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THE BOOK OF THE STATES

Including

Handbook of The American Legislators' Association

Manual of Legislative Reference Services

The Second Interstate Assembly

Organization Meeting of the Tax Revision Council

June Meeting of The Council of State Governments

VOLUME I

1935



Published by

The Council of State Governments

and

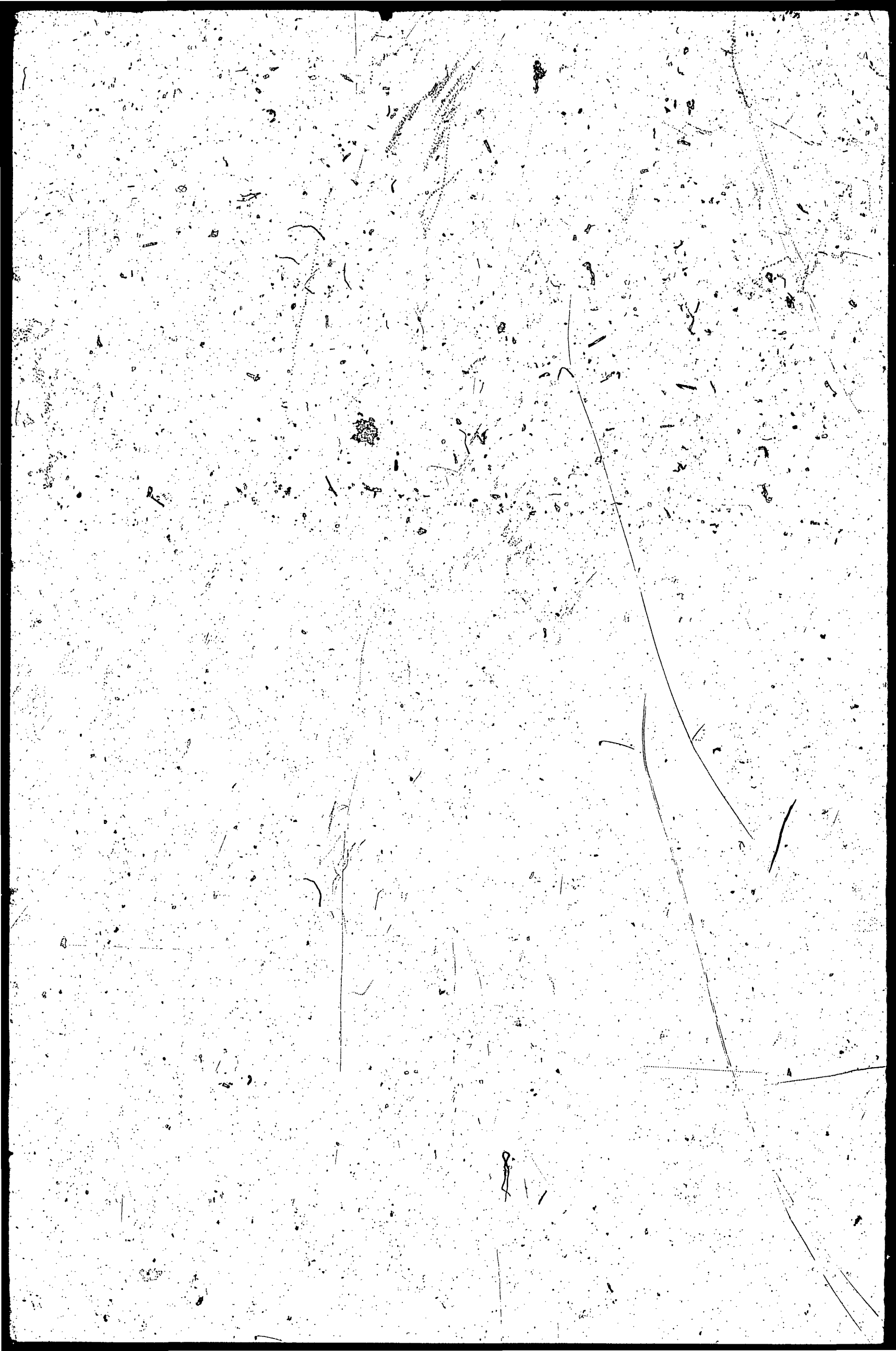
The American Legislators' Association

DREXEL AVENUE AND 58TH STREET

CHICAGO, ILLINOIS



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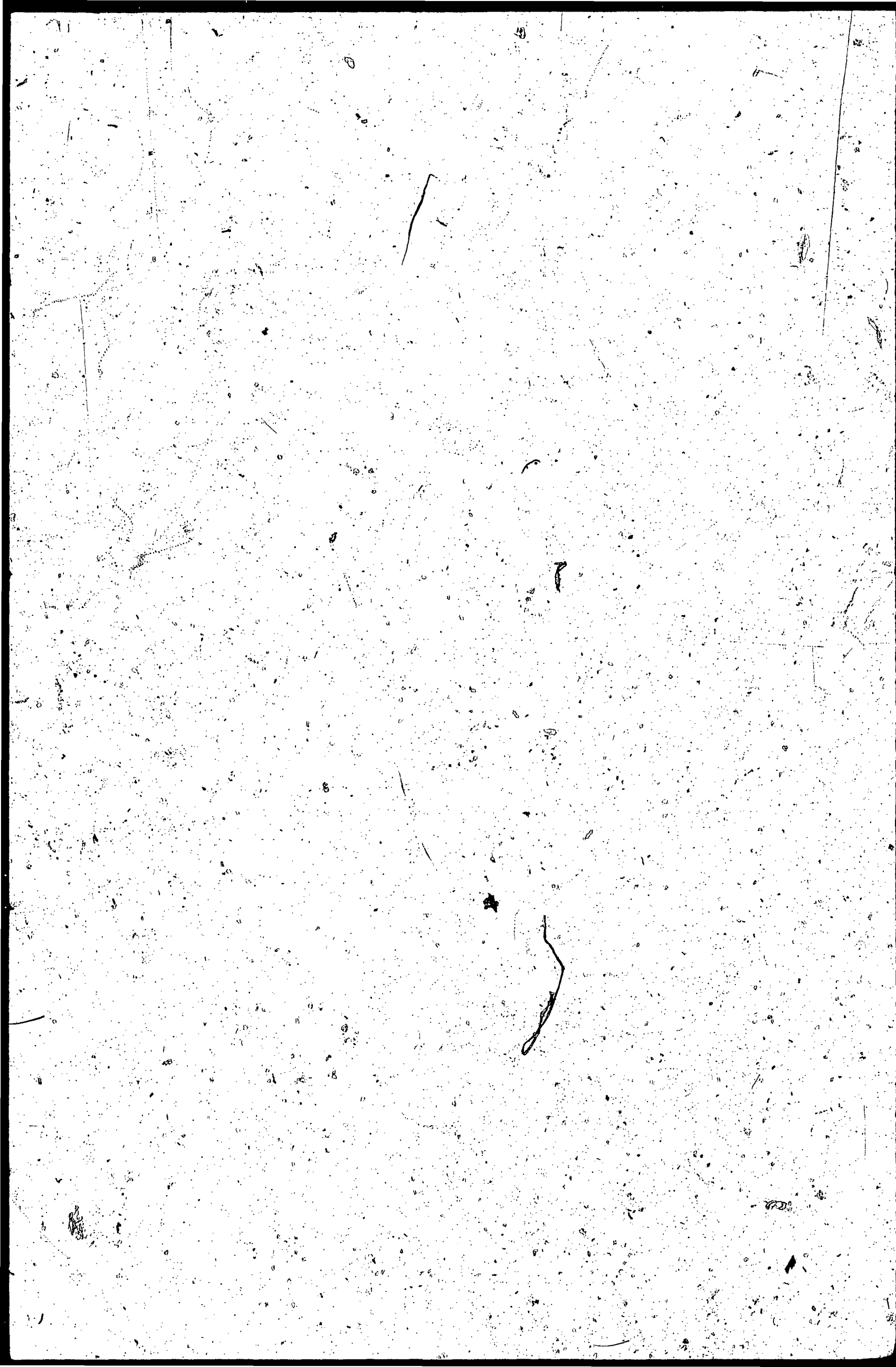
The Council of State Governments

and

The American Legislators' Association

DREXEL AVENUE AND 58TH STREET

CHICAGO, ILLINOIS



DEDICATED

TO THE TENS OF THOUSANDS OF AMERICAN CITIZENS
WHO, AS STATE LEGISLATORS, HAVE GIVEN MORE
HONEST AND COMPETENT SERVICE TO THEIR GOVERN-
MENTS THAN THEIR CONSTITUENTS WILL EVER KNOW.

EXECUTIVES AND ADMINISTRATORS IN 1935

	Governor	Lieutenant-Governor	Secretary of State	State Treasurer	State Auditor	Attorney-General
Alabama.....	Bibb Graves	Thomas E. Knight	Howell Turner	John Brandon	Charles E. McCall	Albert A. Carmichael
Arizona.....	B. B. Moeur	None	James H. Kerby	Mit Simms	Mrs. Ana Frohmler	John L. Sullivan
Arkansas.....	J. Marion Futrell	Lee Cazor	Ed. E. McDonald	Earl Pag	Charles Parker	Carl E. Bailey
California.....	Frank F. Merriam	George L. Hatfield	Frank C. Jordan	Charles G. Johnson	Ray L. Riley	U. S. Webb
Colorado.....	Ed C. Johnson	Ray H. Talbot	James H. Carr	Charles M. Armstrong	Homer F. Bedford	Paul P. Prosser
Connecticut.....	Wilbur L. Cross	T. Frank Hayes	C. John Satti	John S. Addis	Charles C. Swartz	Edward J. Daly
Delaware.....	C. Douglass Buck	Dr. Roy F. Corley	Walter Dent Smith	Warren T. Moore	J. Henry Hazel	Percy Warren Green
Florida.....	David Sholtz	None	R. A. Gray	W. V. Knott	Bryan M. Willis	Cary D. Landis
Georgia.....	Eugene Talmadge	None	John B. Wilson	George B. Hamilton	William B. Harrison	M. J. Yeomans
Idaho.....	C. Ben Ross	G. P. Mix	Franklin Girard	Myrtle R. Enking	Harry C. Parsons	Bert H. Miller
Illinois.....	Henry Horner	Thomas F. Donovan	Edward P. Hughes	John Stelle	Edward J. Barrett	Otto Kern
Indiana.....	Paul V. McNutt	M. Clifford Townsend	August G. Mueller	Peter F. Hein	Isaurence F. Sullivan	Philip Lucas Jr.
Iowa.....	Clyde L. Herjyng	N. G. Kraschel	Mrs. Alex Miller	Leo J. Wegman	C. W. Storms	Edward L. O'Connor
Kansas.....	Alf McElendon	Charles W. Thompson	Frank J. Ryan	J. J. Rhodes	Ed. Powers	Clarence V. Beck
Kentucky.....	Ruby Laffoon	A. B. Chandler	S. W. Mahan	Elam Huddleston	J. Dan Talbot	Bailey P. Wootton
Louisiana.....	Oscar K. Allen	Thos. C. Wingate	E. A. Conway	J. S. Cave	L. B. Baynard, Jr.	G. L. Porterie
Maine.....	Louis J. Brann	None	Lewis O. Barrows	George S. Foster	Elbert D. Hayford	Clyde R. Chapman
Maryland.....	Harry W. Vick	None	Thomas L. Lawson	Hooper Miles	Wm. S. Gandy	Herbert O'Connor
Massachusetts.....	James M. Curley	Joseph L. Hurley	Frederic W. Cook	Charles M. Hurley	Thomas H. Buckley, Jr.	Paul A. Dever
Michigan.....	Frank D. Fitzgerald	Thomas Read	Orville E. Atwood	Theodore L. Fry	John J. O'Hara	Harry S. Toy
Minnesota.....	Floyd B. Olson	Hjalmar Peterson	Mike Holm	Julius A. Schmahl	Stafford King	Harry H. Peterson
Mississippi.....	M. S. Conner	Dennis Murphree	Walker Wood	Lewis S. May	Joseph S. Price	Greek L. Rice
Missouri.....	Guy B. Park	Frank G. Harris	Dwight H. Brown	Richard R. Nacy	Forrest Smith	Roy McKittrick
Montana.....	Frank H. Cooney	None	Sam W. Mitchell	James J. Brett	John J. Holmes	Raymond T. Nagle
Nebraska.....	Robert L. Cochran	Walter H. Jurgensen	Harry R. Swanson	George E. Hall	William B. Price	Wm. H. Wright
Nevada.....	Richard Kirman	Fred S. Alward	W. G. Greathouse	Dan W. Franks	E. Peterson	Gray Mashburn
New Hampshire.....	H. Styles Bridges	None	Enoch D. Fuller	Chas. T. Patten	Milan A. Dickinson	Francis W. Johnston
New Jersey.....	Harold C. Hoffman	None	Thomas A. Mathis	William H. Albright	Walter R. Daffy	David T. Wilentz
New Mexico.....	Clyde Tingley	Luis C. de Baca	Mrs. Elizabeth F. Gonzales	James J. Connolly	Jose O. Garcia	Frank H. Patton
New York.....	Herbert H. Lehman	M. William Bray	Edward J. Flynn	None	Morris S. Tremaine	John J. Bennett, Jr.
North Carolina.....	J. C. B. Ehringhaus	A. H. Graham	Stacey W. Wade	Charles M. Johnson	Baxter Durham	A. A. F. Seawell
North Dakota.....	Walter Welford	None	James D. Gronna	John Gray	Bertha E. Baker	P. O. Sathre
Ohio.....	Martin L. Davey	Harold G. Mosier	George S. Myers	Harry S. Day	Joseph T. Tracy	John W. Bricker
Oklahoma.....	E. W. Marland	James E. Berry	Frank C. Carter	Hugh E. Harrell	C. C. Childers	McQ. Williamson
Oregon.....	Charles H. Martin	None	Earl Snell	Rufus C. Holman	Earl Snell	I. H. Van Winkle
Pennsylvania.....	George H. Earle	Thomas Kennedy	David L. Lawrence	Charles A. Waters	Frank E. Baldwin	Charles J. Margiotti
Rhode Island.....	Theodore Francis Green	Robert E. Quinn	Louis W. Cappelli	Antonio Prince	Thomas P. McCoy	John P. Hartigan
South Carolina.....	Olin D. Johnston	J. E. Harley	W. P. Blackwell	Eustace P. Miller	A. J. Beattie	John M. Daniel
South Dakota.....	Tom Berry	Robert Peterson	Myrtle Morrison	F. G. Siewert	George O'Neill	Walter Conway
Tennessee.....	Hill McAlister	None	Ernest N. Haston	James J. Bean	Roy C. Wallace	Roy H. Beeler
Texas.....	James V. Allred	Walter F. Woodul	Gerald C. Mann	Chas. Lockhart	G. H. Sheppard	William McCraw
Utah.....	Henry H. Blood	None	Milton H. Welling	Joseph Ririe	Julius C. Andersen	Joseph Chez
Vermont.....	Charles M. Smith	George D. Aiken	Rawson C. Myrick	Thomas H. Cave	Benjamin Gates	Lawrence C. Jones
Virginia.....	George C. Peery	James H. Price	Peter Saunders	A. B. Gathright	L. McCarthy Downs	Abram P. Staples
Washington.....	Clarence D. Martin	Victor A. Meyers	Ernest N. Hutchinson	Otto A. Case	Cliff Yelle	G. W. Hamilton
West Virginia.....	H. G. Kump	None	William S. O'Brien	R. E. Talbot	Edgar B. Sims	Homer A. Holt
Wisconsin.....	Philip F. LaFollette	Thomas J. O'Malley	Theodore Dammann	Robert K. Henry	Theodore Dammann	James E. Finnegan
Wyoming.....	Leslie A. Miller	None	L. C. Hunt	J. Kirk Baldwin	William Jack	Ray E. Lee

* Comptroller

% Comptroller General

† Comptroller of Treasury

** Also Secretary of State

LEGISLATIVE OFFICERS IN 1935

State	SENATE		HOUSE
	President	President Pro Tem.	Speaker
Alabama	Thomas Knight ¹	D. Hardy Riddle	R. H. Walker
Arizona	Joe C. Haldiman	none	Thomas D. Tway
Arkansas	Lee Cazort ¹	W. F. Norrell	Harve Thorn
California	George J. Hatfield ¹	W. P. Rich	Edward Craig
Colorado	Ray H. Talbot ¹	Elmer Headlee	Moses E. Smith
Connecticut	T. Frank Hayes ¹	John F. Lynch	William Hanna
Delaware	Dr. Roy F. Corley ¹	Levi L. Maloney	Harry V. Lyons ²
Florida			
Georgia	Charles D. Redwine	Preston Rawlins	E. D. Rivers
Idaho	Gainford P. Mix ¹	Perry W. Mitchell	Troy D. Smith
Illinois	Thomas F. Donovan ¹	Richey V. Graham	John P. Devine
Indiana	M. Clifford Townsend ¹	Jacob Weiss	Edward H. Stein
Iowa	Nelson G. Kraschel ¹	Harold L. Irwin	John H. Mitchell
Kansas	Charles W. Thompson ¹	Dallas W. Knapp	S. C. Bloss
Kentucky	A. B. Chandler ¹	Charles Franklin	W. E. Rogers
Louisiana	Thomas C. Wingate ¹	F. H. Peterman	Allen J. Ellender
Maine	Harold E. Weeks	none	Nathaniel Tompkins
Maryland	Lansdale G. Sasscer	none	Emanuel Gorfine
Massachusetts	Joseph L. Hurley ¹	none	Leverett Saltonstall
Michigan	Thomas Read ¹	Adolph F. Heidkamp	George A. Schroeder
Minnesota	Hjalmar Petersen ¹	none	George W. Johnson
Mississippi	Dennis Murphree ¹	W. C. Adams	Thomas L. Bailey
Missouri	Frank G. Harris ¹	Phil McDonnelly	John G. Christy
Montana		Ernest T. Eaton	W. P. Pilgeram
Nebraska	Walter H. Juergensen ¹	Cloyd L. Stewart	W. H. O'Gara
Nevada	Fred S. Alward ¹	George Freidhoff	William Kennett
New Hampshire	Charles M. Dale	none	Amos N. Blandin
New Jersey	Horace G. Prall	none	Lester H. Clee
New Mexico	Louis C. DeBaca ¹	Mrs. Louise Coe	Alvan N. White
New York	M. William Bray ¹	John J. Dunnigan	Irwin Steingut
North Carolina	A. H. Graham ¹	Paul D. Grady	R. Grady Johnson
North Dakota	Walter Welford ¹	A. S. Marshall	William M. Crockett
Ohio	Harold G. Mosier ¹	Paul P. Yoder	J. Freer Bittering
Oklahoma	James E. Berry ¹	Claud Brigg	Leon Phillips
Oregon	Harry L. Corbett	none	John E. Cooler
Pennsylvania	Thomas Kennedy ¹	John J. Homsher	Wilson G. Sarig
Rhode Island	Robert E. Quinn ¹	Edward F. Dwyer	William E. Reddy
South Carolina	J. E. Harley ¹	John F. Williams	Claude A. Taylor
South Dakota	Robert Peterson ¹	Mancel W. Peterson	W. J. Eggert
Tennessee	W. B. Moss	none	Walter M. Haynes
Texas	Walter F. Woodul ¹	K. M. Regan	Coke Stevenson
Utah	Herbert B. Maw	none	W. K. Granger
Vermont	George D. Aiken ¹	William H. Wills	Ernest E. Moore
Virginia	James H. Price ¹	Saxon W. Holt	J. Sinclair Brown
Washington	Victor Meyers ¹	Ed. Peirce	Robert Waldron
West Virginia	Charles E. Hodges	none	John J. Pette
Wisconsin	Thomas J. O'Malley ¹	Harry W. Bolens	J. W. Carow
Wyoming	N. A. Pearson	Thomas Hunter ⁴	Henry D. Watenpaugh

¹ Lieutenant Governor is President of the Senate.

² Meets in April, 1935.

³ Legislature does not meet in 1935; 1934 officers given.

⁴ Vice President of Senate.

A Letter to Legislators

FROM THE PRESIDENT
OF THE AMERICAN LEGISLATORS' ASSOCIATION

Gentlemen:

After three years of service as President of the American Legislators' Association, I should like to testify to the enjoyment which I have found in the work and to the pleasant contacts, both with fellow legislators and with members of the staff, which have resulted from and accompanied that work. The atmosphere of cordial coöperation which pervades meetings of the Interstate Assembly and of the Board of Managers and which unfailingly characterizes the activities in the offices of the Association has made the time devoted to this work more profitable, as it has made it more pleasant.

Your organization, the American Legislators' Association—of which every state legislator is an ex officio member—is entering its tenth year. During the last decade it has made notable advances in legislative coöperation and in furnishing information to the lawmaking bodies of the country. Formally endorsed by forty-six legislatures, it has everywhere received gratifying evidence of the interest of legislators in a professional organization for legislators, with an expert staff. The establishment of its monthly magazine, *State Government*, and of its informational clearing house, the Interstate Reference Bureau, have been milestones in the highway of American legislative progress.

The Association has a full time staff of more than fifteen trained workers, several of whom are experts of national reputation. If this work is to be maintained, and if this progress is to continue, the Association needs your financial support. To facilitate legislative appropriations in the various states, it is essential that those legislators who appreciate the work being done by the Association should take an active and personal interest in furthering the success of an appropriation bill. This letter is not concerned with such technicalities, but is a statement of the essence of the situation as one legislator sees it.

The Association was first established by the self-sacrificing efforts of individual legislators, and it still receives some support from that quarter. More recently it has been supported by the contributions of a half dozen states and the Spelman Fund. Its policies have never been influenced by the Spelman Fund, and there is nothing but grateful regard for the cordial coöperation of that body in an important public service. But we must recognize that the Spelman grants are made for limited periods of time on the distinct understanding that they are for demonstration purposes. Certainly the Association has amply demonstrated its value, and the time for greater legislative support of its work has arrived. If the Association is to continue the much needed expansion of its services, its revenues must increase, rather than contract when Foundation support is withdrawn.

At present the organization furnishes information and other services free of charge to every state. To those which make supporting appropriations, it offers free subscriptions to the magazine for every member of the Legislature and establishment of a regional secretariat when four states in the region have thus evidenced their interest in interstate coöperation.

Please make any inquiries you wish about the type and value of the services rendered. I venture to say that you will find no other place where a \$2,000 investment will yield greater returns to your state.

