

LAWS
OF THE
STATE OF DELAWARE

ONE HUNDRED AND TWENTY-FIRST
SESSION OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

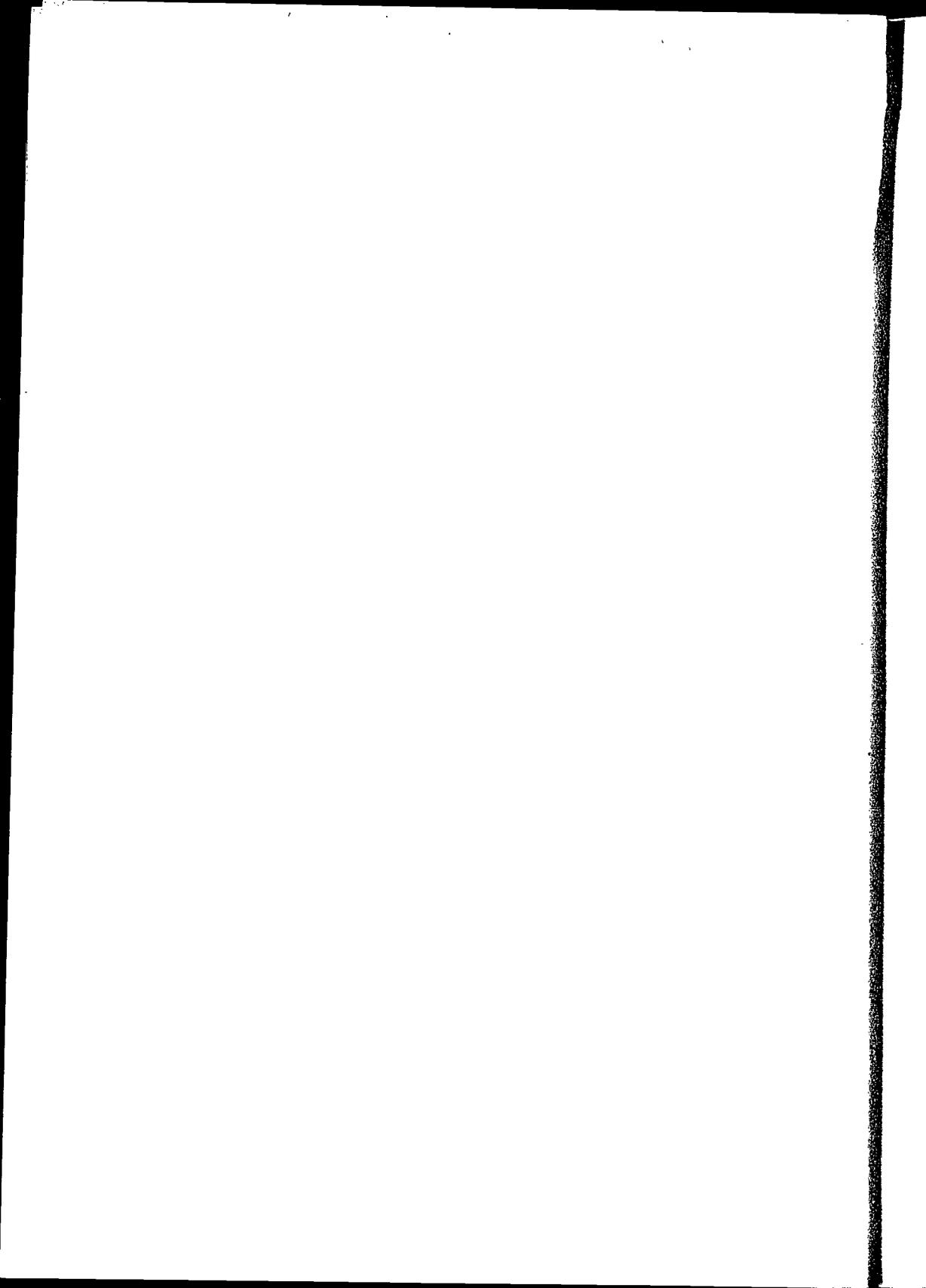
On Tuesday, January 3, A. D.
1961

AND

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED STATES
OF AMERICA, THE ONE HUNDRED AND EIGHTY-FIFTH

VOLUME LIII

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LAWS OF DELAWARE

CHAPTER 1

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF FEDERAL SURPLUS FOODS TO NEEDY PERSONS IN THE STATE OF DELAWARE; EMERGENCY APPROPRIATION.

