—Daniel Boyce
 Majority Leader's Clerk—Samuel Messick
 Minority Leader's Clerk—L. B. Knapp
 Speaker's Clerk—Catherine Swartwood

COMMITTEES OF HOUSE OF REPRESENTATIVES

Accounts—Moore, Busker, Shulties, Hocker, Myers
 Agriculture and Forestry—Paskey, Blendt, Clifton, Fifer,
 Myers
 Appropriations—Eskridge, Dineen, Robbins, Best, Bartleson
 Charities—Blendt, Livingston, Exley, Baker, Downs
 Claims—Robbins, Gove, Davidson, Baker, Hocker
 Corporations, Municipal—Shockley, Busker, Moore, Ehinger,
 Keenan
 Corporations, Private—Livingston, Shockley, Clifton, Bartle-
 son, Best
 Education—Robbins, Murray, Phillips, Annett, Ehinger
 Elections—Dineen, Livingston, Paskey, Annett, Keenan
 Federal Relations—Quigley, Clifton, Truitt, Keenan, Klein-
 bach
 Fish, Oysters and Game—Gove, Prettyman, Blendt, Hocker,
 Myers
 Insurance and Banking—Blendt, Shockley, Murray, Bartleson,
 Fifer
 Judiciary—Busker, Davidson, Paskey, Baker, Pawson
 Labor—Murray, Quigley, Robbins, Casey, Hocker
 Manufacturing and Commerce—Shulties, Moore, Livingston,
 Casey, Snowden
 Military Affairs—Prettyman, Truitt, Davidson, Baker, Paw-
 son
 Miscellaneous—Phillips, Exley, Truitt, Downs, Ehinger
 Passed Bills—Shulties, Quigley, Fifer
 Printing—Exley, Shulties, Moore, Casey, Richards
 Public Health—Clifton, Blendt, Quigley, Ehinger, Kleinbach
 Public Buildings and Highways—Gove, Prettyman, Phillips,
 Kleinbach, Pawson
 Revenue and Taxation—Truitt, Shockley, Murray, Downs,
 Snowden

Revised Statutes—Davidson, Busker, Paskey, Bartleson,
 Richards
 Rules—Phillips, Exley, Dineen, Annett, Best
 Supplies—Truitt, Phillips, Prettyman, Keenan, Snowden
 Temperance—Moore, Gove, Dineen, Richards, Snowden

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

1ST LEGISLATIVE DAY

First Regular Session, 121st General Assembly, January 3, 1961.

Pursuant to Article 2, Section 4, the Constitution, the 121st General Assembly, State of Delaware, convened on the first Tuesday of January, 1961, it being the third day of January, 1961, at 11:00 A. M.

The House was called to order by Mr. Russell D. F. Dineen, Representative-elect of the 2nd Representative District, New Castle County, of Wilmington.

The salute to the Flag was led by Mr. Dineen.

A prayer was rendered by The Reverend Dr. David Mulford, of Georgetown.

Mr. Clarence E. Truitt, Representative-elect of the 6th Representative District, of Sussex County, at the request of Mr. Dineen, called the names of the members-elect of the House of Representatives of the 121st General Assembly who had taken their seats.

WILMINGTON—NEW CASTLE COUNTY

Representative District No. 1—Paul F. Livingston
 Representative District No. 2—Russell D. F. Dineen
 Representative District No. 3—Ralph S. Keenan
 Representative District No. 4—Paul E. Shockley
 Representative District No. 5—Thomas P. Murray

RURAL NEW CASTLE COUNTY

Representative District No. 6—T. Lees Bartleson
 Representative District No. 7—Robert N. Downs, III
 Representative District No. 8—Andrew Casey
 Representative District No. 9—Charles S. Kleinbach
 Representative District No. 10—James R. Quigley
 Representative District No. 11—Robert E. Pawson
 Representative District No. 12—Robert C. Davidson
 Representative District No. 13—Sherman W. Tribbitt
 Representative District No. 14—Chester Gove, Jr.
 Representative District No. 15—Carlton Blendt, Jr.

KENT COUNTY

Representative District No. 1—Glenn W. Busker
 Representative District No. 2—George Ehinger
 Representative District No. 3—Carl F. Prettyman
 Representative District No. 4—Orville B. Myers
 Representative District No. 5—Charles F. Richards
 Representative District No. 6—Dawson H. Shulties
 Representative District No. 7—Harvey P. Fifer
 Representative District No. 8—William J. Paskey, Jr.

Representative District No. 9—George H. Exley
 Representative District No. 10—George A. Robbins

SUSSEX COUNTY

Representative District No. 1—Carlton Clifton
 Representative District No. 2—John Annett
 Representative District No. 3—Norman Eskridge
 Representative District No. 4—Jennings Moore
 Representative District No. 5—W. Harrison Phillips
 Representative District No. 6—Clarence E. Truitt
 Representative District No. 7—Wilbert Hocker
 Representative District No. 8—William W. Baker, Sr.
 Representative District No. 9—Robert Snowden
 Representative District No. 10—William T. Best

All members-elect were present except Mr. Livingston, Mr. Paskey, Jr., Mr. Shockley, and Mr. Davidson.

Mr. Sherman W. Tribbitt, Representative-elect of the 13th Representative District of New Castle County, moved that Mr. Dineen be elected temporary Speaker of the House of Representatives to serve until the election of the permanent Speaker. The motion was adopted by an unanimous voice vote.

Mr. Tribbitt moved that Mr. Truitt, Representative-elect of the 6th Representative District of Sussex County, be elected temporary Clerk of the House of Representatives. The motion was adopted by an unanimous voice vote.

Mr. Tribbitt moved that the Certificates of Election be received and that a committee of two members be appointed to receive and examine the certificates. The motion was adopted by an unanimous voice vote.

Mr. Dineen appointed Messrs. Tribbitt and William T. Best, Representative-elect of the 10th Representative District of Sussex County, to receive and examine the Certificates of Election of the members. Mr. Dineen declared a 10 minute recess to enable the Committee to examine the Certificates of Election.

The members reconvened at the call of Mr. Dineen. Messrs. Tribbitt and Best reported that they had examined the Certificates of Election and found that they were in order.

The Certificates of Election for Mr. Dineen and Mr. Truitt were then read, as follows:

THE STATE OF DELAWARE, NEW CASTLE COUNTY, ss. BE IT REMEMBERED, That at the General Election held on the Tuesday after the first Monday in November in the year of our Lord nineteen hundred and sixty, for New Castle County, according to the Constitution and Laws of the State of Delaware, Russell D. F. Dineen was duly elected Representative of Representative District Number Two in

said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds of election districts of the County, according to the provision made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 14th day of November, A. D. 1960.

/s/ Charles L. Terry, Jr.
President Judge

/s/ Andrew D. Christie
Resident Associate Judge,

Superior Court of Delaware, New Castle County.

THE STATE OF DELAWARE, SUSSEX COUNTY, ss.
BE IT REMEMBERED, That at the General Election held on the Tuesday after the first Monday in November in the year of our Lord nineteen hundred and sixty, for Sussex County, according to the Constitution and Laws of the State of Delaware, Clarence E. Truitt was duly elected Representative of Representative District Number 6 in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds of election districts of the County, according to the provision made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 10th day of November, A. D., 1960.

/s/ Albert J. Stiftel
Associate Judge

/s/ James B. Carey
Resident Associate Judge

Mr. Tribbitt moved that Mr. Harry C. McSherry of Dover, a Notary Public of the State of Delaware, give the oath of office as representative to Mr. Dineen, and to Mr. Truitt, and also give them the oath of office as Temporary Speaker, and Temporary Clerk, respectively. The motion was adopted by an unanimous voice vote. Mr. McSherry then administered the following oath to Mr. Dineen:

OATH OF REPRESENTATIVE

New Castle County, The State of Delaware, ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative of the General Assembly of the State of Delaware from Representative District No. 2 in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1960), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

/s/ Russell D. F. Dineen

Sworn to this 3rd day of January A. D., 1961, before me.

/s/ Harry C. McSherry, Notary Public

Mr. McSherry then administered the oath of office to Mr. Truitt. The form which was previously administered to Mr. Dineen.

Mr. McSherry then administered the following oath to Mr. Dineen as Temporary Speaker:

EMPLOYEES OATH

The State of Delaware, County of New Castle, ss.

I, Russell D. F. Dineen, 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 Temporary Speaker for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

/s/ Russell D. F. Dineen

Sworn and subscribed to this 3rd day of January A. D. 1961.

/s/ Harry C. McSherry, Notary Public

Mr. McSherry then administered the employees oath to Mr. Truitt as Temporary Clerk, the form of which was as previously administered to Mr. Dineen.

Mr. Tribbitt moved that the remaining Certificates of Election be read. This motion was adopted by an unanimous voice vote. The following are forms of the Certificates of Election:

THE STATE OF DELAWARE NEW CASTLE COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord Nineteen hundred and sixty, for New Castle County, according to the Constitution and Laws of the State of Delaware, Paul F. Livingston was duly elected Rep-

representative for Representative District Number One in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 14th day of November, A. D. 1960.

/s/ Charles L. Terry
President Judge

/s/ Andrew D. Christie
Resident Associate Judge

THE STATE OF DELAWARE
KENT COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and sixty for Kent County, according to the Constitution and Laws of the State of Delaware, One thousand one hundred ninety-four (1194) votes were given for Harry C. Johnson for Representative for the First Representative District in the General Assembly; One thousand two hundred fourteen (1214) Votes were given for Glen W. Busker for Representative for the First Representative District in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Collins J. Seitz and William J. Storey, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 10th day of November, A. D. 1960.

/s/ Collins J. Seitz
Chancellor

/s/ William J. Storey
Resident Associate Judge

THE STATE OF DELAWARE
KENT COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and sixty

for Kent County, according to the Constitution and Laws of the State of Delaware, Glen W. Busker was duly elected Representative for the First Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds of Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Collins J. Seitz and William J. Storey, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 10th day of November, A. D. 1960.

/s/ Collins J. Seitz
Chancellor

/s/ William J. Storey
Resident Associate Judge

THE STATE OF DELAWARE
SUSSEX COUNTY, ss.

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

IN TESTIMONY WHEREOF, We, James B. Carey and Albert J. Stiftel, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this Tenth day of November, A. D., 1960.

/s/ Albert J. Stiftel
Associate Judge

/s/ James B. Carey
Resident Associate Judge

The Temporary Clerk, Mr. Truitt, then proceeded to read the Certificate of Election of Representative Paul F. Livingston of the First Representative District of New Castle County.

Mr. Tribbitt moved that the reading of the Certificate of Election of Representative Livingston constitute the reading of all the Certificates of Election. The motion was adopted by a unanimous voice vote.

Mr. Tribbitt asked Mr. Dineen, the Temporary Speaker, to administer the oath of office to the members-elect. The oath of office was then administered by Mr. Dineen to all members-elect. The form of the Oath of Representatives as administered by Mr. Dineen to all members-elect appears as follows:

-----County, The State of Delaware, ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative of the General Assembly of the State of Delaware from Representative District No.....inCounty (to which office I was elected at the General Election held in said State in the year A. D. 1960), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

Sworn to this 3rd day of January A. D. 1961, before me

/s/ Russell D. F. Dineen

Temporary Speaker

Mr. Tribbitt moved that Mr. Truitt, Temporary Clerk, be instructed to call the permanent roll. The motion was unanimously adopted by a voice vote. Mr. Truitt called the permanent roll as follows:

1. Mr. Annett
2. Mr. Baker, Sr.
3. Mr. Bartleson
4. Mr. Best
5. Mr. Blendt
6. Mr. Busker
7. Mr. Casey
8. Mr. Clifton
9. Mr. Davidson
10. Mr. Dineen
11. Mr. Downs
12. Mr. Ehinger
13. Mr. Exley
14. Mr. Eskridge
15. Mr. Fifer
17. Mr. Hocker
16. Mr. Gove, Jr.
18. Mr. Keenan

19. Mr. Kleinbach
20. Mr. Livingston
21. Mr. Moore
22. Mr. Myers
23. Mr. Murray
24. Mr. Paskey, Jr.
25. Mr. Pawson
26. Mr. Phillips
27. Mr. Prettyman
28. Mr. Quigley
29. Mr. Richards
30. Mr. Robbins
31. Mr. Shockley
32. Mr. Shulties
33. Mr. Snowden
34. Mr. Tribbitt
35. Mr. Truitt

All of the members were present except Messrs. Livingston, Paskey, and Shockley.

Mr. Eskridge moved that Mr. Sherman Tribbitt, of Odesa, be elected permanent Speaker of the 121st General Assembly. The motion was seconded by Mr. Best. No other nominations were received. Mr. Tribbitt was then elected Speaker of the House of Representatives of the 121st General Assembly by a unanimous voice vote.

Mr. Eskridge moved that Mr. Dineen, the Temporary Speaker, appoint two members to escort the Speaker-elect, Mr. Tribbitt, to the rostrum. Mr. Dineen, the Temporary Speaker, appointed Mr. Eskridge and Mr. Best to escort Mr. Tribbitt to the rostrum.

Mr. Dineen proceeded to administer the oath as Speaker of the House of Representatives of the 121st General Assembly to Mr. Sherman W. Tribbitt. The oath taken by Mr. Tribbitt was as follows:

The State of Delaware, County of Kent, ss.

I, Sherman W. Tribbitt, 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 Speaker of the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

/s/ Sherman W. Tribbitt

Sworn and subscribed to this 3rd day of January, A. D. 1961.

/s/ Russell D. F. Dineen
Temporary Speaker

Mr. Livingston, having entered the Chamber, asked that he be marked present. Mr. Tribbitt then administered the Oath of Office to Mr. Livingston in the form as previously set forth.

Mr. Eskridge moved the House of Representatives recess until 1:30 P. M. The motion was adopted by an unanimous voice vote, and the Speaker declared the House in recess at 11:59 P. M. until 1:30 P. M. At 2:00 P. M., the House reconvened at the call of the Speaker, Mr. Tribbitt.

Mr. Paskey, having entered the Chamber, asked to be marked present. The Speaker then administered the oath of office to Mr. Paskey. The oath of office administered was in the same form as heretofore set forth.

Mr. Eskridge moved that Maurice A. Hartnett, III, Esquire, of Dover, be elected temporary bill clerk and temporary reading clerk of the House of Representatives to serve until the elections of the permanent bill clerk and permanent reading clerk. The motion was unanimously adopted by a voice vote.

Mr. Tribbitt then proceeded to administer the employee's oath to Mr. Hartnett, the form of which was as previously administered to Mr. Dineen as Temporary Speaker.

Mr. Eskridge introduced the following resolution:

HR 1—In Reference to Rules of the House of Representatives.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the Rules of the House of Representatives at the regular session of 1959 be and they hereby are adopted as the temporary rules for the governing of the present Session.

The above Resolution was then adopted by an unanimous voice vote.

Mr. Eskridge introduced the following resolution:

HR 2—Notifying the Senate That the House of Representatives is Organized and Ready for Business.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware, that the Clerk of said House notify the Senate that the House is organized and ready to receive business.

Mr. Eskridge asked that all rules be suspended for the sole purpose of acting on **HR 2**, which motion was unanimously adopted and the House proceeded to adopt by a unanimous voice vote **HR 2**.

Mr. Eskridge introduced the following resolution:

HR 3—Appointing a Committee to Notify the Governor That the House of Representatives is Organized.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware, that the Speaker of the House appoint a committee of 2 members on the part of the House to notify the Governor of the State of Delaware, of the convening of the House of Representatives of the 121st General Assembly, and to inform him that the

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

Mr. Eskridge asked that all rules be suspended for the sole purpose of acting on **HR 3**, which motion was unanimously adopted and the House proceeded to adopt by an unanimous voice vote **HR 3**.

Mr. Eskridge introduced the following resolution:

HR 4—Appropriation for Postage Stamps for the House of Representatives of the 121st General Assembly.

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware, that the sum of \$500 be and the same is hereby appropriated out of the General Fund of the State of Delaware for the purchase of postage stamps to be used for the official business of the House of Representatives of the 121st General Assembly.

BE IT FURTHER RESOLVED, that the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such postage stamps out of said appropriation upon warrants approved by the Executive Director of the Legislative Reference Bureau.

Mr. Eskridge asked that all rules be suspended for the sole purpose of acting on **HR 4**, which motion was unanimously adopted and the House proceeded to adopt by an unanimous voice vote **HR 4**.

Mr. Eskridge introduced the following resolution:

HR 5—In Reference to Supply of Delaware Code and Volume 52, Laws of Delaware, to Members of the House of Representatives and Certain Officers Thereof.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the Legislative Reference Bureau is hereby authorized and directed to furnish to each member of the House, to the Chief Clerk of the House, and to the attorneys of the House, respectively:

One copy of the 1953 Delaware Code Annotated including all cumulative Pocket Parts to date;

One copy of Volume 52, Laws of Delaware, when compiled and published.

Mr. Eskridge asked that all rules be suspended for the sole purpose of acting on **HR 5**, which motion was unanimously adopted and the House proceeded to adopt by an unanimous voice vote **HR 5**.

Mr. Eskridge introduced the following resolution:

HR 6—Extending the Privileges of the Floor to Certain Persons.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly, that the privileges of the Floor be accorded to the ex-members of the House, members and

ex-members of the Senate, members and ex-members of the United States Senate and the United States House of Representatives, the Governor, other State Officers, and Representatives of the Press, and the privileges of the Floor to address the House or to confer with members may be granted to others by a majority vote of the House.

Mr. Eskridge asked that all rules be suspended for the sole purpose of acting on **HR 6**, which motion was unanimously adopted and the House proceeded to adopt by an unanimous voice vote **HR 6**.

Mr. Speaker appointed Mr. Eskridge, Mr. Best, and Mr. Fifer to notify the Governor that the House is organized pursuant to the provisions of **HR 3**.

Upon motion of Mr. Eskridge, the House recessed at the call of the Chair. Mr. Speaker reconvened the House at 2:30 P. M.

Mr. Eskridge introduced the following concurrent resolution:

HCR 1—Providing for Adjournment of the House of Representatives and the Senate.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware, the Senate concurring therein, that at the close of business on January 3, 1961, both Houses shall adjourn until Monday, January 9, 1961, at 1:00 o'clock P. M.

Mr. Eskridge moved that all rules be suspended for the sole purpose of acting on **HCR 1**. The motion was unanimously adopted by a voice vote. The House then unanimously adopted by a voice vote **HCR 1**, and ordered it to the Senate for concurrence.

Mr. Eskridge introduced the following concurrent resolution:

HCR 2—That the Two Houses Meet in Joint Session to Hear the Message of the Governor.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly, the Senate concurring therein, that the two Houses of the General Assembly meet in Joint Session in the Senate Chambers at 2 o'clock P. M. on the 9th day of January, A. D., 1961, or as soon thereafter as is convenient, for the purpose of receiving from the Governor of the State of Delaware, any communication that he may present, or any message that he may choose to deliver.

Mr. Eskridge moved that all rules be suspended for the sole purpose of acting on **HCR 2**. The motion was unanimously adopted by a voice vote. The House then unanimously adopted by a voice vote **HCR 2**, and ordered it to the Senate for concurrence.

Upon motion of Mr. Eskridge, the House adjourned pursuant to **HCR 2**, until January 9, 1961, at 1:00 P. M.

2ND LEGISLATIVE DAY

January 9, 1961

The House met pursuant to adjournment at 1:00 P. M. on January 9, 1961.

Prayer by the Chaplain, Rev. James.

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

Members absent—Messrs. Dineen, Richards—2.

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

Mr. Speaker read the Certificate of Election of Mr. Shockley and administered the Oath of Office for the same.

The following communications were presented and read to the House members:

UNITED STATES SENATE

Washington, D. C., January 4, 1961

Honorable Sherman W. Tribbitt, Speaker of the House
Odessa Heights, Odessa, Delaware
Dear Mr. Tribbitt:

Enclosed is an invitation Senator Boggs and I would like to have you extend to all Members of the House of Representatives.

Yours sincerely,

JOHN J. WILLIAMS
J. CALEB BOGGS

UNITED STATES SENATE

Washington, D. C., January 4, 1961

To the Members of the House of Representatives:

Senator Boggs and I wish to extend an invitation to the Members of the House of Representatives to not only visit our offices, but to make them your headquarters while in Washington for the Inaugural Ceremonies on January 20, 1961.

Senator Williams' office is Number 315 Old Senate Office Building. Since Senator Boggs has not received his permanent room assignment, we both urge you to make room 315 your headquarters.

Yours sincerely,

JOHN J. WILLIAMS
J. CALEB BOGGS

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

HR 7—In Reference to Election of Officers.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the following named persons be and they hereby are elected to the respective offices appearing opposite their names, to serve during the pleasure of the House of Representatives.

Attorney—Joseph T. Walsh

Attorney—James B. Messick and William H. Draper, Jr.
(two serving as one Officer and to be paid as one)

Chief Clerk—Fred C. Lord, Jr.

Assistant Chief Clerk—Mary Ann McCade

Reading Clerk—Francis X. Shoemaker

Assistant Reading Clerk—Elizabeth Wainwright

Chaplain—Rev. Arthur James

Bill Clerk—James Quigley

Assistant Bill Clerk—David L. Farrone

Page—Mrs. Martha Dixon

Cloak Room Attendant—Clydas Colder

House Messenger—Ruth Ross

House Page—Paul Burton

House Messenger—Catherine Fonville

House Messenger—Mrs. Willie Holmes

File Clerk—Mrs. Jean Demel

File Clerk—Lillian Weston

Typist—Margaret Walker

Sergeant-at-Arms—William L. David

File Clerk—Claude W. Jordon

Stenographer—Helen Reihm

Stenographer—Louise Pennewell

File Clerk—Elizabeth G. Ennis

Cloak Room Attendant—John R. Wiley

Stenographer—Louise Staats

House Messenger—Ralph McClain

Door Tender—Ernest Council

File Clerk—Allen S. Moffitt

Multilith Operator—George L. Everett

Supply Room—Judy Graham

Messenger—John Moore

Sergeant-at-Arms—Lloyd Minner

Sergeant-at-Arms—Edgar Brown

Sergeant-at-Arms—W. Harrison Melvin

Messenger—Bradford Holliday

Door Tender—Gove Jarvis

Sergeant-at-Arms—George W. Kirkby

Messenger—Willard C. Robbins

File Clerk—William B. Morgan, Jr.

Mail Clerk—Frank P. Ingram

Messenger—Mary Wilson

Majority Floor Leader Clerk—Samuel Messick
 Messenger—Daniel Boyce
 Sergeant-at-Arms—B. K. Wheatley
 Door Tender—Emory Spicer
 House Messenger—Donald Ralph
 House Messenger—Harold W. Hudson
 House Messenger—Paul W. Lowe

The Speaker administered the Employees Oath to the Attaches named in **HR 7**.

The following bill was introduced, given first and second reading, and referred to committee as follows:

HB 1—An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1962, and Authorizing the Allocation of Funds. (By Best, to Appropriations)

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

HR 8—Authorizing the Legislative Reference Bureau to Furnish Stationery and Other Supplies.

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware, that the Legislative Reference Bureau hereby is authorized and directed to furnish to the Members of the House of Representatives, the Speaker's Clerk, the Chief Clerk, the Assistant Chief Clerk, the Attorneys for the House of Representatives, the Reading Clerks and the Bill Clerks, stationery and other supplies, the cost of which shall not exceed the sum of \$25.00 for each.

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

HR 9—Authorizing the Committee on Printing to Purchase Name Cards for Use of Members and Identification Cards for Use of Members and Attaches of the House of Representatives.

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware that the Committee on printing is directed to purchase name cards for the use of members and identification cards for the use of the members and attaches of the House of Representatives.

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

HJR 1—Providing for a Joint Committee to Arrange for the Inauguration of the Honorable Elbert N. Carvel as Governor of the State of Delaware and to Arrange for the Attendance of Officials and Persons to Represent the State of Delaware at the Inauguration of Honorable John F. Kennedy as president of the United States; and Appropriating Funds.

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

HCR 4—Providing for Adjournment of the House of Representative and the Senate.

Messrs. Keenan, Shockley, Murray and Livingston introduced the following resolution, which was read and on motion of Mr. Keenan adopted:

HR 10—Relative to the Death of Dennis F. Dineen, Father of State Representative Russell D. F. Dineen.

WHEREAS, the House of Representatives of the 121st General Assembly of the State of Delaware has learned with deep regret of the recent death of Dennis F. Dineen, father of State Representative Russell D. F. Dineen of New Castle County, and

WHEREAS, the members of the House desire to express in this public manner their own feelings and the sense of loss which is felt by Representative Russell D. F. Dineen and his colleagues in the House of Representatives, NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the members thereof extend their sincere sympathy and deep condolence to Representative Russell D. F. Dineen at the death of his father, Dennis F. Dineen, and

BE IT FURTHER RESOLVED that this expression of sympathy be conveyed to the family of Dennis F. Dineen and a copy of this resolution be forwarded to the members of his immediate family, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of Representatives of the 121st General Assembly of the State of Delaware.

The House recessed at 2:15 P. M. until 2:30 P. M., at which time a Joint Session of the House and the Senate will convene to hear the message of the Governor as provided for in **HCR 2**.

The Sergeant-at-Arms announced the Speaker and Members of the House of Representatives. They were admitted and seated. Lieutenant-Governor Lamot invited the Speaker of the House and the President Pro Tem to a seat on the Rostrum.