Very sincerely yours,



Member of the Kentucky House of Representatives
President of the American Legislators' Association

A Symposium of Forewords

BY HENRY W. TOLL, *Executive Director*

FOREWORD NO. 1

Who Made This Book

THE compilation of the material in this volume has been made by S. Smith Griswold, with the counsel of Dr. George C. S. Benson, who has actively participated in all stages of the work. Miss Mabel Gibberd and other members of the staff of the Council of State Governments and of the American Legislators' Association have also assisted in the editorial work and have otherwise contributed to the production of this book.

FOREWORD NO. 2

What's Where in This Volume

THIS book was prepared on the principle that an organization is useful only to those who know how to use it. Many of the groups working for the improvement of state government and for interstate cooperation are unaware of the extent to which parallel groups are engaged in the same field. As the nearest approach to a clearing house between the forty-eight state governments, the joint secretariat of the Council of State Governments and the American Legislators' Association is making active efforts to bring about some blending of movements for the improvement of state government and of cooperation between the states.

To move toward that goal, it has been necessary to institute several agencies. As a result, the American Legislators' Association has expanded to such an extent that many of the active members of the Association are not fully aware of the purport and extent of all its functions. For their benefit, and for the benefit of the many legislators who are new to the Association, this handbook is published. Especially for the new legislators of 1935, this volume

should be a useful account of the various ways in which their association can help them.

When the American Legislators' Association was founded—almost a decade ago—earnest and far-seeing men realized that it might be useful, but few of them foresaw the broad scope of its ultimate usefulness. The necessity for meetings of legislators from the various states was apparent, although the Association did not acquire sufficient momentum to organize the First Interstate Assembly of official delegates from the various states for seven years. The desirability of a magazine devoted to problems of State Government was recognized, but not until 1930 did the periodical of that name first appear. Then came other off-shoots in rapid succession. A well-staffed clearing house of information, known as the Interstate Reference Bureau, was established. Research bulletins were issued to supplement the magazine. A commission to deal with one of the most pressing of interstate problems—conflicting taxation—was organized by the First Interstate Assembly. Efforts are now being directed toward a

THE BOOK OF THE STATES

new synthesis of interstate activity through the organization of the Council of State Governments, which will bring executive and administrative efforts toward greater harmony between the states into a common cause with similar legislative efforts.

Your interest in this book will vary with your interest in state government. If you want to know where the most accurate available information on state tax problems can be obtained, read the chapter concerning the Interstate Commission on Conflicting Taxation. If you are concerned with the apparently irresistible rush toward federal centralization, read about the Council of

State Governments. If you wish to know where you can secure up-to-date ideas on state and interstate problems, glance through the chapter dealing with the periodical, "State Government." If you wish convincing proof that legislators in the forty-eight states can render a national service by combining to meet their common problems, read the chapters on the American Legislators' Association.

And while you read this book, remember that it sketches merely the beginnings of various cooperative endeavors—in the fulfillment of which every government official may take a part.

FOREWORD NO. 3

The Future "Book of the States"

THIS volume is nothing but a lick and a promise. It is the meager and unorganized beginning of a periodical publication which may eventually become a very useful reference book.

Later editions will probably begin with an organization chart for each of the forty-eight state governments. These editions will be made up, in effect, of thirty or forty or more separate handbooks—one concerning each of such subjects as:

- Health
- Public Schools
- Taxation
- Labor
- Parks and Recreation
- Libraries
- Social Welfare
- Higher Education
- Transportation and Communication
- Highways
- Public Utilities
- Control of Crime
- Motor Vehicles
- Agriculture
- Banking

Each of the many handbooks thus consolidated in a single binding, will contain,

among other matters, the following information:

(1) A roster of the heads of the department of departments concerned with the subject in each state.

(2) A table indicating the size and character of the organization of the department in each state.

(3) One or more tables, with brief supplementary text, showing the substantive laws relating to the field in each state.

(4) A table showing the name of the leading consultant on the subject in the major universities in each state.

(5) A list of the principal publications issued on the subject by each of the states.

(6) A statement concerning any efforts for legislative uniformity or administrative cooperation on the subject in the various states.

(7) A paragraph concerning each national association of state officials dealing with the subject, including the names and addresses of their principal officers.

(8) A brief list of leading reference books relating to the subject.

Somewhat similar sections will be incorporated concerning the departments conducted in the various states by each of the

major officials, such as: Governor, Attorney General, Secretary of State, Auditor, Treasurer. Especial attention will be given to the legislative departments of the forty-eight states. In this section or elsewhere there will be data relating, for instance, to state planning boards, legislative councils, and legislative reference bureaus.

The American Legislators' Association intends to prepare rules of order for state legislatures, and to incorporate these rules in the successive editions of the "Book of the States." These rules of order will supplement and simplify the present rules of the

forty-eight senates and of the forty-eight houses of representatives.

When this plan is carried out, this book will become an essential working tool for every state legislator, as well as for every important official of every state. It will also be an essential reference book in every newspaper office, in every political science department, in every public library.

Obviously, such a volume will facilitate the cooperation of state governments.

Suggestions on the proper contents and arrangement of future editions of this book will be much appreciated.

FOREWORD NO. 4

State Handbooks

IN THE succeeding editions of this volume, there will be more information concerning the handbooks issued by the various states. Practically every state publishes a handbook, but no two of these books are alike. A library of these handbooks is as variegated as a kennel containing mastiffs, poodles, dachschunds, collies, and forty-four other varieties of dogs. The Council of State Governments proposes to prepare

a table of contents for a model state handbook. The value of state handbooks to scholars, officials and others will be infinitely increased if the material is presented in a form which permits comparison between states. The administrative offices of the Council of State Governments will gladly give advice to any state, upon request, concerning the preparation and form of its handbook.

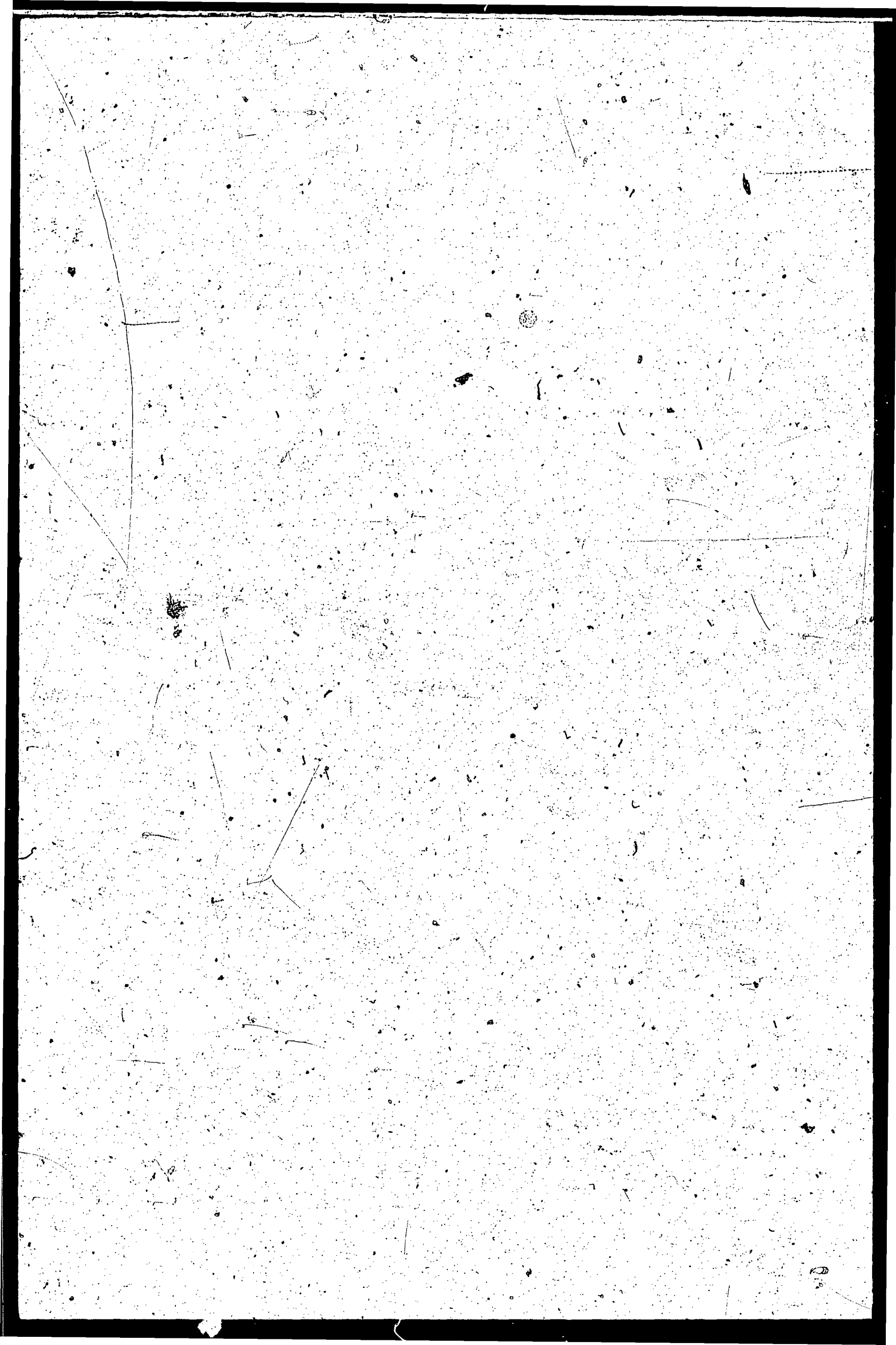


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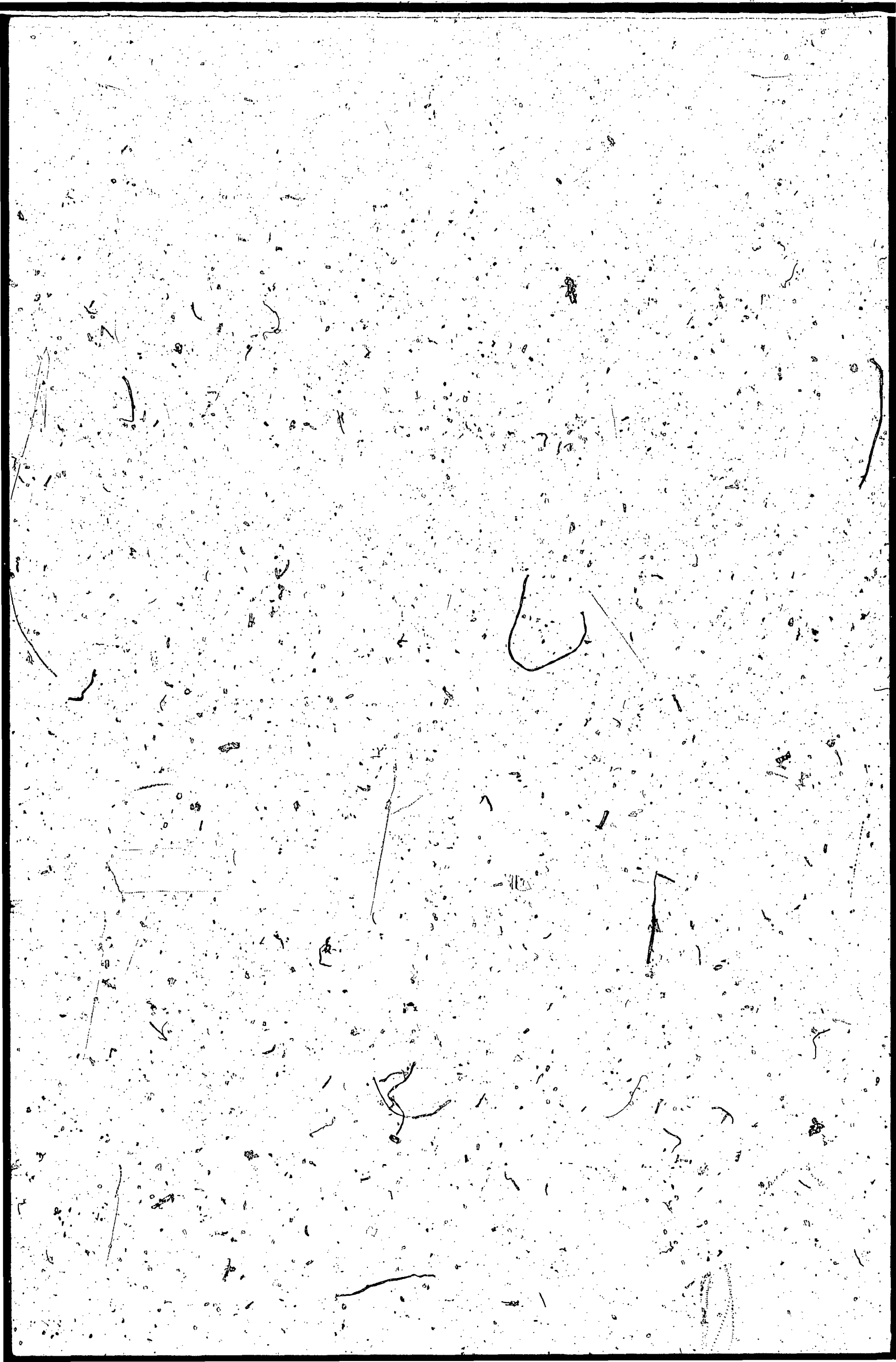


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The Book of the States

CHAPTER I

The Horizon in 1935

The Present and Projected Services of the Association

LEGISLATIVE conditions in the United States are satisfactory to no one. Criticism of them is universal and perennial. Something must be done to improve these conditions and, at the same time, to give a constructive turn to this criticism.

Obviously, the primary responsibility rests upon the state legislators themselves. But they can accomplish little if they work single-handed or by units which are merely state-wide.

By organizing the American Legislators' Association, responsibly-minded legislators in all of the states have recognized and assumed their obligation to better this situation.

The ideal is this: for every state, legislators of the best type, efficiently organized; for every legislator, adequate expert assistance and the best of information.

The outstanding features of the Association's activities are:

The Interstate Reference Bureau

Jointly with the Council of State Governments, the Association operates the Interstate Reference Bureau:

1. *To assist each state to maintain an adequate legislative reference service, providing:*

(a) *Research service* to help any member of the legislature who desires aid in securing and analyzing information which will help him to determine whether legislation of a proposed character is desirable, and if so, what its provision should be.

(b) *Drafting service* to help any member of the legislature, on request, to draft a bill which he wishes to introduce.

(c) *Revision service* continually to

"work over" the compiled statutes, in order that appropriate sections may be repealed, condensed, reconciled, clarified, and simplified, and that the whole may be effectively codified.

The Interstate Reference Bureau plans to make available the services of an expert who will, upon request, visit a state legislative reference bureau and assist it in organizing or improving its work.

2. *To serve as a clearing house for all of the state legislative reference services* which desire this assistance—and apparently they all desire it. At present the legislative reference services in about twenty-five states are actively functioning. Without the Interstate Reference Bureau, none of them can collect all the most up-to-date information which each of the other bureaus is preparing or has on hand. Through its cooperation, digests of the legislation of the forty-eight states on a given subject made by one bureau will be available for the others. This plan will also enable the state services to avoid duplication of work. As the number of active state services increases, the necessity for such a clearing house on state legislation becomes increasingly imperative.

3. *To serve as "an informational switch-board"* through which any legislator or the director of any legislative reference bureau can "plug in" by letter or by telegram, and at once be connected with the best source of information or advice in the United States concerning his current problems. This Association considers it a matter of more immediate importance to increase the availability of the vast amount of work already being done by a great number of other responsible agencies, than to conduct original studies: Accordingly, it began by

compiling a list of the best *sources* of information. However, it often finds opportunity to increase the usefulness of existing reports by preparing synopses of them.

4. *To conduct original researches* when the circumstances require it; and especially to make an intensive and exhaustive study of the means for increasing the efficiency of the various legislatures. This study necessitates a consideration of the means for improving the personnel of our legislatures, and for inducing more citizens of the best type to become candidates for their respective legislatures. The initial effort in this respect has been a survey of existing practices in such matters as:

- a. Length of term of office,
- b. Compensation,
- c. Size of legislature,
- d. Length of sessions,
- e. Legislative reference services.

These studies have been followed by a survey of the personnel of the legislatures to ascertain four important facts about each of the 7,500 legislators: age, occupation, party affiliation, and previous legislative experience. Such a survey has been completed for the past biennium, and the machinery is in order for collecting similar information concerning the new recruits. This material will become increasingly valuable when trends can be determined over a period of years.

5. *To publish the magazine, "State Government,"* which is eventually to be mailed each month to every one of the 7,500 state legislators and to numerous state officials throughout the United States. It contains information: concerning new reports, periodicals and books; concerning significant legislative innovations; concerning noteworthy practices which increase legislative efficiency; concerning recommendations made to legislatures by the Commissioners on Uniform State Laws, the National Education Association, the American Bar Association, the American Medical Association, the National Conference of Social Work, and by scores of other reputable organizations; and concerning outstanding contributions to every branch of the science of state government. Sometimes an entire issue is devoted to a single subject; for example, there have been specific numbers on taxation, unemploy-

ment, education, banking, and aids to justice.

6. *To issue special bulletins* containing material of interest to legislative reference bureaus and research groups, such as surveys of the statutes of the states on important subjects.

7. *To work with universities* and other agencies which desire coöperation in educational work concerning legislative subjects.

Regional Secretariats

The Association plans to organize six or more regional secretariats in natural divisions of the country, such as New England, and the southeastern states. Each secretariat will serve the legislators and administrative officials of the states in its region more promptly than is possible from the Chicago office. Regional boundaries will be drawn to include states having a community of interests. The secretariat may then adapt its services to the demands of the particular region. These regional clearing houses of information will bring about closer coöperation and coördination between the states within their respective regions. By clearing in turn with the central office, the states, through the services of their Association, can unite to deal with problems of nationwide or regional scope.

Conferences

The Association arranges the following meetings:

1. *An Annual Conference open to all legislators*, at which addresses are delivered on questions of legislative efficiency, as well as on the substance of legislation in various fields. Eight such conferences have been held—some at the same time and place as the meetings of the American Bar Association and of the Commissioners on Uniform State Laws, and others in connection with the National Conference on Government.

2. *An annual meeting of the directors of the legislative reference bureaus* of the various states. When possible, this meeting is scheduled at the same place and at the same time as the Association's Annual Conference.

3. *Regional meetings of legislators, experts, and officials* from a group of contiguous states whose problems are similar.

The first conference of this kind was held at Asheville, North Carolina, in September, 1932. Here delegates from North Carolina, South Carolina, Georgia, Tennessee, and West Virginia, met to discuss the crucial problems which would confront their legislative assemblies at the next sessions. The success of this experiment indicates that these meetings can perform a useful function, and the Association hopes eventually to arrange such meetings in all sections of the country.

4. *Conferences for all of the legislators in individual states:* to increase perspective and to facilitate planning. Through these meetings, ideas developed at a regional conference can be communicated to the entire membership of a state legislature. Lawmakers can then discuss their problems and plan a legislative program in advance of the hectic and limited days of the actual session.

Interstate Assembly

A biennial session of the Interstate Assembly also forms a part of the Association's project. This Assembly consists of legislators, chosen by each branch of each legislature, and of the Governors or representatives of Governors. Of course, such a group will have no authority, but it will have various possibilities of an advisory character. For instance, it can gauge the sentiment of the legislatures to determine whether the majority are disposed to consider at their next sessions any given proposal for uniform laws. Through section meetings it may offer a readier interchange of views to

facilitate the drafting of thoroughly acceptable interstate compacts on some occasions. It may furnish an easier channel of informal communication in regard to the relation between state and federal governments in some matters such, for instance, as state aid or state cooperation in the enforcement of federal statutes. More wholehearted cooperation between neighboring states in the development or conservation of natural resources will sometimes result from informal discussion by representative legislators. From the Interstate Assembly also grew the Interstate Commission on Conflicting Taxation which has achieved outstanding success and approbation.

Integration of Governmental Research

The American Legislators' Association helps to integrate the efforts of numerous reputable agencies which are working for the improvement of government. Among the many organizations in this field, some are primarily concerned with problems of city government, and others with problems of county, state, or federal government; but mutual benefit will result if their work is more closely interrelated. Research in political science is being done and material is being compiled by organizations of public officials, by educational institutions, by governmental departments, by occupational organizations, by private institutions of public character, by disinterested research agencies, by chambers of commerce, and by an endless list of other types of organizations.

CHAPTER II

Portrait of an Association

The Legislators Are Providing Services for Themselves Through Their Organization

HISTORY

THE first announcement of the project for the establishment of an association of the state legislators and an invitation to the organization meeting was issued from the office of a Colorado Senator on December 20, 1925. Announcements and invitations were sent to each of the 7,500 state legislators.

In January, 1926, came the "Embryonic Number" of "The American Legislator" with announcements of the "local council" and "general assembly" set-up, which foreshadowed future developments of the organization. Nominating and election ballots were mailed to every legislator in the United States, for the election of a House Council and a Senate Council in each state. Numbers of legislators paid dues or made sustaining contributions to the Association, but most of the financing was underwritten by the legislator mentioned in the preceding paragraph. Early in the Association's history individual dues were abandoned in favor of state appropriations to the Association. It was felt that the states benefited directly from the services of the organization and that it was unfair to collect personal dues from legislators, many of whom receive only nominal compensation.

By May of 1926, a Senate Council of three members and a House Council of four members had been established in each of the forty-eight states. The little leaflet called "The American Legislator" had become a small printed pamphlet and the title changed to "The Legislator" in February, 1926.

Seventy-six distinguished citizens—government officials, educators, engineers,

editors and others had accepted membership on the Association's Advisory Boards. Endorsements of the Association had been made by:

Denver Bar Association	May 3, 1926
Law Club of Denver	May 5, 1926
Colorado Bar Association	May 14, 1926
American Bar Association	July 14, 1926
National Conference of Commissioners on Uniform State Laws	July 15, 1926

During its formative period, the Association also received the moral support and the encouragement of such distinguished students of government as:

HERBERT HOOVER	ROSCOE POUND
ELIHU ROOT	JOHN H. WIGMORE

The first meeting of legislators from the several states came in 1926, when on July 19, "a considerable assemblage" of legislators from all parts of the country met in the Senate Chamber in Denver, adopted constitution and by-laws, and elected the following officers:

President, SENATOR HENRY W. TOLL, Colorado.