WHEREAS, rising unemployment and an unusually severe winter have caused additional hardships for needy persons in the State of Delaware, AND

WHEREAS, federal surplus foods are available for distribution to our needy citizens and increases in these surplus foods have been ordered by the President of the United States, AND

WHEREAS, the Board of Trustees of the Delaware State Hospital is the Delaware State Agency for Surplus Property in accordance with Chapter 68 of Title 29, Delaware Code, AND

WHEREAS, the State Board of Trustees of the Delaware State Hospital has administered the Surplus Commodity Program of the United States Department of Agriculture for institutions (including summer camps) in the State of Delaware for the past 13 years, AND

WHEREAS, emergency action is required to distribute such surplus federal foods, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 68, Title 29, Delaware Code, is hereby amended by enacting and adding thereto a new section to read as follows:

§ 6810. Distribution of surplus federal food

The State Board of Trustees of the Delaware State Hospital at Farnhurst is hereby empowered and directed to act as the responsible agency to operate the Surplus Commodity Program for needy families in the State of Delaware, in accordance with the regulations and procedures prescribed by the United States Department of Agriculture. The State Board of Trustees of the Delaware State Hospital may take such action, make such expenditures, and enter into such contracts, agreements and undertakings for the state, to provide for the distribution of available commodities to all eligible needy families in the state who make proper application therefor. The State Board of Trustees of the Delaware State Hospital, to properly operate this program, may request assistance from other State, County and City agencies; may employ personnel; fix their compensation and prescribe their duties. "Needy families" as used in this section shall mean those persons or families so certified by the State Department of Public Welfare.

Section 2. The State Board of Trustees of the Delaware State Hospital is hereby authorized to use available funds within the discretion of said Board for the implementation of this program during the fiscal year ending June 30, 1961.

Section 3. Any previous acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

Approved February 23, 1961.

CHAPTER 2

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.

WHEREAS, unemployment and the number of workers who have exhausted their rights to Unemployment Compensation benefits is at a high level detrimental to our State's economy, and

WHEREAS, the 87th Congress of the United States is considering legislation to provide for a temporary extension of benefits to unemployed workers who have exhausted their rights to benefits under State Unemployment Compensation Laws, and

WHEREAS, it is essential, both to the many families who are in need through no fault of their own and to the economy of our State, that temporary relief from this condition be granted at the earliest possible moment during this period of winter hardship, NOW, THEREFORE,

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Any person who has exhausted his rights to benefits under the State Unemployment Compensation Law after October 31, 1960, is hereby entitled to an extension of his weekly benefits equal to one-half of the total number of weeks to which he had previously been entitled. Such entitlement shall begin with any week of unemployment beginning on or after the tenth day after the enactment of this Act, or the date regular benefits are exhausted, whichever is later, and ending not later than July 31, 1961.

Section 2. The Chairman of the Unemployment Compensation Commission of the State of Delaware is hereby authorized and directed to enter into an agreement or agreements with

the Secretary of Labor or other appropriate officer or agency of the United States of America whereby provisions for temporary additional unemployment compensation benefits afforded by any act enacted or to be enacted by the 87th Congress of the United States of America which allows an extension of weekly benefits for eligible unemployed workers shall be made available to eligible unemployed Delaware workers, and whereby the Unemployment Compensation Commission of the State of Delaware shall be designated to serve as agent of the United States of America in the State of Delaware as provided by any such act of Congress. Upon the execution of any such agreement, the Unemployment Compensation Commission of the State of Delaware shall have such powers as may be necessary to carry out its duties as such agent.