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

JOINT SESSION

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

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

Mr. Steen moved that the Chair appoint a Joint Committee to notify the Governor that a Joint Session is organized and to escort the Governor to the Senate. Motion prevailed.

The Chair appointed Messrs. Steen, (Mrs.) Manning, Simpson, Cook, Best, Eskridge, Robbins and Fifer.

The Sergeant-at-Arms announced the presence of His Excellency, The Hon. David L. Buckson, Governor of the State of Delaware. The Joint Committee escorted the Governor to the Senate Rostrum, where he delivered the following message:

GOVERNOR'S MESSAGE

December 30, 1960

Mr. President

Mr. Speaker

Members of the 121st General Assembly of the State of Delaware:

As the outgoing Governor of the State of Delaware, it is my privilege to present to you my final message.

In order that I might be sworn in January 3, 1961, as one of Delaware's United States Senators, I find it necessary to resign as Governor this date. I have asked my successor, Governor David P. Buckson, if he would be kind enough to transmit this message to the members of the 121st General Assembly.

It is not my purpose to set before you a specific Legislative program as I have done in past years. There will be a new Administration next month and I am confident that recommendations for a Legislative program will be submitted at that time.

However, because of the wonderful opportunity I have had to serve as your Governor for the past eight years—an opportunity for which I shall always be grateful—I believe I am in a position to make several suggestions and observations which are in the best interests of the people of Delaware.

FINANCIAL CONDITION

One of the most serious problems facing the State of Delaware is its financial condition—present and future. This is a problem which has many facets, all of them of prime concern to the citizens of this State.

As for the current financial condition of the State of Delaware, I respectfully submit herewith the Budget Report of the State of Delaware for fiscal year 1961-62 and the Budget Appropriation Bill for the State of Delaware, an Act making appropriations for the expenses of the State Government for the fiscal year ending June 30, 1962 and authorizing the allocation of funds.

In order to provide the vitally-needed state services which our citizens require, I recommend a budget for the fiscal year 1962 in the amount of \$84,719,035.00. Because reversions of

appropriations are expected to reach \$1,500,000.00 in the next fiscal year, it is estimated that total disbursements and commitments for the next year will amount to \$83,219,035.00.

Revised estimates of revenue anticipated for next year are \$80,000,000.00.

Therefore, recommended disbursements will exceed anticipated revenue by \$3,219,035.00 during fiscal 1962. Since estimated disbursements and commitments will exceed funds available as forecast for the fiscal year ending June 30, 1961 by \$3,519,328.71, the State of Delaware faces a potential deficit of about \$6,738,363.71 by the end of the next fiscal year.

Obviously, we must make a choice. Either we must find new sources or increase existing sources of revenue, or we must drastically reduce the important services we are presently rendering the people.

We also have a third choice. That is to modernize and streamline our present state government so that we are able to provide improved and additional services to the people in a far more economical and efficient manner.

It is my considered judgment, based on eight years' experience as your Governor, that there is only one realistic choice: we must shed our archaic and costly governmental system and adopt the modern machinery that will permit us to do the job better with lower operating costs.

GOVERNMENT REFORM ESSENTIAL

I do not now, nor have I ever, suggested a government reorganization as the cure-all to our problems. This General Assembly has at its disposal an excellent and detailed report prepared by the staff experts of the Joint Revenue Committee last year. It is undoubtedly the most up-to-date comprehensive study of Delaware's financial needs through 1965. It says that at our present rate of growth, with no change in our revenue structure, we will be saddled with an aggregate deficit of about \$100,000,000 by the middle of this decade. It is quite apparent from this report that to provide the necessary services to the people which this modern age demands, we will soon have to face the challenge of increases and revisions in our revenue structure. This report also points up the essential need for doing everything possible to improve our system of government, to increase efficiency and decrease operating costs.

We will not escape the responsibilities of the future by burying our heads in the sand dunes of past history. We have a date with the future and we have already tarried too long. There is plenty of unfinished business from the last General Assembly to be handled before we tackle any new problems, and this unfinished business will require both strong executive and legislative leadership.

With all questions of political motivation removed and with my resignation as Governor in effect by the time you receive this message, I implore you to face up to this unfinished business that consists of (1) sweeping and basic reforms in the organization of the state government and (2) a resumption of the work of the Joint Revenue Committee.

Specifically, I urge you to give renewed consideration to a program of government reorganization along the lines of the proposals I presented to the General Assembly last year. Many of you spent many hours with me listening to the views of experts and the opinions of many of our citizens during public hearings on this question of government reform.

Unfortunately, for one reason or another, the General Assembly chose to take no action on my recommendations. In my opinion, there is no longer any reason why some start toward a modern and more efficient government in Delaware should not be made by this General Assembly.

ADDITIONAL REASONS FOR REFORM

If anything, there are additional, concrete reasons why reform must be undertaken. Those of you who sat through the public hearings heard the commission form of government described as being unresponsive to the people, lacking responsibility to the chief elected executive of the State, being wasteful and inefficient, and failing to provide the full-time executive administration of the multitude of agencies, commissions and boards which now make up our complex state government.

If I and the more than one hundred other citizens who testified at those hearings failed to make a case for the need for government reform, then the Attorney General has succeeded. His report of his investigation of the State Highway Department points up all too clearly the weaknesses inherent in our commission form of government.

Whatever the outcome of his investigation, he has uncovered a scandal which is the outmoded system of government under which we operate.

If the demonstrated dangers of our present system are not sufficient to argue for reform, then certainly the guaranteed savings of taxpayers' present and future dollars are. There is available to the members of this General Assembly a complete set of transcripts of the public hearings . . . pages and pages of expert testimony, documented proof and concrete examples of how tax dollars have been and can be saved through government reform.

SAVINGS OF \$2,000,000

This evidence leaves no doubt that there are savings of nearly two million dollars a year to be gained for the taxpayers of Delaware through such reforms. For instance, a Department of Finance with central purchasing would save

an estimated \$700,000 a year, not to mention the fiscal control which the Attorney General's report showed to be woefully lacking in at least one vast agency. A civil service system would save another \$750,000 in addition to providing the security and incentive which would encourage loyal and devoted service. There are other savings and other advantages for the people of Delaware in a sensible program of government reform.

RESUME REVENUE STUDY

In addition, I urge you to reactivate the Joint Revenue Committee so that it may complete the job it failed to complete in the last session of the Legislature. The 120th General Assembly created the Joint Revenue Committee and instructed it (1) to make a comprehensive study of the future revenue needs of the State of Delaware and (2) to make recommendations concerning the best possible sources of such revenue.

Armed with the study it completed as one-half its assigned task, I strongly recommend that this committee be instructed to get on with the job of exploring and recommending the best and fairest potential sources of additional revenue which will be required if we are to fulfill our obligations in providing services to the people we represent.

This General Assembly and the next Administration have a remarkable opportunity. Governor Carvel is well aware of the advantages of government reform because it was during his previous administration and at his direction that the first comprehensive study of and concrete recommendations for government reform were completed. It was the plan developed by his committee—the Griffenhagen Committee—that served as the starting point for the updated government reform program I proposed in detail last year.

There are many other problems facing the people of Delaware with which you and the next Administration will have to deal. But I am convinced that there is none more vital to the future of this State than the question of government reform because it is the core of all our problems. With this basic problem solved, solutions to the others will come more easily.

REFORMS BEFORE TAXES

I have stated repeatedly that I support a policy of reforms before taxes. This was my firm conviction as Governor and this is my conviction as a citizen. I believe my fellow citizens share the belief that we must not increase the tax burden until we provide the proper government machinery and the necessary climate of public confidence to insure a full dollar's worth of services for each tax dollars they pay.

And may I, for purposes of continuity of government services, direct your attention to another matter.

The 120th General Assembly adopted a budget bill for the current fiscal year but did not provide to the Permanent Budget Commission either contingency funds or transfer authority within existing appropriations. Therefore, I suggest that this problem and the urgent needs of certain agencies be made one of the first orders of business of this General Assembly and the next Administration.

CONCLUSION

I thank you for giving me the opportunity to present this message to you even though I will have resigned as Governor by the time you receive it. I assure you that my words are motivated by a deep sense of heartfelt gratitude for the opportunity the people of Delaware have given me in serving as their Governor for the past eight years. These past eight years have strengthened my deep pride in our State and in my fellow citizens. These years have brought into sharp focus the realization that there is nothing we cannot accomplish if we are willing to work for it.

The State of Delaware is its people, and the Governor is but their public servant. Whatever we have achieved during these past eight years are the achievements of the citizens of this State, the private individuals, the civic organization, the elected and appointed officials, and the employees of the State. Too few of us are aware of their contributions to good government, but to them all I would like to offer a humble "thank you."

I want to offer my congratulations to the newly-elected members of this General Assembly; and to the entire 121st General Assembly, may I wish you a successful and gratifying term.

To Governor Buckson, I would like to offer my congratulations and gratitude for his excellent performance of duty, not only as chief executive of the State, but as an invaluable member of my Administration.

To my successor, who turned over the reins of state government to me eight years ago, I extend my sincere wishes for success. I know that the State will be in the hands of a devoted and loyal public servant.

With Divine Guidance and with faith in the future, may Governor Carvel, the members of the 121st General Assembly and the people of Delaware realize the joy of lasting peace and the warmth of genuine happiness.

Thank you.

Respectfully submitted,

J. CALEB BOGGS, Governor

December 30, 1960

MESSAGE BY GOVERNOR DAVID P. BUCKSON

January 9, 1961

121st General Assembly, Dover, Delaware:

The office of Governor of Delaware deserves much more from any man, however brief his term, than a passive and detached serving of time. This great office commands the attention of the people, and its responsibilities command the occupant, to serve for even a day is to experience the weight of its authority and the necessity for its exercise, and I would be remiss if I brought to this General Assembly no more than the final and important message of my predecessor. The few days since December 30, 1960, have made clear to me the solemn duty and obligation to speak on a subject which cannot be timidly ignored as this Legislature begins its deliberations.

You are aware, as I am, of the climate of public opinion which now exists with respect to the State Highway Department. The people of Delaware have read, with us, the lucid and well-documented interim report of the Attorney General, and the facts therein disclosed are quite justifiably the reason for the public's disapproval of the Department.

It has been many years since so shocking a situation as that described by the Attorney General has been placed before the people of Delaware. The citizens of this State expect action to be taken in this matter, and they are looking to you, to me, and to my successor for that action. We cannot expect the people to be satisfied merely by the setting up of many committees to study the Attorney General's report when they are rightfully expecting the Legislature and the Executive to act upon its recommendations, and act now, without delay.

Accordingly, the first order of business of this General Assembly should be the consideration of Legislative action to reorganize the State Highway Department and the Commission which administers it. Governor Boggs long ago made specific recommendations for such reorganization, not only for the Highway Department but for the entire State Government. Hopefully there will be other specific recommendations with respect to cleaning up the Highway Department, including the obvious need for measures prohibiting dual office holding and outlawing possible conflicts of interest.

But prompt action is necessary as I do not believe the people of Delaware will tolerate any foot-dragging in this matter which, when corrected, will save our taxpayers millions of dollars throughout the years.

A substantial number of the members of this General Assembly have suggested that the present members of the Highway Commission vacate their office, and I must wholeheartedly concur in this suggestion. Many of the matters cited in the Attorney General's report were known or certainly should have been known to the commissioners if they

were properly performing their duties, and the public has understandably withdrawn its confidence from them. It would be in the best interests of the people of this State if the present commissioners would stand aside so that the next Governor might have the opportunity to appoint the people he wishes to administer the Department.

I must also agree with those members of this General Assembly who maintain that no additional bond funds should be granted the State Highway Department under existing conditions. It would appear contradictory to make available additional public monies to any agency which has fallen into disrepute for its financial policies and, as a result, has lost the confidence of the people whose hard earned money it was spending

Any repetition of this tragic scandal must be prevented and it becomes the sober duty of every agency of the State to study their own operating procedures in the light of the Attorney General's report. I strongly urge that this admonition be heeded well by all those involved in the work of our State and its government.

The Highway Department situation underscores the need for a change in our system of treating Gubernatorial appointments. The present status of nine of the twelve Highway Commissioners attests to the slipshod manner in which previous General Assemblies have dealt with Gubernatorial appointments. It is a condition which has contributed disproportionately to the already aggravated problem of inadequate executive authority. My successor should not be handicapped by a continuation of this practice. No government can be properly governed without adequate authority in its chosen Chief Executive.

These comments and observations are probably not new, but they reflect the feelings of the large majority of our people and I am certain that each of you has heard the same from your constituents.

Therefore, I believe you must take action in this matter without further delay. If you do take prompt and appropriate action, you will contribute materially to the restoration of public confidence not only in the Highway Department, but in our whole governmental structure. If you do not take prompt action, I believe this General Assembly, like the Highway Commission, will justifiably lose the confidence of the people of our State.

The future of Delaware can be either brilliant or gloomy. The choice will be made by this and succeeding sessions of the General Assembly. There is, and should be, partisanship in politics; but right now, there should be a rivalry in seeing which party can be most effective in working for a prosper-

ous and healthy Delaware in the future. If that should be the case, there is no doubt in my mind that the future of Delaware is brilliant.

It is not so much where we are, as in which direction we are moving. Let us prove to all concerned that the welfare of the First State is first in the hearts and minds of her statesmen.

Thank you for the many courtesies of the past four years and thank you for today. May the Good Lord look with favor upon your efforts.

CONCLUSION

And so passes from the scenes of Legislative Hall a familiar figure, a friend of yours and of mine, and a most distinguished Delawarean. In addition to Senator Boggs, another well-known, well-liked, and highly respected member of his administration is also departing. I refer, of course, to the Secretary of State, General Schulz, who will leave tomorrow for an extended trip through many parts of the world. I am certain you join me in wishing both these gentlemen, "Bon Voyage" as they go their chosen way.

And now, before I too become a member of the "Ex" Club, I would like to make a few brief comments.

Respectfully submitted,

DAVID P. BUCKSON, Governor

The Joint Committee, previously appointed, escorted the Governor back to his office.

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

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

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

Upon return to the House Chamber, Mr. Eskridge moved that the House recess until 3:55 P. M. Motion prevailed. The House reconvened at 4:15 P. M.

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

HJR 2—Relative to a Joint Session of the 121st General Assembly. (By Mr. Eskridge)

On motion of Mr. Eskridge, all rules were suspended in order that **HJR 2** be given its third and final reading.

On motion of Mr. Eskridge, **HJR 2** was adopted and ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred on **HCR 1**, **HCR 2**, **HCR 4**, and **HJR 1**.

On motion of Mr. Eskridge, the House adjourned until 1:00 P. M., Tuesday, January 17, 1961.

3RD LEGISLATIVE DAY

January 17, 1961

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

Prayer by the Chaplain, Rev. James.

Members present—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

The House recessed to attend the Joint Session in the Senate Chambers in accordance with **HJR 2**.

The Sergeant-at-Arms announced the Speaker and Members of the House of Representatives. They were admitted and seated. President Pro Tem Reilly invited the Speaker of the House to a seat on the rostrum.

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

JOINT SESSION

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

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

Mr. Steen moved that Senate Rule 23 be suspended during the Joint Session. Motion prevailed.

In accordance with the Constitution, the Chair directed that the election returns for Governor and Lieutenant-Governor be read to the Joint Session.

The reading clerk read the same and the Chief Clerk of the House and the Secretary of the Senate tallied the returns and checked the certificates. Whereupon the Secretary of the Senate announced the results as follows:

The State of Delaware, New Castle County, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and sixty, for New Castle County, according to the Constitution and Laws of the State of Delaware, 70, 529 votes were given for Eugene Lamot for Lieutenant Governor; 70,994 votes were given for William V. Roth, Jr., for Lieutenant Governor; which is manifest by calculating and ascertaining the aggregate amount

of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles L. Terry, Jr., and Andrew D. Christie, the Judges constituting the Superior Court in Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 14th day of November, A. D. 1960.

CHARLES L. TERRY

President Judge

ANDREW D. CHRISTIE

Resident Associate Judge

[Seal]

The State of Delaware, Kent County, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and sixty for Kent County, according to the Constitution and Laws of the State of Delaware, Ten thousand nine hundred and forty-one (10,941) votes were given for Eugene Lammot for Lieutenant Governor; Ten thousand one hundred and thirty-six (10,136) votes were given for William V. Roth, Jr., for Lieutenant Governor; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Collins J. Seitz and William J. Storey constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 10th day of November, A. D. 1960.

COLLINS J. SEITZ

Chancellor

WILLIAM J. STOREY

Resident Associate Judge

[Seal]

The State of Delaware, Sussex County, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and sixty, for Sussex County, according to the Constitution and Laws of the State of Delaware, Sixteen thousand three hundred fifty-six (16,356) votes were given for Eugene Lammot for Lieutenant Governor; Fifteen thousand five hundred forty-one

(15,541) votes were given for William V. Roth, Jr., for Lieutenant Governor; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

In TESTIMONY WHEREOF, We, James B. Carey and Albert J. Stiftel, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this Tenth day of November, A. D. 1960.

ALBERT J. STIFTEL

Associate Judge

JAMES B. CAREY

Resident Associate Judge

[Seal]

The State of Delaware, New Castle County, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and sixty, for New Castle County, according to the Constitution and Laws of the State of Delaware, 72,598 votes were given for Elbert N. Carvel for Governor; 68,921 votes were given for John W. Rollins for Governor; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles L. Terry, Jr., and Andrew D. Christie, the Judges constituting the Superior Court in Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 14th day of November, A. D. 1960.

CHARLES L. TERRY

President Judge

ANDREW D. CHRISTIE

Resident Associate Judge

[Seal]

The State of Delaware, Kent County, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and sixty for Kent County, according to the Constitution and Laws of the State of Delaware, Eleven thousand one hundred and eight (11,108) votes were given for Elbert N. Carvel for Gov-

ernor; Ten thousand one hundred and ninety-two (10,192) votes were given for John W. Rollins for Governor; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Collins J. Seitz and William J. Storey constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 10th day of November, A. D. 1960.

COLLINS J. SEITZ

Chancellor

WILLIAM J. STOREY

Resident Associate Judge

The State of Delaware, Sussex County, ss.

[Seal]

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and sixty, for Sussex County, according to the Constitution and Laws of the State of Delaware, Seventeen thousand and eighty-six (17,086) votes were given for Elbert N. Carvel for Governor; Fourteen thousand nine hundred and thirty (14,930) votes were given for John W. Rollins for Governor; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

In TESTIMONY WHEREOF, We, James B. Carey and Albert J. Stiftel, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this Tenth day of November, A. D. 1960.

ALBERT J. STIFTEL

Associate Judge

JAMES B. CAREY

Resident Associate Judge

[Seal]

GOVERNOR

Elbert N. Carvel

New Castle County	72,598
Kent County	11,108
Sussex County	17,086

100,792

John W. Rollins

New Castle County	68,921
Kent County	10,192
Sussex County	14,930
	<hr/>
	94,043

LIEUTENANT GOVERNOR

Eugene Lammot

New Castle County	70,529
Kent County	10,941
Sussex County	16,356
	<hr/>
	97,826

William V. Roth, Jr.

New Castle County	70,994
Kent County	10,136
Sussex County	15,541
	<hr/>
	96,671

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

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

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

The House met in regular session.

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

HB 2—An Act to Amend Article 2, Section 2, of the Constitution of the State of Delaware. (By Mr. Bartleson, to Revised Statutes)

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

HCR 5—Providing for Adjournment of the House of Representatives and the Senate. (By Mr. Eskridge)

On motion of Mr. Eskridge, all rules were suspended in order to give **HCR 5** its third and final reading in order to pass the House.

On motion of Mr. Eskridge, **HCR 5** was adopted, and ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in **HJR 2**.

The House adjourned at 4:40 P. M. in accordance with **HCR 5**.

4TH LEGISLATIVE DAY

January 23, 1961

The House met pursuant to adjournment at 11:00 A. M. on January 23, 1961.

Prayer by the Chaplain, Rev. James.

Members present—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

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

HB 3—An Act Agreeing to a Proposed Amendment to Article 8 of the Constitution of the State of Delaware Entitled "Revenue and Taxation." (By Messrs. Keenan, Bartleson and Best, to Revenue and Taxation)

HB 4—An Act Proposing an Amendment to Article 2, Section 25, of the Constitution of the State of Delaware Relating to Zoning in Sussex County. (By Messrs. Hocker, Baker, Annett, Snowden and Best, to Revised Statutes)

HB 5—An Act Appropriating Certain Money to Palmer Home, Incorporated. (By Messrs. Ehinger and Richards, to Appropriations)

HB 6—An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for Allocation of Funds. (By Messrs. Ehinger, Robbins and Dineen, to Education)

HB 7—An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware. (By Messrs. Ehinger and Shockley, to Appropriations)

HB 8—An Act to Appropriate Funds to the Department of Public Welfare for Salaries, Assistance Grants and Child Welfare Service. (By Messrs. Ehinger and Shockley, to Appropriations)

HB 9—An Act Establishing a Department of Labor, Defining Its Duties. (By Messrs. Best and Keenan, to Labor)

HB 10—An Act Proposing an Amendment to Article 2, Section 25 of the Constitution of the State of Delaware, Relating to Zoning in Kent County. (By Messrs. Richards and Ehinger, to Revised Statutes)

Mr. Best introduced the following resolution, which was given first reading and deferred:

HR 11—An Act Designating the Northeast Corner Room in the Basement of Legislative Hall as the Minority Caucus Room.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the northeast corner room in the basement of Legislative Hall be designated as the Minority Caucus Room.

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

HB 11—An Act Proposing an Amendment to the Constitution of the State of Delaware by Inserting at the End Thereof an Article Providing for Municipal Home Rule. (By Messrs. Ehinger, Richards and Best, to Corporations, Municipal)

On motion of Mr. Eskridge, the House recessed to the call of the Chair at 2:10 P. M. The House reconvened at 5:00 P. M. Mr. Speaker presiding.

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

HB 12—An Act Appropriating Money to the Booker T. Washington School. (By Mr. Quigley, to Appropriations)

The House adjourned at 5:30 P. M. until 1:00 P. M., Tuesday, January 24, 1961.

5TH LEGISLATIVE DAY

January 24, 1961

The House met pursuant to adjournment at 1:00 P. M. on January 24th, 1961.

Prayer by the Chaplain, Rev. James.

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

Members absent—Messrs. Downs, Livingston, Pawson—3.

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

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

HB 13—An Act to Amend Title 9, Delaware Code With Regard to Powers of the Levy Court of New Castle County. (By Messrs. Shockley, Keenan and Richards, to Judiciary)

The following resolutions were introduced, given first reading and were adopted. **HCR 6**, **HCR 7** and **HCR 8** were ordered to the Senate for concurrence:

HR 12—An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through December 11, 1960 for Telephone RE 6-6180. (By Mr. Shockley)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the following amount be paid to the Diamond State Telephone Company for services rendered through December 11, 1960:

RE 6-6180 \$39.85

HCR 6—An Act Making an Appropriation to Lo-Mar, Inc., for Supplies Furnished the 120th General Assembly. (By Mr. Shockley)

HCR 7—An Act Making an Appropriation to Matthews Brothers, Inc., for Supplies Furnished the 120th General Assembly. (By Mr. Shockley)

HCR 8—An Act Making an Appropriation to Whelan's for Supplies Furnished the 120th General Assembly. (By Mr. Shockley)

HR 11 having been deferred, was brought up and adopted.

On motion, the House recessed to the call of the Chair at 2:40 P. M. The House reconvened at 4:07 P. M. Mr. Speaker presiding.

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

HB 14—An Act Amending Section 1602, Title 10, Delaware Code, Relating to the Salary of the Judge of the Court of Common Pleas for Sussex County. (By Messrs. Snowden, Best and Truitt, to Judiciary).

The Secretary of the Senate informed the House that the Senate had concurred in **HCR 5**, **HCR 6**, **HCR 7** and **HCR 8**.

The House adjourned at 4:20 P. M. until 1:00 P. M., Wednesday, January 25, 1961.

6TH LEGISLATIVE DAY

January 25, 1961

The House met pursuant to adjournment at 1:50 P. M., on January 25, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

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

SCR 2—An Act Making an Appropriation to Butler's, Inc., for Supplies Furnished the 120th General Assembly. (To Claims)

SCR 3—An Act Making an Appropriation to Capitol Office Equipment Co. for Supplies Furnished the 120th General Assembly. (To Claims)

SCR 4—An Act Making an Appropriation to Addressograph-Multigraph Corporation for Supplies Furnished the 120th General Assembly. (To Claims)

SCR 5—An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered the 120th General Assembly. (To Claims)

SB 6—An Act Agreeing to Proposed Amendment to Article V of the Constitution of the State of Delaware, Relating to the Superior Court Acting as Boards of Canvass. (To Judiciary)

SB 7—An Act Agreeing to Proposed Amendment to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary. (To Judiciary)

SB 8—An Act Agreeing to a Proposed Amendment to Article IV of the Constitution of the State of Delaware, Relating to the State Judiciary so as to Repeal, Provisions Limiting the Number of Judges of the Superior Court and Orphans' Court and to Permit the General Assembly to Authorize Appointment of Additional Members of the Judiciary. (To Judiciary)

SB 9—An Act Agreeing to Proposed Amendment to Article IV of the Constitution of the State of Delaware Relating to the Composition of the Superior Court and Orphans' Court so as to Repeal the Provision Limiting the Number of Judges of Such Courts. (To Judiciary)

The Chair presented the following resolutions, which were given first and second reading, by title only, and by suspension of all rules, were adopted, and ordered returned to the Senate:

SCR 1—Appointing Clifford E. Hall as Accountant for the Joint Finance Committee and Melba Ann Webb as Secretary for the Joint Finance Committee of the 121st General Assembly of the Senate of Delaware.