First Vice-President, SENATOR GEORGE WOODWARD, Pennsylvania.

Second Vice-President, SENATOR ALFRED L. THWING, Minnesota.

Auditor, HON. REECE A. CAUDLE, Arkansas.

In "The Legislator" for February, 1929, appeared the first mention of "a clearing-house for the Legislative Reference Bureaus of the various states." A list of those Legislative Reference Bureaus was published in that issue of the periodical, and the theory of "an informational switch-board through which any legislator or the director of any Legislative Reference Bureau can 'plug in' by letter or telegram, and be connected with

the best sources of information in the United States," was well developed.

The magazine was sent to the whole 7,500 legislators free of charge in an effort to disseminate this valuable information where it was most needed.

Thoughtful students of the legislative processes have long recognized the value of Legislative Reference Bureaus in aiding the work of state law makers, but the major difficulty with the Legislative Reference Bureaus' set-up was the fact that, no matter how well trained, one hundred and fifty Legislative Bureau employees could not adequately serve 7,500 legislators without some form of central organization. The American Legislators' Association proceeded to furnish that central organization through its Interstate Reference Bureau. The vast store of research material in the hands of individual reference bureaus can, through central exchange, be made available to other states. Thus repetition of costly research is eliminated and informed legislation facilitated. In addition, the Interstate Reference Bureau has established contacts with a considerable number of institutions and individuals engaged in governmental research.

By 1929 the Association's program included, among other projects, the publication of the periodical; an annual meeting of legislators; the formation of advisory committees; and a campaign to improve the prestige of legislative personnel.

Since moving to Chicago in 1930, the Association has made earnest efforts to carry out the various parts of this program. In the different chapters of this handbook accounts of what has been done in each direction can be found.

PURPOSE

The American Legislators' Association represents an effort on the part of legislators to give a constructive turn to the widespread criticism of legislatures which has been prevalent in this country for generations.

Underlying the entire plan is the thought that there should be a central organization to make effective all proposals calculated to improve the organization of our legislatures. The organization should also bring to each legislator the opportunity to profit

from the researches of other legislators and from organizations which have studied legislative problems. It is hoped thus to improve the quality of the law making process in the various states.

The Association is concerned with the work of the forty-eight state legislatures and their 7,500 legislators. It is not concerned with questions of federal legislation, except as they are affected by problems of state legislation. Accordingly, throughout this handbook, unless it otherwise appears, references to legislators, legislatures, and legislation refer to state legislators, legislatures and legislation.

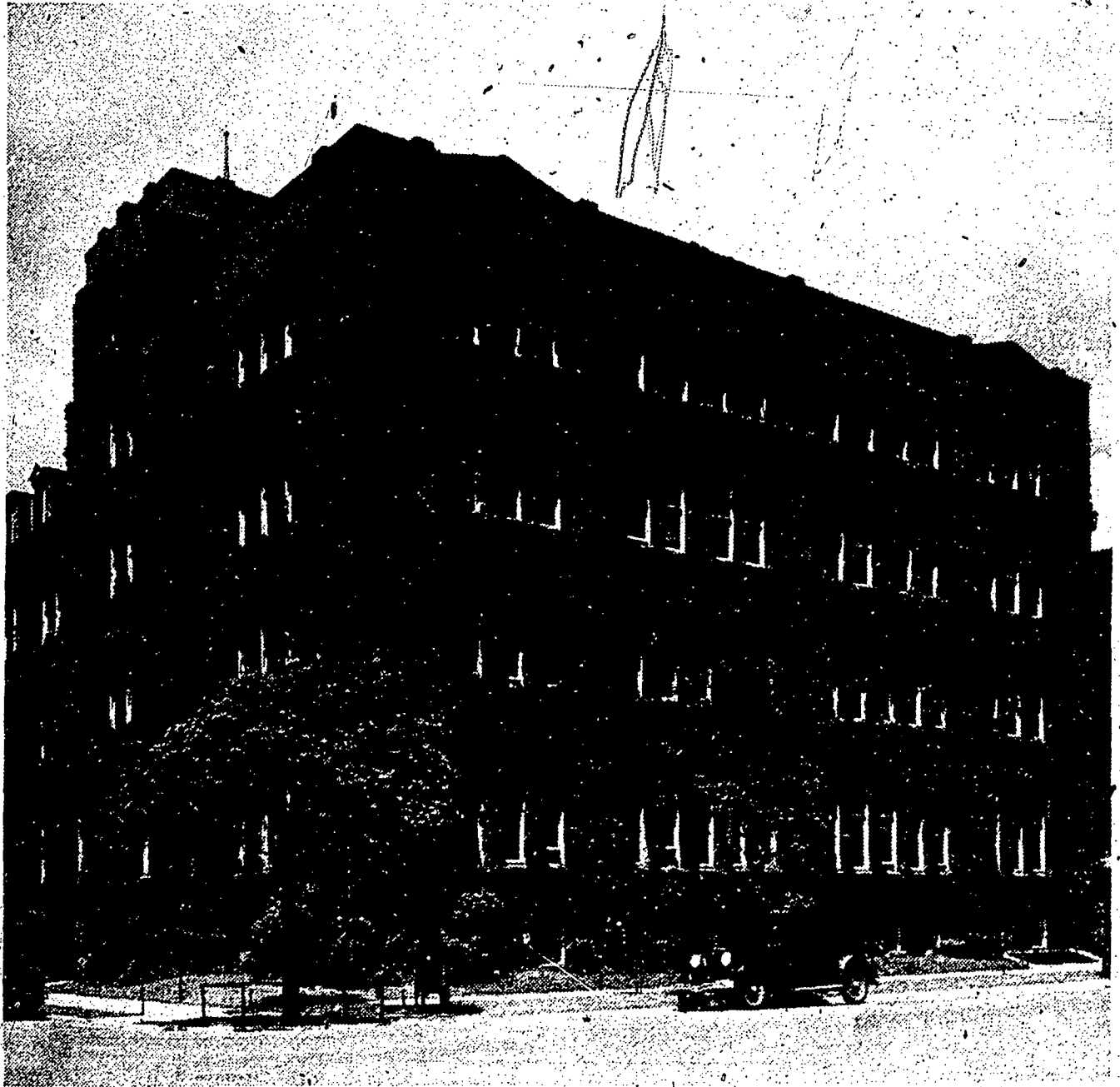
FINANCES

The American Legislators' Association was first underwritten by one legislator. During the initial years several other state legislators saw the value of the Association and made private donations ranging from \$100 to \$1,000. The Association has never received any support from any individual who has not been a member of a state legislature.

In 1930 the Spelman Fund, which is associated with the Rockefeller Foundation, made an appropriation in support of the work of the Association. The Fund has since made additional appropriations, but they will expire on December 31, 1935. In 1931 and 1932 the Julius Rosenwald Fund of Chicago also made appropriations to the Association.

As previously stated, the system of personal dues paid by active members of the organization was discontinued after the first year, and since that time the only additional source of income, except subscriptions to the Association's magazine, "State Government," has been state appropriations.

The support of the foundations was given to permit a demonstration of possibilities—not as a permanent source of income. The trustees of the Spelman Fund believed that an organization of state legislators should be established. They approved the purposes and projects of the American Legislators' Association, but promised aid only for a time on the theory that if the work was worth doing the states themselves should support it. The experiment has been a success and six of the state legislatures have made appropriations for the continued sup-



DREXEL AVENUE AND FIFTY-EIGHTH STREET, CHICAGO

The administrative offices of the American Legislators' Association occupy much of the main floor including all of the offices in the foreground. Here the Association conducts the Interstate Reference Bureau, a quasi-governmental agency, the national clearing house of legislative information. Most of this building is occupied by the secretariats of important associations of governmental officials.

port of the Association. It is, however, necessary that other states should support the work which has begun so auspiciously.

The expenditure of one thousand to five thousand dollars a year is a small price to pay for the many services which the American Legislators' Association renders. If the legislatures appropriate an average amount equivalent to the salary of two stenographers, this work can be well financed, and rendered much more effective.

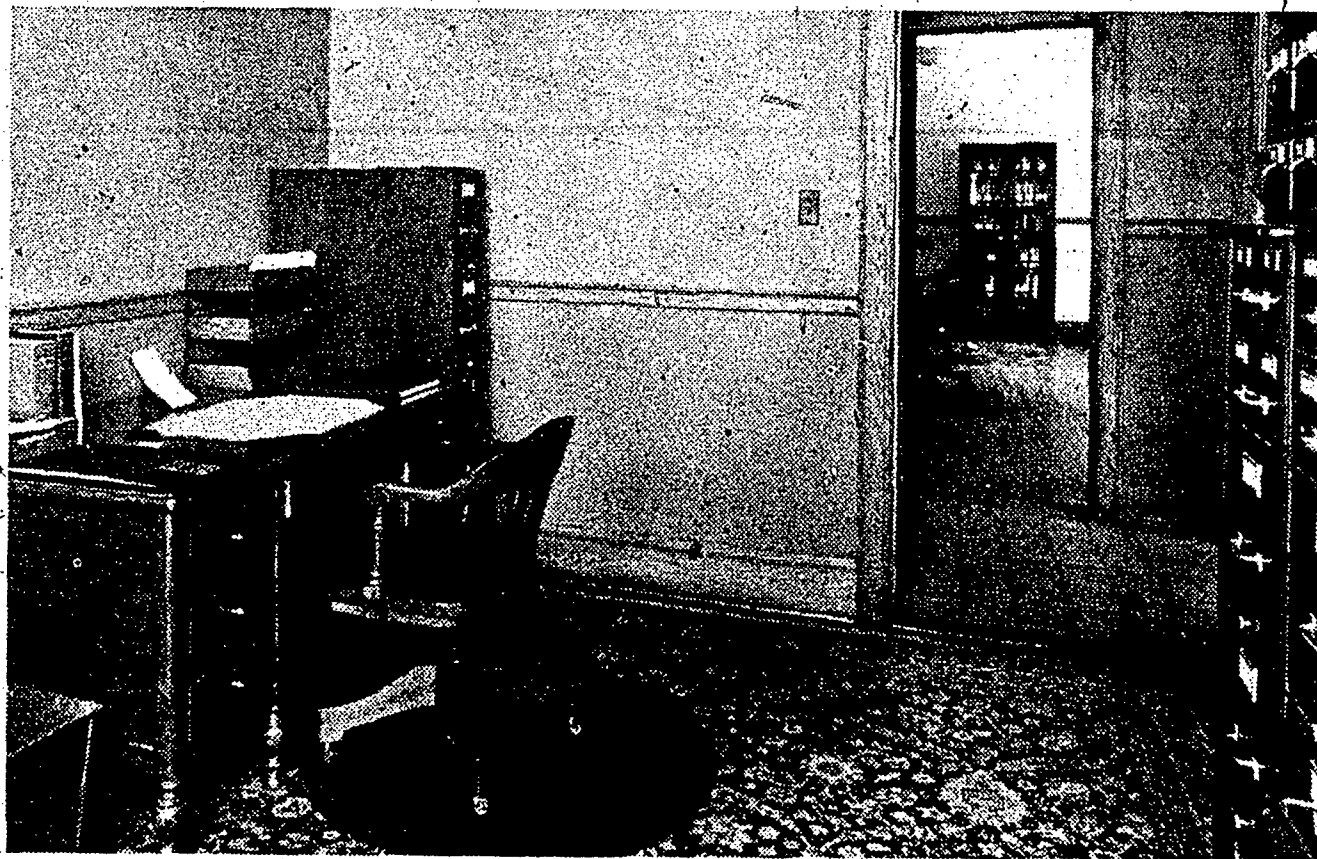
A fuller discussion of this matter will be found in Chapter XII.

LOCATION AND FACILITIES

It is important that the main offices of the Association and of the Interstate Reference Bureau be located in a central geographical position. Denver was the scene of activities from the formation of the Association in December, 1925, until the Chicago office was opened on October 17,



Views in two of the offices of the American Legislators' Association in the ivy-covered building adjoining the University of Chicago at Drexel Avenue and Fifty-eighth Street. A staff of fifteen has been here devoting itself to the assistance of legislators of all states.



1930. Chicago has proved a pivotal point from which to maintain contact with the research agencies and with the forty-eight legislatures. The Association's secretariat is now working in close cooperation with the secretariats of nearly twenty other organizations of governmental officials. The benefits of its consultant affiliation with the University of Chicago are discussed elsewhere in this book.

The services of the Interstate Reference Bureau involve a great deal of research work. In the performance of this function, the Bureau's staff receives not only the assistance of its scores of official Advisers, who are located throughout the country, but also the direct and personal cooperation of the experts who make up the political science, law, and economics faculties of the University of Chicago, a University which ranks second to none in its field.

The Chicago site also gives access to splendid University libraries of state documents, legislative journals, and session laws.

ORGANIZATION

Every member of the legislature of each of the forty-eight states is automatically a member of the Association during his term of office. The Association is governed by a board of managers, members of which must be state legislators or former state legisla-

tors. A list of the past and present managers of the American Legislators' Association is printed below. The Director is, ex officio, one of the members of the Board of Managers. The president and the two vice-presidents are elected at the annual meeting of the Association.

In each state there is a Senate Council of five Senators and a House Council of five Representatives. Members of the councils have been appointed by the president of the Association since 1927, but during 1935 a plan has been launched to secure the establishment in each House of Representatives and each Senate, where possible, of a standing Committee on Interstate Cooperation, which shall also constitute the Council of the American Legislators' Association. By this arrangement the legislature acquires the control, to which it is entitled, over the selection of its own Councilors. Hundreds of the Association's Councilors have taken pride in actively furthering the development of the organization's project. An attempt is made to keep the house and senate councils in each state as politically representative as possible. The majority party in each house usually has a majority representation on its council. A suggested resolution for establishment of a Committee on Interstate Cooperation appears at the end of this chapter.

THE AMERICAN LEGISLATORS' ASSOCIATION SUGGESTS THE ADOPTION OF A RESOLUTION ESTABLISHING AN OFFICIAL LEGISLATIVE MEDIUM FOR INTERSTATE COOPERATION

Be it Resolved:

1. That there is hereby established a standing committee of this House of Representatives (or Senate), to be known as the Committee on Interstate Cooperation, to be composed of five members.
2. That the members of the present session shall be forthwith appointed by the Speaker of the House of Representatives (President of the Senate). This Committee shall devote its attention primarily to the improvement of relationships of the government of this state with the governments of the forty-seven other states, and more especially with the governments of neighboring states. This Committee shall also give attention to the more effective cooperation of the government of this state with the federal government.
3. That this Committee shall also constitute the Council of the American Legislators' Association for this House of Representatives (Senate).
4. That the passage of this Resolution shall constitute an amendment of the rules of this House of Representatives (Senate).

3 PORTRAIT OF AN ASSOCIATION

9

PRESENT BOARD OF MANAGERS



WILLIAM B. BELKNAP



HAROLD M. GROVES



HENRY W. PARKMAN

BELKNAP, WILLIAM B.—*Agriculturist*. Member of the Kentucky House of Representatives 1924–1928 and 1934–. President of the American Legislators Association, 1932–1935.

CHINNOCK, JAMES T.—*Lawyer*. Member of the Oregon House of Representatives 1928–1932. Member of Oregon Senate 1932–.

GROVES, HAROLD M.—*Educator*. Member of the Wisconsin Assembly 1930–1932. State Tax Commissioner 1932–1934. Member of the Wisconsin Senate 1934–.

PARKMAN, HENRY, JR.—*Lawyer*. Former member of the Boston City Council. Member of the Massachusetts Senate 1926–.

SMITH, THOMAS V.—*Educator*. Member of the Illinois Senate 1934–.

TOLL, HENRY W.—*Lawyer*. Member of the Colorado Senate 1922–1930. Executive Director of the American Legislators' Association. Picture on page 14.

WADSWORTH, JAMES J.—*Agriculturist*. Member of the New York Assembly 1931–.

WOODWARD, GEORGE.—*Physician*. Member of the Philadelphia Board of Health 1896–1900. Member of Pennsylvania Senate 1919–.

YANTIS, GEORGE F.—*Lawyer*. Member of Washington House of Representatives 1930–. Speaker of the House of Representatives 1933–1935.



THOMAS V. SMITH



JAMES J. WADSWORTH



GEORGE F. YANTIS

Past and Present Managers of the American Legislators' Association

BAXTER, SENATOR HOWARD F.....	Michigan	1927-28-29.
BELKNAP, HON. WILLIAM B.....	Kentucky	1927-28-29 V-Pres. 1931 Pres. 1932-33-34.
BOHRER, SENATOR FLORENCE FIFER.....	Illinois	1932.
BOLTON, SENATOR CHESTER C.....	Ohio	1926-27-28-29.
BRADLEY, HON. MARTIN R.....	Michigan	1934.
CASTLE, HON. HOWARD P.....	Illinois	1927-28-29-30.
CAUDLE, HON. REECE A.....	Arkansas	Auditor 1926.
CHAMBLISS, SENATOR JOHN A.....	Tennessee	1931-32-33.
CHILD, SENATOR SHERMAN W.....	Minnesota	1933-34.
CHINNOCK, SENATOR JAMES T.....	Oregon	1934.
CORBETT, SENATOR HENRY L.....	Oregon	1933.
COULTER, HON. BERN C.....	Nebraska	1926.
COX, HON. GORDON.....	North Dakota	1931-32.
CUMMINS, HON. J. WILLIAM.....	West Virginia	1932.
DAVIS, SENATOR MANVEL H.....	Missouri	1930.
EDMONDS, HON. FRANKLIN S.....	Pennsylvania	1927-28-29.
FITZHUGH, SENATOR SCOTT.....	Tennessee	1930-31.
GORDON, HON. DOUGLAS H.....	Maryland	1934.
GROVES, SENATOR HAROLD.....	Wisconsin	1934.
HADDEN, HON. JOHN A.....	Ohio	1930.
HAIGIS, SENATOR JOHN W.....	Massachusetts	1926.
HALL, SENATOR CHARLES W.....	Washington	1932.
HANDY, SENATOR FRED.....	California	1926.
HERBERT, HON. R. BEVERLEY.....	South Carolina	1933-34.
HOLLINGSWORTH, SENATOR GEORGE R.....	Utah	1927-28-29.
JACKSON, SENATOR NAAMAN.....	West Virginia	1926-27-28-29.
JOHNSON, STANLEY H.....	Colorado	Asst. Dir. 1930.
KING, HON. EDWARD C.....	Colorado	Auditor 1930.
LIGHTNER, HON. MILTON C.....	Minnesota	1927-28-29, 1931-32.
LONDON, SENATOR HENRY M.....	North Carolina	1930-31.
MARSHALL, SENATOR LYCURGUS L.....	Ohio	1933-34.
MASTICK, SENATOR SEABURY C.....	New York	1927-28-29. Second V-Pres. 1931-32-33. 1934.
McKENNON, SENATOR PAUL.....	Arkansas	1930-31.
MERRIAM, GOVERNOR FRANK F.....	California	1934.
MOFFAT, HON. ABBOT LOW.....	New York	1933.
MORRIS, SENATOR OSCAR H.....	Wisconsin	1932.
NELSON, SENATOR HERBERT.....	California	1927.
NORTON, SENATOR LAURENCE H.....	Ohio	1931-32.
O'DONNELL, SENATOR THOMAS W.....	Utah	1926.
PARKMAN, SENATOR HENRY, JR.....	Massachusetts	1931-32-33. Second V-Pres. 1934.
PATTERSON, HON. ROBERT L.....	California	President 1928-29-30 Member 1931-32-33.
PAUL, SENATOR WILLIAM J.....	Montana	1926.
REID, HON. HUGH.....	Virginia	1933.
REIS, SENATOR ALVIN.....	Wisconsin	1933.
ROBBINS, HON. JOSEPH L.....	South Dakota	1926-27-28-29-30-31.
RODMAN, SENATOR JAMES A.....	Nebraska	1932.

PORTRAIT OF AN ASSOCIATION

11

SCHANTZ, SENATOR HORACE W.....	Pennsylvania	1926
	V. Pres. 1928-29-30.	
SEARCY, SENATOR EARL B.....	Illinois	1926.
SHATTUCK, HON. HENRY L.....	Massachusetts	1927-28-29-30.
SMITH, HON. WILLIS.....	North Carolina	1932-33.
SMITH, SENATOR THOMAS V.....	Illinois	1934.
STERLING, HON. PHILIP.....	Pennsylvania	1933-34.
THWING, SENATOR ALFRED L.....	Minnesota	1926: (Second V-Pres.)
TOLL, SENATOR HENRY W.....	Colorado	President 1925-26-27
	Executive Director since 1927.	
UTTER, HON. GEORGE B.....	Rhode Island	1926-27-28-29-30.
WADSWORTH, HON. JAMES J.....	New York	1934.
WAYBRIGHT, HON. EDGAR W.....	Florida	1926.
WOODWARD, SENATOR GEORGE.....	Pennsylvania	First V-Pres. 1926-27
	Member 1930	
	First V-Pres. 1932-33-34.	
YANTIS, HON. GEORGE F.....	Washington	1934.
YOUNG, SENATOR SANBORN.....	California	1928-29-30-31.



Office of the Executive Director of the American Legislators' Association

Officers

The Association's elective officers, whose terms are annual, include a president, first vice president, and second vice president. The organization has been singularly fortunate in its choice of officers. They have been energetic and helpful in every instance, and they have effectively cooperated to bring the Association to a useful position in a comparatively short period of time.

Presidents of the American Legislators' Association

HENRY W. TOLL, Member of the Colorado Senate, 1922-1930. President of the American Legislators' Association, 1926-1928.

ROBERT L. PATTERSON, Member of the California Assembly, 1924-1934. President of the American Legislators' Association, 1929-1931.

WILLIAM B. BELKNAP, Member of the Kentucky House of Representatives, 1924-1928 and 1934. President of the American Legislators' Association, 1932-1934.

Advisory Personnel

The major source of information in most states is the Legislative Reference Bureau or the State Library. Occasionally it is desirable to use other sources of information, and clerks of legislative houses, secretaries of state and attorneys-general have also cooperated cordially in the task of gathering information.

The American Legislators' Association has also been successful in bringing experts together on functional committees. These committees composed for the most part of legislative and administrative officials have worked out constructive programs on some of the most difficult problems of state government.

The following names, reprinted from a list of advisers published in the January 1933 *State Government*, illustrate the type of men and women who serve on these boards.