Section 3. Section 1 of this act shall become immediately null and void upon execution of any agreement provided for in Section 2 of this act, and any benefits that may have been paid to a person pursuant to Section 1 of this act shall be considered as a part of the additional unemployment compensation benefits that may be available pursuant to Section 2 of this act.

Approved February 23, 1961.

CHAPTER 3

AN ACT TO AMEND AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1961", BEING CHAPTER 299, VOLUME 52, LAWS OF DELAWARE, IN RESPECT TO APPROPRIATIONS TO DEPARTMENT OF ELECTIONS FOR NEW CASTLE, KENT AND SUSSEX COUNTIES.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The appropriation made to the Department of Elections—New Castle County, appearing under the sub-division "Legislative and Elections" in Section 1, Chapter 299, Volume 52, Laws of Delaware, is amended as follows: (1) By transferring the sum of \$3,250.00 from the appropriation item "Salary of Board Members", to appropriation item "Salaries and Wages of Employees" under the Department of Elections—New Castle County." (2) By transferring the sum of \$2,800.00 from the appropriation item "Operations" to the appropriation item "Salaries and Wages of Employees" under "Department of Elections—New Castle County". (3) By transferring the sum of \$3,100.00 from the appropriation item "Office Expense" to the appropriation item "Registration and Election Officers" under "Department of Elections—Kent County". (4) By transferring the sum of \$2,000.00 from the appropriation item "Operations" to the appropriation item "Salaries and Wages of Employees" under "Department of Elections—Sussex County".

Section 2. The appropriation made to the Department of Elections—Sussex County appearing under the sub-division "Legislative and Elections" in Section 1, Chapter 299, Volume 52, Laws of Delaware is amended by transferring the sum of \$2,500.00 from the appropriation item "Office Expense" to the appropriation item "Salaries and Wages" under "Department of Elections—Sussex County".

Approved March 1, 1961.

CHAPTER 4

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.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. The appropriations to the State Highway Department appearing under "Maintenance Division" in Section 1, Chapter 299, Volume 52, Laws of Delaware, is amended by transferring the sum of \$150,000 from the item "Repairs and Replacements" to the item "Salaries and Wages of Employees".

Approved March 2, 1961.

CHAPTER 5

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.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Chapter 3, Title 10, Delaware Code is amended by adding the following new section to Subchapter 1 thereof:

§ 307. Additional Vice-Chancellor

There shall be one Vice-Chancellor in addition to the Chancellor and Vice-Chancellor specifically required by the provisions of Article IV, Section 2 of the Constitution.

Section 2. Chapter 5, Title 10, Delaware Code is amended by adding the following new section to Subchapter 1 thereof:

§ 509. Additional Associate Judges

There shall be two Associate Judges of the Superior Court and of the Orphans' Court in addition to the President Judge and the four Associate Judges specifically required by the provisions of Article IV, Section 2 of the Constitution.

Approved March 2, 1961.

CHAPTER 6

AN ACT TO AMEND SECTION 2143, TITLE 21, DELAWARE CODE, RELATING TO THE INSPECTION OF MOTOR VEHICLES BEFORE REGISTRATION; EXCEPTION.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. § 2143, Title 21, Delaware Code, is amended by adding a new subsection as follows:

Upon application, subject to approval by the Commissioner, the Department may waive such inspection requirements with respect to the renewal of registration of a vehicle registered in the State of Delaware which is not in this State at the time the inspection is required provided, that an out of state inspection, certified on forms prescribed by the Commissioners, is submitted to the Department. It shall be the duty of the owner of any vehicle so inspected to submit such vehicle for inspection by the Department within ten (10) days after the date the vehicle is returned to this State.

Approved March 17, 1961.