SCR 6—Providing for Temporary Adjournment of the Senate and the House of Representatives of the 121st General Assembly of the State of Delaware Until Monday, February 13, 1961.

On motion, the House recessed at call of the Chair at 2:25 P. M. The House met at the expiration of the recess at 4:39 P. M. Mr. Speaker presiding.

The following bill was introduced, given first and second reading and referred to committee as follows:

HB 15—(By Mr. Keenan, to Education).....

HB 15—An Act to Amend Section 603, Chapter 134, Volume 52, Laws of Delaware, Entitled "Exceptions and Claims". (By Mr. Keenan; to Education)

The following resolutions were introduced and given a first and only reading in full and adopted:

HR 13—Adopting Permanent Rules for the House of Representatives. (By Mr. Phillips)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the permanent Rules of Order of the House of Representatives of the 120th General Assembly are hereby adopted as the permanent Rules of this House except that the following rules are to read as follows:

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

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

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

RULE 9—He shall sign all bills and resolutions requiring the signature of the Speaker and the facts of the signing shall be entered upon the Journal; all writs, warrants and subpoenas issued by the House shall be signed by him and attested by the Clerk.

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

RULE 24—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. When put upon its passage, each bill or joint resolution shall be given its final reading by title only unless any member requests a reading.

RULE 27—Every bill and resolution may be amended at any time before final action is taken. No title of a bill may be changed, except for typographical errors.

RULE 30—No Bill or Joint Resolution shall be received by the House unless it be prefaced by a brief statement of the purpose of the Bill or Resolution, which shall be known as the title, and shall also contain the text of the Bill or Resolution in full.

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

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

RULE 41—The business on the Calendar shall be called after the receiving of committee reports and any bill ready for its final reading may be called up for passage unless the House otherwise directs.

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

HR 14—In Reference to Election of Officers. (By Mr. Livingston)

WHEREAS, Paul Burton was previously elected to the office of House Page but has resigned effective January 24, 1961, NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that Paul Burton is hereby relieved from the duties of House Page effective January 24, 1961, and

BE IT FURTHER RESOLVED that Orville Cephas is hereby elected to serve as House Page effective January 25, 1961, to serve during the pleasure of the House of Representatives.

The following resolution was introduced, given first and second reading, by title only, and by suspension of rules was adopted, and ordered to the Senate for concurrence:

HCR 9—Providing for a Joint Session and Exercise in Commemoration of the Birthday Anniversary of Abraham Lincoln. (By Mr. Eskridge)

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

SB 25—An Act to Amend An Act Entitled "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961," Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the Maintenance Division of the State Highway Department, by Making Certain Transfers Therein.

On motion of Mr. Eskridge, all rules were suspended so that **SB 25** could be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Blendt, Busker, Casey, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Keenan, Kleinbach, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—23.

NAYS—Messrs. Annett, Baker, Bartleson, Best, Downs, Hocker, Myers—7.

NOT VOTING—Messrs. Ehinger, Fifer, Richards, Snowden—4.

ABSENT—Mr. Pawson—1.

SB 25 having received the constitutional majority, passed the House and was sent back to the Senate.

The House adjourned at 5:15 P. M. until 1:00 P. M. on Monday, February 13, 1961.

7TH LEGISLATIVE DAY

February 13, 1961

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

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs,

Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

Member absent—Mr. Pawson—1.

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

On motion, the House recessed at call of the Chair at 1:30 P. M. The House reconvened at 2:00 P. M.

The Sergeant-at-Arms announced the President and Members of the Senate. They were admitted and seated. Speaker of the House Tribbitt invited the President of the Senate to a seat on the rostrum.

JOINT SESSION

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

Mr. Eskridge moved that the Speaker of the House preside over the Joint Session. Motion prevailed.

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

The Chair appointed the following committee to escort former Senator Elwood Melson, Jr., to the House Chamber: Messrs. Eskridge and Best.

The Chair appointed the following committee to escort the Governor to the House Chamber: Messrs. Eskridge, Steen, Best and Spicer.

The Sergeant-at-Arms admitted the guest speaker, honored guests and the duly appointed committees to the House Chamber.

The Speaker invited the guest speaker to the rostrum and introduced him to the Joint Session.

The guest speaker addressed the members of the General Assembly.

Governor Carvel then delivered the following message:

MESSAGE BY GOVERNOR ELBERT N. CARVEL

to the One Hundred and Twenty-First General Assembly of the State of Delaware, Convening in Regular Session at Dover on February 13, 1961

Mr. President, Mr. Speaker, Members of the One Hundred and Twenty-First General Assembly, and Fellow Delawareans:

Last week, the Secretary of Labor of the United States declared that "We are in a full fledged recession." The United States Department of Labor reported that unemployment during January 1961 amounted to 5,400,000, and according to a Labor Department manpower expert, the job situation has "never been worse" in twenty years.

The Chairman of the Delaware Unemployment Compensation Commission estimated last week that there were about 13,000 eligible people in Delaware who are today unemployed.

To add to the heavy burdens of the unemployed, Delaware has experienced one of the most devastating winters in its history. Not only have some of our citizens suffered for the lack of food, and for the lack of fuel to heat their homes during this bitter winter, but they have suffered for the lack of medicine and medical care to relieve their many ills, resulting from and aggravated by this severe cold weather.

I am sure that every member of this General Assembly has been faced with individual cases of misery and suffering, and fully realizes the seriousness of the plight of many of our unfortunate Delaware neighbors during this trying period.

Immediate action should be taken by you on emergency measures designed to relieve the pressing, acute cases of human misery.

PUBLIC WELFARE

Your attention and consideration is respectfully invited to House Bill No. 8 which provides for additional emergency funds for the Department of Public Welfare. These funds are needed by this Department to: (1) provide assistance for the increasing numbers of people who find themselves obliged to call upon the State for help because of the deteriorating employment situation, and; (2) to employ additional case workers in the Department which was already short-handed before the present emergency developed.

SURPLUS FOOD DISTRIBUTION

The President of the United States last month announced increased distribution of surplus foods by the Federal Government to those in need throughout the nation. Delaware presently has no program for the distribution of these foods.

On January 31, 1961, a meeting was held in the Governor's Office where the leaders of the General Assembly, heads of interested State agencies, Levy Court Commissioners of the three counties, and leaders of religious organizations and private welfare groups participated. We were in complete agreement that legislation should be enacted immediately, setting up machinery whereby surplus foods might be distributed on a Statewide basis under the control of responsible, experienced State agencies, the moderate cost of which would be borne by the State. Legislation is being introduced today to carry out these objectives. I urge you to give immediate consideration to the Surplus Food Distribution Bill, and urge that its passage be expedited. Our objective is to start actual distribution of surplus foods by February 27th. The Levy Courts of all three counties have assured me that they will provide the limited funds needed for the initial distribution

beginning in February, and I hope that through your prompt action, the State will be able to provide the funds for the stepped-up program beginning in March.

EXTENSION OF UNEMPLOYMENT COMPENSATION BENEFITS

The President of the United States recently stated that there were now a half million people in the nation who have exhausted their Unemployment Compensation Insurance Benefits. He estimated that unless swift action is taken, within 6 months this number will triple. The chairman of the Delaware Unemployment Compensation Commission last week stated that over 3,000 Delaware workers have exhausted their jobless benefits during the current fiscal year. Immediate steps should be taken to extend the length of the period of coverage of unemployment compensation benefits, just as was done during a similar period of unemployment in 1959.

MEASURES RECOMMENDED TO IMPROVE EMPLOYMENT

The emergency recommendations preceding are urged to meet and temporarily solve the immediate unemployment distress, which has been aggravated by the bitter winter.

The ideal solution to unemployment and high welfare expenses is employment. I am sure that every self-respecting citizen prefers honorable employment to unemployment compensation or State relief.

We in Delaware can do our part to step up employment, by making needed repairs, and improvements to our homes and businesses and by planning and commencing projects designed to meet the needs of a fast increasing population.

We are all familiar with the condition of many of our streets and roads throughout the State. The heavy falls of snow, plus the complication of ice and sleet have severely damaged our older arteries of transportation, pointing up the need for reconstruction in some cases and extensive repairs in others.

In a fast growing State, automobile traffic also mushrooms, making new and wider routes necessary in order to provide for a safe and speedy traffic flow. Millions of dollars every year are wasted by Delaware motorists because of traffic tie-ups resulting from overloaded streets and roads, especially in the northern part of our State.

Presently, our Highway Program in Delaware is at a standstill. No new projects have been authorized for almost one and one-half years, and funds in the construction account are only sufficient to carry the payroll of the experienced engineering staff until the end of April 1961.

Most serious of all is the fact that if we do not provide State matching funds of over 2 million dollars by June 30,

1961, we will lose almost 14 million dollars of Federal highway matching funds, practically all of which must be used on the Interstate Highway Project.

It is indeed essential that we begin at once by authorizing a bond issue which will: (1) help Delaware begin a sorely needed, stepped-up highway program; (2) provide employment for thousands of Delawareans in the construction industry who are presently unemployed; (3) increase employment in Delaware and the United States among the suppliers of the Delaware highway construction industry; (4) guarantee our State that it will save almost 14 million dollars in Federal matching funds; (5) generally contribute to the improvement of the economy of the United States and Delaware, resulting in increased income taxes, an asset, instead of increased welfare costs, a burden.

In addition to the 14 million dollars in Federal matching funds which will expire on June 30, 1961, there will still exist about 26 million dollars in unmatched Federal highway funds for Delaware which, in turn, will require only 8 million dollars in State moneys to activate.

So you will perceive, we intend have our work cut out for us. You cannot pass a bond bill on June 29, 1961, and expect to obtain Federal matching funds on June 30, 1961. Engineering plans and rights of way must be in order before such funds can be authorized, and our bond bill should be enacted by March 1, 1961, at the latest, to assure an orderly and efficient preparation by the Highway Department to qualify for those all-important Federal funds.

When we enact a bond bill, I urge that we provide a well-rounded program, taking care that all classes of necessary road construction be covered—suburban roads, city through streets, dirt roads, beach erosion work, and general highways.

I will be glad to work with the members of the General Assembly and the members of the Highway Department in arriving at a program which will achieve this goal.

REORGANIZATION OF THE HIGHWAY DEPARTMENT

On numerous occasions, I have stated that the present Highway Department should be organized.

The Chairman of the Committee for the Improvement of the Highway Department has informed me that his committee will give its report one week from today—that is, February 20th.

I do not believe a Commission as important to the State as the Highway Department should be reorganized with undue speed. I believe that we should have the benefit of the best brains of our State deliberating the problems and working with the Governor to develop the most efficient and effective reorganization possible.

Therefore, in the best interests of Delaware we should treat the Bond Bill and the reorganization of the Highway Department as separate and independent matters.

In order to guarantee Federal matching funds and assure a stepped-up highway program, with the resultant improvement in employment, we should enact a Highway Bond Bill with reasonable dispatch, but at the latest, by March 1, 1961.

The reorganization of the Highway Department should proceed at a deliberate pace so that we will be assured of an efficient and effective program. This cannot be accomplished in two weeks, and I am sure the people of Delaware do not expect, nor would they approve of such hasty, unconsidered action.

Let us move forward to meet our responsibility to help our nation and our State achieve economic strength and stability.

Respectfully submitted,

ELBERT N. CARVEL, Governor

The previously named committees escorted the Governor and honored guests from the chamber.

Mr. Eskridge moved that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals.

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

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

The House met in regular session at 3:05 P. M. Mr. Speaker presiding.

On motion, the House recessed at call of the Chair at 3:30 P. M. The House met at the expiration of the recess at 5:15 P. M. Mr. Speaker presiding.

The following bills were presented by the Judiciary Committee: SB 8, 4 favorably; SB 6, 4 favorably; SB 9, 4 favorably; SB 7, 4 favorably.

The House adjourned at 5:30 P. M. until 1:00 P. M., Tuesday, February 14, 1961.

8TH LEGISLATIVE DAY

February 14, 1961

The House met pursuant to adjournment at 1:00 P. M. on February 14, 1961.

Prayer by the Chaplain, Rev. James.

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

Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—34.

Member absent—Mr. Gove—1.

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

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

SB 6—An Act Agreeing to Proposed Amendment to Article V of the Constitution of the State of Delaware, Relating to the Superior Court Acting as Boards of Canvass.

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

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

NAYS—None.

ABSENT—Messrs. Ehinger, Gove—2.

SB 6 having received the constitutional majority, passed the House and was ordered returned to the Senate.

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

SB 7—An Act Agreeing to Proposed Amendment to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary.

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

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

NAYS—None.

ABSENT—Messrs. Ehinger, Gove—2.

SB 7 having received the required constitutional majority, passed the House and was ordered returned to the Senate.

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

SB 8—An Act Agreeing to a Proposed Amendment to Article IV of the Constitution of the State of Delaware, Relating to the State Judiciary so as to Repeal Provisions Limit-

ing the Number of Judges of the Superior Court and Orphans' Court and to Permit the General Assembly to Authorize Appointment of Additional Members of the Judiciary.

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

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

NAYS—Mr. Gove—1.

ABSENT—Messrs. Ehinger, Fifer—2.

SB 8 having received the required constitutional majority, passed the House and was returned to the Senate.

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

SB 9—An Act Agreeing to Proposed Amendment to Article IV of the Constitution of the State of Delaware, Relating to the Composition of the Superior Court and Orphans' Court so as to Repeal the Provision Limiting the Number of Judges of Such Courts.

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

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

NAYS—None.

ABSENT—Messrs. Ehinger, Fifer—2.

SB 9 having received the required constitutional majority, passed the House and was returned to the Senate.

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

HR 15—Congratulating the Honorable William T. Best of Sussex County Upon His Recent Marriage to Marion A. Vitale of Sussex County. (By Messrs. Robbins and Eskridge)

WHEREAS, the Honorable William T. Best met and courted Marion A. Vitale of Sussex County, and

WHEREAS, the Honorable William T. Best had the good fortune to win Marion A. Vitale for his wife

NOW THEREFORE

BE IT RESOLVED by the House of the 121st General Assembly that the House on behalf of its members and officers does hereby extend its congratulations to the Honorable William T. Best and Marion A. Vitale Best upon their marriage.

The following bills were introduced, given first and second

reading, by title only, and assigned to committees as follows:

HB 16—An Act to Amend Section 132, Title 17, Delaware Code, Relating to the General Powers and Duties of the State Highway Department. (By Messrs. Keenan and Dineen, to Public Buildings and Highways)

HB 17—An Act to Amend Chapter 9, Title 29, Delaware Code, Relating to Legislative Bills by Providing That Bills May be Stenciled. (By Messrs. Dineen and Best, to Miscellaneous)

HB 18—An Act to Amend Chapter 188, Volume 18, Laws of Delaware, Creating a Street and Sewer Department, as an Agency of the Mayor and Council of Wilmington, and the Acts Amendatory Thereof and Supplemental Thereto, by Changing the Name of Said Department to the Department of Public Works. (By Messrs. Keenan and Dineen, to Corporations, Municipal)

HB 19—An Act to Authorize the Comptroller of New Castle County to Select and Employ Deputies and Clerical Assistance. (By Messrs. Gove, Blendt, Davidson, Murray, Shockley and Dineen, to Revised Statutes)

HB 20—An Act Appropriating Money to the Disabled American Veterans of Delaware for the Fiscal Year Beginning July 1, 1961 and Ending June 30, 1962. (By Messrs. Ehinger and Dineen, to Appropriations)

HB 21—An Act to Amend Chapter 51, Title 29, Delaware Code, by Authorizing the State Treasurer to Make Certain Pay Roll Deductions. (By Messrs. Ehinger and Dineen, to Revised Statutes)

HB 22—An Act to Increase the Compensation of the Comptroller for New Castle County and the Clerk of the Peace for New Castle County. (By Messrs. Shockley, Murray, Blendt, Livingston, Davidson and Dineen, to Revised Statutes)

HB 23—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedule for School Employees. (By Mr. Robbins, to Education)

HB 24—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees. (By Mr. Robbins, to Education)

HB 25—An Act to Amend An Act Entitled "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Permitting the Council to Levy and Collect Annual Occupational, Mercantile, Manufactory, and Amusement Taxes Through the Use of Licenses and Providing for the Enforcement Thereof. (By Mr. Snowden, to Corporations, Municipal)

HB 26—An Act Making a Supplementary Appropriation to the State Highway Department for the Fiscal Year Ending June 30, 1961. (By Messrs. Quigley, Exley, Pawson and Kleinbach, to Appropriations)

HB 27—An Act to Amend Chapter 83, Title 11, Delaware Code, Entitled "State Police", Relating to Expanding the State Police Force, Providing Funds Therefor. (By Messrs. Exley, Quigley, Kleinbach and Pawson, to Judiciary)

HB 28—An Act Appropriating Money to Booker T. Washington School. (By Mr. Quigley, to Appropriations)

HB 29—An Act to Amend Sections 6913, 6914 and 6915, Title 29, Delaware Code, Relating to Wages. (By Messrs. Murray and Quigley, to Labor)

HB 30—An Act to Amend Title 19, Delaware Code, by Prohibiting Any Person, Firm or Corporation, Not Directly Involved in a Labor Strike or Lockout from Recruiting, Securing or Offering to Secure Employment for Persons to Take the Places of Employees Where a Labor Strike or Lockout Exist; and Providing for Legally Established Employment Service. (By Messrs. Shockley, Dineen, Quigley and Murray, to Labor)

HB 31—An Act Making a Supplementary Appropriation to the Lewes Memorial Commission for the Fiscal Year Ending June 30, 1961. (By Messrs. Best and Snowden, to Appropriations)

HB 32—An Act to Amend Chapter 5, Title 7, Delaware Code, Relating to License Fees for Residents. (By Mr. Best, to Fish, Oysters and Game)

HB 33—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Imperial Drive Civic Association from Assessment and Taxation. (By Mr. Downs, to Revenue and Taxation)

HB 34—An Act Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic. (By Messrs. Bartleson and Downs, to Appropriations)

HB 35—An Act Prohibiting the Use of State Owned Motor Vehicles and Equipment for Hire or for Personal Use and Providing Penalties Therefor; Duties of Departments; Exceptions; Penalties. (By Messrs. Busker, Best, Myers, Hocker and Casey, to Miscellaneous)

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

HR 16—Relating to Classification, Titles, and Compensation Rates for Officers of the House. (By Mr. Robbins)

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware that all persons elected as officers of the House of Representatives shall be subject to the following classifications and shall re-

ceive one of the following titles, and for their services shall receive compensation for each day that the House is in session in accordance with the following schedule:

Title	Daily Rate
Attorneys	\$75.00
Chief Clerk	33.00
Bill Clerk	25.00
Parliamentarian	27.50
Assistant Chief Clerk	25.00
Reading Clerk	25.00
Assistant Reading Clerk	25.00
Stenographer	25.00
Majority Leader's Clerk	25.00
Minority Leader's Clerk	25.00
Chaplain	20.00
House Messenger	20.00
Sergeant-at-Arms	20.00
Door Tender	20.00
Page	20.00
Cloak Room Attendant	20.00
File Clerk	20.00
Mail Clerk	20.00
Supply Clerk	20.00

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

HCR 10—Relative to the Proposed Amendment to the Constitution of the United States, Relating to the Granting of Representation in the Electoral College to the District of Columbia. (By Messrs. Casey, Best and Downs, to Miscellaneous)

The House adjourned at 5:00 P. M. until 1:00 P. M., Wednesday, February 15, 1961.

9TH LEGISLATIVE DAY

February 15, 1961

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

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

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

HB 36—An Act to Further Amend Chapter 121, Volume 28, Laws of Delaware, as Amended by Chapter 142, Volume 36, and Chapter 4, Volume 51, Laws of Delaware, and Relating to the Taking and Hearing of Appeals from the Board of Assessment for the City of Wilmington. (By Messrs. Shockley, Keenan and Murray, to Corporations, Municipal)

HB 37—An Act to Amend Title 18, Delaware Code, Relating to "Insurance" by Redefining the Term "Insurance Company". (By Messrs. Shockley and Dineen, to Banking and Insurance)

HB 38—An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Regard to Retired School Employees. (By Mr. Shockley, to Revised Statutes)

HB 39—An Act to Amend Title 21, Authorizing Blue Lights on Vehicles Used by Fire Police. (By Messrs. Paskey, Myers, Truitt and Shockley, to Miscellaneous)

HB 40—An Act to Authorize the Levy Court of Kent County to Appropriate Money to the Kent County Volunteer Firemen's Association. (By Messrs. Paskey and Busker, to Appropriations)

HB 41—An Act to Amend Chapter 345, Volume 52, Laws of Delaware, Relating to the Enlargement and Improvement of the System of Free Public Schools of Delaware and the Financing of the Same by the Issuance of Bonds of the State and of Certain School Districts, by Providing That the Georgetown Special School District be Included and Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds. (By Mr. Snowden, to Education)

HB 42—An Act to Amend Chapter 134, Volume 52, Laws of Delaware, Also Known as Chapter 6, Title 14, Delaware Code, Relating to Tuition Charges and Providing an Exception Thereto. (By Messrs. Keenan, Murray, Dineen and Shockley, to Education)

HB 43—An Act to Amend Chapter 5, Volume 52, Laws of Delaware, Relating to the State Fire Marshal. (By Mr. Eskridge, to Miscellaneous)

HB 44—An Act to Amend Section 5143, Title 30, Delaware Code, Relating to Refunds of Motor Fuel Taxes. (By Messrs. Keenan and Dineen, to Revenue and Taxation)

HB 45—An Act to Make Further Provision for the Issuance of Bonds Which the Governor, the State Treasurer and the Secretary of State are Authorized to Issue on Behalf of the State of Delaware Pursuant to Acts Heretofore Enacted. (By Mr. Phillips, to Miscellaneous)

On motion of Mr. Keenan, **HB 15** was stricken from the Calendar.

The following resolutions were introduced, given first reading in full and adopted:

HR 17—In Reference to Election of Officers. (By Mr. Phillips)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the following named persons be and they hereby are elected to the respective offices appearing opposite their names, to serve during the pleasure of the House of Representatives:

Minority Clerk—L. B. Knapp

Speaker's Clerk—Catherine Swartwood

HR 18—Expressing the Best Wishes of the House of Representatives of the 121st General Assembly to Representative James R. Quigley on His Birthday. (By Eskridge)

WHEREAS, the Members of the House of Representatives of the 121st General Assembly have learned that February 15, is the birthday of Representative James R. Quigley, and

WHEREAS, the Members of the House of Representatives wish to express their best wishes to Representative Quigley, NOW THEREFORE,

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

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

On motion, the House recessed at call of the Chair at 2:22 P. M. The House met at the expiration of the recess at 3:45 P. M. Mr. Speaker presiding.

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

HB 46—An Act to Amend Titles 9 and 11, Delaware Code, by Merging the New Castle County Police Into the Delaware State Police. (By Messrs. Davidson, Blendt, Shockley and Dineen, to Judiciary)

The following bill was reported by the Committee on Judiciary: **HB 13**, 3 favorably, 2 on merits.

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

HB 47—An Act to Provide for the Distribution of Federal Surplus Foods to Needy Persons in the State of Delaware; Emergency Appropriation. (By Messrs. Murray, Livingston, Prettyman, Shockley, Busker and Blendt)

On motion of Mr. Murray, all rules were suspended so that **HB 47** could be given its third and final reading in order to pass the House:

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Moore, Murray, Myers, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

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

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

HB 48—An Act to Amend An Act Entitled "An Act Making Appropriations for the Fiscal Year Ending June 30, 1961," Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to Department of Elections for New Castle, Kent and Sussex Counties. (By Messrs. Paskey and Dineen)

On motion of Mr. Dineen, all rules were suspended so that **HB 48** could be given its third and final reading in order to pass the House.

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

YEAS—Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—20.

NAYS—Messrs. Annett, Baker, Fifer, Hocker, Myers—5.

NOT VOTING—Messrs. Bartleson, Best, Casey, Downs, Ehinger, Keenan, Kleinbach, Pawson, Richards, Snowden—10.

HB 48 having received the required constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following resolutions were introduced, given first reading in full and adopted:

HR 19—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 1st Legislative Day and including the 10th Legislative Day, of the current session:

Joseph T. Walsh	\$ 750.00
James B. Messick	375.00
William H. Draper, Jr.	375.00
Fred C. Lord, Jr.	330.00
Mary Ann McCade	250.00
Francis X. Shoemaker	250.00
Elizabeth Wainwright	250.00
Rev. Arthur James	200.00
James Quigley	275.00
David L. Farrone	250.00
Martha Dixon	200.00
Clydas Colder	200.00
Ruth Ross	200.00
Paul Burton	100.00
Orville Cephas	100.00
Catherine Fonville	200.00
Mrs. Willie Holmes	200.00
Jean Demel	275.00
Lillian Weston	250.00
Margaret Walker	275.00
William L. David	200.00
Claude W. Jordan	200.00
Helen Reihm	200.00
Louise Pennewell	275.00
Elizabeth G. Ennis	200.00
John R. Wiley	200.00
Louise Staats	275.00
Ralph McClain	200.00
Ernest Council	200.00
Allen S. Moffitt	200.00
George L. Everett	250.00
Judy Graham	275.00
John Moore	200.00
Lloyd Minner	200.00
Edgar Brown	200.00
W. Harrison Melvin	200.00
Bradford Holliday	200.00
Gove Jarvis	200.00
George W. Kirkby	200.00
Willard C. Robbins	200.00
William B. Morgan, Jr.	200.00
Frank P. Ingram	200.00
Mary Wilson	200.00
Samuel Messick	250.00
Daniel Boyce	200.00
B. Guy Wheatley	200.00
Emory Spicer	200.00
Donald Ralph	200.00
Harold W. Hudson	200.00

Paul W. Lowe	200.00
Clifford Hall	1,057.50
Melba Webb	316.25

HR 20—Relative to the Death of Margaret C. Shoemaker, Mother of Frank X. Shoemaker, Chief Reading Clerk of the House of Representatives. (By Messrs. Murray and Quigley)

WHEREAS, the House of Representatives of the 121st General Assembly of the State of Delaware has learned with deep regret of the recent death of Margaret C. Shoemaker, mother of Frank X. Shoemaker, Chief Reading Clerk of the House of Representatives and

WHEREAS, the members of the House desire to express in this public manner their own feelings and the sense of loss which is felt by Mr. Shoemaker and his colleagues in the House of Representatives, NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the members thereof extend their sincere sympathy and deep condolence to Mr. Shoemaker at the death of his mother, Margaret C. Shoemaker and

BE IT FURTHER RESOLVED that this expression of sympathy be conveyed to the family of Margaret C. Shoemaker and a copy of this resolution be forwarded to the members of her immediate family, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of Representatives of the 121st General Assembly of the State of Delaware.