Miss Amy Abbott
Governor William H. Adams
Dr. Herman M. Adler
Dean Carlos C. Alden
Judge John C. Anderson
Miss Mary Anderson
President James R. Angell
William Lane Austin
Arnold R. Baar
Charles M. Babcock
Hon. Roland W. Baggett
William Bailey
Judge Chester W. Barrows
Dean Henry M. Bates
E. F. Bean
Prof. George E. Beers
Dr. George H. Bigelow
Hon. J. Crawford Biggs
DeWitt Billman
Dr. Walter V. Bingham
Governor Ibra C. Blackwood
Hon. Francis G. Blair
Mrs. Amy Steinhart Braden
Dr. Sanger Brown
Governor Wilber M. Brucker
Miss Edna D. Bullock
Kenneth F. Burgess

Rush C. Butler
Pres. Kenyon L. Butterfield
George A. Campbell
Hon. Robert D. Carey
Governor Doyle E. Carlton
Dr. W. E. Castle
Prof. Joseph P. Chamberlain
Charles L. Chute
Governor Alonzo M. Clark
Prof. Leon J. Cole
William H. Connell
Dr. G. M. Cooper
William J. Cooper
Dr. Henry A. Cotton
Pres. John Lea Coulter
Clarence Darrow
Governor George H. Dern
Prof. John Dewey
William H. Dick
Walter F. Dodd
Pres. Harold W. Dodds
Dr. Charles Duncan
Prof. Richard T. Ely
Harrington Emerson
Dr. Haven Emerson
Dr. Arthur H. Estabrook
Dr. Fred R. Fairchild
President Livingston Farrand

Judge Frederick F. Faville
President Frederick C. Ferry
Harold Fields
Judge Lincoln Frost
Governor William Tudor Gardiner
President Harry A. Garfield
Charles W. Gerstenberg
Dr. Clarence P. Gillette
Prof. John L. Gillin
Dr. Henry H. Goddard
Dean Frederick A. Goetze
Sidney S. Gorham
E. S. Gosney
Prof. John H. Gray
Governor Warren Green
John F. Griffin
F. D. Grist
Dr. Don M. Griswold
Luther Gulick
Dr. L. V. Guthrie
Prof. Michael F. Guyer
Prof. Alice Hamilton
Prof. M. B. Hammond
William E. Hannan
Ex-Governor Cary A. Hardee
Prof. Herbert Harley
E. A. Harriman
Dr. Hastings Hart
Prince A. Hawkins

Dr. William Healy
President Ralph D. Hetzel
Angus S. Hibbard
Herbert A. Hickman
Dr. William J. Hickson
Alfred E. Holcomb
Rev. John Haynes Holmes
Dr. Samuel J. Holmes
Charles E. Huff
Robert T. Hurley
Raymond V. Ingersoll
Mrs. Solon Jacobs
Henry W. Jessup
Dean Arthur N. Johnson
Mrs. Kate Burr Johnson
Dr. Roswell H. Johnson
Dr. Carroll T. Jones
Judge Norman L. Jones
Dr. Edwin O. Jordan
Dr. Charles H. Judd
Dr. John Harvey Kellogg
Hon. Clyde L. King
Dean George W. Kirchoff
Miss Esther Everett Lape
Prof. John A. Lapp
Dr. Harry H. Laughlin
Louis A. Lecher

Frederic P. Lee
Hon. William Draper
Lewis
Prof. Arnold J. Lien
Prof. Frank R. Lillie
Judge Ben B. Lindsey
President Clarence C.
Little
Dr. Morton G. Lloyd
Henry M. London
Hon. Chester I. Long
President Charles A.
Lory
Owen R. Lovejoy
President A. Lawrence
Lowell
Dr. William Palmer
Lucas
Miss Emma O. Lund-
berg
Gen. Nathan W. Mac-
Chesney
Hon. Thomas Mad-
dock
Hon. Pliny W. Marsh
President Max Mason
Dr. Francis N. Maxfield
Judge Virginia H. May-
field
John A. McGilvray
Judge M. L. McKinley
LeRoy McWhinney
Prof. Charles E. Mer-
riam
Vernon Metcalf
Herman H. B. Meyer
Judge Jesse A. Miller
Dean Justin Miller

Hon. Harriett May
Mills
Prof. W. C. Mitchell
Prof. Paul Monroe
Joy Elmer Morgan
Dr. W. P. Morrill
George Maurice Morris
W. F. Morrish
Robert Moses
Prof. Wm. E. Mosher
Prof. Wm. B. Munro
J. Prentice Murphy
Hon. Louis M. Myers
Jesse H. Newlon
Dr. Matthias Nicoll, Jr.
President George Norlin
Dr. John K. Norton
Judge T. Scott Offutt
Walter C. O'Kane
Conrad P. Olson
Judge Samuel H. Ord-
way
Thomas I. Parkinson
Governor Harvey Par-
nell
Dr. W. D. Partlow
Hon. Edgar A. Perkins
President Elmer G.
Peterson
Herbert S. Phillips
Judge Orie L. Phillips
Governor Gifford Pin-
chot
E. Gresvenor Plowman
Dr. Clarence Poe
Governor John G. Pol-
lard
Paul Popenoe

George Ross Pou
Dean Roscoe Pound
Dr. Michael I. Pupin
Hon. Lawson Purdy
Hon. Berne A. Pyke
Dr. Watson S. Rankin
President Charles A.
Richmond
Dr. Austen Fox Riggs
Hon. D. E. Riordan
Dr. Edgar E. Robinson
Governor James Rolph,
Jr.
Governor C. Ben Ross
Dr. Edward A. Ross
Chester Harvey Rowell
Dr. Arthur H. Ruggles
Robert E. L. Saner
Paul D. Sargent
Hon. Martin Saxe
Paul Scharrenberg
Governor Arthur Selig-
man
Prof. Edwin R. A.
Seligman
Dr. Clayton H. Sharp
Dr. Florence Brown
Sherbon
Robert P. Shick
Judge H. Hoyle Sink
Dr. C. J. Smith
Ernest N. Smith
Dr. William F. Snow
President Robert G.
Sproul
Dr. Herbert R. Stolz
Prof. George D. Strayer
Prof. F. B. Sumner

President Henry Suz-
zallo
Louis J. Taber
Prof. Frank W. Taussig
Miss Ruth Taylor
Prof. Lewis M. Terman
Hon. Charles S. Thomas
Dr. John J. Tigert
Maj. Edgar B. Tolman
George G. Tunnell
A. L. Urick
Miss Gertrude Vaile
Dr. Miriam Van Waters
Hon. George Vaughan
Dr. Henry F. Vaughan
Dr. Jacob Viner
Hon. August Vollmer
John H. Voorhees
Dr. W. F. Walker
Dr. James J. Waring
Governor George White
Leon F. Whitney
Dean John H. Wigmore
Dr. Frankwood E.
Williams
Sidney J. Williams
Charles C. Williamson
Prof. Samuel Williston
Governor John G. Win-
ant
M. S. Winning
Dr. Charles E. A.
Winslow
Governor Harry H.
Woodring
Dr. Robert M. Yerkes
George B. Young
William F. Yust

STAFF

Every effort has been made to equip the Association with as able and efficient a staff as possible. The Executive Director has been active for many years in the American Bar Association and as a Commissioner on Uniform State Laws as well as in the Association. He has been a member of the University of Chicago Political Science Faculty since 1930. All of the fifteen full-time staff members of the Association are college graduates; five of them have served on college faculties. A former member of the staff was called to the position of Director of the Social Science Faculty of Colgate University. His successor has served on two of the notable political science faculties of the country—Harvard and Chicago. Six of the men on the staff have occupied governmental positions, in the service of city, county, state and federal governments.

An Appraisal

In a recent address, the Executive Director of the Association said:

"It has been a great privilege to direct the staff of this organization. I am glad of this opportunity to make public acknowledgment of their work. Every one of them is loyal, intelligent and devoted to the cause of legislative improvement. With professional zeal they have all worked long hours of overtime—far beyond the limit permitted by any code.

"Most of the staff members have been carrying forward the Association's projects for several years. Especial mention is due to Miss Margaret Casmon who, only a few years ago, constituted the entire staff assisting the Director. Her grasp of the Association's problems and her unfailing sense of humor have played an important part in the organization's progress. Her spirit is typical of the attitude of the entire staff."

Executive Director

TOLL, HENRY WOLCOTT, lawyer; b. Denver, Colo., Nov. 5, 1887; s. Charles Hansen and Katharine Ellen (Wolcott); B.A., Williams



HENRY W. TOLL

*Executive
Director*

Coll., 1909; Harvard Law Sch., 1909-11; LL.B., U. of Denver Law Sch., 1912. m. Cyrena Van Syckel Martin, of Phila., Pa., Mar. 29, 1918; children—Cyrena-Carol, Hendrik Wolcott, Giles Darwin, Marcia. Admitted to Colo. bar, 1912; mem. firm Grant, Ellis, Shafroth & Toll since 1927; mem. faculty U. of Chicago, polit. science dept., since 1931. Mem. State Senate, Colo., 1923-31 (chmn. com. on banking). President, 1926-28, exec. dir., 1928 —, Am. Legislators' Assn. Member bd. dirs. Denver Chamber Commerce, 1924; trustee Denver Art Mus., 1927 —; Mem. Am. Bar Assn. (v.p., Colo., 1931), Colo. Bar Assn., Denver Bar Assn. (pres. 1928-29), Law Club (pres. 1925-26), Denver City Club (pres. 1923-24). Acad. Polit. Science, Am. Acad. Polit. and Social Science; charter mem. Denver Civic League; del. to Nat. Conf. Bar Assn. Delegates, 1923-29; mem. for Colo. of Commn. of Uniform State Laws, 1931. Exec. Dir., Council of State Governments, 1933—. Clubs: Cactus, Mile High (v.p. 1926-27), Denver, Quadrangle, Denver Athletic, Denver Press, Colo. Mountain, Denver Country; Williams College (New York); Quadrangle (Chicago). Kappa Alpha, Phi Delta Phi. Home: 777 Vine St. Office: Equitable Bldg., Denver, Colo.; also Drexel Ave. and 58th St., Chicago, Ill.

Research Division

GALLAGHER, HUBERT R. Born, Salida, Colorado, January 8, 1907. Son of Hugh and Margaret Dinsmore Gallagher. Preparatory education, Grand Junction High School (Colo.); A.B., Stanford University, 1929; Universite de Dijon, France, summer 1927; Fellow, School of Citizenship, Syracuse University and National Institute of Public Administration, New York City; M.S., Syracuse University, 1930; Married Luthera Wakefield of Denver, Colorado, July 29, 1930. Child—Hugh Gregory. Research assistant and instructor, School of Citizenship, Syracuse University, 1930-32; New York State Bureau of Municipal Information, 1930; member survey staff, National Commission on Law Enforcement (Wickersham Commission), 1931; survey of Syracuse for President's Commission on Social Trends, 1931; acting assistant professor Stanford University, 1932; Research

HUBERT R.
GALLAGHER

*Director,
Research
Division*

Consultant, American Legislators' Association since 1932. Fraternities: Delta Tau Delta, Pi Sigma Alpha, National Honorary Political Science Fraternity. Member: Governmental Research Association. Author "Crime Prevention as a Municipal Function," and articles in professional journals.

ROBINSON, DAVID WELLINGTON, b. Burlington, Iowa, November 9, 1909; s. Harry Edgar and Nell (Stone) R.; A.B., Oberlin College, 1931; M.A., University of Cincinnati, 1933. Research Assistant, Cin-

cinnati Bureau of Governmental Research, 1933-34. Publications: "A Survey Defining the Boundaries of the Cincinnati Region," "The Township Government in the State of Ohio, with particular reference to

Bureau, Board of Directors, National Civil Service Reform League; Executive Secretary, Massachusetts League of Municipalities. Research Consultant and Editor of *State Government* of American Legislators'

DAVID W.
ROBINSON

*Research
Associate*



GEORGE C. S.
BENSON

*Director,
Publications
Division*



Hamilton County," "A Study of the Population of the City of Cincinnati and the Cincinnati Region with Predictions as to Future Growth and Trends." Research Associate, American Legislators' Association, 1934—. Member, Phi Kappa Psi Fraternity. Episcopalian. Home (tem.): 6838 Jeffrey Ave., Chicago. Office: American Legislators' Association, 850 East 58th St., Chicago.

EVELYNE SPARLING, b. Toronto. Daughter, Frederick William and Anna Louise (McCoubrey). Ph.B., Univ. of Chicago, J.D., Univ. of Chicago Law School, 1928-31. Research Assistant, American Legislators' Association, 1931—. Member, Legal Sorority, Kappa Beta Pi.

Publications Division

BENSON, GEORGE CHARLES SUMNER. Born New York City, Jan. 16, 1908. Son, Rev. Eugene H. and Helen (Sumner) B., Educ. public schools, Ukiah, California. A.B., Pomona College, 1928; A.M., Univ. of Ill., 1929; A.M., Harvard, 1930; Ph.D., Harvard, 1931. From 1932 to 1934 head tutor of Lowell House, Harvard. Research Director, Harvard Bureau of Municipal Research. Chairman, Public Service Committee, Massachusetts Civic League; Board of Directors, Boston Municipal Research

Association, 1934—. Member: Phi Beta Kappa, Governmental Research Association, American Political Science Association. Author: book "Financial Control and Integration," (1934) and articles on governmental matters.

GRISWOLD, S. SMITH, b. Seattle, Washington, March 7, 1910. s. Will and Phyla (Altmyer) G. A.B.; Stanford University, 1932; A.M., 1934. m. Frances Carolyn

S. SMITH
GRISWOLD

*Research
Associate*



Brabrook, of Whittier, California, June 17, 1934. Research Assistant, Stanford University, 1931-33. Organization Assistant,

Merced County California Taxpayers' Association, 1933. Investigator, Los Angeles County Bureau of Efficiency, 1933-34. Research Assistant, Los Angeles County Commission on Governmental Simplification, 1933-34. Organization Consultant, Los Angeles Community Welfare Federation, 1934. Research Associate, American Legislators' Association, 1934. Member: Alpha Sigma Phi, Phi Beta Kappa, Pi Sigma Alpha (national honorary Political Science fraternity), Phi Delta Kappa (national honorary educational fraternity). Author: Statistical Study of the San Francisco East Bay Area with a View to Consolidation, 1932. Functional Survey of the Special Purpose Districts in Los Angeles County, 1933. Survey of Los Angeles County Fire Protection Districts with a Proposed Plan of Reorganization, 1934. Los Angeles Community Welfare Federation Personnel and Organization Analysis, 1934.

GIBBERD, MABEL, b. Chicago, daughter, Herbert William and Helen Mary. University of Chicago, 1929, Ph.B., and A.M., 1931. Literary Editor, State Government, 1933.

Legislative Personnel Division

HOISINGTON, ROBERT MORRIS, b. Topeka, Kansas, July 10, 1907; s. Morris Earl and Bess H.; A.B., University of Colorado,

R. MORRIS
HOISINGTON

*Research
Associate*



1930; M.S., University of Syracuse, 1931. Executive Secretary, Cincinnati Regional Crime Committee 1931-1934. Legislative Personnel Secretary of the American Legis-

lators' Association, 1935—; Member, Delta Tau Delta and Delta Sigma Pi. Author: A "Pay As You Go Plan" for Rochester, N. Y., (Master's thesis); Bail Administration in the Cincinnati Region; Development of the Cincinnati Regional Police Plan; A Unified Adult Probation Dept. for Hamilton Co., O.; The Use of Social Information in the Municipal Court of Cincinnati, O.; A Study of 100 Jail Prisoners—leading to: An "Honor System" of Arrest For Cincinnati, O.; Juvenile Wards and Their Cost to Cincinnati; Care of Behavior Problem Children in Glenview and Hillcrest Schools; The Administration of the Municipal Court of Hamilton, O.; A Centralized Department of Law Enforcement for Hamilton Co., O.; "Open Cases," on the Docket of the Circuit Court of Campbell Co., Ky.; A Survey of Police Beats and Distribution of Personnel (Cinci.). Also published regular quarterly reports on court and crime conditions in Cinci. (report of the Cinci., Regional Crime Comm.) Edited and published monthly "Regional Police Journal." Taught course in "Police Administration" at Univ. of Cinci.

Tax Research Division

MARTIN, JAMES W., b. Muskogee, Indian Territory (Oklahoma), September 11, 1893; A.B., East Texas State Teachers College, 1920; graduate study: June, 1920 to June, 1921; Vanderbilt University and Peabody College (A.M. 1921); University of Chicago, June 1922 to June, 1924 and summer of 1928 (res. in Washington, D. C.) M. Pearl Palmer, Antlers, Oklahoma, 1920; Dorothy Velandar, Vermilion, Illinois, 1925; Children, J. Mayo, Lula Boyd, Douglas; Acting Professor of Education, State Normal College, Florence, Alabama, summer 1921; Professor of Education and Director of Training School, Alabama College for Women, Montevallo, Alabama, 1921-22; Teaching Assistant in Economics, University of Chicago, 1922-24; Lecturer in Economics, Northwestern University, 1923; Summer Teacher of Economics, Peabody College, 1924; Associate Professor of Economics, Emory University, 1924-28; Professor of Economics and Director of Bureau of Business Research, University of Ky., 1928—. Member of American Economic Association, Royal Economic

Society (English), American Political Science Association; Governmental Research Association; National Municipal League; Southern Economic Association (Vice-President, 1929—); Kentucky Academy of Social Sciences (Secretary two



JAMES W.
MARTIN

Director,
Tax Research
Division

terms and President one); American Association of University Professors (Council and Executive Committee since 1932); Phi Eta, Beta Gamma Sigma; Kentucky Tax Reduction Association (Director since 1933); National Tax Association (Executive Committee since 1931); and Tax Research Foundation (Executive Committee from organization and President, 1929-33). Author: *Introduction to Social Sciences* (with Ross McLean); *Syllabus for Elementary Economics* (with Mercer Evans); *A Five-Year Plan of Tax Research for the Southern States* (prepared as Chairman of the Southern Tax Committee, 1931 to date, of the Social Science Research Council); *An Immediate Tax Program for Kentucky*; *Some Aspects of the Separation of Sources of State and Local Revenues* (with C. M. Stephenson); *Possibility of Income Taxes as a Source of State and Local Revenue*; *Recent State Gross Sales Tax Legislation*; four official National Tax Association reports on Motor Vehicle Taxation (submitted as Chairman of the Association's Committees on Motor Vehicle and Related Taxes); and numerous other articles, monographs and reports dealing with economics and teaching of economics and particularly with public finance. Editor, University of Kentucky *Studies in Economics and Business* and of the "Comparative Tax Tables" of the Tax Research

Foundation's *Tax Systems of the World*. Consultant on taxation and/or other problems of finance to: Georgia Manufacturers Association, State Tax Survey Commission, 1924-25 (member of Commission); State Tax Commissioner of Georgia, 1925-28; several Kentucky cities and counties; Kentucky Education Association, Kentucky Farm Bureau, State of Kentucky (Governor, Attorney-General, Superintendent of Education, State Tax Commission); South Carolina Special Commission on Motor Regulation and Taxation; Kentucky Educational Commission.

AKERS, JOHN McCORKLE. Born in Maysville, Kentucky, April 5, 1907. Son of Reverend W. W. and Elizabeth Scott Akers. A.B., Davidson College, Davidson, North Carolina, 1928; A.M., University of North Carolina, Chapel Hill, North Carolina, 1932; Graduate Student and Teaching Fellow at Duke University, Durham, North Carolina, 1932-33; Graduate Student at Princeton University, Princeton, New Jersey, 1933-34. Teacher in the Piedmont Junior High School, Charlotte, North Carolina, 1928-31. Dean of Boys, Piedmont Junior High School, 1930-31. Member of Phi Beta Kappa, Pi Kappa Alpha, Scabbard



JOHN M. AKERS

Research
Associate

and Blade. First Lieutenant 322nd Infantry, Officers Reserve Corps. Master's thesis written and placed in University of North Carolina Library—Financial Study of Charlotte, North Carolina, 1917-29. Residence: 201 Irwin Avenue, Charlotte, North Carolina. Chicago Residence: 5436 Ellis Ave.

MACON, HERSHAL L. b. Ramseur, North Carolina, Dec. 14, 1900. —B.S., Guilford College, N. C., 1924; M.A., Haverford College, Penna., 1925; Ph.D., University of North Carolina, 1932. M. Lalah Cox, Sept. 10, 1929. Social Science teacher, R. J. Reynolds High School, Winston-Salem, N. C., 1925-27; Research assistant,



HERSHAL L.

MACON

Research
Associate

N. C. Tax Commission, 1928; Instructor in economics, University of N. C., 1929-30; Assistant Professor of economics, Alabama Polytechnic Institute, Auburn, Alabama, 1930-31; Associate Professor of economics, Alabama Polytechnic Institute, 1931-33; Assistant Director of Economic Research and Editor of *Alabama Economic Review*, 1931 and 1932; Research associate, Institute for Research in Social Science, University of N. C., 1933-34. Theses: M.A.—Development of Municipal Functions of the City of Philadelphia. 1886-1920. Ph.D.—

A Fiscal History of North Carolina, 1776-1860. Publications: "Interstate Comparison of the Tax Burden on the Cotton Textile Industry," *N. C. Club Yearbook*, 1928. "Severance Taxes in Alabama," *The Tax Magazine*, March-April, 1934. "Distinction Between Wholesale and Retail for Sales Taxation in North Carolina," *The Tax Magazine*, August, 1934. "Mechanics of Administering the North Carolina Sales Tax," *The Tax Magazine*, September, 1934.

HONEY, MARK ADA, b. Spurrier, Kentucky, daughter, John Ray and Effie Spurrier, student Univ. of Kentucky, 1928-1934, Secy. to Librarian, Univ. of Kent., 1932-34; Member Beta Gamma Sigma, Commerce Fraternity.

Office Division

CASMON, MARGARET ANN, b. Denver, Colorado; daughter, John F. and Anna (Berry) Casmon; A.B., University of Colorado, 1925; secretary American Legislators' Association, 1926-1930; office manager, 1930—.

SHIPPET, MARTHA, b. Dixon, Illinois; daughter, John and Martha (Slessner) Shippert; B.S., Northwestern University, librarian, American Legislators' Association 1931-1935.