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

HB 49—An Act Appropriating Money to Certain Fire Companies in the State of Delaware. (By Messrs. Paskey, Quigley, Clifton and Exley, to Appropriations)

HB 50—An Act to Provide for a Temporary Extension of Unemployment Compensation Benefits to Unemployed Workers Who Have Exhausted Their Rights to Benefits Under State Unemployment Compensation Laws. (By Messrs. Shockley, Prettyman and Murray, to Labor)

HB 51—An Act Appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated, for Prizes. (By Messrs. Paskey and Exley, to Appropriations)

The House adjourned at 5:30 P. M. until 1:00 P. M., Thursday, February 16, 1961.

10TH LEGISLATIVE DAY

February 16, 1961

The House met pursuant to adjournment at 1:00 P. M. on February 16, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

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

HB 52—An Act Making Appropriations to the American Legion, Department of Delaware, for the Furnishing of Service to Veterans and Their Dependents. (By Mr. Blendt, to Appropriations)

HB 53—An Act Relating to Arbor Day. (By Mr. Blendt, to Miscellaneous)

HB 54—An Act Appropriating Money to the Disabled Veterans of Delaware. (By Mr. Gove, to Appropriations)

HB 55—An Act Appropriating Money to the American Legion, Department of Delaware. (By Mr. Moore, to Appropriations)

HB 56—An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance. (By Messrs. Clifton, Truitt and Paskey, to Appropriations)

HB 57—An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware. (By Mr. Murray, to Appropriations)

HB 58—An Act Appropriating Money to Sussex Memorial Post No. 7422 V. F. W. at Millsboro, With Which to Operate and Maintain an Ambulance. (By Mr. Truitt, to Appropriations)

HB 59—An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate a Rescue Truck. (By Mr. Busker, to Appropriations)

HB 60—An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection with the Holding of Boy's State and Girl's State. (By Messrs. Dineen and Ehinger, to Appropriations)

HB 61—An Act Making an Appropriation to James B. Messick, Esquire, for Services Rendered from July 22, 1957 to January 6, 1959. (By Mr. Quigley, to Claims)

HB 62—An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, With Which to Operate and Maintain an Ambulance. (By Mr. Phillips, to Appropriations)

HB 63—An Act Providing for the Payment of Salaries Teachers Employed as Substitutes from Appropriations for Teachers Salaries in Chapter 229, Volume 52, Laws of Delaware. (By Mr. Dineen, to Education)

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

HR 21—Appropriating Money Out of the General Fund of the State of Delaware to Pay Certain Expenses of the Present Session of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware, that the following amounts are appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present session of the 121st General Assembly of the State of Delaware, up to and including the 10th Legislative Day, which expenses are declared proper and reasonable expenses actually incurred by the respective members of the House of Representatives for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and returning from Dover to their respective homes in the performance of their duties as members of the House of Representatives, during the present Legislative Session thereof, and the Auditor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed to pay to the respective members of the House of Representatives hereinafter named, the respective amounts set opposite their respective names, viz:

John Annett	\$ 54.00
William W. Baker	90.00
T. Lees Bartleson	198.00
William T. Best	171.00
Carlton Blendt, Jr.	50.00
Glenn Busker	26.00
Andrew Casey	100.00
Carlton Clifton	60.00
Robert Davidson	64.00
Russell Dineen	180.00
Robert N. Downs, III	110.00
George Ehinger	
Norman Eskridge	126.00
George Exley	40.00
Harvey Fifer	10.00
Chester Gove	50.00

Wilbert Hocker	120.00
Ralph S. Keenan	100.00
Charles S. Kleinbach	86.00
Paul F. Livingston	100.00
Orville B. Myers	20.00
Jennings Moore	82.00
Thomas T. Murray	100.00
William Paskey, Jr.	28.00
Robert Pawson	88.00
Harrison Phillips	102.00
Carl Prettyman	30.00
James Quigley	90.00
Charles Richards	
George Robbins	68.40
Paul Shockley	100.00
Dawson H. Shulties	20.00
Robert Snowden	80.00
Sherman Tribbitt	50.00
Clarence E. Truitt	100.00

On motion, the House recessed at call of the Chair at 2:03 P. M. The House met at the expiration of the recess at 4:58 P. M. Mr. Speaker presiding.

The following bills were reported by committees: Miscellaneous, **HB 17**, 5 favorably; Revised Statutes, **HB 19**, 3 favorably, 1 unfavorably; Miscellaneous, **HB 45**, 5 favorably.

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

HB 64—An Act to Amend An Act Entitled “An Act to Reincorporate the Town of Delaware City.” (By Mr. Davidson, to Corporations, Municipal)

HB 65—An Act to Amend Chapter 5, Title 1, Delaware Code, Relating to Legal Holidays. (By Messrs. Quigley, Phillips, Davidson, Blendt, Dineen, Busker, Shockley, Shulties, Livingston, Moore, Gove, Truitt and Exley, to Miscellaneous)

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

SB 43—An Act to Amend Title 10, Delaware Code, Entitled “Courts and Judicial Procedure” to Provide for an Additional Vice-Chancellor and Two Additional Superior Court Judges. (To Judiciary)

SB 1—An Act Appropriating Funds for the Payment of a Claim of Rodney Wilson, Sr., Rising Out of the Negligent Operation of Delaware National Guard Vehicle. (To Claims)

SJR 1—Requesting the President of the United States to Take the Necessary Action to Assure the Citizens of the State of Delaware of Adequate Radio Reception. (To Federal Relations)

SCR 7—Relative to the Proposed Amendment to the Constitution of the United States Relating to the Granting of Representation in the Electoral College to the District of Columbia. (To Miscellaneous)

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

SCR 9—An Act Making an Appropriation to Underwood Corporation Covering Rental of Typewriter #8554848 and Adding Machine #046298. (To Claims)

SCR 10—An Act Making an Appropriation to Capitol Office Equipment Co. for Supplies Furnished the 121st General Assembly. (To Claims)

On motion of Mr. Quigley **HA 1** was placed with **HB 26**.

The following bill was taken up for consideration, given its third and final reading, in order to pass the House:

HB 13—An Act to Amend Title 9, Delaware Code With Regard to Powers of the Levy Court of New Castle County.

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

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

NAYS—None.

ABSENT—Mr. Pawson—1.

HB 13 having received the required constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 66—An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department. (By Mr. Eskridge, Unassigned)

The Secretary of the Senate informed the House that the Senate had concurred in **HB 47** and **HCR 9**.

The House adjourned at 5:45 P. M. until 1:00 P. M. on Monday, February 20, 1961.

11TH LEGISLATIVE DAY

February 20, 1961

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

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

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

HB 67—An Act to Amend An Act Entitled “An Act Changing the Name of the ‘Town of Newark’ to the ‘City of Newark’ and Establishing a Charter Therefor” by Making the Appointment of an Alderman permissive Instead of Mandatory. (By Messrs. Kleinbach and Pawson, to Corporations, Municipal)

HB 68—An Act Appropriating Funds for Payment of Judgments of Coastal Tank Lines, Inc., Against the State of Delaware Arising Out of a Suit in Tort by Alice B. Dorsey and Others Against the State of Delaware and Others, Authorized by the General Assembly by Volume 50, Laws of Delaware, Chapter 622. (By Messrs. Dineen and Bartleson, to Claims)

On motion of Mr. Exley, **HB 61** was stricken from the Calendar.

On motion, the House recessed at call of the Chair at 1:50 P. M. The House met at the expiration of the recess at 5:10 P. M. Mr. Speaker presiding.

On request of Mr. Eskridge, his name was stricken as the sponsor of **HB 66** and Mr. Gove’s name was placed as sponsor, and the Chair assigned **HB 66** to the Committee on Public Buildings and Highways.

The following resolution was reported from the Committee on Miscellaneous: **SCR 7**, 5 favorably.

On motion of Mr. Eskridge, all rules were suspended and **SCR 7** was given its third and final reading, adopted, and ordered returned to the Senate.

The following bills were reported from committees: Labor, **HB 50**, 3 favorably, 2 on merits; Judiciary, **SB 43**, 3 favorably, 2 on merits.

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

HB 69—An Act Appropriating Money to the Mayor and Council of Wilmington for Use of Its Fire Companies. (By Mr. Shockley, to Appropriations)

The Secretary of the Senate informed the House that the Senate had concurred on HB 48.

The House adjourned at 5:45 P. M. until 1:00 P. M., February 21, 1961.

12TH LEGISLATIVE DAY

February 21, 1961

The House met pursuant to adjournment at 1:00 P. M. on February 21, 1961.

Prayer by the Chaplain, Rev. James.

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

Member absent—Mr. Best—1.

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

The following communication was received, read in full, and made part of the Journal.

February 16, 1961

Mr. Robert A. Mitchell, Chief and Traffic Engineer
Street and Sewer Department, Wilmington, Delaware
Dear Mr. Mitchell:

The repaving of Baynard Boulevard between Washington Street and Broom Street and of Walnut Street from 4th Street to 16th Street had been discussed last June with Commissioner Ableman, the then Mayor, other members of this Department and staff, and in the one case with the chairman of a citizens group representing persons living on Baynard Boulevard.

It was the intention to reconstruct these two streets using the method employed on North Market Street which has proven itself economical and efficient. These projects were stopped by the failure of the Senate Minority of the 120th General Assembly to approve funds for construction. These monies were included in the appropriation for "Hot-Mix Surfacing and Initial Surface Treatment" as covered in the Resolution of September 16, 1959. This type of work is essentially a Department operation and is not a full contract project. I hope that my successor will move to accomplish this needed work when funds are finally made available.

Verly truly yours,

R. A. HABER
Chief Engineer

cc: Rep. Russell Dineen, Mr. A. J. Scotton,
Mr. Paul Shockley, Lt. Gov. Eugene Lamot,
Mr. Benjamin Ableman, Mr. W. P. Miller, Jr.,
Mr. E. A. Davidson

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

HB 70—An Act to Transfer Funds Appropriated to the State Board of Education Under Chapter 299, Volume 52, Laws of Delaware, Relating to Title 111 of the National Defense Education Act Concerning Science, Mathematics, and Foreign Language. (By Messrs. Robbins and Ehinger, to Appropriations)

HB 71—An Act to Appropriate Funds to the State Board of Education for the Purpose of Restoring Titles and Salaries of Certain Professional Employees of the State Department of Public Instruction. (By Messrs. Robbins and Ehinger, to Appropriations)

HB 72—An Act to Appropriate Funds to the State Board of Education to Pay for Supervisory and Auditing Services Relating to School Construction. (By Messrs. Robbins and Ehinger, to Appropriations)

HB 73—An Act to Amend Title 14, Delaware Code, Relating to School Board Elections and Appointments. (By Messrs. Robbins and Ehinger, to Elections)

HB 74—An Act to Provide for the Construction of a State Building, to Designate the Issuance of State Bonds and the Receipt of Private Donations. (By Messrs. Robbins and Ehinger, to Public Buildings and Highways)

HB 75—An Act to Amend Section 1906, Title 14, Delaware Code, Relating to Elections to Approve School Taxes. (By Mr. Quigley, to Revenue and Taxation)

HB 76—An Act to Amend Section 314, Title 14, Delaware Code, Relating to Qualifications of Voter at School Elections. (By Mr. Quigley, to Elections)

HB 77—An Act to Amend Chapter 7, Title 14, Delaware Code, Relating to the Authority of the Administrators and Teachers. (By Messrs. Davidson and Keenan, to Education)

HB 78—An Act Appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated, for Prizes. (By Messrs. Exley and Paskey, to Appropriations)

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

HB 17—An Act to Amend Chapter 9, Title 29, Delaware Code, Relating to Legislative Bills by Providing That Bills May be Stenciled.

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

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

NAYS—None.

ABSENT—Mr. Best—1.

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

The following resolutions were reported from committees: Claims, **SCR 2**, 5 favorably; **SCR 5**, 5 favorably; **SCR 4**, 5 favorably; **SCR 3**, 5 favorably; **SCR 10**, 5 favorably; **SCR 9**, 5 favorably; **SCR 8**, 5 favorably.

On motion of Mr. Busker, the following bill was given its third reading in order to pass the House:

SB 43—An Act to Amend Title 10, Delaware Code, Entitled "Courts and Judicial Procedure" to Provide for an Additional Vice-Chancellor and Two Additional Superior Court Judges.

On motion of Mr. Eskridge, **SB 43** was deferred.

On motion of Mr. Phillips, the following bill was presented to be taken up for consideration and read for the third time in order to pass the House:

HB 45—An Act to Make Further Provision for the Issuance of Bonds Which the Governor, the State Treasurer and the Secretary of State are Authorized to Issue on Behalf of the State of Delaware Pursuant to Acts Heretofore Enacted.

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

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

NAYS—None.

ABSENT—Mr. Best—1.

HB 45 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen and Mr. Gove, **HB 37** and **HB 54** respectively, were stricken from the Calendar.

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

HB 79—An Act to Amend Title 18, Delaware Code, Relating to "Insurance" by Redefining the Term "Insurance Company. (By Messrs. Shockley and Dineen, to Insurance and Banking)

HB 80—An Act Appropriating Money to Booker T. Washington School. (By Mr. Quigley, to Appropriations)

HB 81—An Act Appropriating Money to American Legion, Post Number 14, in Smyrna, With Which to Operate and Maintain an Ambulance. (By Mr. Busker, to Appropriations)

On motion, the House recessed at call of the Chair at 2:27 P. M. The House met at the expiration of the recess at 4:40 P. M. Mr. Speaker presiding.

On motion of Mr. Busker, **SB 43**, having been deferred, was taken up for final consideration in order to pass the House:

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

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

NAYS—Mr. Gove—1.

ABSENT—Messrs. Best, Blendt—2.

SB 43 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bills were reported from committees: Public Buildings and Highway, **HB 66**, 3 favorably, 2 on merits; Education, **HB 6**, 5 favorably.

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

HB 50—An Act to Provide for a Temporary Extension of Unemployment Compensation Benefits to Unemployed Workers Who Have Exhausted Their Rights to Benefits Under State Unemployment Compensation Laws.

HA 1 to **HB 50** was presented by Mr. Robbins and Mr. Blendt, given its first and only reading, and on motion of Mr. Robbins, was adopted.

The motion that **HB 50** with **HA 1** be deferred, was defeated.

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

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

NAYS—Messrs. Baker, Fifer, Hocker—3.

NOT VOTING—Mr. Richards—1.

ABSENT—Mr. Best—1.

HB 50 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 82—An Act to Appropriate Money to the Belvedere Volunteer Fire Company. (By Messrs. Downs, Livingston and Casey, to Appropriations)

HB 83—An Act to Amend Title 9, Chapter 26, Delaware Code, Relating to Zoning in New Castle County, by Providing for Changes in Zoning District Plan or Regulations to be Made by the Zoning Commission and Providing for an Appeal. (By Mr. Shockley, to Revised Statutes)

HB 84—An Act Proposing an Amendment to Article IV, Section 29, of the Constitution of the State of Delaware, Relating to Justices of the Peace. (By Mr. Truitt, to Judiciary)

HB 85—An Act Making Appropriations to the Veterans of Foreign Wars, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents. (By Mr. Davidson, to Appropriations)

HB 86—An Act Appropriating Money to Layton Home for Aged Colored Persons. (By Messrs. Livingston and Dineen, to Appropriations)

HB 87—An Act Proposing an Amendment to Article V of the Constitution of the State of Delaware, Relating to Elections, by Providing a New Section Permitting New Residents the Right to Vote for President and Vice-President. (By Mr. Blendt, to Elections)

The House adjourned at 6:00 P. M. until 1:00 P. M., Wednesday, February 22, 1961.

13TH LEGISLATIVE DAY

February 22, 1961

The House met pursuant to adjournment at 1:00 P. M. on February 22, 1961.

Prayer by the Chaplain, Rev. James.

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

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

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

The Chair presented the following bill and resolution, which were assigned to committees as follows:

SB 46—An Act to Amend Section 2143, Title 21, Delaware Code, Relating to the Inspection of Motor Vehicles Before Registration; Exception. (To Public Buildings and Highways)

SCR 11—Creating a Joint Committee for Highway Safety and Appropriating Funds Therefor. (To Appropriations)

The Chair presented the following resolution, which was given first reading by title only, all rules suspended, adopted, and ordered returned to the Senate:

SCR 12—Providing for a Joint Session and Exercise in Commemoration of the Birthday Anniversary of George Washington.

The following bill was reported from the Committee on Education: **HB 63**, 5 favorably.

The following resolutions were presented for consideration, read the third and final time, adopted, and ordered returned to the Senate:

SCR 2—An Act Making an Appropriation to Butler's, Inc., for Supplies Furnished the 120th General Assembly.

SCR 3—An Act Making an Appropriation to Capitol Office Equipment Co. for Supplies Furnished the 120th General Assembly.

SCR 4—An Act Making an Appropriation to Addressograph-Multigram Corporation for Supplies Furnished the 120th General Assembly.

SCR 5—An Act Making an Appropriation to the Diamond State Telephone Company for Services Rendered the 120th General Assembly.

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

SCR 9—An Act Making an Appropriation to Underwood Corporation Covering Rental of Typewriter #8554848 and Adding Machine #046298.

SCR 10—An Act Making an Appropriation to Capitol Office Equipment Co. for Supplies Furnished the 121st General Assembly.

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

HB 88—An Act Making an Appropriation to the State Board of Vocational Education for the Training of Volunteer Firemen. (By Messrs. Paskey, Quigley, Shockley and Snowden, to Appropriations)

HB 89—An Act to Increase the Compensation of the Sheriff of New Castle County. (By Mr. Murray, to Judiciary)

HB 90—An Act to Create a State Board of Examiners of Barbers, Regulate Barbering and Appropriate Funds. (By Messrs. Quigley, Keenan and Kleinbach, to Miscellaneous)

On motion, the House recessed at call of the Chair at 2:12 P. M. The House met at the expiration of the recess at 3:15 P. M. Mr. Speaker presiding.

The following bill was reported from the Committee on Miscellaneous: **HB 65**, 3 favorably, 2 on merits.

The Chair presented the following resolution, which was given first and second reading by title only, and having all rules suspended, was adopted, and ordered returned to the Senate.

SCR 13—Providing for Adjournment of the Senate and House of Representatives.

In accordance with Rule 9 of the House of Representatives, the Speaker of the House has signed: **SB 6**, **SB 7**, **SB 8**, **SB 9**, **SB 25**, **SB 43**.

On motion of Mr. Dineen, the following bill was taken up for consideration and read for the third and final time in order to pass the House:

HB 19—An Act to Authorize the Comptroller of New Castle County to Select and Employ Deputies and Clerical Assistance.

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

YEAS—Messrs. Annett, Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—20.

NAYS—Messrs. Baker, Bartleson, Casey, Downs, Ehinger, Fifer, Hocker, Keenan, Kleinbach, Myers, Richards, Snowden—12.

ABSENT—Messrs. Best, Pawson, Shockley—3.

HB 19 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Gove, the following bill was taken up for consideration and read the third and final time in order to pass the House:

HB 66—An Act Authorizing the State of Delaware to Borrow Money to be Used for the State Highway Department's Capital Improvements Programs and to Issue Notes and Bonds Therefor and Appropriating the Money Borrowed to the State Highway Department.

Mr. Quigley moved that so much be considered the reading of the communication pertaining to **HB 66**.

Roll Call revealed:

YEAS—Messrs. Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Livingston, Moore, Murray, Paskey, Phillips, Prettyman, Quigley, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—17.

NAYS—Messrs. Annett, Baker, Bartleson, Blendt, Busker, Casey, Downs, Ehinger, Fifer, Hocker, Keenan, Kleinbach, Myers, Richards, Snowden—15.

ABSENT—Messrs. Best, Pawson, Shockley—3.

The motion, having received a majority vote, was read to the members, but not included in the Journal.

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

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

NAYS—Messrs. Annett, Casey, Downs, Ehinger, Fifer, Hocker, Myers, Richards, Snowden—9.

NOT VOTING—Messrs. Bartleson, Blendt, Keenan, Kleinbach—4.

ABSENT—Messrs. Best, Pawson, Shockley—3.

PRESENT—Mr. Baker—1.

HB 66 not having received the constitutional majority, was declared lost.

On motion, the House recessed at call of the Chair at 4:10 P. M.

The Sergeant-at-Arms announced the Speaker and Members of the House of Representatives. They were admitted and seated. President Pro Tem Reilly invited the Speaker of the House to a seat on the rostrum.

JOINT SESSION

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

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

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

The Chair appointed the following committee to escort the guest speaker, Dr. Monroe, to the Senate Chamber: Senator Steen and Representative Snowden.

The Sergeant-at-Arms admitted Dr. Monroe and the duly appointed committee to the Senate Chamber.

The President invited Dr. Monroe to the Rostrum and introduced him to the Joint Session.

Dr. Monroe then addressed the members of the General Assembly.

The previously named committee escorted the guest speaker from the Chamber.

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

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

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

The House met at the expiration of the recess at 5:18 P. M. Mr. Speaker presiding.

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

HB 91—An Act Appropriating Money to Felton School District No. 54. (By Mr. Paskey, to Appropriations)

HB 92—An Act to Amend Chapter 27, Title 18, Delaware Code, Relating to the Rate of Special Tax on Gross Premiums of Fire Insurance Companies for the Purpose of Assisting in Maintaining Fire Companies. (By Messrs. Paskey, Murray, Quigley, Keenan, Kleinbach and Dineen, to Insurance and Banking)

HB 93—An Act to Amend Chapter 1, Title 20, Delaware Code, Relating to Power of the State Military Board to Sell Real Property. (By Messrs. Quigley, Murray, Keenan and Kleinbach, to Military Affairs)

HB 94—An Act to Provide for the Renovation, Remodeling and Refurbishing of Legislative Hall and to Provide an Appropriation. (By Mr. Eskridge, to Public Buildings and Highways)

The following bills were reported from the Committee on Labor: **HB 29**, 4 favorably, 1 on merits; **HB 30**, 2 favorably, 1 unfavorably.

The Secretary of the Senate informed the House that the Senate had concurred on **HB 50**.

The House adjourned in accordance with **SCR 13**.

14TH LEGISLATIVE DAY

March 13, 1961

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

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

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

February 23, 1961

Memorandum to: Mrs. Everett, Mr. Killen, Mrs. Tomlinson, Secretary of the Senate, Clerk of the House, Mr. E. H. Davis, Mr. Collins, Mr. Hall, Dr. Herbst, Mrs. Jones, Dr. Pares, Mr. Pippin, Miss Schulz, Mrs. Looney, Press, Mrs. Moress, Governor's Office. From: Earl McGinnes.

On date indicated, Governor approved following legislation:

23 February 1961—**HB 47, HB 50 with HA 1.**

1 March 1961—**HB 48.**

2 March 1961—**SB 25, SB 43.**

The following bill was reported from the Committee on Education: **HB 23, 5** favorably.

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

HB 95—An Act Amending Title 9, Delaware Code, Section 303, Relating to the Nomination, Election Qualifications and Term of Levy Court Commissioners of New Castle County. (By Mr. Dineen, to Judiciary)

HB 96—An Act to Amend the Charter of the City of Wilmington, as Amended, by Reconstituting "The Council" and by Changing the Number of Councilmen and the Method of Electing Same. (By Mr. Dineen, to Corporations, Municipal)

HB 97—An Act to Amend Chapter 3, Title 28, Delaware Code, Entitled "Horse Racing" and Chapter 5, Title 28, Delaware Code, Relating to Harness Racing by Providing for the Disposition of Outstanding Pari-Mutuel Tickets Not Claimed Within a Period of One Year Following the Meet. (By Messrs. Casey, Quigley, Bartleson and Truitt, to Miscellaneous)

The following resolution was introduced, given first reading and on further motion was adopted:

HR 22—Expressing the Best Wishes of the House of Representatives of the 121st General Assembly to Representative Chester Gove, Jr., on His Birthday. (By Mr. Davidson)

WHEREAS, the Members of the House of Representatives of the 121st General Assembly have learned that February 24, is the birthday of Representative Chester Gove, Jr., and

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

NOW THEREFORE,

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

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

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

HB 98—An Act to Amend Section 2707, Title 21, Delaware Code, Relating to Requirements for School Bus Drivers and Public Passenger Carrying Vehicles. (By Mr. Blendt, to Revised Statutes)

On motion, the House recessed at call the Chair at 2:30 P. M. The House met at the expiration of the recess at 5:27 P. M. Mr. Speaker presiding.

The following bill was reported from the Committee on Public Buildings and Highways: **SB 46**, 5 favorably.

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

HB 6—An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for Allocation of Funds.

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

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

NAYS—None.

ABSENT—Messrs. Keenan, Moore, Richards—3.

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

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

HB 63—An Act Providing for the Payment of Salaries of Teachers Employed as Substitutes from Appropriations for Teachers Salaries in Chapter 229, Volume 52, Laws of Delaware.

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

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

NAYS—None.

ABSENT—Messrs. Bartleson, Keenan, Moore, Richards—4.

HB 63 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 30—An Act to Amend Title 19, Delaware Code, by Prohibiting Any Person, Firm or Corporation, Not Directly Involved in a Labor Strike or Lockout from Recruiting, Securing or Offering to Secure Employment for Persons to Take the Places of Employees Where a Labor Strike or Lockout Exist: and Providing for Legally Established Employment Service.

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

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

NAYS—Messrs. Bartleson, Best, Hocker, Myers—4.

NOT VOTING—Messrs. Casey, Downs, Fifer, Kleinbach, Pawson, Robbins—6.

ABSENT—Messrs. Keenan, Moore, Richards—3.

PRESENT—Mr. Baker—1.

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

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

HB 99—An Act to Amend Chapter 11, Title 30, Delaware Code, Entitled "Income Tax." (By Messrs. Shockley and Dineen, to Revenue and Taxation)

HB 100—An Act to Amend Section 2 of Chapter 232, Volume 52, Laws of Delaware so as to Broaden the Uses the City of Wilmington May Make on Property Conveyed to It Pursuant to the Provisions of Said Law. (By Mr. Shockley, to Corporations, Municipal)

The House adjourned at 6:15 P. M. until 1:00 P. M., Tuesday, March 14.

15TH LEGISLATIVE DAY

March 14, 1961

The House met pursuant to adjournment at 1:00 P. M. on March 14, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

The following petitions were presented:

HOUSE BILL #90

We, the Barbers of New Castle County, are in favor of passage of House Bill #90 in the 121st General Assembly.

(There were 98 signatures attached to the petition.)

HOUSE BILL #90

We, the undersigned, are in favor of House Bill #90 in the 121st General Assembly:

An Act to Provide Sanitary Conditions for All Barber Shops for the Public Welfare.

(There were 380 signatures attached to the petition.)

The following bill was reported from the Committee on Miscellaneous: **HB 39**, 5 favorably.

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

SB 46—An Act to Amend Section 2143, Title 21, Delaware Code, Relating to the Inspection of Motor Vehicles Before Registration; Exception.

On motion of Mr. Best, **SB 46** was deferred.

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

HB 101—An Act to Amend the Chapter of the City of Wilmington as Amended Relating to the Election of Council Members. (By Messrs. Casey, Keenan and Livingston, to Corporations, Municipal)

HB 102—An Act to Amend Title 14, Sections 311 and 1904, Delaware Code, Relating to Notices of School Elections. (By Messrs. Robbins and Busker, to Education)

HB 103—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. (By Messrs. Hocker and Truitt, to Appropriations)

HB 104—An Act to Amend Title 28, Delaware Code, Relating to Horse and Dog Racing in the State of Delaware. (By Messrs. Quigley, Paskey, Livingston, Shulties, Truitt, Moore, Prettyman and Busker, to Miscellaneous)

HB 105—An Act to Amend Title 14, Delaware Code, Relating to "Education" by Providing That School Board Elections Shall be Conducted by the Department of Elections, and Making Similar Provisions for the Conduct of Referenda on School Taxes and School Bond Issues, Limiting Referenda. (By Mr. Quigley, to Judiciary)

HB 106—An Act to Amend Title 10, Section 1702, Delaware Code, Relating to Dogs Running at Large. (By Mr. Pawson, to Judiciary)

The following resolution was introduced, given first reading and adopted:

HR 23—Making an Appropriation to the Diamond State Telephone Company for Services Rendered Through January 11, 1961 for RE-6-6180. (By Mr. Robbins)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of \$13.45 be paid to the Diamond State Telephone Company for services rendered through January 11, 1961 for RE-6-6180.

The following resolution was introduced and given first reading and having all rules suspended was adopted, and ordered to the Senate for concurrence:

HCR 11—Making Appropriations to Various Companies for Supplies and Services Rendered the 121st General Assembly of the State of Delaware. (By Mr. Robbins)

On motion, the House recessed at call of the Chair at 2:30 P. M. The House met at the expiration of the recess at 4:55 P. M. Mr. Speaker presiding.

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

HB 107—An Act to Appropriate Funds to Hartly School District No. 96 for Finishing and Equipping Kitchen. (By Messrs. Myers, Casey and Hocker, to Appropriations)

HB 108—An Act to Amend Title 30, Section 1171, Delaware Code, Relating to Income Tax by Repealing the Provision for Installment Payments. (By Mr. Truitt, by request, to Revenue and Taxation)

HB 109—An Act to Amend Section 1703, Title 14, Delaware Code, Relating to the Method of Calculating the Unit of Pupils. (By Mr. Truitt, by request, to Judiciary)

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

HB 111—An Act to Repeal Section 5143, Title 30, Delaware Code, Relating to Refunds of Motor Fuel Taxes. (By Mr. Truitt, by request, to Revenue and Taxation)

HB 112—An Act Establishing a Department of Agriculture, Defining Its Organization, Powers and Duties. (By

Messrs. Fifer, Best, Myers, Annett, Snowden, Baker and Hocker, to Agriculture and Forestry)

HB 113—An Act to Amend Section 108, Title 15, Delaware Code, Relating to the Compensation of Members of the Department of Elections. (By Messrs. Dineen, Paskey and Moore, to Elections)

HB 114—An Act to Amend Section 34, of Chapter 207, Volume 17, Laws of Delaware, by Authorizing "The Mayor and Council of Wilmington" a Municipal Corporation, to Provide, by Ordinance, for a Procedure for the Withdrawal of Funds on Deposit in the Name of "The Mayor and Council of Wilmington", including the Authorization to Said "The Mayor and Council of Wilmington" to Authorize the Use of Facsimile Signatures on Checks Drawn Against the Accounts of "The Mayor and Council of Wilmington". (By Mr. Shockley, to Corporations, Municipal)

HB 115—An Act Appropriating Additional Funds to the Vocational Rehabilitation Division of the State Board for Vocational Education for Services to Disabled Persons. (By Mr. Shockley, to Appropriations)

HB 116—An Act Calling for the Submission to the Qualified Electors of the State at the Next General Election of the Question of a Convention to Revise and Amend the Constitution. (By Mr. Kleinbach, to Revised Statutes)

HB 117—An Act to Amend Title 30, Section 1171, Delaware Code, Relating to Income Tax by Repealing the Provisions for Installment Payments. (By Mr. Truitt, by request, to Revenue and Taxation)

HB 118—An Act to Authorize the Transfer of Certain Encumbered Funds to the Salaries and Wages Account of the Maintenance Division of the State Highway Department Appropriations. (Mr. Eskridge, to Appropriations)

HB 119—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees. (By Mr. Murray, to Education)

HB 120—An Act Appropriating Money to Selbyville American Legion Post No. 39, Inc., With Which to Operate and Maintain an Ambulance. (By Messrs. Truitt and Hocker, to Appropriations)

On motion of Mr. Gove, **SB 46** having been deferred, was taken up for consideration in order to pass the House.

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

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

NAYS—None.

ABSENT—Messrs. Pawson, Quigley—2.

SB 46 having received the constitutional majority, passed the House and was returned to the Senate.

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

HR 24—Authorizing the Payment of Certain Expenses for the Printing of Roll Call Books for the House of Representatives of the 121st General Assembly. (By Messrs. Exley and Casey)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of One Hundred Dollars (\$100.00) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay The Harrington Journal, Harrington, Delaware, for 5 roll call books for the House of Representatives of the 121st General Assembly.

The House adjourned at 5:30 P. M. until 1:00 P. M. on Wednesday, March 15, 1961.

16TH LEGISLATIVE DAY

March 15, 1961

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

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

The following letters were presented and read to the House members:

THE DELAWARE STATE SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION

Milford, Delaware, March 3, 1961

Sherman W. Tribbitt, Speaker of the House

Odessa, Delaware

Dear Representative Tribbitt:

At the 53rd Annual Conference of the Delaware State Society, Daughters of the American Revolution held in the Hotel duPont in Wilmington, Delaware, on February 25, 1961, the following resolution was unanimously adopted:

RESOLVED, That the Delaware State Society, Daughters of the American Revolution go on record as favoring the restoration and preservation of the Old State House in Dover, Delaware.

We request that this letter be read before the Legislature and be made a part of the minutes.

Sincerely yours,

MARJORIE C. JEWELL

State Corresponding Secretary

KENT COUNTY DEMOCRATIC WOMEN'S CLUB

Dover, Delaware, March 13, 1961

Representative Sherman W. Tribbitt, Speaker of the House
Legislative Hall, Dover, Delaware

Dear Representative Tribbitt:

The members of the Kent County Women's Democratic Club want you to know our feeling in regard to the Delaware State Highway situation. We stand staunchly behind the members of the State Highway Commission, both Democratic and Republican, for their honesty and integrity. They are outstanding citizens representing our three counties.

There should be no thought of our bowing to the wishes of the Republican minority. What assurance do we have they would support a Bond Bill even if Governor Carvel did rush through a reorganization program. Since they have publicly questioned our integrity, what proof have we of their sincerity?

We, too, are tired of wallowing in the mud, travelling over almost impassable streets and roads, and tired of the unemployment that is a result of this situation. However, we can stand these conditions more cheerfully, knowing the Republicans have to travel these same streets and roads.

We believe we have an advantage in this situation! The citizens of Delaware are not stupid. The results of the last election proved this. These citizens are becoming aroused and are beginning to ask the Republicans when they are going to learn there will be future elections and when are they going to accept the fact they lost the last one. Delawareans want to know how much longer they are going to have to tolerate the opinions of a few.

Ask the man whose family is hungry and who cannot find work, ask him if he cares what threats or ultimatums the minority in our Legislature utter. He wants to work and care for his family decently and with honor. He cares little or nothing about the political situation in our State being aired in the United States Senate or the New York newspapers. He wants a chance to live decently. Let our Senior Senator in the United States Congress initiate legislation to help Delaware citizens instead of wasting valuable minutes on the floor of the United States Congress.

Let us get on the OFFENSIVE. Let us formulate a positive program and stick solidly behind our own Democratic Governor Elbert N. Carvel. Surely, we have members on our side of the aisle capable of formulating such a program, with your leadership, carry it through to a successful conclusion.

Let us start a "CRUSADE" of our own that will eventually lead us to the "NEW FRONTIER" of our own beloved President John Fitzgerald Kennedy.

We would appreciate the reading of this letter to the General Assembly and we want this to appear on the record as our stand in this matter.

Democratically yours,
(Mrs.) HATTIE W. TARBURTON
President, Kent County
Women's Democratic Club

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

HB 121—An Act to Amend Title 14, Delaware Code, Relating to Education by Requiring Annual Reporting. (By Messrs. Dineen, Busker, Blendt, Truitt, Davidson, Murray, Shockley, Quigley and Keenan, to Education)

HB 122—An Act Making an Appropriation to the State Fire Prevention Commission for the Training of Volunteer Firemen. (By Messrs. Paskey, Snowden, Quigley, Murray, Shockley, Busker and Fifer, to Appropriations)

On motion of Mr. Paskey, **HB 88** was stricken from the Calendar.

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

HR 25—Recommending the Enactment of a Federal Support to Education (By Mr. Quigley)

WHEREAS, our total progress as a Nation has always gone hand-in-hand with our progress in education; and

WHEREAS, today's needs for public education have been well documented; and

WHEREAS, the role of the Federal Government has been a legitimate and accepted part of the American educational experience since the founding of our Republic; and

WHEREAS, education is vital to the general welfare and national defense of the United States; and

WHEREAS, funds received from a general support for education bill would assist Delaware in retaining its role as an educational leader among the states.

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware, that this Assembly urge Delaware's Congressional delegation to work for the enactment of a federal support to education bill such as found in HR 4970 and S 1021, recently introduced in

the 87th Congress, First Session, which would retain complete state control of education; allowing the states themselves to decide how the money is to be spent for teachers' salaries and school construction.

On motion, the House recessed at call of the Chair at 2:15 P. M. The House met at the expiration of the recess at 5:09 P. M. Mr. Speaker presiding.

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

HR 26—Expressing the Appreciation and Best Wishes of the House of Representatives of the 121st General Assembly to Miss Maxine Schulz, Assistant Director of the Legislative Reference Bureau Upon the Occasion of Her Departure from the Legislative Reference Bureau. (By Mr. Eskridge)

WHEREAS, the Members of the House of Representatives of the 121st General Assembly have learned that Miss Maxine Schulz has resigned the post of Assistant Director of the Legislative Reference Bureau of Delaware, and,

WHEREAS, the Members of the House of Representatives desire to publicly express their appreciation to Miss Schulz for her many courtesies and unfailing assistance to the Members of the House of the 121st General Assembly and preceeding General Assemblies, NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware, that the appreciation of its Members for past courtesies and best wishes in her future endeavors are hereby extended to Miss Schulz; and,

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the Journal of the House, a copy be forwarded to Miss Maxine Schulz and copies be delivered to members of the press and radio.

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

HB 123—An Act to Amend Section 2733, Title 21, Delaware Code, Titled Discretionary Suspension or Revocation of Driver's License, Such Amendment Relating to Occupational License. (By Mr. Truitt, to Revised Statutes)

HB 124—An Act to Amend Section 3105 (b), Title 20, Delaware Code, Entitled "Civil Defense Powers of the Governor" and Relating to State Auxiliary Civil Defense Police. (By Mr. Truitt, to Military Affairs)

On motion of Mr. Quigley, the following bill was taken up for consideration and read for the third time in order to pass the House:

HB 65—An Act to Amend Chapter 5, Title 1, Delaware Code, Relating to Legal Holidays.

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

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

NAYS—Messrs. Baker, Bartleson, Best, Downs, Ehinger, Fifer, Hocker, Keenan, Kleinbach, Myers, Pawson, Richards, Robbins, Snowden—14.

ABSENT—Messrs. Casey, Phillips—2.

PRESENT—Mr. Annett—1.

HB 65 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Paskey, the following bill was taken up for consideration and read for the third time in order to pass the House:

HB 39—An Act to Amend Title 21, Authorizing Blue Lights on Vehicles Used by Fire Police.

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

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

NAYS—None.

ABSENT—Messrs. Dineen, Phillips—2.

HB 39 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 125—An Act to Amend Title 19, Delaware Code, Entitled "Labor" by Adding a Wage Payment and Collection Law and Providing Penalties. (By Mr. Shockley, to Labor)

HB 126—An Act to Amend Title 7, Section 1702, Delaware Code, Relating to Dogs Running at Large. (By Mr. Pawson, to Fish, Oysters and Game)

On motion of Mr. Pawson, **HB 106** was stricken from the Calendar.

The following bills were reported from the following committees: Corporations, Municipal, **HB 18**, 4 favorably, 1 on merits; **HB 25**, 3 favorably, 2 on merits; **HB 67**, 3 favorably, 2 on merits; Revised Statutes, **HB 98**, 5 favorably; Revenue and Taxation, **HB 117**, 3 favorably, 1 on merits, 1 unfavorably.

The Secretary of the Senate informed the House that the Senate had concurred on **HCR 11**.

The House adjourned at 5:45 P. M. until 1:00 P. M., Thursday, March 16, 1961.

17TH LEGISLATIVE DAY

March 16, 1961

The House met pursuant to adjournment at 1:00 P. M. on March 16, 1961.

Prayer by Representative Ehinger.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

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

HB 127—An Act to Designate a Name for the Woodland Ferry. (By Mr. Eskridge, to Miscellaneous)

HB 128—An Act to Give Constables 10 Days, Instead of Five, in Which to Provide Bond After Appointment. (By Mr. Busker, to Judiciary)

HB 129—An Act to Amend Title 31, Section 901 of the Delaware Code of 1953, Relating to Work Requirements as to Employable Relief Recipients. (By Messrs. Myers, Hocker and Baker, to Charities)

HB 130—An Act to Amend Title 31, Section 902 of the Delaware Code of 1953 Relating to Application for Assignment of Relief Recipients. (By Messrs. Myers, Hocker and Baker, to Charities)

HB 131—An Act to Subtract Half of Social Security Benefits, Rather Than Full Benefits, from Pensions of Former Wilmington Employees. (By Messrs. Murray, Keenan and Dineen, to Corporations, Municipal)

HB 132—An Act to Appropriate \$750 a Year to the Gumboro Volunteer Fire Company for Maintenance of Its Ambulance. (By Mr. Truitt, to Appropriations)

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

SB 51—An Act to Amend Chapter 7, Title 10, Delaware Code, Entitled "Orphans' Court" to Provide for the Method of Recording Instruments in the Orphans' Court in Sussex County. (To Judiciary)

SB 52—An Act to Provide for Funds to Persons Who Overpaid the Fee for Hucksters' and Peddlers' Licenses for the Year Beginning June 1, 1959. (To Revenue and Taxation)

Mr. Davidson introduced **HA 1** to **HB 46**, which was given first reading in full and committed with the bill.

The following bills were reported from committees: Revised Statutes, **HB 22**, 1 favorably, 3 on merits; Corporations, Municipal, **HB 114**, 3 favorably, 1 on merits.

The Chair presented the following resolution, which was given first reading in full and having all rules suspended, was adopted, and returned to the Senate:

SJR 3—Relative to the Death of John J. Sandler.

On motion, the House recessed at call of the Chair at 2:50 P. M. The House met at the expiration of the recess at 4:18 P. M. Mr. Speaker presiding.

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

HB 133—An Act to Amend Section 2 of Chapter 232, Volume 52, Laws of Delaware, so as to Broaden the Power of the City of Wilmington Regarding the Property Conveyed to It Pursuant to the Provisions of Said Law. (Bq Mr. Shockley, to Corporations, Municipal)

HB 134—An Act to Amend Chapter 112, Volume 50, Laws of Delaware, Relating to Employees Pensions of the Levy Court of New Castle County. (By Messrs. Keenan, Murray, Bartleson, Dineen, Davidson, Shockley, Livingston, Pawson, Gove, Kleinbach, Tribbitt, Downs, Quigley and Casey, to Revised Statutes)

HB 135—An Act Appropriating Certain Money to Palmer Home, Incorporated. (By Messrs. Richards and Ehinger, to Appropriations)

HB 136—An Act Authorizing the Recorder of Kent County to Procure a New Seal. (By Messrs. Busker and Prettyman, to Miscellaneous)

HB 137—An Act to Amend Chapter 3, Title 22, Delaware Code, Relating to Qualification of Members of Boards and Commissions of the City of Wilmington. (By Messrs. Dineen and Keenan, to Corporations, Municipal)

HB 138—An Act Making Appropriations to the American Legion, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents. (By Messrs. Ehinger, Shockley and Blendt, to Appropriations)

HB 139—An Act Amending Section 3313, Title 19, Relating to Unemployment Benefits. (By Mr. Davidson, to Labor)

HB 140—An Act to Amend Section 2706, Title 18, Delaware Code, Relating to Distribution of Proceeds of the Special Tax on Gross Premiums of Fire Insurance Companies. (By Messrs. Kleinbach, Annett, Truitt, Exley, Quigley and Best, to Insurance and Banking)

HB 141—An Act to Amend Chapter 21 and Chapter 89, Relating to Insurance Agents and Brokers and Suretyship. (By Mr. Truitt, to Insurance and Banking)

The following resolution was introduced by Mr. Livingston, given the first reading in full and on further motion was adopted:

HR 27—Relative to the Death of Clara I. James, Wife of Reverend Arthur R. James, Chaplain of the House of Representatives.

WHEREAS, the House of Representatives of the 121st General Assembly of the State of Delaware has learned with deep regret of the recent death on March 15, 1961, of Clara I. James, wife of Reverend Arthur R. James, Chaplain of the House, and

WHEREAS, the members of the House desire to express in this public manner their own feelings and the sense of loss which is felt by Reverend James and his colleagues in the House of Representatives, NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the members thereof extend their sincere sympathy and deep condolence to Reverend James at the death of his wife, Clara I. James, and

BE IT FURTHER RESOLVED that this expression of sympathy be conveyed to the family of Reverend James and a copy of this resolution be forwarded to the members of his immediate family, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of Representatives of the 121st General Assembly of the State of Delaware.

On motion of Mr. Truitt, the following bill was presented for its third and final reading in order to pass the House:

HB 117—An Act to Amend Title 30, Section 1171, Delaware Code, Relating to Income Tax by Repealing the Provisions for Installment Payments.

On motion of Mr. Eskridge, **HB 117** was deferred.

On request of Messrs. Shockley and Blendt, **HB 100** and **HB 52**, respectively, were stricken from the Calendar.

The following bills were reported from committees: Miscellaneous, **HB 53**, 5 favorably; Revenue and Taxation, **HB 33**, 2 favorably, 3 on merits.

HA 1 to **HB 117** was introduced by Mr. Eskridge, given first and only reading in full and was adopted.

On motion of Mr. Truitt, **HB 117** as now amended by **HA 1** was taken up for consideration in order to pass the House.

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

YEAS—Messrs. Best, Blendt, Busker, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Gove, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Robbins, Shulties, Truitt, Mr. Speaker Tribbitt—21.

NAYS — Messrs. Annett, Bartleson, Hocker, Keenan, Kleinbach, Myers, Richards, Shockley, Snowden—9.

NOT VOTING—Mr. Fifer—1.

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

PRESENT—Mr. Baker—1.

HB 117 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 18—An Act to Amend Chapter 188, Volume 18, Laws of Delaware, Creating a Street and Sewer Department, as an Agency of the Mayor and Council of Wilmington, and the Acts Amendatory Thereof and Supplemental Thereto, by Changing the Name of Said Department to the Department of Public Works.

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

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

NAYS—None.

ABSENT—Mr. Livingston—1.

HB 18 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following resolution was introduced, given first reading in full and having had all rules suspended, was adopted, and was ordered to the Senate for concurrence:

HJR 3—Requesting the President of the United States to Take the Necessary Action to Assure the Citizens of the State of Delaware of Adequate Radio Reception. (By Mr. Eskridge)

HA 1 to **HB 98** was introduced by Mr. Blendt, was given first reading in full, and on the motion that the amendment be adopted, action was deferred.

The House adjourned at 5:30 P. M. until 1:00 P. M. on Monday, March 20, 1961.

18TH LEGISLATIVE DAY

March 20, 1961

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

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs,

Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

The following communication was presented and read to the House:

March 8, 1961

To Whom It May Concern:

We, the citizens and taxpayers of Mill Creek Hundred, and especially those who must travel the Limestone Road and other roads, urge that the Legislature stop "playing politics" and do something about the deplorable condition of the roads in this area.

For the past several years the Limestone Road has been obsolete, and yet nothing has been done about it.

The taxpayers of Delaware always pay for what they get, and plus.

With so many people out of work and unemployment at an all time high, money is being paid out and still our roads are not being fixed. Why not utilize this labor?

It is a pity that the State of Delaware is so concerned and busy with politics that it has forgotten the needs of its people.

Stop Playing Politics and Get the Work Done!

(The communication contained 83 signatures)

On motion of Mr. Blendt, the following bill was taken up for consideration and read the third and final time in order to pass the House:

HB 53—An Act Relating to Arbor Day.

On motion of Mr. Fifer that action be deferred on **HB 53**, roll call revealed:

YEAS—Messrs. Annett, Baker, Bartleson, Casey, Ehinger, Fifer, Hocker, Keenan, Myers, Richards, Snowden—11.

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

ABSENT—Messrs. Best, Downs, Gove, Kleinbach, Pawson—5.

The motion was defeated.

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

YEAS—Messrs. Blendt, Busker, Casey, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Keenan, Livingston,

Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—23.

NAYS—Messrs. Annett, Baker, Bartleson, Fifer, Hocker, Richards—6.

NOT VOTING—Messrs. Best, Snowden—2.

ABSENT—Messrs. Downs, Gove, Kleinbach, Pawson—4.

HB 53 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bill was reported from the Committee on Corporations, Municipal: **HB 133**, 4 favorably, 1 on merits.

On motion, the House recessed at call of the Chair at 1:55 P. M. The House met at the expiration of the recess at 4:10 P. M. Mr. Speaker presiding.

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

HB 142—An Act Making a Supplementary Appropriation to the Lord Baltimore School District No. 28 for the Fiscal Year Ending June 30, 1961. (By Mr. Hocker, to Appropriations)

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

HB 144—An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations. (By Mr. Robbins, to Appropriations)

HB 145—An Act Making a Supplementary Appropriation to the State Board of Education, Certain School Districts and the Wilmington Board of Education for Fiscal Year Ending June 30, 1961. (By Mr. Robbins, to Appropriations)

HB 146—An Act Making Appropriations to the Veterans of Foreign Wars, Department of Delaware, for the Furnish-

ing of Services to Veterans and Their Dependents. (By Messrs. Davidson, Shockley and Exley, to Appropriations)

HB 147—An Act to Amend An Act Entitled “An Act Changing the Name of the ‘Town of Newark’ to the ‘City of Newark’ and Establishing a Charter Therefor” by Increasing and Redefining the Election Districts, and by Eliminating the Freeholder Qualifications for Councilmen. (By Mr. Kleinbach, to Corporations, Municipal)

HB 148—An Act Amending the Charter of New Castle Providing for the Appointment of Inspectors of Election by the Mayor, Increasing the Pay Election Officers and Replacing the Word “Assessor” With the Words “City Clerk” in Certain Sections. (By Mr. Quigley, to Corporations, Municipal)

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in **HB 17** with SA 1 and **HB 19** with SA 1.