SCHNELLER, HELEN L., b. Chicago, Illinois; daughter, James and Anna (Hilgenberg) Schneller; Ph.B., University of Chicago, 1932. Departmental Secretary, American Legislators' Association, 1932—.

CHAPTER III

The Other Forty-Seven

A Magazine Which Summarizes the Statutes of All the States

"The American Legislator"

IN December, 1925, copies of a blue four-page leaflet, 8½ x 11, printed in small type and designated as Number 1 of Volume I of "The American Legislator," were mailed by the American Legislators' Association to 11,000 individuals, including all of the 7,500 state legislators throughout the United States. In 1926 the Association continued the publication of this leaflet, then captioned "The Legislator," with a monthly circulation of 11,000 copies.

During 1927 and 1928 the Association published no periodical, but in 1929 it resumed publication of "The Legislator" in the form of an eight-page 7x10 bulletin, with colored cover. This modest pamphlet, issued throughout the year at average intervals of two months each, was published primarily to disseminate news and comments concerning the American Legislators' Association, and to develop an understanding of the character of the organization.

For several years, however, the Association has been looking forward to the time when it could begin the development of a magazine of very different character, and now this design has been partially fulfilled.

"State Government"

The legislator (collectively speaking) is not concerned merely with parliamentary procedure, the mechanics of the legislative assembly, the organization of legislative committees, the drafting and consideration of bills, and the length of sessions. He is a member of the Board of Directors of his state, and in most departments of the government every dollar which is spent has

been made available by his sanction, and most of the projects which are thwarted have been blocked by him.

The legislator cannot do his task intelligently unless he has some comprehension of the proper functioning of a highway department, a health department, an educational department, an industrial commission, a bank's department, an orphans' home, a girls' reformatory, and an insane asylum. He must form opinions concerning the advisability of Civil Service, the need of State Police, and the desirability of state bonds for various purposes. In order to perform his work properly, he should have a fair comprehension of the problems which are confronting the Governor, the Attorney-General, the Secretary of State, the State Treasurer, the State Auditor, and every other responsible state official.

Accordingly, the magazine of the American Legislators' Association changed its self-conscious title, "The Legislator," to a designation which actually describes the legislator's science: "State Government." And in touching upon all fields which are of legislative interest it has automatically become valuable to other groups of state officials.

Editing and Publishing

This magazine is compiled and edited by the Interstate Reference Bureau, which is jointly sponsored by the Council of State Governments and the American Legislators' Association. The Executive Director of the Reference Bureau is ex-officio editor-in-chief of the magazine. One of the research consultants of the Bureau, Mr. George C. S. Benson, acts as managing editor and Miss Mabel Gibberd is literary editor. The

Interstate Reference Bureau looks forward to the organization of a Board of Editors composed of political scientists of standing who are located in various parts of the United States. The editor will sincerely welcome the submission of manuscripts, and he requests suggestions concerning subjects and authors for forthcoming numbers, as well as any criticisms—constructive, destructive or obstructive.

In its present form, "State Government" receives subscriptions from many sources. Not only are enterprising governmental executives and legislators interested—it is anticipated that eventually every legislator will receive this magazine—law offices, many corporations, and many associations also find it useful in following legislative and other governmental affairs. Students of political science in undergraduate and postgraduate courses discover that it is a helpful sourcebook. And since its subject is the direct concern of every thoughtful citizen, numbers of private individuals are listed among the magazine's subscribers.

Persons who wish to subscribe may send their subscriptions to the Circulation Department, State Government, American Legislators' Association, 58th and Drexel, Chicago, Illinois, accompanied by a check for \$2.50. "State Government" will then deliver its cargo of interesting and valuable material once a month for the ensuing year.

"State Government" articles are indexed in the International Index to Periodicals, published by H. H. Wilson Company. This index is readily available in a large number of state, university, and public libraries. It is published five times a year, with an annual volume in July in which all entries of the preceding year are cumulated. The more pretentious articles are also summarized in the Legal Periodical Digest Service, prepared by the Commerce Clearing House. Since 1930, the articles in "State Government" have been indexed regularly in the Public Affairs Administration Service and in the Municipal Reference Library notes issued by the New York Public Library. The magazine is listed in the "Monthly Check List of State Publications" published by the division of documents of the Library of Congress.

Contributors to State Government

A magazine resembles a glass. Its size and shape are fixed. The interesting question is: What beverage is to be served in it? The editors of "State Government" desire to proffer to each reader each month an inviting, stimulating draught.

The more material that they have to select from, the better magazine can the editors produce. They are anxious to have the opportunity to read a liberal supply of manuscripts relating to legislative subjects. Accordingly, the editors request and invite:

—*legislators* to submit their own manuscripts, and to keep the editors informed concerning other manuscripts which come to their attention.

—*directors of legislative reference bureaus and their assistants* to bear this magazine constantly in mind; to furnish the American Legislators' Association with interesting material prepared by their respective bureaus; and to inform the editors whenever any interesting manuscripts come to their attention.

—*members of college faculties* to send manuscripts of their own production, and those written by their students. They are also urged to encourage the candidates for postgraduate degrees to write theses which they can summarize in the form of articles suitable for publication in "State Government."

—*librarians* to call attention to books, reports and magazine articles which are likely to prove helpful to state legislators.

—*and all other readers of this magazine* to assist the editors in securing material which will benefit state legislators in the solution of the many intricate problems with which they are concerned.

An editorial in the *Portland Press Herald* of Portland, Me., thus comments on the type of contributors:

"Just what, for instance, can a state legislature do to help out in the emergency? Obviously, it cannot be expected to work the wonders that a good many people seem to expect of it. Its power is limited to the borders of the state which it serves and it would be ridiculous for it to attempt alone to solve the involved problems of economics that are today sitting heavily upon most countries of the world.

"But it must be able to help out some way. How? That is the question put to many college professors, holders of state and federal offices, attorneys and others familiar with state government by the *editors of the publication of that name*. The views of many able and distinguished men are presented.

Length of Articles

A page of this magazine contains about seven hundred words and the maximum length of articles published in it is six pages or about 4000 words. However, the editors prefer two-page and three-page articles—containing about 1500 or 2000 words. Of course, briefer articles—even single paragraphs—are always acceptable. News items are wanted and noteworthy quotations of any length are desired—even one-sentence sentiments. One of the finest issues of "State Government," March, 1932, is described by an editorial in the *Boston Herald*:

"*How Doctors Differ*" "That useful periodical 'State Government' includes in its March issue a group of forty-six statements by men of affairs as to what ought to be done to alleviate condition in times of depression. The statements are all short and pointed. The writers include fifteen men connected in various capacities with the colleges of the country, four governors, one senator, seven lawyers, one man strictly in business and eighteen covering too many occupations to classify. Half the states in the Union are represented. Some eminent names appear."

Editorial Policy

None of the articles published in "State Government" are paid for. The magazine is issued as a public service and the consciousness of contributing to this public service is the sole reward which authors receive.

Every one who is familiar with the policies of the American Legislators' Association knows that from its inception this organization has maintained an absolutely impartial attitude concerning all controversial legislative subjects. The organization desires to be of service to every legislator, but it has no axes to grind. Consequently the editors of "State Govern-

ment" will refuse to permit this magazine to be made the medium for propaganda on the part of any selfish group.

The editors prefer to print basic information which will assist legislators to form their own opinions, rather than to print briefs which are designed to impress upon legislators the opinions of others.

On the other hand, it must be recognized that when anyone reads a statement of facts prepared by an expert, he may wish to check his personal opinions against those of the author; so the author's conclusions may be the most interesting part of the article. In this matter, however, the editors must take into consideration the question of whether or not the writer may be biased by his position or by self-interest. Articles of interest to several states or upon subjects dealing with several states are preferred to those concerning individual states.

Interest and Dignity

This magazine is prepared for human beings. Accordingly the editors believe in a dash of wit, a touch of human interest, and a lightness of style; these attributes detract nothing, add spice, and sustain interest. "State Government" is engaged in the accurate presentation of technical matters, but insofar as is consistent with this function, it prefers the atmosphere of after-dinner coffee and cigars to that of a committee room during a formal hearing.

Brevity is priceless. When an idea can be "put across" in ten words, ten are plenty.

"State Government" is compiled for an intelligent audience, which has a sincere interest in efficient government. It shares the American Legislators' Association's slogan "Make no small plans." And it bespeaks the cooperation of all legislators and of all state officials in its ambition to develop the magazine into a substantial and authoritative publication of great usefulness.

The *Lansing State Journal*, Lansing, Michigan, briefly analyzed "State Government" in an editorial.

"Legislatures come in for a deal of public razzing. Mark Twain remarked about the weather, 'Everybody complains about it, but nobody does anything about it.' It is very much that way with respect to legislatures. We go on, year after year, com-

plaining of legislatures but doing nothing to make them better.

"There is a fine new publication—now in its seventh year—bearing the title 'State Government.' It is published by the American Legislators' Association, with administrative offices in Chicago.

"'State Government' is sharply in contrast with common impressions as to state legislatures. The publication is dignified, learned, and able. One never picks up a number that one is not impressed with the magazine. It assumes the right attitude. It commands respect. As one turns through its pages, one cannot escape the thought of how useful and contributory to great human good our legislatures would be if they were conducted with honor, dignity, and ability.

"The publication, 'State Government,' considers problems of state legislation upon a high level. Such discussions as it undertakes, it undertakes systematically and in a dignified and trained way. When it deals with the subject of 'Depression Taxes,' it does not handle the problem in terms of votes at the next election, but in terms of

genuine information. It makes appeal to common intelligence and not to the prejudices and the pullings and haulings of various groups."

Among the many noted contributors to "State Government" may be found such names as Harold Ickes, Harry Hopkins, J. Edgar Hoover, Bruce Smith, Paul Mort, August Vollmer, George W. Norris, Margaret Sanger, George Dern, Clarence E. Martin, Chester Rowell, Paul Studensky and numerous state legislators and political scientists.

Innumerable subjects of present-day interest have been scientifically treated in the magazine. Every issue contains a number of tables which present in concise form the major points of legislation enacted by each state on the subject under discussion. Several of these which have recently appeared in "State Government" are reprinted on the following pages. They exemplify the impartial-factual approach which "State Government" aims to follow as well as the wealth of valuable information which it attempts to supply to legislators and officials.

THE FOLLOWING 20 PAGES
ARE REPRINTED
AS SAMPLES
OF THE ARTICLES AND TABLES
PUBLISHED IN
"STATE GOVERNMENT"

LET THE DRIVER BEWARE

This table summarizes the statutes which require automobile accidents to be reported

By J. S. BAKER, Secretary, Committee on the Driver, National Safety Council

	Accidents Must Be Reported if They Cause		Accident Must Be Reported By		Report Must Be Made To		Time Limit for Report		Form for Report Prescribed
	Personal Injury	Property Damage	Police Officer	Drivers Involved	For Urban Accidents	For Rural Accidents	24 Hours	"Promptly"	
Alabama									
Arizona	★	\$50		★	Police	Sheriff		★	★
Arkansas	★	50		★	Police	State Dept.	★		
California	★			★	Police	State Dept.	★		
Colorado	★	50		★	Police	State Dept.	★		
Connecticut	★	25		★	State Dept.	State Dept.	★		(4)
Delaware	★	50		★	Police	State Dept.	★		★
Florida									
Georgia									
Idaho	★	50		★	Police	State Dept.	★		★
Illinois									
Indiana	★	Any	★		State Dept.	State Dept.			
Iowa	★			★	Police	Sheriff		★	
Kansas	★			(6)	Police	Sheriff		★	
Kentucky									
Louisiana	(1)		★		State Dept.	State Dept.		★	
Maine	★	50		★	State Dept.	State Dept.		★	★
Maryland	★			★	State Dept.	State Dept.	★		
Massachusetts	★			★	State Dept.	State Dept.		★	
Michigan	★	(2)		★	State Dept.	State Dept.	(3)		
Minnesota									
Mississippi									
Missouri									
Montana									
Nebraska									
Nevada									
New Hampshire	★			★	State Dept.	State Dept.		★	
New Jersey	★	25		★	State Dept.	State Dept.	(3)		★
New Mexico	★	50		★	Police	State Dept.	★		
New York	★			★	State Dept.	State Dept.		★	★
North Carolina									
North Dakota	★	50		★	Police	(5)	★		
Ohio									
Oklahoma									
Oregon	★	Any		★	Police	Sheriff	★		★
Pennsylvania	★	50		★	State Dept.	State Dept.	★		★
Rhode Island	★	100		★	State Dept.	State Dept.		★	★
South Carolina									
South Dakota	★	50		★	Police	State Dept.	★		
Tennessee									
Texas									
Utah	★	50		★	State Dept.	State Dept.	★		
Vermont	★	10		★	State Dept.	State Dept.	★		
Virginia	★	10		★	Police	Clerk of Court	★		
Washington	★	Any		(6)	Police	Sheriff	★		
West Virginia	★			★	State Dept.	State Dept.		★	
Wisconsin									
Wyoming									
Uniform Code	★	50		★	State Dept.	State Dept.	★		★

(1) Fatal accidents only.
 (2) If vehicle is incapacitated.
 (3) 48 hours.
 (4) Under oath.
 (5) Rural accidents need not be reported.
 (6) Driver at fault.

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TAX HARVESTS

How productive have the various tax fields been?

STATE	GASOLINE TAX		MOTOR REGISTRATION TAX		GROSS SALES TAX (Estimated annual yield)		INCOME TAX	
	Amount (000 omitted)	Per Capita	Amount (000 omitted)	Per Capita	Amount (000 omitted)	Per Capita	Amount (000 omitted)	Per Capita
Alabama	\$ 8,033	\$3.02	\$ 2,724	\$1.03	\$	\$	\$ 373	\$0.14
Arizona	2,679	6.14	648	1.49	1,354	3.11	235	.54
Arkansas	5,989	3.23	1,769	.95	.....	.....	197	.11
California	35,217	6.20	9,866	1.74	50,379	8.87	3,225	.57
Colorado	5,325	5.14	2,036	1.97	.....	.....	.....	.....
Connecticut	4,812	2.99	7,851	4.89	444	.27	470	.29
Delaware	1,127	4.74	1,014	4.26	116	.49	686	2.88
Florida	14,249	9.71	4,995	3.40	.....	.....	.....	.....
Georgia	12,635	4.34	1,036	.36	1,212	.42	1,631	.56
Idaho	2,282	5.12	1,402	3.15	.....	.....	294	.66
Illinois	27,833	3.65	16,229	2.13	36,886	4.83	.....	.....
Indiana	16,283	5.03	7,847	2.42	11,355	3.51	.....	.....
Iowa	9,372	3.79	10,695	4.33	10,625	4.30	new law; no	collection
Kansas	7,732	4.11	3,057	1.63	.....	.....	958 ^b	.51
Kentucky	8,315	3.18	4,174	1.60	8,042	3.08	.....	.....
Louisiana	8,155	3.88	4,053	2.93	284	.14	new law; no	collection
Maine	4,080	5.12	2,909	3.65	.....	.....	.....	.....
Maryland	7,208	4.42	3,581	2.19	.....	.....	.....	.....
Massachusetts	16,377	3.85	6,508	1.53	.....	.....	14,849	3.49
Michigan	19,458	4.02	18,560	3.83	34,872	7.20	.....	.....
Minnesota	10,015	3.91	6,367	2.48	274	.11	1,806	.71
Mississippi	5,802	2.89	1,870	.93	2,910	1.45	286 ^b	.14
Missouri	9,081	2.50	9,357	2.58	4,155	1.15	3,374	.93
Montana	2,751	5.11	1,070	1.99	.....	.....	325	.32
Nebraska	7,706	5.59	1,722	1.25	.....	.....	.....	.....
Nevada	696	7.65	300	3.30	.....	.....	.....	.....
New Hampshire	2,350	5.05	2,167	4.66	.....	.....	420	.90
New Jersey	16,397	5.06	15,378	3.81	.....	.....	.....	.....
New Mexico	2,266	5.36	667	1.58	1,709	4.03	85 ^b	.20
New York	43,345	3.44	42,318	3.36	25,870	2.06	70,496	5.60
North Carolina	14,770	4.66	5,356	1.69	6,657	2.10	5,886	1.86
North Dakota	1,924	2.83	1,382	2.03	.....	.....	119	.18
Ohio	33,940	5.11	17,678	2.66	.....	.....	6,894 ^a	1.04
Oklahoma	10,065	4.20	3,382	1.41	4,230	1.77	905	.38
Oregon	6,344	6.65	5,337	5.59	.....	.....	1,213	1.27
Pennsylvania	30,739	3.19	29,185	3.03	21,212 ^a	2.20	.....	.....
Rhode Island	1,881	2.73	2,108	3.15	.....	.....	.....	.....
South Carolina	6,679	3.84	2,503 ^a	1.44	.....	.....	1,951	1.12
South Dakota	3,346	4.83	1,459	2.11	3,414	4.92	.....	.....
Tennessee	12,980	4.96	2,940	1.12	.....	.....	708	.27
Texas	28,479	3.52	12,747	2.19	.....	.....	.....	.....
Utah	2,189	5.31	798	1.57	1,872	3.69	403	.79
Vermont	1,776	4.95	2,073	5.76	Data not	available	501	1.39
Virginia	11,082	4.58	6,090	2.51	1,011	.42	1,797	.74
Washington	10,863	6.95	2,483	1.60	5,036	3.22	.....	.....
West Virginia	4,920	2.85	3,838	2.22	2,032	11.58	.....	.....
Wisconsin	15,169	5.16	9,768	3.32	621	.21	15,008	5.11
Wyoming	1,405	6.22	679	3.00	.....	.....	.....	.....
Total	\$516,121	\$4.22	\$302,066	\$2.47	\$254,572	\$3.18	\$135,095	\$1.97

^a Data cover 10 months to October 31 due to change in registration year.^b Data incomplete.^c Property tax on productive investments.

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RAINBOW'S END

*Current trends in the eternal quest for the pot of gold
which will replenish state coffers.*

By JAMES W. MARTIN

Research Director, Interstate Commission on Conflicting Taxation

BECAUSE existing sources of revenue continue inadequate and deficits continue to accumulate, because the federal government is exerting pressure to insure state contributions to relief expenditures, because constitutional tax limits have recently been enacted or expanded in several states, practically every state in the union is today anxious to tap new revenue sources. An attempt is made here to summarize some of the current trends in state taxation and to supply legislators with material which will prove of assistance in the solution of their budgetary difficulties.

Liquor taxes

The effectiveness of liquor taxes as revenue producers varies widely from state to state, and depends largely on the character of the tax imposed. In California and Nevada, for example, revenue is derived only from licenses for the privilege of doing business. The consequence is that in the former state the yield is about fifty cents per capita. In the latter it is probably less, although exact information is not available because the licenses imposed in Nevada are local in character. In most of the wet states there is, in addition to the license fee, a tax based on gallonage or quantity of liquor sold for consumption. In Kentucky there is also a manufacturers' tax which is based solely on gallonage without regard to where the product is sold. Connecticut has a tax measured by actual gross receipts from sales. Ohio defines in the statute a somewhat complicated basis of taxation known as "excess gross profits." New Mexico and Rhode Island seek still greater refinement by requiring that the tax be paid on the basis of net income from liquor business in excess of a specified minimum. Finally, there is the plan—now utilized in twelve states—of deriving revenues from the

operation of state liquor store monopolies. In some states only a part of the business is handled by the liquor store system, and the remainder is carried on by licensed dealers. The liquor sold in the latter way is subjected in most cases to a gallonage tax. In only two or three wet states do the liquor store profits constitute the sole source of revenue from alcoholic beverages.

It is not surprising, in the light of the varied plans employed, that net revenue ranges from practically nothing in some states to between \$2.50 and \$3.00 per capita in others. The typical yield from liquor taxes promises, on the basis of the preliminary data now available, to average between \$1.00 and \$1.25 per capita. This estimate contemplates inclusion of the aggregate yield from licenses, other taxes, and state liquor store profits. It is impossible at this early stage to make an accurate estimate of the cost of administering liquor taxes, as distinguished from cost of enforcing regulatory provisions.

Tobacco taxes

The tax on sales of manufactured tobacco products, as a source of state revenue, originated in the depression of 1920-1921. It has increased in popularity until fifteen states now levy tobacco taxes. The rates imposed on cigarettes in the several states vary from approximately two cents to five cents on the ordinary package, and this cigarette tax is responsible for more than three-fourths of the total state revenue from tobacco.

The differences in tobacco tax yields among the various states are greater, however, than the variation in rates alone would lead one to expect. The amount of revenue produced ranges from about twenty cents per capita in Kansas (with a cigarette rate of two cents) to

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nearly \$1.30 per capita in Louisiana (with a cigarette rate of four cents). It is believed that the maximum amount of revenue reasonably to be expected from such a tax at three cents a package on cigarettes and approximately 10 per cent on other forms of tobacco products would not average more than seventy cents per capita, assuming continuation of the administrative conditions which exist at the present time. Incidentally, although the federal tax on cigarettes is only twice this rate, it produces revenues four times as large as this estimated maximum receipt from all state tobacco taxes.

Tobacco tax revenue

State	Amount (000 omitted)	Per capita
Alabama	\$ 668	\$0.25
Arizona	289	.66
Arkansas	848	.46
Georgia	1,384	.48
Iowa	1,062	.43
Kansas	358	.19
Louisiana	2,730	1.30
Mississippi	968	.48
North Dakota	258	.38
Ohio	4,464	.67
South Dakota	No data available	
South Carolina	No data available	
Tennessee	2,184	.83
Texas	3,421	.59
Utah	159	.31

The cost of administering tobacco taxes amounts in the case of the federal government to little more than 1 per cent of the revenue collected. In the case of the states, however, the situation is much more difficult for two principal reasons. First, the rates are of necessity lower and the revenues collected correspondingly less; second, administrative problems are greatly enhanced by the fact that there are so many merchants to check and so many frontiers to watch if the state is to be even moderately successful in administering the tax. Moreover because of interstate and other administrative difficulties, states are unable to secure the revenues which might reasonably be expected from a federally administered tax. Two years ago the typical administrative cost in states employing tobacco taxes was roughly 4.5 per cent of average revenues; today it is probably a little higher.