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

SB 29—An Act to Amend Section 4122, Title 21, Delaware Code, Relating to Stopping at Command of Police Officers. (To Judiciary)

SB 66—An Act to Amend Section 26 of Chapter 191, Volume 45, Laws of Delaware, Entitled “An Act to Reincorporate the Town of Delaware City”, and Relating to the Issue of Bonds by the Mayor and Council of Delaware City. (To Corporations, Municipal)

SB 74—An Act to Permit the State Highway Department to Use for Highway Repair and Reconstruction Certain Reimbursement Funds Received by the State of Delaware from the Delaware Interstate Highway Division. (To Public Buildings and Highways)

On motion of Mr. Shockley, **HS 1** for **HB 8** was introduced, given first and second reading by title only and assigned to the Committee on Appropriations:

HS 1 for **HB 8**—An Act to Appropriate Funds to the Department of Public Welfare for Salaries, Assistance Grants and Child Welfare Service.

On motion of Mr. Dineen, **HB 19** as now amended by SA 1, was taken up for consideration in order to pass the House:

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

YEAS—Messrs. Annett, Blendt, Busker, Clifton, Davidson, Dineen, Ehinger, Eskridge, Exley, Fifer, Gove, Keenan, Livingston, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—23.

NAYS—Messrs. Best, Casey, Downs, Hocker, Kleinbach, Myers, Pawson, Richards, Snowden—9.

NOT VOTING—Mr. Bartleson—1.

ABSENT—Mr. Quigley—1.

PRESENT—Mr. Baker—1.

HB 19 with **SA 1** having received the constitutional majority, passed the House and was sent to the Governor for his approval.

On motion of Mr. Downs, the following bill was taken up for consideration and read a third and final time in order to pass the House:

HB 33—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Imperial Drive Civic Association from Assessment and Taxation.

On motion of Mr. Downs, action on **HB 33** was deferred.

At this point a messenger from the Governor was admitted and the following message from the Governor was read to the House members:

SPECIAL MESSAGE BY GOVERNOR ELBERT N. CARVEL
TO THE ONE HUNDRED AND TWENTY-FIRST
GENERAL ASSEMBLY

Mr. President, Mr. Speaker and Members of the One Hundred and Twenty-First General Assembly:

Two related and pressing problems face us which I deem of such interest and importance to the people and welfare of our State that I take this opportunity in a special message to urge their immediate solution by the enactment of legislation now pending in the General Assembly. These problems specifically relate to the immediate need for the enactment of toll road enabling legislation and legislation essential to assure additional crossings of the Delaware River and Bay. Because of their great importance to our State and in view of the time and effort which has gone into their study, planning and negotiations with our neighboring States, I shall treat them separately and in some detail in the hope of affording a better understanding of these problems and the overriding need for their prompt solution by this General Assembly. Because the bill authorizing the toll road has already been introduced, I shall deal with it first, and will urge support of the additional Delaware River and Bay crossings in a separate message in the near future.

I. TOLL ROAD LEGISLATION

1. The Need for Toll Road Legislation

Most Delawareans and many non-residents are fully aware of the heavy traffic volumes using U. S. Routes 13 and 40, particularly in the area between Farnhurst and the State Road Intersection. Relief from this ever increasing congestion can be attained only by additional highway construction. Such

construction is needed not only to facilitate the interstate transportation of persons and commerce but is demanded from the standpoint of the general public safety.

The public need for additional express highways has never been doubted; Delaware's problem has been concerned with the method of financing. Initially the State Highway Department proposed that the needed construction be financed from tolls collected at the Delaware Memorial Bridge since the largest number of these express highway users is generated by the River crossing. Strenuous efforts have been made since 1955 to obtain the necessary federal legislation to permit the continuation of tolls on the present Bridge so that future revenue could be used to finance additional express highways connecting the Bridge. After a hearing before a Subcommittee of the House Committee on Public Works, Congress refused to act on such legislation on the traditional ground that, since New Jersey objected, Congress would not resolve the differences. Consequently, Bridge revenue as a source for such financing was effectively foreclosed to our State.

The next hope of financing such highway arose out of the passage of the Federal Aid Highway Act of 1956. Under that legislation, interstate routes were to be financed 90% from federal funds and 10% from state funds. The State Highway Department immediately moved under this program to prepare plans for a freeway to connect the Memorial Bridge to a new Maryland highway leading to the Baltimore Tunnel. Plans for such construction are now virtually complete. Maryland likewise laid plans under the same federal program to connect the Delaware freeway to the Baltimore Tunnel. Two factors, however, intervened to prevent the project construction under the federal aid program. First, the lack of state funds prevented the Delaware State Highway Department from placing the work under contract, and secondly, even if these funds had been available at the State level, the apportionment of federal funds is such that it would take at least 10 years for the completion of the project on the basis of anticipated federal allotments. Moreover, if federal interstate funds which become available were spent on the one route, the proposed express highways through other sections of the State would be delayed even longer.

Maryland was faced with the same lack of funds and delays in the construction of its link of the route. Consequently, both Delaware and Maryland looked for a more feasible way for the prompt building of the express highway. Both States jointly determined that it probably could be built without delay as a toll turnpike at no cost to the taxpayers. Over the past year and a half Delaware and Maryland highway officials have met with respect to this program. This joint

effort of the two States in building a toll facility between the Delaware Memorial Bridge and Baltimore Tunnel can be financed as a toll facility only with the closest cooperation between them. Its financial feasibility depended on both States building the express route as a toll highway. Maryland already has enabling legislation authorizing the Maryland Road Commission to build the Maryland portion of the route as a toll road. Delaware does not.

2. The Toll Road Is Financially Feasible

Before embarking on such a plan it was necessary for both States to obtain a financial feasibility report prepared by a recognized engineering firm in order to determine whether revenue bonds would be marketable and whether it would be supported by vehicular use. Accordingly, each State retained the firm of Coverdale & Colpitts to conduct an extensive traffic survey. The report made with respect to the Delaware end of the route was paid for by The Delaware Interstate Highway Division at the request of the State Highway Department. The report as made indicates that if each State determines to build a toll turnpike it will be financially feasible and will support its costs of construction as a reasonable toll rate. It will not be financially feasible, however, if either Maryland or Delaware refuses to build its length as a toll facility.

3. Federal Interest and Participation

Also in order to accomplish the toll road construction, it was necessary to obtain federal legislation to permit the toll route to remain a part of the National System of Interstate Highways and to permit those federal aid funds already spent for engineering costs on the project as a freeway to be reimbursed to the federal government for re-allocation to Delaware for use on other federal aid projects in Delaware. Accordingly, representatives of both Delaware and Maryland were instrumental in having the necessary federal legislation enacted for this purpose in mid-1960. The Congress for the first time enacted the federal enabling legislation at the joint request of Delaware and Maryland even though Delaware had not yet adopted its authorizing legislation.

4. Delaware Legislation

As a result of the planning to date, all obstacles have been removed for the accomplishment of the toll project except for the necessary Delaware enabling legislation. Senate Bill No. 48, now pending, will authorize Delaware to proceed in cooperation with Maryland to construct this badly needed facility without cost to Delaware taxpayers and without further financial delay. Therefore, I sincerely urge its prompt passage.

Briefly, S. B. 48 authorizes the State Highway Department to issue revenue bonds for construction of the highway and to use tolls to maintain and operate it. The Highway Department will control its operation, subject to the terms of a trust indenture securing the bonds to be issued. For its day-to-day administration and operation, a Turnpike Division, headed by a General Manager, will be in charge but always subject to control and regulation of the Department.

5. No Tax Cost to Delaware

One of the most important factors of this legislation is that all costs which have been expended by the Highway Department in designing and acquisition of right-of-way and other work in connection with the Delaware link will be repaid by the Department to the State Treasury from proceeds of the revenue bonds sold to finance the project. Furthermore, the future costs of maintenance and operation will come solely from tolls paid by the users rather than from Delaware taxpayers.

6. Estimated Timing of the Project

As stated before, the engineering feasibility reports for Maryland and Delaware are essentially complete. They indicate that the project can be financed by revenue bonds based on very reasonable tolls. It is estimated that prompt enactment of S. B. No. 48 would allow the bonds to be sold in about eight months thereafter. In turn the project could be completed in approximately two years. Maryland would pursue a similar schedule. Both bond issues for the Delaware and Maryland side of the project would be issued simultaneously. Of course, Maryland cannot proceed until Delaware enacts legislation. This has been a source of concern both to the Governor of Maryland and its highway authorities. They are awaiting Delaware to proceed with the necessary legislation.

7. Summary

Time for further delay has passed. Action on S. B. No. 48 should be taken now. The need for the highway is growing desperate. The beneficial results of toll financing as against the use of tax money or bonds backed with the faith and credit of the State is obvious. The State Treasury will obtain the return of its money already spent on the project. Federal aid funds reimbursed to the government will be released for re-allotment to other federal aid projects in Delaware. The slackening economy of our State will be stimulated by such construction and this boast will come from private investors rather than from tax money.

Therefore, as a solution to the compelling need of the highway from the standpoint of public safety, of obtaining the

facility at no costs to our taxpayers, and as a stimulus to our economy, I sincerely urge the prompt enactment of S. B. No. 48.

The following bills were reported from committees: Revised Statutes, **HB 123**, 4 on merits; Miscellaneous, **HB 127**, 4 favorably, 1 on merits; Corporations, Municipal, **HB 36**, 4 favorably; **HB 131**, 3 favorably, 1 on merits.

On motion of Mr. Dineen, the following bill, **HB 17** as amended by **SA 1** was taken up for consideration in order to pass the House.

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

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

NAYS—None.

ABSENT—Mr. Quigley—1.

HB 17 with **SA 1** having received the constitutional majority, passed the House and was sent to the Governor for his approval.

The House adjourned at 5:15 P. M. until 1:00 P. M., Tuesday, March 21, 1961.

19TH LEGISLATIVE DAY

March 21, 1961

The House met pursuant to adjournment at 1:00 P. M. on March 21, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

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

HB 149—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to

the Lewes Memorial Commission, by Making Transfers in Certain Appropriation Items Therein. (By Mr. Phillips, to Appropriations)

HB 150—An Act to Direct the Levy Court of Sussex County to appropriate \$500 Annually to Selbyville American Legion Post No. 39, Inc., for the Maintenance of an Ambulance. (By Mr. Hocker, to Appropriations)

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

HR 28—Making an Appropriation to the Able-Mar Printing Service to Cover Cost of Bill Backers for the House of Representatives of the 121st General Assembly. (By Messrs. Exley and Shulties)

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly that the sum of \$219 be paid to Able-Mar Printing Service for purchase of bill backers.

HA 1 to HB 141 was introduced by Mr. Truitt, given first reading in full and was committed with the bill.

The following bill was reported from the Committee on Judiciary: **HB 128**, 3 favorably, 2 on merits.

On motion the House recessed at call of the Chair at 2:06 P. M. The House met at the expiration of the recess at 3:50 P. M. Mr. Speaker presiding.

The following bills were reported from committees: Revised Statutes, **HB 134**, 2 favorably, 2 on merits; Public Buildings and Highways, **SB 74**, 5 favorably; Corporations, Municipal, **SB 66**, 5 favorably; Miscellaneous, **HB 135**, 5 favorably; **HB 97**, 4 favorably, 1 on merits; **HB 104**, 3 favorably, 2 unfavorably; Corporations, Municipal, **HB 137**, 4 favorably, 1 on merits.

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

HB 127—An Act to Designate a Name for the Woodland Ferry.

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

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

NAYS—Mr. Downs—1.

NOT VOTING—Messrs. Busker, Casey—2.

ABSENT—Mr. Dineen—1.

HB 127 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 67—An Act to Amend An Act Entitled “An Act Changing the Name of the ‘Town of Newark’ to the ‘City of Newark’ and Establishing a Charter Therefor” by Making the Appointment of an Alderman Permissive Instead of Mandatory.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

HB 67 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HA 1 to HB 123 was introduced by Mr. Myers, given first and only reading in full and was placed with the bill.

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

HB 151—An Act Transferring \$5,000 from Salaries of Teachers (101-4000-K6) an Appropriation to the State Board of Education Which Appears as Chapter 299, Volume 52, Laws of Delaware, to an Account of the State Board of Education to be Used for the Purpose of Assisting in the Administration and Supervision of the 1960 School Building Construction Program. (By Mr. Dineen, to Appropriations)

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

HR 29—Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 11th Legislative Day and including the 20th Legislative Day, of the current session.

Joseph T. Walsh	\$750.00
James B. Messick	375.00
William H. Draper, Jr.	375.00
Fred C. Lord, Jr.	330.00

Mary Ann McCade	275.00
Francis X. Shoemaker	250.00
Elizabeth Wainwright	250.00
Rev. Arthur James	200.00
James Quigley	275.00
David L. Farrone	250.00
Martha Dixon	200.00
Clydas Colder	200.00
Ruth Ross	200.00
Orville Cephas	200.00
Catherine Fonville	200.00
Mrs. Willie Holmes	200.00
Jean Demel	275.00
Lillian Weston	250.00
Margaret Walker	275.00
William L. David	200.00
Claude W. Jordan	200.00
Helen Reihm	200.00
Louise Pennewell	275.00
Elizabeth G. Ennis	200.00
John R. Willey	200.00
Louise Staats	275.00
Ralph McClain	200.00
Ernest Council	200.00
Allen S. Moffitt	200.00
George L. Everett	250.00
Judy Graham	275.00
John Moore	200.00
Lloyd Minner	200.00
Edgar Brown	200.00
W. Harrison Melvin	200.00
Bradford Holliday	200.00
Gove Jarvis	200.00
George W. Kirkby	200.00
Willard C. Robbins	200.00
William B. Morgan, Jr.	200.00
Frank P. Ingram	200.00
Mary Wilson	200.00
Samuel Messick	250.00
Daniel Boyce	200.00
B. Guy Wheatley	200.00
Emory Spicer	200.00
Donald Ralph	200.00
Harold W. Hudson	200.00
Paul W. Lowe	200.00
Clifford Hall	472.50
Melba Webb	275.00
Catherine Swartwood	357.50
L. B. Knapp	325.00

HR 30—Relative to to the Death of Former Representative Samuel J. Stein. (By Mr. Eskridge)

WHEREAS, the House of Representatives of the 121st General Assembly of the State of Delaware has learned with regret of the passing of Samuel J. Stein, a former member of the House; and

WHEREAS, former State Representative Samuel J. Stein served his State faithfully and well during his term in the General Assembly of the State of Delaware; and

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

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

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the House of Representatives of the 121st General Assembly of the State of Delaware which is extended by sending a copy of this resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 121st General Assembly of the State of Delaware.

The Secretary of the Senate informed the House that the Senate had concurred on **HB 13**.

The House adjourned at 5:15 P. M. until 1:00 P. M., Wednesday, March 22, 1961.

20TH LEGISLATIVE DAY

March 22, 1961

The House met pursuant to adjournment at 1:00 P. M. on March 22, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

On motion of Mr. Phillips, **HB 97** was recommitted for further consideration.

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

HB 152—An Act to Increase Certain Fees Charged by the Motor Vehicle Department. (By Mr. Truitt, by request, to Revised Statutes)

HB 153—An Act to Amend Section 5303, Title 30, Delaware Code of 1953, Relating to Cigarette Tax. (By Mr. Truitt, by request, to Revenue and Taxation)

HB 154—An Act to Repeal Section 1104, Title, of the Delaware Code of 1953, Relating to Appropriation for Emergency Expenses to Control Pests and Diseases. (By Mr. Truitt, by request, to Agriculture)

HB 155—An Act to Amend Section 5105, (c) Title 30, Delaware Code, Relating to Fee for Distributor's License. (By Mr. Truitt, by request, to Revenue and Taxation)

HB 156—An Act to Amend Chapter 27, Title 25, Delaware Code, Relating to Mechanics' Liens by Liberalizing the Procedural Requirements Therefor. (By Messrs. Robbins, Best and Fifer, to Miscellaneous)

HB 157—An Act to Amend Title 13, Section 507, Delaware Code, Relating to Probation in Desertion and Support Proceedings, by Providing That Orders for the Payment of Money for Support May be Deducted from Wages. (By Messrs. Robbins, Best and Fifer, to Judiciary)

HB 158—An Act Authorizing the Prothonotary of Kent County to Procure a New Seal. (By Mr. Busker, to Miscellaneous)

HB 159—An Act Authorizing the Register of Wills of Kent County to Procure a New Seal. (By Mr. Busker, to Miscellaneous)

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

HB 128—An Act to Give Constables 10 Days, Instead of Five, in Which to Provide Bond After Appointment.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

HB 128 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 136—An Act Authorizing the Recorder of Kent County to Procure a New Seal.

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

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

NAYS—None.

ABSENT—Mr. Dineen—1.

HB 136 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Quigley, **HR 25**, having been deferred, was called up for roll call vote and on further motion by him, the roll call having been taken, was tabled.

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

SB 66—An Act to Amend Section 26 of Chapter 191, Volume 45, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Delaware City", and Relating to the Issue of Bonds by the Mayor and Council of Delaware City.

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

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

NAYS—None.

ABSENT—Mr. Quigley—1.

SB 66 having received the constitutional majority, passed the House and was returned to the Senate.

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

HB 36—An Act to Further Amend Chapter 121, Volume 28, Laws of Delaware, as Amended by Chapter 142, Volume 36 and Chapter 4, Volume 51, Laws of Delaware, and Relating to the Taking and Hearing of Appeals from the Board of Assessment for the City of Wilmington.

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

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

NAYS—None.

ABSENT—Mr. Quigley—1.

HB 36 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion, the House recessed at call of the Chair at 2:48 P. M. The House met at the expiration of the recess at 4:25 P. M. Mr. Speaker presiding.

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

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

The following bill was reported from the Committee on Fish, Oysters and Game: **HB 126**, 5 on merits.

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

HR 31—Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 121st General Assembly. (By Mr. Robbins)

BE IT RESOLVED, by the House of Representatives of the 121st General Assembly of the State of Delaware, that the following amounts are appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present session of the 121st General Assembly of the State of Delaware, from the 11th Legislative Day up to and including the 20th Legislative Day, which expenses are declared proper and reasonable actually incurred by the respective members of the House of Representatives for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and returning from Dover to their respective homes in the performance of their duties as members of the House of Representatives, during the present Legislative Sessions thereof, and the Auditor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed

to pay to the respective members of the House of Representatives hereinafter named, the respective amounts set opposite their respective names, viz:

John Annett	\$124.00
William W. Baker	160.00
William T. Best	281.00
T. Lees Bartleson	356.00
Carlton Blendt, Jr.	120.00
Glenn Busker	96.00
Andrew Casey	170.00
Carlton Clifton	130.00
Robert Davidson	134.00
Russell Dineen	330.00
Robert N. Downs, III	152.00
George Ehinger	70.00
Norman Eskridge	196.00
George Exley	110.00
Harvey Fifer	80.00
Chester Gove	120.00
Wilbert Hocker	190.00
Ralph S. Keenan	170.00
Charles S. Kleinbach	156.00
Paul F. Livingston	170.00
Orville B. Myers	90.00
Jennings Moore	152.00
Thomas T. Murray	170.00
William Paskey, Jr.	98.00
Robert Pawson	158.00
Harrison Phillips	172.00
Carl Prettyman	100.00
James Quigley	160.00
Charles Richards	70.00
George Robbins	168.80
Paul Shockley	170.00
Dawson H. Shulties	90.00
Robert Snowden	150.00
Sherman Tribbitt	120.00
Clarence E. Truitt	170.00

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

HB 114—An Act to Amend Section 34, of Chapter 207, Volume 17, Laws of Delaware, by Authorizing "The Mayor and Council of Wilmington" a Municipal Corporation, to Provide, by Ordinance, for a Procedure for the Withdrawal of Funds on Deposit in the Name of "The Mayor and Council of Wilmington", Including the Authorization to Said "The Mayor

and Council of Wilmington" to Authorize the Use of Facsimile Signatures on Checks Drawn Against the Accounts of "The Mayor and Council of Wilmington".

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

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

NAYS—None.

ABSENT—Mr. Quigley—1.

HB 114 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

SB 74—An Act to Permit the State Highway Department to Use for Highway Repair and Reconstruction Certain Reimbursement Funds Received by the State of Delaware from the Delaware Interstate Highway Division.

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

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

NAYS—Messrs. Hocker, Myers—2.

ABSENT—Messrs. Baker, Quigley—2.

SB 74 having received the constitutional majority, passed the House and was returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred on **HB 117**, **HB 39** and **HB 30**.

The House adjourned at 5:20 P. M. until 1:00 P. M., Thursday, March 23, 1961.

21ST LEGISLATIVE DAY

March 23, 1961

The House met pursuant to adjournment at 1:00 P. M. on March 23, 1961.

Prayer by the Chaplain, Rev. James.

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

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

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

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

The following resolution was presented and given first and only reading:

SCR 14—Providing That the Two Houses of the General Assembly Meet in Joint Session to View the Film "Operation Abolition".

On motion of Mr. Eskridge, all rules were suspended and **SCR 14** was adopted and returned to the Senate.

On motion of Mr. Eskridge, **HA 1** to **HB 145** was given first and only reading in full and was adopted.

The following bills were reported by the Committee on Appropriations: **HS 1** for **HB 8**, 5 favorably; **HB 118**, 5 favorably; **HB 145** as amended by **HA 1**, 5 favorably.

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

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

SB 87—An Act Authorizing and Directing the Delaware National Guard to Pay a Claim of Rodney Wilson, Sr. (To Claims)

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

HB 6 as amended by **SA 2**—An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for Allocation of Funds.

On motion of Mr. Dineen, action on **HB 6** as amended by **SA 2** was deferred.

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

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

HB 162—An Act Transferring \$6,500 from Salaries of Teachers (101-4000-H5) an Appropriation to the State Board

of Education Which Appears as Chapter 299, Volume 52, Laws of Delaware, to Salaries, State Board of Education. (By Mr. Dineen, to Appropriations)

HB 163—An Act to Amend Section 555, Chapter 5, Title 28, Delaware Code, Relating to Tax on Parimutuel and Totalizator Pools by Increasing the Tax. (By Mr. Truitt, by request, to Revenue and Taxation)

HB 164—An Act to Repeal Subchapter 4 of Chapter 51, Title 30 of the Delaware Code of 1953, Entitled "State Aid to Municipalities for Streets." (By Mr. Truitt, by request, to Revenue and Taxation)

HB 165—An Act to Repeal Section 312, Title 18, of the Delaware Code of 1953, Relating to a Contingent Fund of the Insurance Commissioner. (By Mr. Truitt, by request, to Insurance and Banking)

HB 166—An Act to Amend Section 5121, Title 30, Delaware Code of 1953, Relating to State Revenue by Increasing the Amount of the Gasoline Tax. (By Mr. Truitt, by request, to Revenue and Taxation)

HB 167—An Act to Amend Section 5102, Title 30, Delaware Code, Relating to License Fee for Retail Sale of Motor Fuel. (By Mr. Truitt, by request, to Revenue and Taxation)

HB 168—An Act to Amend Title 9, Delaware Code, Eliminating Provision for Payment of Salary to Clerk of the Peace and Recorder of Deeds in Sussex County. (By Mr. Baker, to Revised Statutes)

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

HR 32—Relative to the Death of Former Speaker of the House William T. Chipman. (By Messrs. Exley and Paskey)

WHEREAS, the House of Representatives of the 121st General Assembly of the State of Delaware has learned with regret of the passing of William T. Chipman, a former Speaker of the House; and

WHEREAS, former State Representative William T. Chipman served his State faithfully and well during his term in the 114th General Assembly of the State of Delaware as Representative from the 9th Representative District of Kent County, and

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

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

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the House of Representatives of the 121st General Assembly of the State of Delaware which is extended by sending a copy of this resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 121st General Assembly of the State of Delaware.

On motion, the House recessed at call of the Chair at 2:23 P. M. The House met at the expiration of the recess at 3:53 P. M. Mr. Speaker presiding.

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

SB 47—An Act to Amend Title 17, Chapter 11 of the Delaware Code, Relating to Outdoor Advertising. (To Public Buildings and Highways)

SB 98—An Act to Validate the Establishment and Organization of the Dover Housing Authority. (To Miscellaneous)

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

SB 84—An Act to Amend Chapter 45, Title 7, of the Delaware Code, Relating to Public Lands Lying Beneath the Waters of a Navigable Body of Water. (To Miscellaneous)

SB 64—An Act to Amend Section 109, Title 24, Delaware Code, Relating to Fees. (To Revenue and Taxation)

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

HB 169—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the Department of Public Welfare, by Making Transfers in Certain Appropriation Items Therein. (By Mr. Eskridge, to Appropriations)

HB 170—An Act to Amend Section 2503, Title 10, Delaware Code, to Permit Register in Chancery for New Castle County to Employ Additional Clerks. (By Messrs. Shockley and Dineen, to Judiciary)

HB 171—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees. (By Messrs. Truitt and Murray, to Education)

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

HR 33—Authorizing the Payment of Certain Expenses for the Printing of Part of the House Calendar for the House of Representatives of the 121st General Assembly. (By Messrs. Exley and Shulties)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of Three Hundred and Thirty-five Dollars and Seventy Cents (\$335.70) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the Sussex Countian, Georgetown, Delaware, for printing forty-eight (48) pages of the House Calendar for the House of Representatives of the 121st General Assembly.