Gasoline taxes

In the course of fifteen years of gasoline tax history, there has been an unprecedented rise in revenues from nothing to more than half a billion dollars a year, not including municipal, county, and federal levies. In part, no doubt, the success of this tax as a revenue producer has rested on the purpose to which the money has been devoted. It is a commonplace that improved roads mean increased consumption of motor fuel per vehicle. In the second place, the increase has been an outgrowth of the relative ease with which the tax can be administered. Economical administration results in part from the small number of wholesale dealers in each state and from the unusual coöperation shown by the industry. These circumstances, plus the large revenues produced, have resulted in extremely low percentage cost of administration. Even today the direct costs of administration do not ordinarily exceed 0.5 per cent; and even if allowances for leakage and payments for industry assistance be included, the average is probably well under 2 per cent.

Legislators interested in gas tax revenues will desire to compare the following rate data with annual revenue figures shown in the table on page 294.

Two cents a gallon:

Connecticut	Missouri	Rhode Island
	District of Columbia	

Three cents a gallon:

California	Kansas	New Jersey
Delaware	Massachusetts	New York
Illinois	Michigan	North Dakota
Iowa	Minnesota	Pennsylvania

Four cents a gallon:

Colorado	Nevada	Utah
Indiana	New Hampshire	Vermont
Maine	Ohio	West Virginia
Maryland	Oklahoma	Wisconsin
Nebraska	South Dakota	Wyoming
	Texas	

Five cents a gallon:

Arizona	Louisiana	Oregon
Idaho	Montana	Virginia
Kentucky	New Mexico	Washington

Six cents a gallon:

Alabama	Georgia	North Carolina
Arkansas	Mississippi	South Carolina

Seven cents a gallon:

Florida	Tennessee
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Gross sales taxes

Roughly, gross sales taxes on all or a large number of commodities are of four classes. Seven states have what may be designated as general turnover taxes or gross sales and gross income taxes. The rates imposed on various types of transactions, however, vary rather widely. The highest rate ordinarily—though not necessarily—is that imposed on retail sales. This type of measure—as shown by the table—produces revenue ranging from \$1.45 per capita in Mississippi to \$11.58 per capita in West Virginia. It should, however, be pointed out that the estimate of the West Virginia yield is based on only three months' experience. The average rate of revenue productivity from this type of measure seems to be around \$3.50 per capita. The seven states imposing these general turnover taxes are:

Arizona	Mississippi	Washington
Indiana	New Mexico	West Virginia
	South Dakota	

The second type of sales tax measure which has recently become important is that levied on retail sales alone. In most cases the tax rate ranges from 1 per cent to 3 per cent. The revenues produced vary from slightly over \$1.00 per capita to nearly \$9.00 per capita and average well over \$3.00 per capita. It is of interest that the highest per capita yield in this group is in California, though the tax rate in that state is only 2.5 per cent; while Kentucky, Michigan, and North Carolina impose 3 per cent rates. At the present time the following nine states have this tax on retail sales alone, and New York and Pennsylvania are still collecting revenue on the basis of statutes of this sort which have now expired:

California	Kentucky	North Carolina
Illinois	Michigan	Oklahoma
Iowa	Missouri	Utah

Six states have merchants' license taxes which, although in the nature of multiple turnover taxes, ordinarily involve a very low rate; so that the income produced ranges from about fourteen cents per capita in Louisiana to

approximately forty-nine cents per capita in Delaware. These states are:

Connecticut	Louisiana	Pennsylvania
Delaware	New Mexico	Virginia

Four states—Kentucky, Minnesota, Vermont, and Wisconsin—have graduated gross sales taxes which involve discrimination against chain store merchants and, in some cases, apply exclusively to such businesses. Kentucky has recently repealed its statute of this type, but it is included in this number since the measure is effective for purposes of sales prior to the middle of 1934. The revenue yield of these measures is even less significant on the whole than the productivity of the merchants' licenses.

Administrative costs

It has recently been estimated by the National Association of State Tax Administrators that gross sales taxes of the first two classes can be satisfactorily administered for approximately 2.5 per cent of the revenue produced. While this estimate is sound, the cost varies materially with the rate of tax imposed. It does not cost twice as much to administer a 2-per-cent tax as it does to administer a 1-per-cent tax. A 3-per-cent tax can be administered on a comparatively satisfactory basis at a cost substantially under 2 per cent of the revenues collected. In Michigan, the figure, including a certain amount of capital outlay, has been roughly 1.19 per cent. On the other hand, it appears that a 1 per cent tax on retailers can not be reasonably well administered for less than 2.5 per cent of the revenue and that in practice the average is nearer 4 per cent. In analyzing data on the cost of administration it is apparent, too, that states which have a poverty-stricken, relatively sparse population will require greater expenditure for satisfactory administration than will those having a rich, dense population.

Income taxes

The revenue from income taxes, except in a small number of states, has never been sufficiently great to be a large factor in the budget of the commonwealth. Nevertheless, these

measures have added considerable revenue in many states and have, over a period of years, averaged about \$1.00 per capita in all those states which have imposed them. At the present time, the yield is reduced to a point somewhat below this figure.

One of the most substantial objections urged against income taxation by its opponents is the wide fluctuation in revenues produced. It must be granted that this is really a serious problem, but the case is not nearly as extreme as public officials and other students have often suggested. If revenues in states which have not materially changed their income tax plans since 1926 be compared for the period 1926-1928, inclusive, with revenues for 1932-1934, inclusive, it will be found that the decline has been about 25 per cent.

Checking the decline

Even so moderate a change can be materially reduced, so far as personal income taxes are concerned, by reducing personal exemptions and credits for dependents and by utilizing steeply graduated rates. Comparison of declines in states which have maintained approximately the same rates and exemptions since 1926 shows that the states having exemptions of not more than \$1,000 for single persons and \$2,000 for heads of families have suffered a reduction in revenues not much over half as great as the reduction experienced in states having higher exemptions.

There is another type of variation in productivity, however, which is more difficult: namely, the difference in yield between the so-called rich states and the allegedly poor states. For example, Mississippi, with one of the highest rate structures to be found in any state, secures from income taxation roughly fourteen cents per capita, whereas New York state secures about \$5.60 of revenue per capita. This situation of course arises from several circumstances, but the most objectionable of these to a Mississippi student of public affairs is the fact that much of Mississippi's business is handled in or through New York City; and New York has legal jurisdiction to tax certain income for which Missis-

issippi industry or Mississippi resources, or both, are primarily responsible. On the other hand, as the New Yorker views the situation, the business actually is conducted in New York City and afforded the protection of the laws of New York, and consequently it should contribute to the support of public activities in that state.

This extreme variation in the effectiveness of income taxes in poor and rich communities presents a substantial problem for which no solution is apparent.

There is one other serious problem of income taxation which should be pointed out. Since income taxes are paid in the main by residents of cities, their imposition may result in developing an urban-rural tax contest which is extremely unfortunate for the well-being of the commonwealth.

The cost of administering income taxes varies considerably from state to state. It is, as might be anticipated, higher in states which have sparse population and few substantial incomes. In 1932, on the basis of 1931 experience, it was estimated that the typical cost of administering personal income taxes was 2 per cent and the average cost of administering corporation taxes was 0.5 per cent of the revenue produced. The results of the depression have occasioned some increase in costs of administration, but administrative costs are now about 3 per cent for corporation and individual taxes combined.

Footnote

Perhaps it would not be amiss to explain that the figures respecting administrative costs which have been used in the course of this article reflect, with few exceptions, only direct costs and do not include expenses of litigation when these are borne by the courts, by the attorney general's office, or by any other agency than the office charged with administration. Relatively complete data for one or two states suggest that these indirect costs are considerable. It must be remembered, too, that the cost data concern state expense alone; there are, in all cases save general sales taxes, duplicating federal costs of administering the same kinds of taxes.

STATE NARCOTIC LAWS

Some of the provisions in state laws relating to the control of narcotics and the treatment of drug addiction*

	Physicians Can Administer Drugs		Professional Licenses May Be Revoked For:		Commitment of Addicts		Enforced by			Maximum Penalty (in years) ¹
	"In Professional Practice"	Under Specific Restrictions	Violation of Law	Addiction of Licensee	By Order of State Officials	Only With Consent of Addict	Board of Health	Board of Pharmacy	Other Agencies	
Alabama	★							★		5
Arizona		★						★		7
Arkansas		★	★	★						5
California		★			★				★	10
Colorado	★		★	★	★		★			5
Connecticut	★				★		★	★		1
Delaware	★		★	★	★		★			10
Florida		★	★	★	★		★			5
Georgia	★		★	★		★		★		1
Idaho	★		★	★	★					10
Illinois	★		★	★		★				10
Indiana	★		★	★				★		8
Iowa		★	★	★	★				★	10
Kansas	★		★	★						7
Kentucky			★		★			★		5
Louisiana		★	★	★	★		★			1
Maine	★					★	★	★		1
Maryland	★				★		★			5
Massachusetts		★		★	★		★			5
Michigan	★		★		★		★			4
Minnesota			★		★					1
Mississippi					★					10
Missouri			★	★	★					1
Montana		★	★	★	★		★			Life
Nebraska		★	★	★	★		★	★		5
Nevada	★				★ (2)			★		10 (4)
New Hampshire							★			1
New Jersey		★					★			30
New Mexico	★									5
New York	★				★ (3)	★ (2)				10
North Carolina		★	★		★		★	★		10
North Dakota	★		★	★		★				3
Ohio	★					★ (2)			★	5
Oklahoma	★		★			★				7
Oregon					★					Life
Pennsylvania		★	★	★	★		★			5
Rhode Island		★			★				★	5 (4)
South Carolina			★	★			★			2
South Dakota	★		★							1 (4)
Tennessee	★				★ (3)	★	★		★	15
Texas		★	★	★	★ (2)		★			10
Utah		★	★			★		★		5
Vermont	★				★		★	★		1
Virginia	★		★	★	★					5
Washington		★	★		★		★			10
West Virginia	★		★					★		10
Wisconsin		★	★	★	★			★		10
Wyoming		★						★	★	3

*Based on laws in force January 1, 1933.

1. Some of the penalties shown are for second or subsequent offenses; many of the laws provide for fines ranging up to \$10,000.00 as additional or alternative penalties.

2. Only addicts convicted of, or accused of, offenses against the narcotic laws of the respective states.

3. Commitments to private licensed institutions only.

4. Minimum penalty.

Reprinted from State Government, September 1933

LIQUOR LEGISLATION

By DAYTON E. HECKMAN
Ohio State University

STATE	LIQUOR CONTROL AUTHORITY	SIZE OF COMMISSION	TERM IN YEARS	STATE MONOPOLY	CONSUMPTION ON PREMISES		
					Beer	Wine	Liquor
Alabama							
Arizona	State Tax Commission				X	X	X
Arkansas					X		
California	State Board of Equalization				X	X	
Colorado	State Treasurer				X	X	
Connecticut	Liquor Control Commission	3	6		X	X	
Delaware	Liquor Commission	1	5	X	X	X	X
Florida*					X		
Georgia							
Idaho*					X		
Illinois	Liquor Control Commission	3	6		X	X	X
Indiana	Excise Director	1	4(a)		X	X	
Iowa	Liquor Control Commission	3	6	X	X		
Kansas							
Kentucky	State Tax Commission				X	X	X
Louisiana					X	X	X
Maine†				X	X		
Maryland	Comptroller				X	X	X
Massachusetts	Alcoholic Beverage Control Commission	3	3		X	X	X
Michigan	Liquor Control Commission	5	3	X	X	X	X
Minnesota	State Control Commission				X	X	X
Mississippi							
Missouri	Supervisor of Liquor Control	1	(a)		X	X	X
Montana	State Liquor Control Board (b)			X	X		
Nebraska*					X		
Nevada					X	X	X
New Hampshire	Liquor Control Commission			X	X	X	X
New Jersey	Department Alcoholic Beverage Control	1	7		X	X	X
New Mexico	State Board Liquor Control (c)				X	X	X
New York	State Alcoholic Beverage Control Board	5			X	X	X
North Carolina					X		
North Dakota					X		
Ohio	Director and Board of Liquor Control (d)	5	4(a)	X	X	X	X
Oklahoma					X		
Oregon	Liquor Control Commission	3	6	X	X	X	
Pennsylvania	Liquor Control Board	3		X	X	X	X
Rhode Island	Alcoholic Beverage Commission	5			X	X	X
South Carolina					X		
South Dakota					X		
Tennessee					X		
Texas					X		
Utah					X		
Vermont	State Liquor Control Board			X	X	X	X
Virginia	Department of Control	3	5	X	X	X	
Washington	Liquor Control Board	3	9	X	X	X	
West Virginia*					X		
Wisconsin	Treasurer				X	X	X
Wyoming*					X		

* Repealed dry laws November, 1934.

† Repealed dry laws September, 1934.

(a) Serves at pleasure of governor.

(b) Ex officio board:—Governor, Attorney General, Secretary of State.

(c) Ex officio board:—Secretary of State, Attorney General, Director of Public Health.

(d) The Ohio law is vague regarding division of authority between the Director and the board. The Director serves at pleasure of governor; members of the board serve for four-year terms.

LIQUOR LEGISLATION

(Continued)

STATE	CONSUMPTION OFF PREMISES ONLY		LICENSE FEES WHERE CONSUMPTION IS OFF PREMISES			LICENSE FEES WHERE CONSUMPTION IS ON PREMISES		
	Wine	Liquor	(in dollars) Beer	(in dollars) Wine	(in dollars) Liquor	(in dollars) Beer	(in dollars) Wine	(in dollars) Liquor
Alabama								
Arizona			25	25	25	50	50	100
Arkansas								
California		X	10(j)	10(j)	100	50(j)	50 ^h	
Colorado		X	325.....	.....	525(f),(n)	225-325(f)	225-325(f)	
Connecticut		X	50	50	50	50	50	
Delaware			100-150(q)	150(o)	150	150		75-300(e)
Florida*								
Georgia								
Idaho*								
Illinois			50(m)	50(m)	50(m)	50(m)	50(m)	50(m)
Indiana		X	100	100	25	100-300(e)	100(k)	
Iowa	X	X						
Kansas								
Kentucky			100.....	.....	500(f),(n)	300-700(h)	300-700	300-700
Louisiana			Regulated by Local Governments			Regulated by Local Governments		
Maine?								
Maryland			25	35	100-250	15-50(e)	35-60(e)	250-750(e)
Massachusetts			75-1000(i)	75-1000(i)	100-2000(i)	100-1000(i)	100-1000(i)	250-2500(e)
Michigan			25	25		100-500(q)	200-500(q)	500-1000(q)
Minnesota			100.....	.....	250(f),(n)	Local Authorities		
Mississippi								
Missouri			50	50	50	50(l)		300(m)
Montana	X	X						
Nebraska*								
Nevada			Regulated by Local Governments			Regulated by Local Governments		
New Hampshire								
New Jersey					200-1000(i)			350-1000
New Mexico			50-100(h)	75-125(h)	300-400(h)	75-125(h)	100-150(h)	400-500(h)
New York			25-50(h)	25-50(h)	500-1200(h)	100-200(h)	100-200(h)	500-1500(h)
North Carolina								
North Dakota								
Ohio			100	50		100	100	400-1000(q)
Oklahoma								
Oregon		X	10(p)	10-50(p)		15	50-100(q)	
Pennsylvania								150-600
Rhode Island			200	200	200	50-700(q)	50-700(q)	50-500(q)
South Carolina								
South Dakota								
Tennessee								
Texas								
Utah								
Vermont			10	10		10	10	50
Virginia		X	37.50.....	150		25-100(i)		
Washington		X	10	10		25	25	
West Virginia*								
Wisconsin			50.....	.....	500(i),(n)	50.....	.....	500(i)
Wyoming*								

- (e) Dependent on location and type of establishment.
 (f) Dependent on location.
 (g) Dependent on type of establishment.
 (h) Dependent on population of community.
 (i) Dependent on local authorities.
 (j) Beer and wine permitted by one license at flat rate.

- (k) Sold only by restaurants and clubs.
 (l) Further licenses may be imposed locally.
 (m) Permits "on" and "off" sales.
 (n) One license permits any or all beverages.
 (o) Wine and liquor permitted by single license.
 (p) Beverages up to 5% alcoholic content, \$10, over 5%, \$50.

THE RIGHT TO WAIVE

A brief commentary concerning the statutory and constitutional clauses summarized in the table on the opposite page.

INDEFATIGABLE readers of *STATE GOVERNMENT* will remember encountering in the May issue an article dealing with the past, present, and future of waiver of jury trial: its history, the features of the procedure which have brought it into increasing favor with lawyers, judges, and laymen, and the safeguards which may be adopted in order to prevent future abuses.

Supplementing that article, the chart on the opposite page expresses in tabular form the attitude of the forty-eight states with regard to the subject.

Constitutional provisions, it should be observed, are of two general kinds: self-executing—and otherwise. In the latter cases, of course, whatever may have been the avowed intention of constitution-makers, the provision is dependent for legal effectiveness upon specific confirmation by statute. Lawmakers have generally proved faithful sons and have implemented the wishes of the state fathers by the necessary legislation. At the same time they have defined the conditions under which an accused who regards a trial by his peers with disfavor or disdain may sidestep this venerable procedure.

Misdemeanors

The table shows that waiver is much more frequently permitted in cases involving misdemeanors than in cases involving felonies. There are 43 states in which juries may be dispensed with in minor cases as against 19 which have statutory or constitutional provision for waiver in trials on more serious charges. In 11 of the states permitting a misdemeanant to waive trial by peers, jury trial is authorized only when he formally demands it. This is, of course, contrary to the general rule that a defendant automatically retains a right to such trial.

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The fact that a state has no constitutional provision for waiver, however, does not necessarily imply that these procedural shortcuts are not possible. A plea of guilty is, of course, tantamount to waiver of jury, and in cases involving misdemeanors the prosecutor, judge, and accused frequently agree to a small fine in order to avoid the necessity for a protracted proceeding.

Felonies

It is likewise interesting to observe that only 8 of the 19 states authorizing trial of felonies by the judge alone have specific constitutional provisions covering this matter. It is clear that the lack of constitutional provision does not necessarily restrict the use of waiver even in trials for serious offenses. This point was settled as far as the federal Constitution is concerned by the decision of the United States Supreme Court in the celebrated Patton case. In accordance with the principle set forth in that decision, eleven states have enacted statutes permitting persons accused of felonies to be tried by a judge, even though there is no authorization for them in the constitutions.

It should also be noted that in Illinois—and perhaps in a few other states—the state supreme court has upheld the waiver of juries in felony cases although—as shown by the table—there are no specific provisions on the subject in either the constitution or the statutes.

Across the way

The table which appears on the opposite page was originally published in connection with a discussion of this subject prepared by Mr. Elpern for the official magazine of the Association of Grand Jurors of New York—*The Panel*—and it has just recently been revised and brought up to date by him.

JURYLESS TRIALS

The position taken by each state in regard to waiver of jury trial.

By GEORGE S. ELPERN

Assistant Counsel to the Commissioner of Accounts, City of New York

	Misdemeanors			Felonies			
	Waiver Permitted by Constitution	Waiver Permitted by Statute	Statute Authorizes Jury Trial Only if Demanded	Waiver Permitted by Constitution	Waiver Permitted by Statute	Waiver Permitted by Constitution	Waiver Permitted by Statute
Alabama		★					
Arizona		★					
Arkansas	★ (1)	★		★ (1)			
California	★	★		★			
Colorado			★				
Connecticut		★			★		
Delaware		★					
Florida		★					
Georgia			★				
Idaho	★ (1)	★					
Illinois			★				
Indiana		★			★		
Iowa			★				
Kansas		★					
Kentucky			★				
Louisiana		★					★ (2)
Maine							
Maryland	★ (1)	★		★ (1)	★		
Massachusetts		★					★
Michigan		★			★		
Minnesota	★ (1)			★ (1)			
Mississippi			★				
Missouri		★					
Montana	★ (1)	★					
Nebraska			★				
Nevada		★					
New Hampshire		★					★
New Jersey		★			★		
New Mexico							
New York			★				
North Carolina	★		★				
North Dakota		★					
Ohio		★			★		
Oklahoma	★			★			
Oregon	★					★	
Pennsylvania							
Rhode Island		★					★
South Carolina			★				
South Dakota							
Tennessee							
Texas		★					★ (3)
Utah		★					
Vermont	★						
Virginia	★	★		★			
Washington		★					★
West Virginia		★					
Wisconsin	★ (1)	★		★ (1)	★		
Wyoming			★				
Total	12	28	11	7	7	1	6

(1) Effective only if supplementary legislation is enacted.

(2) Cases necessarily punishable with imprisonment at hard labor also excepted.

(3) Only on plea of guilty. Under Texas law, a plea of guilty requires a trial.

HOW MANY?

How many school districts per state?

How many teachers and pupils per district?

State	Number of administrative units	Average area of unit in square miles	Average number of units per county	Total number of school board members	Total number of teaching positions	Average number of teaching positions per unit
1	2	3	4	5	6	7
Part I—States That Have Town or Township Administrative System						
Connecticut.....	161	30	20	1,168	9,811	61
Indiana.....	1,292	28	14	2,700	21,847	17
Maine.....	518	58	32	1,600	6,191	12
Massachusetts.....	355	23	25	1,600	26,203	74
New Hampshire.....	244	37	24	834	2,961	12
New Jersey.....	552	14	26	4,218	25,404	46
Pennsylvania.....	2,587	17	38	13,567	57,716	22
Rhode Island.....	39	27	8	201	3,900	27
Vermont.....	94	97	6	835	2,825	30
Total.....	5,840	27	24	26,723	156,858	27

Part II—States That Have District Administrative System(b)						
Arizona.....	500	228	35	1,485	3,163	6
Arkansas.....	3,193	16	42	19,159	12,574	4
California.....	3,589	43	62	11,204	36,768	10
Colorado.....	2,041	59	32	6,199	9,744	5
Idaho.....	1,418	59	32	4,560	4,500	3
Illinois(c).....	12,070	5	118	38,635	47,766	4
Iowa(d).....	4,870	11	49	21,181	24,585	5
Kansas.....	8,747	9	83	26,580	19,141	2
Michigan(d).....	6,965	8	83	22,500	33,735	5
Minnesota.....	7,773	10	89	26,115	22,169	3
Mississippi.....	5,560	8	67	18,322	15,138	3
Missouri.....	8,764	8	77	29,310	24,200	3
Montana.....	2,439	60	43	7,630	6,037	2
Nebraska.....	7,244	11	77	22,873	14,727	2
Nevada.....	266	413	15	847	794	3
New York.....	9,467	5	152	15,000(e)	74,961	8
North Dakota(d).....	2,228	31	42	6,992	8,410	4
Ohio.....	2,043	20	23	10,938	41,432	20
Oklahoma.....	4,933	14	64	15,017	19,807	4
Oregon.....	2,234	43	62	6,678	6,208	3
South Carolina.....	1,792	17	39	5,384	13,398	7
South Dakota.....	3,433	22	49	11,021	8,943	3
Texas.....	7,932	33	31	28,414	35,667	4
Washington.....	1,792	37	46	5,400	11,140	6
Wisconsin.....	7,662	7	107	24,679	20,239	3
Wyoming.....	400	244	17	1,330	2,981	7
Total.....	119,355	18	62	387,453	518,223	5
State System						
Delaware.....	15(f)	131	65	1,420	95	

Part III—States That Have County Administrative System						
Alabama.....	112	547	1.6	566	16,567	148
Florida.....	67	818	1.0	201	10,547	157
Georgia.....	272	215	1.0	1,360	19,071	140
Kentucky.....	384	104	3.2	2,121	15,323	40
Louisiana.....	66	688	1.0	600	1,173	184
Maryland.....	24	414	1.0	101	8,461	353
New Mexico.....	98	1,250	3.0	490	3,400	35
North Carolina.....	200	244	2.0	900	25,375	117
Tennessee.....	194	215	2.0	1,160	17,695	91
Utah.....	40	2,055	1.3	205	4,452	111
Virginia.....	125	322	1.2	650	16,477	132
West Virginia.....	53	437	1.0	275	15,837	288
Total.....	1,637	378	1.8	8,629	163,878	100
Total United States.....	126,849	23	41.0	422,870	1,830,879	7

Source of data: Walter S. Deffenbaugh, and Timon Covert. *School Administrative Units*. U. S. Department of the Interior, Office of Education, Pamphlet No. 34. Washington, D. C.: Government Printing Office, January, 1933. p. 4-5. Since the publication of the pamphlet named, West Virginia has adopted the county unit plan.

(a) The classification of types of districts is somewhat arbitrary.

(b) Some of these states have partially developed or optional county unit systems.

(c) Township system for high schools.

(d) Partly township system.

(e) Roughly estimated by Office of Education.

(f) Including Wilmington and thirteen special districts.

SOURCES OF STATE UNEMPLOYMENT RELIEF FUNDS, 1931-34

(Expenditure Basis—000 Omitted)

As of July 1, 1934

	TOTAL					GENERAL REVENUES				
	1931	1932	1933	Jan.-June, 1934	Total	1931	1932	1933	Jan.-June, 1934	Total
Alabama										
Arizona			281	596	877					
Arkansas										
California			5,279	10,493(a)	15,772			53	60	113
Colorado			24	628	652			24	12	36
Connecticut	538	962	1,500	660	3,660	538	962	1,500	660	3,660
Delaware		216	1,784	108	2,108		216	1,784		2,000
Florida										
Georgia										
Idaho										
Illinois		18,364	14,229	20,582	53,175					
Indiana			12	8	20			12	8	20
Iowa			1		1			1		1
Kansas			226		226			226		226
Kentucky(b)			183	751	934					
Louisiana			2		2			2		2
Maine			456	300	756					
Maryland	351	3,405	4,763	2,114	10,632					
Massachusetts			300	15	315			300	15	315
Michigan			5,209	6,000	11,209			209		209
Minnesota			18	865	883					
Mississippi										
Missouri			268	872	1,140			268	35	303
Montana			2	53	55			2		2
Nebraska										
Nevada										
New Hampshire			588	1,200	1,788					
New Jersey(b)	1,500	12,695	14,913	10,000	39,109	1,500	1,616			3,116
New Mexico			4	2	6					
New York	577	25,464	21,307	20,471	67,819	577	23,432	407		24,416
North Carolina										
North Dakota										
Ohio		6,257	4,050	3,249	13,556		7	35	16	58
Oklahoma		399	85	100	585		399	85	100	585
Oregon			30	43	73			9	5	45
Pennsylvania(b)		14,860	27,959	22,129	64,949		10,055	20,506	4,125	34,987
Rhode Island			1,321	663	1,984					
South Carolina										
South Dakota										
Tennessee			125	195	320					
Texas				7,656	7,656					
Utah			553	673	1,226					
Vermont			6		6					
Virginia										
Washington			860	1,500	2,350					
West Virginia				715	715					
Wisconsin		5,037	845	61	5,943					
Wyoming				0	0				0	0

(a) Includes approximately \$8,000,000 which are reported to the F.E.R.A. as local expenditures.

(b) Discrepancy between these and F.E.R.A. statistics on obligations incurred for unemployment relief arises from time lag between the two transactions.

Sources of State Unemployment Relief Funds, 1931-1934

(000 omitted)

	Total (1)	General Revenues	Bonds	Auto- motive Revenues	Sales Taxes	Liquor Revenues (2)	Income Taxes	Welfare Budget
1931	\$ 2,966	\$2,616	\$ 351					
1932	87,660	36,687	23,878	\$6,500	\$4,805		\$5,037	
1933	107,174	25,724	49,270	2,203	26,202	\$ 195	845	\$486
Jan.-June, 1934	112,703	5,037	90,176	980	10,980	1,487	61	302
Jan. 1, 1931- June 30, 1934	310,504	70,064	163,674	9,682	41,987	1,682	5,943	789

(1) In this total figure is included \$16,682 which was throughout the entire period derived from miscellaneous sources—\$10,753 in 1932, \$2,249 in 1933, and \$3,681 during the first half of 1934.

(2) Included in the "Liquor Revenue" figures are the amounts derived from beer taxes: \$165 in 1933 and \$245 in the first half of 1934, or a total of \$410.

For definition of terminology, see note to table on page 246.

State Unemployment Relief Expenditures

By geographical divisions

(January, 1931-June 30, 1934)

Divisions	1931 Total	1932 Total	1933 Total	Jan.-June, 1934 Total	Jan., 1931- June, 1934 Total
New England	538,290	961,710	4,171,592	2,837,890	8,509,482
Middle Atlantic	2,427,898	56,640,669	70,726,178	54,822,204	184,616,949
East South Central			307,820	1,661,385	1,969,205
Southeastern			1,697		1,697
East Central		29,658,489	24,345,879	29,899,932	83,904,300
West Central			512,717	1,737,308	2,250,025
Southwestern		399,398	88,953	7,758,158	8,246,511
Mountain			861,037	1,949,432	2,810,469
Pacific			6,158,573	12,036,595	18,195,168
United States	2,966,188	87,660,266	107,174,448	112,702,904	310,503,806

Sources of State Unemployment Relief Funds

By geographical divisions

(January 1, 1931-June 30, 1934)

(In Thousands)

	Total (1)	General Revenues	Bonds	Auto- motive Revenues	Sales Tax	Liquor Revenues (2)	Income Taxes	Welfare Budget
New England	\$ 8,510	\$3,875	\$ 3,772					\$762
Middle Atlantic	184,617	64,519	96,924	\$6,500	\$12,000			
East South Central	1,969			520	715	\$ 934		
Southeastern	2	2						
East Central	83,904	288	37,087	2,000	27,088		\$5,943	
West Central	2,250	530	225		837	658		
Southwestern	8,247	585	7,656					6
Mountain	2,810	39		862	1,347	52		
Pacific	18,195	127	18,009			38		20
United States	310,504	70,064	163,674	9,682	41,987	1,682	5,943	788

(1) This total figure includes \$4,674 for the Middle Atlantic group, \$11,498 for the East Central group, and \$510 for the Mountain group—a total of \$16,682 for the United States—which was derived from miscellaneous sources.

(2) The figures given for "Liquor revenues" include returns from beer taxes amounting to \$358 in the East South Central states and \$52 in the Mountain group—a total of \$410 in the United States.

Number of States Which Obtained Unemployment Relief Funds

From Individual Sources

(January 1, 1931-June 30, 1934)

	Total (1)	General Revenues	Bonds	Auto- motive Revenues	Sales Taxes	Liquor Revenues (2)	Income Taxes	Welfare Budget
1931	4	3	1	0	0	0	0	0
1932	10	7	4	1	1	0	1	0
1933	32	17	9	3	5	2	1	4
Jan.-June, 1934	31	11	11	3	7	4	1	2
Jan., 1931- June 30, 1934	35	19	11	5	7	5	1	4

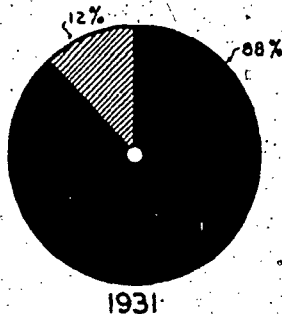
(1) In addition to the sources listed, such miscellaneous sources as luxury taxes, salary cuts, sinking funds, racing license fees, and malt taxes supplied some relief funds in three states during 1932, in four states during 1933 and the first half of 1934, and in six states during the entire period.

(2) Beer taxes are included in "Liquor revenues."

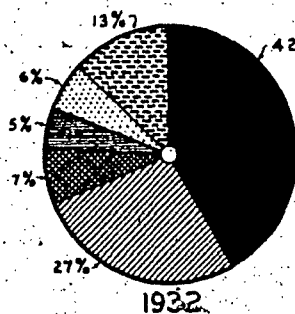
Sources of State Unemployment Relief Funds

January, 1931-June, 1934

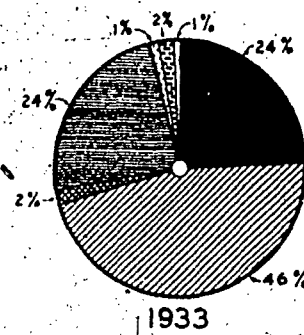
(Percentage distribution)



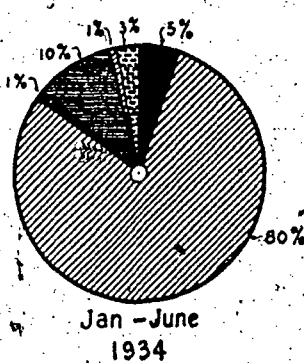
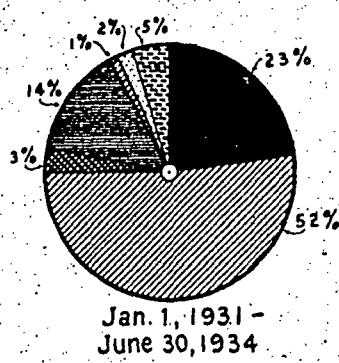
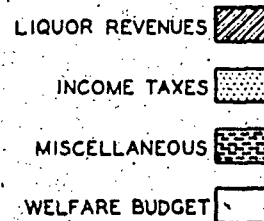
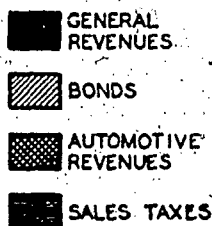
1931



1932



1933

Jan.-June
1934Jan. 1, 1931 -
June 30, 1934

BIRTH CONTROL LAWS

Twenty-four states neither prohibit nor restrict the dissemination of birth control information; one state prohibits; twenty-three have restrictive clauses but exempt medical advice.

State	No prohibition or restrictions on dissemination of birth control information	Dissemination of information prohibited except				Oral information as well as publication of information prohibited	Use of contraceptives prohibited
		In medical schools and medical texts	By physicians and druggists	By physicians for health reasons	Oral information		
Alabama	★						
Arizona					★		
Arkansas	★						
California					★		
Colorado		★	★				
Connecticut							★
Delaware	★						
Florida	★						
Georgia	★						
Idaho					★		
Illinois	★						
Indiana		★	★				
Iowa		★	★				
Kansas		★ (1)					
Kentucky	★						
Louisiana					★		
Maine					★ (2)		
Maryland	★						
Massachusetts					★		
Michigan					★ (2)		
Minnesota				★			
Mississippi						★	
Missouri		★					
Montana					★		
Nebraska		★					
Nevada			★ (3)				
New Hampshire	★						
New Jersey				★ (4)			
New Mexico	★						
New York				★			
North Carolina	★						
North Dakota	★						
Ohio		★	★				
Oklahoma	★						
Oregon	★						
Pennsylvania		★					
Rhode Island	★						
South Carolina	★						
South Dakota	★						
Tennessee	★						
Texas	★						
Utah	★						
Vermont	★						
Virginia	★						
Washington					★		
West Virginia	★						
Wisconsin	★						
Wyoming		★	★				

(1) Exemption for publication and sale of medical works only.

(2) Contraceptive materials not prohibited.

(3) Exemption for "legally licensed physicians in the legitimate practice of their profession."

(4) Physicians may advise and instruct patients wherever there is "just cause."

CUTTING THE KNOT

State	Length of residence required before filing suit	Grounds						Period before parties may remarry	
		Adultery	Cruelty	Desertion	Impotency	Alcoholism	Number of grounds	Plaintiff	Defendant
Alabama	One year ¹	x	x	x	x	x	11	2 months if no appeal	2 months if no appeal
Arizona	One year	x	x	x	x	x	11	One year	One year
Arkansas	Two months	x	x	x	x	x	9	Immediately	Immediately
California	One year ²	x	x	x		x	6	One year	One year
Colorado	One year ²	x	x	x	x	x	12	Six months	Six months
Connecticut	Three years ³	x	x	x		x	8	Immediately	Immediately
Delaware	Two years ³	x	x	x		x	9	Two years	Two years
Dist. Columbia	Three years ²	x					1	Ninety days	Never
Florida	One year ²	x	x	x	x	x	9	Immediately	Immediately
Georgia	One year	x	x	x	x	x	10	Fixed by court	Fixed by court
Idaho	Three months	x	x	x		x	7	Immediately	Immediately
Illinois	One year ²	x	x	x	x	x	9	Immediately	Immediately
Indiana	One year	x	x	x	x	x	7	Immediately	Immediately
Iowa	One year ²	x	x	x		x	7	1 year or less	1 year or less
Kansas	One year ⁴	x	x	x	x	x	11	Six months	Six months
Kentucky	One year	x	x	x	x	x	14	Immediately	Immediately
Louisiana	One year ²	x		x			5	Husband—one year Wife—22 months	Husband ⁵ 1 yr., 2 mos. Wife ⁵ 2 years
Maine	One year ²	x	x	x	x	x	8	Immediately	Immediately
Maryland	Two years ²	x		x			5	Immediately	Immediately
Massachusetts	Five years ²	x	x	x	x	x	8	Immediately	Two years
Michigan	Two years ²	x	x	x	x	x	9	Immediately	Immediately ⁶
Minnesota	One year ²	x	x	x	x	x	8	Six months	Six months
Mississippi	One year ²	x	x	x	x	x	11	Immediately	Immediately ⁶
Missouri	One year ²	x	x	x	x	x	12	Immediately	Immediately
Montana	One year	x	x	x		x	7	Immediately	Immediately
Nebraska	Two years ²	x	x	x	x	x	6	Six months	Six months
Nevada	Six weeks	x	x	x	x	x	9	Immediately	Immediately
New Hampshire	One year ²	x	x	x	x	x	13	Immediately	Immediately
New Jersey	Two years ²	x	x	x			3	Three months	Three months
New Mexico	One year	x	x	x	x	x	10	Immediately	Immediately
New York	⁶	x					1	Immediately	3 yrs.—consent of court
North Carolina	One year ¹	x		x	x		4	Immediately	Immediately
North Dakota	One year	x	x	x		x	7	Immediately	Immediately
Ohio	One year	x	x	x	x	x	10	Immediately	Immediately
Oklahoma	One year	x	x	x	x	x	10	Six months	Six months
Oregon	One year	x	x	x	x	x	8	Six months	Six months
Pennsylvania	One year	x	x	x	x		10	Immediately	Immediately ⁶
Rhode Island	Two years	x	x	x	x	x	12	Six months	Six months
South Carolina	No court divorce								
South Dakota	One year ²	x	x	x		x	7	Immediately	Immediately ⁶
Tennessee	Two years	x	x	x	x	x	13	Immediately	Immediately ⁶
Texas	One year	x	x	x			6	Cruelty cases—1 yr.; others immediately	Cruelty cases—1 yr.; others immediately
Utah	One year	x	x	x	x	x	10	One year	One year
Vermont	One year ⁷	x	x	x			7	Six months	Two years
Virginia	One year	x		x	x		9	Six months	Six months ⁶
Washington	One year	x	x	x	x	x	11	Immediately	Immediately
West Virginia	Two years ²	x		x			3	Six months	Six months ^{6, 9}
Wisconsin	Two years ²	x	x	x	x	x	9	One year	One year
Wyoming	One year ²	x	x	x	x	x	12	One year	One year

¹ Longer in certain cases.

² Shorter in certain cases.

³ Or bona fide residence since cause of action arose.

⁴ Five years in insanity cases.

⁵ One year for cause arising in state.

⁶ Parties must have married in the state or resided there when the offense was committed.

⁷ Two years for insanity.

⁸ One divorced for adultery may not marry the paramour, but there are exceptions to this rule in Mississippi, Pennsylvania and Tennessee. Special restrictions against remarriage exist in South Dakota, West Virginia and Virginia.

⁹ Court may restrain defendant from remarrying: up to two years in Michigan; up to five years in West Virginia (when case is not on grounds of adultery).

323 CONFLICTS

Every star indicates a duplication between a state tax and a federal tax

	INCOME TAXES		DEATH TAXES	SALES TAXES ON TANGIBLES					
	Individuals	Corporations		Cigars	Cigarettes	Gasoline	Oleomargarine	Soft Drinks	Wort and Malt
Alabama			*	*	*	*		*	
Arizona			*			*			
Arkansas	*	*	*	*	*	*			*
California		*	*			*			
Colorado			*			*	*		
Connecticut		*	*			*			
Delaware	*		*			*			
Florida			*			*			
Georgia	*	*	*	*	*	*		*	*
Idaho	*	*	*			*	*		
Illinois	*		*			*			
Indiana			*			*			
Iowa			*		*	*	*		
Kansas			*		*	*			
Kentucky			*			*			
Louisiana			*			*			
Maine			*			*			
Maryland			*			*			
Massachusetts	*	*	*			*			
Michigan			*			*			*
Minnesota			*			*			
Mississippi	*	*	*	*	*	*			*
Missouri	*	*	*			*		*	
Montana		*	*			*			
Nebraska			*			*	*		
Nevada						*			
New Hampshire	*		*			*			
New Jersey			*			*			
New Mexico			*			*			
New York	*	*	*			*			
North Carolina	*	*	*			*			
North Dakota	*	*	*		*	*	*		
Ohio	*		*		*	*			
Oklahoma	*	*	*			*	*		
Oregon	*	*	*			*	*		
Pennsylvania			*			*			
Rhode Island			*			*			
South Carolina	*	*	*	*	*	*		*	*
South Dakota			*		*	*	*		*
Tennessee	*	*	*	*	*	*	*	*	*
Texas			*		*	*			
Utah	*	*	*		*	*	*		
Vermont	*	*	*			*			
Virginia	*	*	*			*			
Washington			*			*	*		
West Virginia			*			*			
Wisconsin	*	*	*			*	*		
Wyoming			*			*	*		
Total Duplications	21	20	47	6	13	48	13	5	7

Sales taxes on tangibles

Tobacco and Snuff: North Dakota, South Carolina, Tennessee
 Cigarette Papers: Iowa, Kansas, North Dakota, South Dakota, Utah
 Automobiles: South Dakota
 Candy and Gum: South Carolina
 Firearms and Shells: South Carolina

**Other Conflicts—Taxes imposed by*

Sales taxes on tangibles (continued).
 Lubricating Oils: Alabama
 Mechanical Refrigerators: North Carolina
 Playing Cards: South Carolina

*This table has been prepared from data published in the Preliminary Report of**Reprinted from State Government, May 1933*

323 CONFLICTS

Every star indicates a duplication between a state tax and a federal tax

SALES TAXES ON INTANGIBLES				OCCUPATIONAL TAXES		TAXES ON FOREIGN INSURANCE COMPANIES	OTHER CONFLICTS*	TOTAL CONFLICTS	
Admissions	Electrical Energy	Transportation of Oil in Pipelines	Transfers of Capital Stock	Manufacturers of Filled Cheese	Manufacturers and Dealers in Oleomargarine ^①				
	*						3	9	Alabama
								2	Arizona
								7	Arkansas
					*			4	California
*					*			5	Colorado
*	*				*	*		7	Connecticut
	*	*						5	Delaware
			*		***		3	9	Florida
								8	Georgia
*	*				*	*		9	Idaho
*								4	Illinois
*							1	4	Indiana
							1	5	Iowa
*						*	1	6	Kansas
					***			5	Kentucky
*						*		4	Louisiana
								2	Maine
*	*	*						5	Maryland
			*					5	Massachusetts
*					***			7	Michigan
*					***			6	Minnesota
*	*			*	***			13	Mississippi
*								6	Missouri
*				*	***			8	Montana
*				*	***		2	10	Nebraska
	*							2	Nevada
*								4	New Hampshire
*								3	New Jersey
		*		*				4	New Mexico
*		*	*			*		8	New York
	*			*	**		1	9	North Carolina
				*	***		2	12	North Dakota
	*	*						6	Ohio
	*	*			***	*		11	Oklahoma
	*				*	*		8	Oregon
*	*	*	*		***			9	Pennsylvania
				*				2	Rhode Island
*	*		*				6	17	South Carolina
*				*			2	9	South Dakota
					***		1	13	Tennessee
	*							4	Texas
					***		1	10	Utah
	*				***			8	Vermont
	*							5	Virginia
						*		4	Washington
*	*	*				*		6	West Virginia
*					***	*		10	Wisconsin
*						*		4	Wyoming
23	17	8	5	7	49	10	24	323	Total Duplications

The states and the United States include:

Sales taxes on intangibles

Issues of Bonds and Stock: Alabama, Florida, Indiana, South Carolina
Transfer of Bonds: Florida
Deeds of Conveyance: Alabama, Florida, South Carolina

Occupational taxes

Wholesale Dealers in Filled Cheese: Nebraska
Retail Dealers in Filled Cheese: Nebraska

① In this column * applies to manufacturers only; ** to manufacturers and wholesale dealers, and *** to manufacturers, wholesale and retail dealers.