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

HCR 12—Providing for Adjournment of the House of Representatives and Senate. (By Mr. Eskridge)

On motion of Mr. Eskridge, all rules were suspended and **HCR 12** was adopted and ordered to the Senate for concurrence.

Mr. Quigley moved that the House show their appreciation to Colonel Ferguson and the Delaware State Police for their showing of the film "Operation Abolition" at the Joint Session. Motion prevailed.

The following bills were reported from the Committee on Miscellaneous: **HB 158**, 5 favorably; **HB 159**, 5 favorably.

On motion, the House recessed at call of the Chair at 4:14 P. M. The House met at the expiration of the recess at 4:35 P. M. Mr. Speaker presiding.

The Secretary of the Senate informed the House that the Senate had concurred on **HB 18**, **HB 127**, and **HCR 12**.

The following communication from the Governor was delivered to the House:

GOVERNOR'S MESSAGE

March 13, 1961

To the House of Representatives,
121st General Assembly:

This will advise you that on March 23, 1961, I approved the following legislation: **HB 17** and **HB 19**.

Mr. Keenan introduced **HS 1** to **HB 42**, which was given first and only reading and assigned to the Committee on Education.

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

HCR 13—An Act Making an Appropriation to Cover the Expenses of Legislators Participating in the Meetings of the National Conference of State Legislative Leaders. (By Messrs. Eskridge and Best)

On motion of Mr. Eskridge, all rules were suspended and **HCR 13** was adopted and ordered to the Senate for concurrence.

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

HCR 14—An Act Making an Appropriation to the National Conference of State Legislative Leaders as Registration and Membership Fees for the Year 1961. (By Mr. Eskridge)

On motion of Mr. Eskridge, all rules were suspended and **HCR 14** was adopted and ordered to the Senate for concurrence.

The House adjourned at 5:15 P. M. in accordance with **HCR 12**.

22ND LEGISLATIVE DAY

April 3, 1961

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

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

On request of Mr. Snowden, **HB 25** was stricken from the Calendar.

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

HB 172—An Act to Amend “An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961”, Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to State Board of Registration for Professional Engineers and Land Surveyors, by Making Transfers in Certain Appropriation Items Therein. (By Messrs. Dineen and Bartleson, to Appropriations)

HB 173—An Act to Amend Title 10, Delaware Code, Entitled “Courts and Judicial Procedure” in Respect to Employees of the Prothonotary for New Castle County. (By Mr. Murray, to Judiciary)

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

HB 158—An Act Authorizing the Prothonotary of Kent County to Procure a New Seal.

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

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

NAYS—None.

ABSENT—Mr. Quigley—1.

HB 158 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 159—An Act Authorizing the Register of Wills of Kent County to Procure a New Seal.

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

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

NAYS—None.

ABSENT—Mr. Quigley—1.

HB 159 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

SCR 15—Relative to the Death of Former Senator and Representative John R. Butler.

On motion of Mr. Eskridge, all rules were suspended and **SCR 15** was adopted and ordered returned to the Senate.

The following bill was reported from the Committee on Appropriations: **HB 150**, 5 favorably.

On motion, the House recessed at call of the Chair at 3:00 P. M. The House met at the expiration of the recess at 5:05 P. M. Mr. Speaker presiding.

The Secretary of the Senate informed the House that the Senate had concurred in **HCR 13** and **HCR 14**.

The following bill was reported from the Committee on Claims: SB 87, 3 favorably, 1 on merits; 1 unfavorably.

The House adjourned at 5:15 P. M. until 1:00 P. M., Tuesday, April 4, 1961.

23RD LEGISLATIVE DAY

April 4, 1961

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

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

The following communications were presented and read to the House:

WHEREAS, the State of Delaware allots funds for schools on a unit basis and

WHEREAS, every 25 elementary pupils and every 20 secondary pupils or major fraction thereof constitute a unit allotment and

WHEREAS, for every unit the school receives \$650.00 for current operating expenses and

WHEREAS, the unit system includes the principal, guidance counsellor and other instructional personnel and

WHEREAS, increased services necessitate additional instructional personnel thus affecting the distribution of pupils to the extent that the number of pupils per unit increases while the total number of units remains constant.

NOW, THEREFORE, BE IT RESOLVED that personnel of the Odessa School #61 do hereby rise in opposition to the provisions of H. B. 109 and request the members of the Legislature to reconsider this bill in order that the school program in any instance will not be curtailed because of insufficient funds.

OLIVE B. LOSS, Principal
LUCY G. SWAIN
GEORGIA M. CARY
MARY A. FORD
JANE C. WILCOX

PAUL LAURENCE DUNBAR SCHOOL

West 6th Street, Laurel, Delaware, March 22, 1961
 The Honorable William W. Baker
 Legislative Hall, Dover, Delaware
 Dear Mr. Baker:

The importance of education seems to be making itself felt everywhere. Since this is true, it has become necessary that we, as educators, dedicate our time and effort to the improvement of educational techniques in instruction. Although great steps have been taken toward the aforementioned aim, there are a good many things still to be done. Among these things, is the need for greater effectiveness in the instruction done in the classroom.

In view of the foregoing we, the faculty of Paul Laurence Dunbar School, do not believe this effectiveness can be achieved through House Bill 109. We believe it would work further hardships on the teacher because it is already a practice in many instances for teachers to be overloaded. It seems that the bill will tend to increase the load the teacher already has, rather than to help him in doing a better job.

Notwithstanding, we are deeply gratified that you will reconsider this bill in order that your children and ours will not be partially prepared to meet with intellect and competence Delaware's future problems.

We appreciate and thank you for your efforts in trying to propose good legislation for education.

Respectively yours,

HARRISON H. SHORT

DELAWARE FEDERATION OF BUSINESS AND
 PROFESSIONAL WOMEN'S CLUBS

March 20, 1961

Mr. William W. Baker, Sr., Millsboro, Delaware
 Dear Sir:

The Delaware Federation of Business and Professional Women's Clubs most respectfully request your support of House Bill #26 (State Police Equipment) and House Bill #27 (State Police Manpower).

We have surveyed and examined the existing needs and attempted to determine the near future's need. We have consulted with the Superintendent, Colonel John Ferguson; with members of the Delaware Safety Council; with Delaware Citizen's Crime Commission and with a large cross section of the public. All our finds lead us to believe these Bills represent a bare minimum necessary in order to protect our Delaware lives and property.

We sincerely trust you will find it possible to look with favor upon this request.

Very truly yours,

ROSELLA T. HUMES, President

DELAWARE STATE CHAMBER OF COMMERCE, INC.

Wilmington 1, Delaware, March 21, 1961

House Labor Committee, and Members, House of
Representatives, Delaware General Assembly
Dover, Delaware

Gentlemen:

The provisions of House Bill 9, "An Act establishing a Department of Labor, defining its organization, powers and duties" have been given careful consideration by various committees and our Board of Directors.

At the present time the powers of the Labor Commission of Delaware are adequate and the responsibilities are carried out in fairness to both employers and employees.

The Unemployment Compensation Commission and the Industrial Accident Board are functioning effectively, efficiently and in the public interest.

At a time when the income and expenditures of the State Government are major issues it would be more practical to provide an adequate appropriation for the Labor Commission rather than to establish a costly and additional department.

We believe House Bill 9 to be unnecessary and respectfully request that you voice your opposition to the enactment of such legislation. At the same time, we request that you support the Labor Commission of Delaware.

Sincerely,

ROSS E. ANDERSON, JR.
Executive Vice-President

MILLSBORO SCHOOL DISTRICT NO. 23

Millsboro, Delaware, March 23, 1961

The Honorable William W. Baker, Sr., Millsboro, Delaware

Dear Bill:

At a meeting of our school staff on Monday, March 20, 1961, the proposed change to the present school unit allotment system was discussed. The Millsboro School Education Association unanimously went on record as opposing any alteration to the present system where every 25 elementary pupils or every 20 secondary pupils, or major fraction thereof, constitute a unit allotment. H. B. 109, if enacted into law, would not only reduce our operating and capital outlay appropriations to such an extent that essential teaching materials would have to be eliminated, but would also reduce our teaching staff to a level where the educational program would be greatly impaired.

Our group also unanimously endorsed a policy whereby teachers being hired from outside our state are given full credit for the years of teaching experience they may have accumulated. This would greatly help in teacher recruitment.

We ask you to unreservedly support these views.

Sincerely,

WILLIAM H. JENKINS
MSEA Legislative Chairman

To: Speaker of the State House of Representatives
Representative Sherman W. Tribbitt

We, the undersigned, members and friends of the St. Georges Methodist Church, St. Georges, Delaware, wish to present this petition in opposition to House Bill 104, and to any other type of legislation that legalizes any form of gambling. We respectfully request that this petition be made a part of the record of H. B. 104.

(The above petition contained 74 signatures)

The following bills were reported from committees: Miscellaneous, **SB 84**, 3 favorably, 2 on merits; **SB 98**, 5 favorably; Judiciary, **HB 170**, 2 favorably, 3 on merits; **HB 27**, 1 favorably, 4 on merits.

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

HB 174—An Act to Amend Title 31, Delaware Code, with Respect to Support from Relatives of Persons Applying for or Receiving Public Assistance. (By Mr. Eskridge, to Revised Statutes)

HB 175—An Act to Amend Section 1502, Title 10, Delaware Code, Relating to the Term and Salary of the Court of Common Pleas of Kent County. (By Messrs. Busker and Prettyman, to Judiciary)

HB 176—An Act Making a Supplementary Appropriation to the State Tax Department. (By Mr. Murray, to Appropriations)

HB 177—An Act to Amend Section 2904, Title 14, Delaware Code, Relating to Minimum Insurance Coverage Requirements for School Buses. (By Mr. Annett, to Education)

HB 178—An Act to Permit the State Tax Department to Void Certain Unclaimed Checks. (By Messrs. Busker and Blendt, to Revenue and Taxation)

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

HR 34—Authorizing the Payment of Certain Expenses for the Printing of Rule Books for the House of Representatives of the 121st General Assembly. (By Messrs. Exley and Shulties)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of Two Hundred Sixty-seven Dollars and Fifty Cents

(\$267.50) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the Delaware Coast Press, Rehoboth, Delaware, for 500 Rule Books for the House of Representatives of the 121st General Assembly.

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

HB 150—An Act to Direct the Levy Court of Sussex County to Appropriate \$500 Annually to Selbyville American Legion Post No. 39, Inc., for the Maintenance of an Ambulance.

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

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

NAYS—None.

ABSENT—Messrs. Davidson, Gove—2.

HB 150 having received the constitutional majority, passed the House and was returned to the Senate.

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

SCR 16—Relating to the Anticipated Revenue of the State of Delaware in the Fiscal Year 1960-1961.

On motion of Mr. Eskridge, rules were suspended to give **SCR 16** its third and final reading.

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

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

NAYS—None.

NOT VOTING—Mr. Myers—1.

ABSENT—Messrs. Davidson, Gove—2.

PRESENT—Messrs. Kleinbach, Pawson—2.

SCR 16 having received the constitutional majority, passed the House and was ordered back to the Senate.

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

HR 35—Adopting an Amendment to the Rules for the House of Representatives. (By Mr. Phillips)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the permanent Rules of Order of the House of Representatives of the 121st General Assembly are hereby amended by amending Rule 23 to read as follows:

RULE 23—Every bill and resolution shall be introduced with an original and at least eight copies, the copies shall be marked "duplicate" and at all times every bill and resolution shall be under the general supervision of the Clerk of the House. Until its passage by the House, the original copy of every bill and resolution shall at all times remain in the custody of the Chairman of the committee to which it was referred or the Clerk of the House. The original of all bills and resolutions shall be either printed, typewritten or stenciled on Permanent rag content bond paper and backed and no erasures or interlineations shall be allowed. The original shall be produced in such a manner as approved by the State Archivist and the Director of the Legislative Reference Bureau.

HA 1 to HB 145 was introduced by Mr. Dineen, given first reading and on further motion by him, was adopted.

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

HB 145 as amended by **HA 1**—An Act Making a Supplemantary Appropriation to the State Board of Education, Certain School Districts and the Wilmington Board of Education for Fiscal Year Ending June 30, 1961.

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

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

NAYS—None.

ABSENT—Mr. Gove—1.

HB 145 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HS 1 for HB 8—An Act to Appropriate Funds to the Department of Public Welfare for Salaries, Assistance Grants and Child Welfare Service.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

HS 1 for **HB 8** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion, the House recessed at call of the Chair at 2:46 P. M. The House met at the expiration of the recess at 5:20 P. M. Mr. Speaker presiding.

The following bills were reported from committees: Miscellaneous, **SB 63**, 5 favorably; Revised Statutes, **HB 38**, 4 favorably, 1 on merits.

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

HB 179—An Act to Amend Title 18, Relating to Insurance on State Property to Include School Property. (By Mr. Dineen, to Insurance and Banking)

HB 180—An Act Making a Deficiency Appropriation to Millside School District No. 132 for the Fiscal Year Ending June 30, 1961. (By Mr. Quigley, to Appropriations)

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

SB 87—An Act Authorizing and Directing the Delaware National Guard to Pay a Claim of Rodney Wilson, Sr.

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

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

NAYS—Messrs. Bartleson, Best, Downs, Myer—4.

NOT VOTING—Messrs. Keenan, Richards—2.

ABSENT—Messrs. Fifer, Kleinbach, Pawson—3.

PRESENT—Messrs. Baker, Casey—2.

SB 87 having received the constitutional majority, passed the House and was ordered back to the Senate.

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

24TH LEGISLATIVE DAY

April 5, 1961

The House met pursuant to adjournment at 1:00 P. M. on April 5, 1961.

Prayer by the Chaplain, Rev. James.

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

Members absent—Messrs. Davidson, Gove—2.

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

The following bills were reported from the Committee on Appropriations: **HB 169**, 3 favorably; **HB 172**, 3 favorably; **HB 176**, 3 favorably; **HB 141**, 5 favorably.

Mr. Shulties, Chairman of the Committee on Passed Bills, reported having taken to the Governor the following bills for his consideration: **HB 18**, **HB 127**.

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

HR 36—Authorizing the Payment of Certain Expenses for the Purchase of Name Cards for the House of Representatives of the 121st General Assembly. (By Messrs. Exley and Moore)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of One Hundred Fifty (\$150.00) Dollars is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay The Harrington Journal, Harrington, Delaware, for the purchase of 35 name cards for the House of Representatives of the 121st General Assembly.

Mr. Truitt introduced **HS 1** for **HB 14**, which was given first and second reading by title only, and assigned to the Committee on Judiciary.

Mr. Myers requested **HB 35** be stricken from the Calendar.

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

HB 181—An Act Prohibiting the Use of State-Owned Motor Vehicles and Equipment for Hire or for Personal Use and Designating Areas and Insignia for State-Owned Motor Vehicles and Providing Penalties for the Misuse Thereof; Duties of State Highway Department; Exceptions; Penalties. (By Messrs. Casey, Myers, Busker, Hocker and Baker, to Miscellaneous)

HB 182—An Act Providing for an Interstate Compact with the State of New Jersey to Establish "The Delaware River and Bay Authority"; Defining the Purpose, Powers and Duties Thereof; Providing for the Appointment of Commissioners from the State of Delaware to Said Authority; Providing for the Terms, Powers, Removal and Reimbursement of Said Commissioners; Providing for a Veto Power by the Governor Over the Actions of the Delaware Commissioners; and Granting Said Commissioners Power to Secure Congressional Consent of Said Compact and the Enactment of Related Federal Legislation. (By Mr. Phillips, to Public Buildings and Highways)

HB 183—An Act Establishing "The Delaware River and Bay Authority" the Agent of the States of Delaware and New Jersey with Respect to the Control, Operations, Maintenance and Revenues of the Delaware Memorial Bridge and Providing for the Transfer of Control to Said Agent. (By Mr. Phillips, to Public Buildings and Highways)

HA 1 to HB 23 was introduced by Mr. Robbins, given first and only reading and on further motion by him, was adopted.

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

HB 23 with HA 1—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees.

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

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

NAYS—None.

ABSENT—Messrs. Bartleson, Davidson, Dineen, Gove, Quigley—5.

HB 23 as amended by **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 118—An Act to Authorize the Transfer of Certain Encumbered Funds to the Salaries and Wages Account of the Maintenance Division of the State Highway Department Appropriations.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Clifton, Downs, Ehinger, Eskridge, Exley, Fifer, Hock-

er, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Bartleson, Davidson, Dineen, Gove, Quigley—5.

HB 118 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion, the House recessed at call of the Chair at 2:22 P. M. The House met at the expiration of the recess at 5:37 P. M. Mr. Speaker presiding.

The following bill was reported from the Committee on Education: **HB 102**, 5 favorably.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 45**.

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

SB 88—An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation, by Changing Certain of the Provisions Relating to Variable Contribution Rates. (To Labor)

SS 1 for SB 20—An Act Making a Supplementary Appropriation to the State Board of Corrections for the Fiscal Year July 1, 1960-June 30, 1961. (To Appropriations)

SS 1 for SB 101—An Act Making Supplementary Appropriation to the Custodian of the State House, the Office of Governor, the Secretary of State, and the Legislative Reference Bureau. (To Appropriations)

SB 112—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the State Board of Education, by Making Transfers in Certain Appropriation Items Therein. (To Appropriations)

SB 100—An Act to Amend Chapters 31 and 33, Part III, Title 19, Delaware Code, Relating to Unemployment Compensation, by Changing the Words "Contribution" and "Contributions" Therein to Read "Assessment" or "Assessments" as the Case May be. (To Labor)

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

SJR 4—Providing for the Use of Certain Funds of the Joint Inaugural Committee to Prepare and Modify the Delaware Inaugural Float to be Used in the Cherry Blossom Festival in Washington, D. C. (To Claims)

The following bill was reported from the Committee on Appropriations: **HB 161**, 4 favorably.

On motion of Mr. Robbins, all rules were suspended so that **SJR 4** could have its third and final reading in order to pass the House, and on further motion by him, was adopted, and ordered returned to the Senate.

The House adjourned at 5:47 P. M. until 1:00 P. M., Thursday, April 6, 1961.

25TH LEGISLATIVE DAY

April 6, 1961

The House met pursuant to adjournment at 1:00 P. M. on April 6, 1961.

Prayer by the Chaplain, Rev. James.

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

Members absent—Messrs. Ehinger, Gove, Quigley—3.

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

The following bills were reported from committees: Revised Statutes, **HB 174**, 2 favorably, 1 on merit; Insurance and Banking, **HB 179**, 4 favorably; Judiciary, **HB 46**, 2 favorably, 1 on merits, 1 unfavorably; Agriculture and Forestry, **HB 112**, 4 favorably; Appropriations, **HB 5**, 4 favorably; **SS 1** for **SB 20**, 4 favorably; **SS 1** for **SB 101**, 4 favorably; Revenue and Taxation, **HB 178**, 5 favorably; Judiciary, **HB 175**, 1 favorably, 4 on merits.

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

HB 172—An Act to Amend “An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961”, Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to State Board of Registration for Professional Engineers and Land Surveyors, by Making Transfers in Certain Appropriation Items Therein.

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

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

NAYS—None.

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

HB 172 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 170—An Act to Amend Section 2503, Title 10, Delaware Code, to Permit Register in Chancery for New Castle County to Employ Additional Clerks.

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

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

NAYS—None.

NOT VOTING—Mr. Fifer—1.

ABSENT — Messrs. Bartleson, Dineen, Ehinger, Gove, Quigley—5.

HB 170 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HA 1 to **HB 140** was introduced by Mr. Kleinbach, given first and only reading in full and on further motion by him, was adopted.

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

HB 184—An Act to Amend Section 8422, Title 9, Delaware Code, Relating to the Collection of School and Park District Taxes. (By Mr. Davidson, to Revenue and Taxation)

HB 185—An Act to Amend Subchapter IV of Chapter 7, Title 9, Delaware Code, Relating to Taxing Powers of Park Districts. (By Mr. Davidson, to Public Buildings and Highways)

HB 186—An Act to Amend Part III, Title 6, Delaware Code, Entitled "Weights, Measures, and Standards" by Repealing Most of the Present Provisions and Substituting New Administrative and Substantive Provisions, Defining Certain Crimes and Appropriating Funds. (By Mr. Blendt, to Manufacturing and Commerce)

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

HB 188—An Act to Amend Chapter 207, Volume 17, Laws of Delaware, Entitled "An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington", as Amended, by Further Amending Section 31 Thereof so That

the Council Shall Have Power to Provide, by Ordinance or Resolution, for the Sale and Disposition of Abandoned and Surplus Lands and Properties and the Proceeds Therefrom. (By Mr. Shockley, to Corporations, Municipal)

HB 189—An Act to Direct the Levy Court of Sussex County to Appropriate \$500 Annually to Gumboro Volunteer Fire Company for the Maintenance of an Ambulance. (By Mr. Truitt, to Revised Statutes)

HB 190—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. (By Mr. Dineen, to Appropriations)

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

HB 126—An Act to Amend Title 7, Section 1702, Delaware Code, Relating to Dogs Running at Large.

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

YEAS — Messrs. Annett, Baker, Best, Blendt, Busker, Casey, Davidson, Dineen, Downs, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Richards, Robbins, Shockley, Snowden, Truitt, Mr. Speaker Tribbitt—28.

NAYS—Mr. Shulties—1.

NOT VOTING—Mr. Clifton—1.

ABSENT—Messrs. Bartleson, Ehinger, Gove, Livingston, Quigley—5.

HB 126 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 169—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961", Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the Department of Public Welfare, by Making Transfers in Certain Appropriation Items Therein.

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

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

NAYS—None.

ABSENT—Messrs. Bartleson, Ehinger, Gove, Livingston, Quigley—5.

PRESENT—Mr. Murray—1.

HB 169 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 38—An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Regard to Retired School Employees.

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

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

NAYS—None.

ABSENT—Messrs. Bartleson, Ehinger, Gove, Livingston, Quigley—5.

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

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

HB 137—An Act to Amend Chapter 3, Title 22, Delaware Code, Relating to Qualifications of Members of Boards and Commissions of the City of Wilmington.

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

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

NAYS—None.

ABSENT—Messrs. Bartleson, Ehinger, Gove, Livingston, Quigley—5.

HB 137 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following message was received from Governor Elbert N. Carvel and presented to the 121st General Assembly:

SPECIAL MESSAGE BY GOVERNOR ELBERT N. CARVEL
TO THE ONE HUNDRED AND TWENTY-FIRST
GENERAL ASSEMBLY

April 6, 1961

Mr. President, Mr. Speaker and Members of the One Hundred and Twenty-First General Assembly:

On March 20, 1961, I indicated in a Special Message, two related and most pressing problems that face the State of Delaware. These involve the enactment of toll road enabling legislation and legislation to assure additional crossings of the Delaware River and Bay.

In the earlier Message I dealt entirely with the toll road legislation and postponed the discussion of the additional Delaware River and Bay crossings until the legislation was ready for introduction. Today I urge your prompt consideration of bridge and ferry crossings of the Delaware River and Bay. This problem is extremely important to Delaware for a number of reasons.

1. THE PROBLEM

First, we are faced with the catastrophic financial burden inevitably resulting if a way is not found to continue tolls on the present Delaware Memorial Bridge. The original federal legislation authorizing Delaware to construct that Bridge contains a provision requiring it to become toll free upon payment of the outstanding revenue bonds. With continually increasing traffic, and despite several reductions of toll rates, it is now anticipated that all bonds will be paid in full within the next two years. At that moment, if nothing is done, the taxpayers of this State will be burdened with immediate maintenance charges estimated from three-quarters to a million dollars annually which will certainly increase as the Bridge becomes older.

Secondly, there is the overriding need for a second structure near the present Bridge. It is estimated that nearly 12 million vehicles will use the Bridge this year. Its maximum capacity is but 16 million annually and congestion, driving hazards and delays become intollerable when 2,000 or more vehicles per hour use the Bridge. These peak periods are growing with greater frequency. In 1960, 85 such periods occurred. This year it will occur 135 times and by 1965 it is estimated peak loads will be carried 335 hours. Thus, the necessity of a second bridge is obvious. A second facility should be ready for use in the very near future. A new twin structure, to carry traffic one way in conjunction with the present Bridge, will cost at least twice that of the original Bridge. Surely, we cannot finance such a new facility with tax money or bonds backed by the faith and credit of the State. This can be easily accomplished by revenue financing whereby the users will eventually pay for the crossing. Un-

questionably this method is much fairer when it is realized that 85 per cent or more of the present users are non-residents.

Finally, there is the growing opinion that a ferry crossing at the mouth of the Delaware Bay between Cape May and Lewes is needed to open up the shortest highway route from the north to the south and to stimulate the business and economy of another important section of our State. Again, Delaware is not in a financial position to underwrite such a project with tax money and from studies already made its financial feasibility can be assured only by revenue financing in connection with the present Memorial Bridge if it is permitted to continue as a toll facility.

All of these issues are very real, demanding and are becoming increasingly serious. Fortunately, these problems have not just been noticed. There have been studies, planning and negotiations going on for some time as to the best method of satisfactorily solving these complicated problems. I believe the answer lies in the adoption of legislation now pending in the General Assembly as House Bills Nos. 182 and 183.

2. PAST ATTEMPTS AT SOLUTION

While Delaware's efforts to solve these problems are detailed in a Report To The Governor, dated May 29, 1958, submitted by The Delaware Interstate Highway Division, copies of which were delivered to the members of the General Assembly, I think it appropriate here to briefly review those steps actually taken in the past with respect to them. As indicated above in connection with the toll road legislation, the Interstate Highway Division in early 1956 caused legislation to be introduced into the Congress which would have permitted the continuation of tolls on the present Bridge for use to finance a second crossing and for the construction of new freeways in Delaware leading to the Bridge. In July of that year a hearing was held on that legislation by a Subcommittee of the House Public Works Committee. While the Division had obtained prior approval of such legislation from the United States Commissioner of Public Roads, at the hearing the bill was actively opposed by New Jersey's Governor, Congressmen and highway officials. They objected to continuing tolls on the present Bridge, after the outstanding bonds are paid, and their use for other Delaware projects. In view of New Jersey's position the Congressional Committee refused to approve the bill on the traditional ground it would not resolve a dispute between sister states involving a facility located in both. Accordingly, Delaware's representatives were advised to negotiate with New Jersey in an attempt to remove its opposition.

Since the present Bridge is located partly in New Jersey and any other similar operation crossing the Delaware River or Bay would likewise terminate there, nothing could be accomplished to resolve Delaware's problems without New Jersey's agreement, particularly in view of the attitude of Congress. Consequently, the Division commenced negotiations with the Highway Commissioner of New Jersey. Many proposals and counter-proposals were advanced and considered over an eighteen month period. The end result was that New Jersey never retreated from its original position that, in order for Delaware to obtain its consent to continue tolls on the present Bridge, to build a second structure, to operate a Bay ferry or to use toll revenues for any other purpose, it would first be necessary for Delaware to agree to the future construction and operation of such toll facilities by a bi-state agency in which both states would be equally represented.

3. JOINT REPORT OF DELAWARE-NEW JERSEY CONFEREES

When no working agreement appeared to be attainable, in October 1958, Governor Meyner of New Jersey and Governor Boggs of Delaware appointed a bi-partisan study group from each State with the direction that it make a further attempt to work out a reasonable and fair plan. The conferees, after negotiating and studying the problem for over a year, issued a Joint Report to the Governors of both States, dated October 29, 1959, in which they unanimously recommended the adoption of a comprehensive Compact between Delaware and New Jersey whereby the planning of essential development within the Delaware River and Bay area could be carried out jointly by them in amicable cooperation.

Both States fully recognized that neither could hope by itself to provide bridges, ferries, tunnels or other crossings adequately to serve this increasingly important area without the full agreement and participation of the other for the reason that every such facility requires a terminus or installation in the other State. It is also became obvious that bi-state efforts to deal with interstate traffic across the Delaware River and Bay would require a base broad enough to permit planning and operation for many years in the future. After all, transportation by all forms and methods, must be dealt with in an integrated manner as it is but part of the larger task of dealing with common problems affecting the economic development and progress of adjacent areas on both sides of the water barrier.

I am now fully convinced after much study of these problems that the best way to solve them is to adopt the unanimous recommendations of the by-state study group. It is the only practicable method affording a reasonable basis for carrying out the immediate needs of our State and to guar-

antee the future cooperation of our sister State, New Jersey, which is so essential to effectively develop important areas of our own State.

4. THE PRESENT LEGISLATION

House Bills Nos. 182 and 183 embrace the necessary enabling legislation to permit the tolls to remain on the present Bridge, to permit the construction of a second bridge and to authorize the establishment of a ferry across that part of the Delaware Bay which is too wide to permit the economic construction of a bridge. Furthermore, all this may be financed by revenue bonds and without the use of either tax money or bonds backed by the credit of the State.

House Bill No. 182 consents to the Delaware-New Jersey Compact which, if enacted in both States, will create a single bi-state agency consisting of 10 members, 5 of whom are residents of each State. No more than 3 of the 5 members from each State may be of the same political party. The members will be appointed by the Governor with the advice and consent of the Senate for terms of 5 years, except that the first commissioners shall be so appointed that the term of one expires each year. The compact specifically grants authority to the bi-state agency: (1) to operate the present Bridge; (2) to construct a second or additional crossings; (3) to establish a Bay ferry, and (4) to plan, develop and operate related transportation facilities and projects within those areas of both States which border on or are adjacent to the Delaware River and Bay, south of the Boundary line between Delaware and Pennsylvania, as extended across the Delaware River to the New Jersey shore.

Of course, in placing the responsibility for these interstate projects in such a bi-state agency, it must be recognized that its authority will be limited and regulated by (1) the financial feasibility of the projects and the ability to borrow on revenue bonds for them; (2) the requirement that agency action must be by a majority vote of the commissioners voting by States; (3) the subjection of the vote of the commissioners of each State to the veto by the Governor of their State, and (4) the need to secure approval of Federal officials for any projecting involving a crossing of the River or Bay. In addition, the compact expressly prohibits the bi-state agency from undertaking any project, other than bridges, ferries, or other crossings, without first securing concurrent legislation from the legislature of both States.

House Bill No. 183, a companion measure, enables the maintenance and operation of the present Bridge to be transferred to the new bi-state authority. It must be noted that neither of these Acts becomes effective by their terms until New Jersey has adopted similar legislation, the compact is thereafter approved by Congress and the federal legislation

authorizing the present Bridge is amended to permit tolls to be continued. If all this is accomplished before July 1, 1962, then the bi-state agency will take over on that date, otherwise not until all the other steps have been taken.

5. SUMMARY

Therefore, I most earnestly urge the prompt passage of House Bills Nos. 182 and 183. Time is fast running out for the accomplishment of these important steps. Action is required now to prevent the present Bridge from becoming a tax burden on the taxpayers of this State and in order to assure the continuation of adequate future crossings by bridges and ferries over the Delaware River and Bay, I cannot urge you too strongly of the necessity for prompt action. The problem has been under almost constant study since 1955 and I am convinced that the only reasonable, fair and workable solution is to adopt the Delaware-New Jersey Compact as embraced in this legislation. It will afford that protection and assurance to our citizens which their welfare demands. May you act promptly!

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

HJR 4—Requesting the Department of Defense to Reconsider Its Decision to Close the Lenape Plant of Chrysler Corporation at Newark, Delaware. (By Mr. Murray)

On motion of Mr. Murray, all rules were suspended so that **HJR 4** could have its third and final reading in order to pass the House and on further motion by Mr. Murray, **HJR 4** was adopted, and ordered to the Senate for concurrence.

On motion, the House recessed at call of the Chair at 3:05 P. M. The House met at the expiration of the recess at 5:05 P. M. Mr. Speaker presiding.

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

SB 112—An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1961" Being Chapter 299, Volume 52, Laws of Delaware, in Respect to Appropriations to the State Board of Education, by Making Transfers in Certain Appropriation Items Therein.

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

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

NAYS—None.

ABSENT—Messrs. Ehinger, Gove, Shockley, Truitt—4.

SB 112 having received the constitutional majority, passed the House and was ordered back to the Senate.

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

SB 98—An Act to Validate the Establishment and Organization of the Dover Housing Authority.

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

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

NAYS—None.

ABSENT—Messrs. Ehinger, Gove, Shockley—3.

SB 98 having received the constitutional majority, passed the House and was ordered back to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 136**, **HB 158**, **HB 159**.

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

HB 192—An Act to Amend Section 1703, Title 14, Delaware Code, Relating to Unit of Pupils in Schools. (By Messrs. Robbins and Dineen, to Education)

HB 191—An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for Allocation of Funds. (By Mr. Dineen, to Education)

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

HJR 5—Memorializing the Congress of the United States Relative to the Consideration of the Constitutional Amendment Concerning Equal Rights for Women. (By Mr. Quigley, by request, to Miscellaneous)

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

SB 84—An Act to Amend Chapter 45, Title 7, of the Delaware Code, Relating to Public Lands Lying Beneath the Waters of a Navigable Body of Water.

On further motion by Mr. Phillips, action was deferred.

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

HB 193—An Act to Amend Chapter 71, Title 29, Delaware Code, Relating to Mileage Rates for Privately Owned Vehicles. (By Mr. Blendt, to Miscellaneous)

The following bill was reported from the Committee on Education: **HB 160**, 4 favorably.

The House adjourned at 5:33 P. M. until 1:00 P. M., Monday, April 10, 1961.

26TH LEGISLATIVE DAY

April 10, 1961

The House met pursuant to adjournment at 1:00 P. M. on April 10, 1961.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

Members absent—None.

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

The following communication was received and read before the House:

NEWARK JAYCEES—400 TAMARA CIRCLE

Newark, Delaware, April 10, 1961

State Representative A. J. Casey, Limestone Road
Wilmington 8, Delaware

Dear Mr. Casey:

I am writing this to you in order that you can read this on the House floor, so that you and your colleagues in the House will know how the voters in your area and surrounding areas feel about police protection in this State.

Our State has been growing by leaps and bounds, which has been evident in the tremendous building boom. In the last ten years over 4,000 homes have been built in the Newark area alone, with no sign that this boom is slowing down any. Newark is not the only area—the whole State is growing. Look around you and I bet there is a new development going up within ten miles from where you are right now. With all these new homes and new families the police protection that was adequate ten years ago is far from adequate now.

Approximately four weeks ago the Newark Junior Chamber of Commerce learned of the two House bills that would increase the number of State Police in the State and equip them, if the bills were passed, namely House Bills #26 and #27.

After analyzing a community survey that was recently completed in the Newark area, it was found that one of the biggest questions the voters interviewed had was, "How can we get more police protection?"

We felt that these bills were the answer. We started printing petitions as are enclosed. More than 150 of these petitions have been distributed to date. They have been sent all over the State. We thought we would have a little more time to complete this project, but last week we learned that these bills were out of committee and could be voted on at any time. Therefore, we quickly gathered as many of the petitions that we could collect on short notice and they are enclosed. The total number of names are over 400. This does not sound like many but over 175 of these names are from one development signed in a one day drive. The development is Birchwood Park in Ogletown. There are approximately 150 occupied homes in this development which means that a great majority of these home owners are very much in favor of these bills.

A petition is also being circulated among businesses and with over fifty businesses not one has refused to sign.

We believe that these bills are extremely important to the safety and welfare of this State. Without proper police protection you can hardly expect business, and the people business brings into a state, to want to come to Delaware.

To quote from a letter to a businessman in Ogletown, Delaware, from Colonel John P. Ferguson of the Delaware State Police, "Our State is facing an acute situation as to State Police protection."

Sincerely,

ROBERT H. GRILLS

State Director, Newark Jaycees

PETITION

We, the undersigned, respectfully request that House Bill #27, dealing with the increasing of the number of State Troopers in the New Castle and Kent Counties, be taken out of committee and a vote be made in support of this bill.

(The above petition had over 450 signatures)

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

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

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

SB 24 with **SA 1**—An Act to Appropriate Funds to the Joint Veterans Claims Committee to Pay Certain Claims of Veterans of World War II and Korean Conflict Which are Barred by the Lapse of Time. (To Claims)

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

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

HB 194—An Act Appropriating Funds to the Youth Services Commission of Delaware for the Purchasing of Land, Construction and Equipping of an Entirely New, Consolidated Training School. (By Messrs. Shockley and Ehinger, to Appropriations)

HB 195—An Act Authorizing the State of Delaware to Borrow a Certain Sum of Money for Sundry Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor. (By Messrs. Shockley, Ehinger and Murray, to Public Buildings and Highways)

HB 196—An Act to Amend Chapters 17, 19, and 21, Title 14, Laws of Delaware, Relating to Education. (By Messrs. Robbins and Ehinger, to Education)

HB 197—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees. (By Messrs. Robbins and Ehinger, to Education)

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

March 17, 1961

Memorandum to: Mrs. Everett, Mr. Killen, Mr. Downes, Secretary of Senate, Clerk of the House, Mr. Davis, Mr. Collins, Mr. Hall, Dr. Herbst, Mrs. Jones, Dr. Parres, Mr. Pippin, Mrs. Looney, Mrs. Moress, Press, Legislative Reference Bureau. From: Earl McGinnes.

On date indicated, Governor approved following legislation:

17 March 1961—**SB 46**

20 March 1961—**SJR 3**

23 March 1961—**HB 17, HB 19**

28 March 1961—**SB 66, SB 74**

April 10, 1961

In accordance with Rule 9 of the House of Representatives, the Speaker of the House has signed: **HB 45, HR 34, HR 35, HR 36, HCR 13, HCR 14.**

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

SS 1 for **SB 20**—An Act Making a Supplementary Appropriation to the State Board of Corrections for the Fiscal Year, July 1, 1960-June 30, 1961.

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

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

NAYS—None.

ABSENT—Mr. Gove—1.

SS 1 for SB 20 having received the constitutional majority, passed the House and was ordered back to the Senate.

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

SB 101—An Act Making Supplementary Appropriation to the Custodian of the State House, the Office of Governor, the Secretary of State, and the Legislative Reference Bureau.

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

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

NAYS—None.

ABSENT—Mr. Gove—1.

SB 101 having received the constitutional majority, passed the House and was ordered back to the Senate.

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

HB 174—An Act to Amend Title 31, Delaware Code, with Respect to Support from Relatives of Persons Applying for or Receiving Public Assistance.

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

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

NAYS—None.

ABSENT—Mr. Gove—1.

HB 174 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 198—An Act to Amend Section 9103, Title 10, Delaware Code of 1953, Relating to Justices of the Peace in Kent County. (By Mr. Prettyman, to Judiciary)

HB 199—An Act Authorizing the Levy Court of Kent County to Appropriate County Moneys to Certain Fire Companies for the Maintenance of a Rescue Squad. (By Messrs. Paskey and Exley, to Revised Statutes)

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

HJR 6—Designating the First Day of May of Each Year as Loyalty Day. (By Messrs. Shockley, Exley and Ehinger, to Miscellaneous)

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

HB 102—An Act to Amend Title 14, Sections 311 and 1904, Delaware Code, Relating to Notices of School Elections.

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

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

NAYS—Mr. Bartleson—1.

HB 102 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 73—An Act to Amend Title 14, Delaware Code, Relating to School Board Elections and Appointments.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

HB 73 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 178—An Act to Permit the State Tax Department to Void Certain Unclaimed Checks.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

HB 178 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 176—An Act Making a Supplementary Appropriation to the State Tax Department.

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

YEAS—Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Dineen, Downs, Ehinger, Eskridge, Exley, Fifer, Gove, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Richards, Robbins, Shockley, Shulties, Snowden, Truitt, Mr. Speaker Tribbitt—35.

NAYS—None.

HB 176 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HR 38—Authorizing the Payment of Certain Expenses for the Printing of Envelopes and Stationery for the House of Representatives of the 121st General Assembly. (By Mr. Exley)

BE IT RESOLVED by the House of Representatives of the 121st General Assembly of the State of Delaware that the sum of Four Hundred Sixty-Eight Dollars and Sixty Cents (\$468.60) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the Harrington Journal, Harrington, Delaware, for printing 17,500 envelopes and 17,500 sheets of stationery for the House of Representatives of the 121st General Assembly.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 8**, **HB 53**, **HB 114** and **HB 145**.

On motion, the House recessed at call of the Chair at 2:59 P. M. The House met at the expiration of the recess at 5:27 P. M. Mr. Speaker presiding.

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

HR 39—Requesting the Governor to Return House Bill No. 13 to the House of Representatives. (By Mr. Shockley)

WHEREAS, House Bill No. 13 passed the House and the Senate of the 121st General Assembly of the State of Delaware and was sent to the Governor for his consideration on April 3, 1961, and

WHEREAS, the Governor of the State of Delaware has noted certain technical objections to said House Bill No. 13, and

WHEREAS, the House of Representatives desires to give reconsideration to House Bill No. 13 in view of the objections raised by the Governor,

NOW THEREFORE BE IT RESOLVED by the House of Representatives of the 121st General Assembly that the Governor be respectfully requested to return the aforementioned bill to the House of Representatives for reconsideration.

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

April 10, 1961

In accordance with Rule 9 of the House of Representatives, the Speaker of the House has signed **HB 136, HB 159, HB 158, HB 65, HR 38, HJR 4.**

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

HB 22—An Act to Increase the Compensation of the Comptroller for New Castle County and the Clerk of the Peace for New Castle County.

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

YEAS — Messrs. Blendt, Busker, Clifton, Davidson, Dineen, Eskridge, Exley, Gove, Keenan, Kleinbach, Livingston, Moore, Murray, Paskey, Jr., Pawson, Phillips, Prettyman, Quigley, Robbins, Shockley, Shulties, Truitt, Mr. Speaker Tribbitt—23.

NAYS—Messrs. Annett, Baker, Bartleson, Best, Casey, Downs, Ehinger, Hocker, Myers—9.

NOT VOTING—Messrs. Richards, Snowden—2.

ABSENT—Mr. Fifer—1.

HB 22 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House adjourned at 5:45 P. M. until 1:00 P. M., Tuesday, April 11, 1961.

27TH LEGISLATIVE DAY

April 11, 1961

The House met pursuant to adjournment at 1:00 P. M. on April 11, 1961.

Prayer by the Chaplain, Rev. James.

Members present — Messrs. Annett, Baker, Bartleson, Best, Blendt, Busker, Casey, Clifton, Davidson, Downs, Ehinger,

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

Members absent—Messrs. Dineen, Truitt—2.

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

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

HB 200—An Act to Direct the Levy Court of Sussex County to Appropriate \$500 Annually to Blades Volunteer Fire Company, for the Maintenance of an Ambulance. (By Mr. Moore, to Revised Statutes)

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

Wilmington, Delaware

Speaker of the House Sherman W. Tribbitt
Legislative Hall, Dover, Del.

Mr. Tribbitt, we wish to register our objection to House Bill 46. The absorption of the County Police into the State Police. We are paying for the services of these men in our taxes now (\$125,000 a year) and we can see no valid reason for additional tax to cover the same services.

We will appreciate it if you will have this read in Assembly so that the members are aware of our feelings on this before they vote. Thank you.

Board of Directors, Rolling Hills, Windermere
Civic Association, Stanton, Del.

Wilmington, Delaware

Honorable Sherman W. Tribbitt
Legislative Hall, Dover, Del.

The residents of Delpark Manor urge you to please vote "no" on House Bill Number 46. We feel that this bill will jeopardize the county government and the safety of its individuals.

Mario A. Pagano, President, Delpark Manor
Civic Association

Georgetown, Delaware, April 11, 1961

Mr. Robert Snowden, House of Representatives

Dover, Delaware

Dear Mr. Snowden:

The Georgetown Ministerial Association is opposed to gambling in all its forms. Statistics bear out our conviction that gambling undermines the moral and economic life of individuals and communities.

You, as a member of the Committee on Manufacturing and Commerce, and as our representative, are interested in

the healthy state of our people both spiritually and economically. You will be able to see, therefore, that the passage of House Bill 104, legalizing Dog Racing in Delaware, would be a blow against the State's welfare. We feel that you could support us in our position, which is that gambling is bad for business and for people.

We pray God's blessing upon you in your responsible position, and promise you our support as you oppose this bill.

Sincerely yours,

BERNARD TAYLOR, Clerk pro tem

ELMER R. SHIELD, President

Georgetown Ministerial Association

GEORGETOWN PRESBYTERIAN CHURCH

Georgetown, Delaware, April 11, 1961

Mr. Robert Snowden, Georgetown, Delaware

Dear Mr. Snowden:

As our representative in the Delaware House of Representatives, it is our hope that you will bring to the attention of the 121st General Assembly our firm opposition to House Bill 104—Concerning legalizing Dog Racing in our State.

We feel that the fruits of gambling are bad fruits. No financial gain to the State through its taxation of gambling activities is able to offset the moral losses caused by the gambling business. We doubt that the income will begin to cover the increased crime costs which accompany even the best regulated tracks. We feel that incalculable loss to character is caused when the "something for nothing" psychology is cultivated among our people.

Our Church and our Presbytery stand on record as opposed to this bill and to all forms of gambling—legalized or not. It would be wrong to foist the dog racing program upon our people against their will.

It is our conviction that a public hearing on the bill would show the active and vocal opposition to H. B. 104 and would lead the democratically representative delegates to see that this bill should be defeated.

Please help us to help you to defeat House Bill 104.

Thank you very much.

Sincerely yours,

JOHN L. BRIGGS, Clerk of Session

BERNARD M. TAYLOR, Minister

The following bill was reported from the Committee on Revised Statutes: **HB 187**, 2 favorably, 2 on merits.

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

Mr. Shulties, Chairman of Passed Bills, reported having taken to the Governor the following bills for his consideration: **HB 158**, **HB 136**, **HB 45**, **HB 159** and **HB 63**.

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

HB 201—An Act to Amend Section 6701 (A), Title 16, Delaware Code, Relating to Fire Police. (By Mr. Davidson, to Public Health)

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

HCR 15—Urging Protection of Lums Pond Area. (By Mr. Davidson, to Miscellaneous)

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

HB 5—An Act Appropriating Certain Money to Palmer Home, Incorporated.

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

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

NAYS—None.

ABSENT—Messrs. Dineen, Truitt—2.

HB 5 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 36** and **HB 170**.

On motion, the House recessed at call of the Chair at 2:25 P. M. The House met at the expiration of the recess at 5:30 P. M. Mr. Speaker presiding.

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

HB 202—An Act Amending, Revising and Consolidating the Charter of the City of Seaford. (By Mr. Eskridge, to Corporations, Municipal)

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

HB 204—An Act to Increase Certain Fees Charged by the Insurance Commissioner. (By Mr. Truitt, to Banking and Insurance)

HB 205—An Act to Create a Regional Agency by Inter-governmental Compact for the Planning, Conservation, Utilization, Development, Management and Control of the Water and Related Natural Resources of the Delaware River Basin, for the Improvement of Navigation, Reduction of Flood Damage, Regulation of Water Quality, Control of Pollution, Development of Water Supply, Hydro-electric Energy, Fish and

Wildlife Habitat and Public Recreational Facilities and Other Purposes, and Defining the Functions, Powers and Duties of Such Agency. (By Mr. Murray, to Revised Statutes)

HB 206—An Act Authorizing the State of Delaware to Borrow a Certain Sum of Money for Capital Improvements and Expenditures in the Nature of Capital Investments for the Use of the State Board of Trustees of the Delaware State Hospital at Farnhurst and to Issue Bonds and Notes Therefore. (By Messrs. Truitt, Best, Clifton, Annett, Phillips, Hocker, Eskridge, Baker and Murray, to Appropriations)

The following bills were reported from the Committee on Corporations, Municipal: **HB 148**, 5 favorably; **HB 188**, 5 favorably.

On motion of Mr. Murray, **HB 145** as amended by **HA 1** and **HA 2** and returned from the Senate with **SA 1**, was taken up for consideration in order to pass the House.

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

YEAS—Messrs. Annett, Bartleson, Best, Busker, Casey, Clifton, Downs, Ehinger, Eskridge, Exley, Fifer, Hocker, Keenan, Kleinbach, Livingston, Myers, Moore, Murray, Paskey, Jr., Phillips, Prettyman, Quigley, Richards, Robbins, Shulties, Snowden, Mr. Speaker Tribbitt—27.

NAYS—None.

NOT VOTING—Messrs. Davidson, Shockley—2.

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

PRESENT—Mr. Baker—1.

HB 145 as amended, having received its constitutional majority, passed the House.

The following bill was reported from the Committee on Judiciary: **SB 99**, 2 favorably, 2 on merits.

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

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

SB 65 with **SA 1**, **SA 2** and **SA 3**—An Act to Amend Chapter 25, Title 24, Delaware Code, Concerning Drugs, Pharmacies, Pharmacists and the State Board of Pharmacy. (To Miscellaneous)

On motion, the House recessed at call of the Chair at 5:50 P. M. The House met at the expiration of the recess at 6:12 P. M. Mr. Speaker presiding.

The House adjourned at 6:13 P. M. until 1:00 P. M., Wednesday, April 12, 1961.

28TH LEGISLATIVE DAY

April 12, 1961

The House met pursuant to adjournment at 1:00 P. M. on April 12, 1961.

Prayer by the Chaplain, Rev. James.

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

Members absent—Messrs. Dineen, Truitt—2.

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

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

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

On date indicated, Governor approved the following legislation:

3 April 1961—**HB 117** with **HA 1**

7 April 1961—**HB 18**, **HB 39**, **SJR 4**

11 April 1961—**HJR 4**, **HS 1** for **HB 8**, **HB 136**, **HB 158**, **HB 159**, **SS 1** for **SB 20**, **SS 1** for **SB 101**, **SB 112**

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, Delaware, April 12, 1961

To the House of Representatives of the
121st General Assembly:

In compliance with House Resolution No. 39 requesting the return of House Bill No. 13 entitled:

AN ACT TO AMEND TITLE 9, DELAWARE CODE,
WITH REGARD TO POWERS OF THE LEVY
COURT OF NEW CASTLE COUNTY.

I am herewith returning said House Bill No. 13 to the House of Representatives.

Sincerely,

ELBERT N. CARVEL, Governor

The following bills were reported from committees: Appropriations, **SB 115**, 4 favorably; Charities, **HB 129**, 4 favorably, 1 on merits; **HB 130**, 4 favorably, 1 on merits; Miscellaneous, **HJR 6**, 4 favorably; **HCR 15**, 4 favorably; Corporations, municipal, **HB 202**, 4 favorably, 1 on merits.

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