the Subcommittee on Double Taxation of the House Ways and Means Committee

COUNTY ACCOUNTING

1931-32

State	Average county area (sq. mi.)	Average county population	Average county density (persons sq. mi.)	Per capita costs of state government	Per capita (a) costs of county government	County costs per cent of state costs alone	County debts per cent total govern- mental debts in state	County property levies per cent total property levies in state
Alabama	765.3	39496.2	51.6	\$13.70	\$12.31	90.2%	21.6%	52.5%
Arizona	8129.2	31112.3	3.8	32.75	27.25	84.1	23.2	41.4
Arkansas	700.3	24726.4	35.3	20.95	6.30	30.0	2.7	22.9
California	1994.0	97833.6	36.5	22.73	30.45	119.0	4.1	34.5
Colorado	1645.4	16441.1	10.0	20.50	20.13	70.6	2.5	24.7
Connecticut	602.5	400862.8	333.4	25.40	1.06	4.17	1.8	1.5
Delaware	655.0	79460.0	121.3	57.98	13.05	22.5	33.1	43.7
Florida	818.9	21913.6	26.8	16.94	18.33	108.2	18.3	28.7
Georgia	369.9	18222.5	49.5	14.09	5.78	41.09	32.4	36.5
Idaho	1894.4	10114.3	5.3	27.20	17.39	63.90	11.3	33.2
Illinois	549.4	74810.3	136.2	13.92	6.99	50.2	5.9	8.7
Indiana	391.7	35201.1	89.8	15.39	9.41	61.3	21.2	16.4
Iowa	561.4	24958.8	44.5	19.96	30.42	152.3	50.3	20.3
Kansas	778.6	17914.2	23.0	17.79	13.23	74.3	18.4	23.5
Kentucky	334.8	21788.2	65.0	14.45	4.44	30.6	29.2	22.1
Louisiana (b)	709.5	32837.3	46.3	39.38	3.84	7.6	3.1	9.3
Maine	1868.4	49838.9	26.7	33.48	2.58	7.7	4.2	5.2
Maryland	414.2	35941.3	164.1	20.50	23.96	59.2	15.3	26.0
Massachusetts	574.2	303543.8	528.6	17.31	3.43	15.7	2.2	5.7
Michigan	692.5	58341.2	84.2	20.59	13.78	66.9	9.8	23.3
Minnesota	929.4	29470.7	31.5	29.04	13.50	46.4	23.8	19.3
Mississippi	565.3	24510.0	43.4	11.21	11.87	106.3	40.8	38.5
Missouri	602.3	24626.3	52.8	17.72	8.74	38.1	17.1	18.3
Montana	2609.4	9600.1	3.7	27.00	20.28	75.1	21.2	36.7
Nebraska	825.8	14816.8	17.9	18.36	12.77	69.5	5.8	17.9
Nevada	6527.8	5356.3	0.8	49.87	42.29	84.8	18.4	56.0
New Hampshire	903.1	46529.3	51.5	28.01	4.84	17.3	5.2	8.0
New Jersey	357.8	192444.9	537.8	28.93	17.29	59.7	14.9	17.6
New Mexico	3951.7	13655.3	3.5	27.22	5.50	20.19	10.7	19.8
New York	768.6	186904.2	264.2	28.27	20.06	35.9	6.6	7.7
North Carolina	487.4	31702.7	65.0	14.54	14.37	98.7	29.1	42.4
North Dakota	1324.2	12846.1	9.7	23.83	12.78	53.6	10.4	24.6
Ohio	462.9	75536.1	163.1	11.47	13.02	113.9	16.7	20.2
Oklahoma	901.4	31117.4	34.5	17.92	9.63	54.1	22.4	22.7
Oregon	2655.7	26494.0	10.0	30.65	17.36	56.9	13.1	30.4
Pennsylvania	669.1	143751.4	214.8	17.05	10.37	48.5	15.2	13.9
Rhode Island	213.4	137499.4	644.3	18.95	.00	.0	.0	.0
South Carolina	662.9	37799.2	57.0	21.97	5.48	24.9	18.2	28.3
South Dakota	1114.0	10041.2	9.0	26.34	14.93	60.2	12.3	22.4
Tennessee	438.8	27542.6	62.8	13.91	12.72	91.4	32.2	49.8
Texas	1003.0	22931.9	22.2	18.09	8.65	48.1	27.5	24.0
Utah	2833.9	17511.9	6.2	26.85	8.89	33.1	8.9	21.5
Vermont	651.7	25686.5	39.4	28.50	.31	1.0	.5	.5
Virginia	401.2	17188.9	60.2	17.47	14.86	60.0	16.7	36.2
Washington	1713.7	40087.07	23.4	24.65	13.84	56.2	9.7	26.7
West Virginia	436.7	31440.0	72.0	18.01	9.93	55.1	22.6	30.0
Wisconsin	778.2	41549.3	53.2	24.54	21.02	85.6	39.4	24.3
Wyoming	4241.2	9807.1	2.3	47.71	19.59	41.2	3.6	33.2

(a) The populations used as bases for these figures are not necessarily the same as those used in the preceding column, since certain non-county cities are omitted from the Bureau of the Census figures. Similarly, the "average county population" figures omit some of the independent cities.

(b) Parishes.

THE CONTROL OF STATE UNIVERSITIES

State	Name of Governing Board	No. of Members		Method of Selection	Term in Years
		Total	Ex Officio		
Alabama.....	Trustees.....	13	2	Trustees and Senate.....	12
Arizona.....	Regents.....	10	2	Governor and Senate.....	6
Arkansas.....	Trustees.....	9	2	Governor and Senate.....	8
California.....	Regents.....	24	8	Governor.....	16
Colorado.....	Trustees.....	7	1	Elected.....	6
Connecticut†.....					
Delaware.....	Trustees.....	32	4	Governor, Senate, Trustees§.....	6
Florida.....	Board of Control.....	5	0	Governor.....	4
Georgia.....	Regents.....	12	1	Governor and Senate.....	6†
Idaho.....	Board of Education and Regents.....	6	1	Governor.....	5
Illinois.....	Trustees.....	12	3	Elected.....	6
Indiana.....	Trustees.....	8	0	Board of Education (5); Alumni (3)	3
Iowa.....	Board of Education.....	9	0	Governor and Senate.....	6
Kansas.....	Regents.....	9	0	Governor.....	4
Kentucky.....	Trustees.....	15	3	Governor and Alumni.....	6
Louisiana.....	Supervisors.....	15	3	Governor and Senate.....	4
Maine.....	Trustees.....	9	1	Governor and Council.....	7*
Maryland.....	Board of Agriculture.....	9	0	Governor and Senate.....	9
Massachusetts†.....					
Michigan.....	Regents.....	10	2	Elected.....	8
Minnesota.....	Regents.....	12	0	Legislature.....	6
Mississippi.....	Trustees.....	10	1	Governor and Senate.....	12
Missouri.....	Curators.....	9	0	Governor and Senate.....	6
Montana.....	Board of Education.....	9	1	Governor and Senate.....	4
Nebraska.....	Regents.....	6	0	Elected.....	6
Nevada.....	Regents.....	5	0	Elected.....	10
New Hampshire.....	Trustees.....	13	2	Governor and Council (9); Alumni (2)	3
New Jersey†.....					
New Mexico.....	Regents.....	5	0	Governor and Senate.....	4
New York†.....					
North Carolina.....	Trustees.....	102	2	Legislature.....	8
North Dakota.....	Board of Administration.....	5	2	Governor and Senate.....	6
Ohio.....	Trustees.....	7	0	Governor and Senate.....	7
Oklahoma.....	Regents.....	7	0	Governor and Senate.....	7
Oregon.....	Board of Higher Education.....	9	0	Governor and Senate.....	9
Pennsylvania†.....					
Rhode Island†.....					
South Carolina.....	Trustees.....	11	4	Legislature.....	6
South Dakota.....	Regents of Education.....	5	0	Governor and Senate.....	6
Tennessee.....	Trustees.....	19	5	Governor and Senate.....	12
Texas.....	Regents.....	9	0	Governor and Senate.....	6
Utah.....	Regents.....	14	2	Governor and Senate.....	4
Vermont.....	Trustees.....	20	2	Senate (9); Trustees (9).....	4
Virginia.....	Visitors.....	10	1	Governor and Senate.....	4
Washington.....	Regents.....	7	0	Governor and Senate.....	6
West Virginia.....	Governors.....	7	0	Governor and Senate.....	7
Wisconsin.....	Regents.....	17	2	Governor.....	6
Wyoming.....	Trustees.....	11	2	Governor and Senate.....	6

†One member chosen by Governor alone holds office for only 4 years.

*One member nominated by alumni holds office for 3 years.

†No State University.

§Governor and Senate choose 8, Trustees and Senate choose 20.

LEGISLATIVE ENACTMENTS AGAINST LYNCHING

	Punishment prescribed for			Maximum liability of city or county for mob violence causing		Peace officer who permits lynching of prisoner removed by	Prisoner may be sent to another county on order of	Special terms of court for inflammatory offenses
	Lynching	Aiding a lynching	Mob violence	Personal injury	Property damage			
Alabama	5 yrs.-death	1-21 yrs.				Impeachment		
Arkansas								★
California					(2)			
Connecticut				(2)	(2)			
Florida							Governor	
Georgia	1 yr.-death						Court	
Idaho							Court	
Illinois			30 days-5 yrs. (1)	\$5000	\$5000	Governor	Sheriff	
Indiana	life-death	2-21 yrs.				Conviction	Court	
Kansas	5 yrs.-life	5 yrs.-life		(2)	(2)	Coroner	Sheriff	
Kentucky	life-death	life-death	1-15 years		(2)(3)	Governor	Court	
Louisiana							Court	
Maine					(4)		Court	
Maryland					(2)(3)			
Massachusetts					(4)			
Michigan							Court	
Minnesota				\$7500		Governor		
Mississippi							Court	
Missouri					(2)		Sheriff	
Montana					(2)		Court	
Nebraska				\$7500				
Nevada							Governor	
New Hampshire					(2)		Court	
New Jersey			30 days-5 yrs. (1)	\$5000		Governor	Court	
New Mexico							Court	
New York					(2)			
North Carolina	2-15 years (1)			(2)				
Ohio				\$5000				
Pennsylvania	death	death	death	\$10,000				
Rhode Island					(4)		Court	
South Carolina				\$2000 (5)		Conviction		
Tennessee						Conviction (6)	Sheriff	
Vermont							Governor	
Virginia	death	death	1 yr.-death					
West Virginia	death	death	30 days-5 yrs. (1)	\$5000				
Wisconsin					(2)			

(1) Also a fine.

(2) Amount of damage done.

(3) If preventable.

(4) Three-fourths of damage done.

(5) Minimum liability.

(6) Applies only to sheriff.

CHAPTER IV

An Informational Clearing House

Activities of the Interstate Reference Bureau

NEED FOR LEGISLATIVE RESEARCH

THE American Legislators' Association and the Council of State Governments have established the *Interstate Reference Bureau*, to assist any legislator, any legislative committee, or any legislative reference bureau to secure any desired information. There is no charge for this service and no obligation is incurred by using it.

Much valuable material concerning legislative subjects has already been collected, and the Bureau has facilities for assembling additional information as requested.

An Interstate Clearing House

It has been said that in many parts of the United States we are suffering not from an emergency but from two emergencies—one economic and one governmental.

Expert revision of the administration and finances of many municipal, county, and state governments must be promptly effected. Of course it is obvious that in such revisions of our state governments, the legislatures must take a leading part. Not so obvious, but equally important to appreciate, is the fact that the legislatures also have important responsibilities in connection with the revision of the governments of our counties, of our towns and cities, and of our minor governmental districts as well. Local government can not be satisfactory in any state in which the statutes concerning local government are defective.

Coördination between governments: Thus there is a tremendously significant field of inquiry:

First, concerning the extent to which government, viewed as a unit, should enter such fields as these: unemployment insurance, health, hospitals, sanitation, conservation, development of resources, highways,

charities, correctional work, higher education, libraries, parks, public utilities, stabilization of markets, old-age insurance, mothers' pensions, child welfare, and other types of public welfare work.

Second, concerning the distribution of these functions between federal, state, and local governments, and the avoidance of overlapping and duplication.

Third, concerning the joint financing of projects by various governmental units.

These questions involve study and planning. And the federal government must study and plan with the state governments. The legislatures should, if possible, take counsel together—and Congress must do its part by endeavoring to cooperate with them. We should strive to utilize all of the nation's experience and all of the knowledge and judgment of our experts in the field of government.

A legislature can not enact thoroughly scientific or satisfactory measures unless it has available accurate information concerning both the problems to be met and the best technique for meeting them. It must know what the experiences of other communities have demonstrated and what procedures the leading experts have formulated. Such information is usually available only when a legislature has the benefit of a competent legislature reference service; and even the most competent services maintained by individual states can never perform their tasks adequately until the clearing house function now undertaken by the Interstate Reference Bureau, an integral unit of the American Legislators' Association and the Council of State Governments, is properly financed.

Even in states which have no legislative reference services of their own the legislatures are receiving without charge the benefit of the facilities of the Interstate

Reference Bureau. This bureau is thus beginning to make available to each of the 7,500 state legislators the researches not only of all the state legislative reference bureaus, but also—

(1) Of hundreds of other public agencies, including many departments of the federal and state governments.

(2) Of the law schools and political science departments of many universities.

(3) Of numerous associations such as the American Public Health Association, the National Education Association, the National Conference of Social Work, the American Bar Association, and the American Prison Reform Association.

(4) Of many bureaus of municipal research.

(5) Of countless other independent research agencies such as the Institute of Public Administration, the Brookings Institution, and the Russell Sage Foundation.

Responsibility for a Clearing House

The country abounds in resources of governmental research, which heretofore have been relatively inaccessible. Our present economic and governmental conditions have emphasized the imperative need for resources which will be readily available to every legislature. Consequently the establishment and development of this Interstate Reference Bureau seems to be essential. Fundamentally, this is a governmental responsibility. It is neither safe nor proper that it be entirely abandoned to the precarious support of private individuals or of foundations. On the other hand, it is neither reasonable nor feasible that any one or two states bear the entire expense of establishing an agency which functions for the equal benefit of all. It is apparent that the federal and state governments have a responsibility in connection with the development of this instrumentality. There are many precedents for the recognition of such a responsibility.

DEVELOPMENT OF LEGISLATIVE REFERENCE SERVICES

To give content to the preceding general remarks, it is advisable to discuss the legislative reference movement. An accurate account of the important function of the Interstate Reference Bureau can be given

only after the state legislative reference service has been generally described. There follows a brief summary of the activities of the Wisconsin Legislative Reference Library together with a general statement on the development of the legislative reference bureaus in other states. The Wisconsin legislative reference service is typical of a well-organized agency of this character.

Wisconsin Beginnings

Tradition has it that early in the session of 1901, a farmer member of the Wisconsin Legislature, in search of information upon a pending proposal for legislation, wandered over to the law library at the university, a mile from the state capitol. There he looked at book after book, but he could not find the information he sought. Charles McCarthy, then a graduate student at the university, observed his quandary, offered to help him and found what this member wanted.

That was the beginning of the present type of legislative reference service, although as early as 1890 the New York State Library had created a subordinate position of legislative librarian, which was occupied by a man who devoted his time to indexing the legislation of other states; and although for many years the British Parliament had maintained parliamentary draftsmen. Neither of these prior services, however, had attracted any attention in this country, and neither of them had embraced much of what is now known as legislative reference service.

During the 34 years which have since intervened, the Wisconsin Legislative Reference Library has had a continuous existence, and to-day it functions much as it did during the 20 years that the late Doctor McCarthy was its chief. The fact that it renders an appreciated service is evidenced by the fact that not a single vote has ever been cast in the legislature against an appropriation for it.

Staff

The permanent staff of the legislative reference library consists of 11 persons—the chief, 5 librarians and research assistants, 4 stenographers and clerks, and a part-time messenger. In addition, at the

opening of each session five attorneys are employed as bill draftsmen, but only two of them are retained during the entire session.

Of course the staff is also supplemented by as many stenographers and clerks as are needed to type, proof read, and index bills during the sessions. These clerks include many girls who are regularly employed in other state departments, but who do extra evening work in the bill-drafting department. The entire staff—except the chief and the librarians, who must be library-school graduates—is selected and employed under the provisions of the state civil service law. The continuity in the personnel of the staff is noticeable. The library has had only three chiefs in 34 years, and several of the present employees have been with the department for periods ranging from 20 to 25 years. The bill draftsmen are local attorneys who come back session after session. Usually there is not more than one man on the staff who has not had previous drafting experience.

Cost of the Service

The present appropriation to the legislative reference library of Wisconsin is \$25,000 for each biennium. This is a continuing appropriation, but the unexpended balance lapses annually.

The extent to which the legislators utilize the expert services of such a staff may be judged by the figures for a typical biennium: In 1932, a nonsession year, the legislative reference library of Wisconsin answered 2,637 requests for information, many of which required a substantial amount of original research; and in 1933, a session year, it answered 2,019 such requests to May 1st. In the latter year, 27 of the 33 senators and 78 of the 100 members of the lower house made use of this information service. During the same year this service was also utilized by various members of Congress, and by nearly all of the departments of the Wisconsin state government, by many local officials, by numerous organizations, and by more than 500 private citizens of the state.

At the 1933 session, the bill-drafting services of the library were used by every member of the house of representatives and by every member of the senate. During that session the library received a total of

4,343 drafting requests, a number almost equaling the total number of bills, resolutions, and amendments introduced in both houses.

The library's collection of 75,000 catalogued pieces of material, chiefly unpublished studies, articles from magazines, and documents, is constantly consulted by the staff in the performance of its drafting and research services.

In Other States

It soon became apparent that the Wisconsin Legislative Reference Library was rendering noteworthy services, and as a result bureaus of similar character were established in other states.

Along with Wisconsin, New York was developing a legislative reference service as a section of its State Library. This has since become the most extensive research agency of any of the state services and one of the best in all other respects.

In 1907 statutes were passed creating such bureaus or departments in the following states: Indiana, Michigan, Nebraska, North Dakota, and South Dakota. In 1909 similar enactments were made in Pennsylvania, Rhode Island, and Texas. Later similar services were established either with or without specific legislation in various other states, including Arizona, California, Connecticut, Georgia, Illinois, Maine, Maryland, Montana, North Carolina, South Carolina, and Vermont.

The most recent reference service is that established in Kansas by an act passed in 1930.

Many of the bureaus have developed into effective organizations; although some of them have only one or two staff members. Among those which have the desirable combination of high standards of workmanship and staffs of fairly adequate size are California, Connecticut, Illinois, Indiana, Massachusetts, Maryland, New York, Pennsylvania and Wisconsin. Each of five states—California, Maryland, New York, Pennsylvania and Wisconsin—has eight or more people engaged in legislative reference work on a full time basis.

Experience has clearly demonstrated that each of these bureaus is of great value to the state which maintains it.

There should be a law against the unbridled use of the imagination. In the meantime, however; the present administration of the American Legislators' Association is indulging in this day-dream:

That in every state of the Union there is to be an efficient legislative reference bureau, well able to furnish legislators with desired information in convenient form, to prepare well-drafted bills, and to condense—as well as to revise—the existing statutes.

And that once a year, the forty-eight experts who direct these bureaus are to spend three or four days taking counsel together.

Congressional Legislative Reference Service

In the meantime, Congress began to realize the value of legislative reference service. This realization was due partly to the demonstration of Wisconsin and of the other states which had established such facilities, and partly to the increasing acuteness of the Congressional need for such services.

Library of Congress: Beginning in 1911, the House and the Senate Committee on the Library held extensive hearings concerning a proposal to establish a legislative research bureau in the Library of Congress. Among the persons who testified in support of the proposal at these hearings were Herbert Putnam, Librarian of Congress, Lord Bryce, then ambassador from Great Britain, and Doctor McCarthy. Among other prominent advocates of the proposal then before this committee were the directors of several state legislative reference bureaus, President Lowell of Harvard University, President Van Hise of the University of Wisconsin, the senior Senator La Follette, Theodore Roosevelt, and Woodrow Wilson. After much consideration, the bill was passed in 1913, and the legislative reference division of the Library of Congress was organized under the direction of Dr. Herman H. B. Meyer who has served as its chief since 1914. This bureau specializes in researches concerning federal problems, though the State Law Index under the direction of Miss Margaret Stewart, is of great value to state legislative reference bureaus.

Coördinating Legislative Research Agencies

Many readers who are acquainted with the valuable functions of the Legislative Reference Section of the Library of Congress will naturally question the possibility of the Interstate Reference Bureau duplicating these functions. The answer is that neither agency duplicates the services undertaken by the other. On the contrary they cooperate most cordially and each has a real need for the facilities of the other. The Legislative Reference Section of the Library of Congress provides the same service for Congress which the Interstate Reference Bureau provides for state legislatures, administrative officials, and legislative reference bureaus. It is unfortunate that the Interstate Reference Bureau, because of inadequate financing, cannot make its activities more readily available to the legislative, executive and administrative branches of the federal government.

THE INTERSTATE REFERENCE BUREAU

What Is the Bureau?

The Interstate Reference Bureau is a quasi-governmental agency, bearing the official endorsement of forty-six state legislatures. In essence, it is a logical development of the legislative reference bureaus. In these various state bureaus, 350 staff members—132 full-time and the rest part-time workers—are now engaged in legislative research, in bill-drafting, and in the revision of statutes. Until the establishment of the Interstate Reference Bureau in October, 1930, these numerous state bureaus had no regular channels of communication with each other. Consequently its advent was hailed with sincere enthusiasm by all of the state bureaus, and with constantly increasing effectiveness it is serving as the clearing house of these bureaus, giving each state access to the work of a combined corps of legislative technicians which no individual state could possibly afford to maintain.

The Bureau, organized as a part of the American Legislators' Association and the

Council of State Governments, has access to the unique and valuable research facilities of those organizations. Dr. Rodney L. Mott, director of the School of Social Sciences at Colgate University and former research consultant of the Association describes its work in the *American Political Science Review* for April, 1932. The following is a revised excerpt from the article:

Research Work

"The research work of the American Legislators' Association falls into two divisions: (1) a survey of the sources of legislative information; (2) a study of the legislative process.

"The Legislators' Association is an organization of lawmakers. It has been fostered by a growing feeling that effective laws are not the inevitable result of campaign oratory, backslapping, or vote-trading. Many legislators desire to take advantage of the experience of other states, but find it difficult to learn much about that experience. Others would like to consult research workers who have been studying the problems which perplex them, but lack facilities for discovering these experts. For these legislators in their quest for assistance, the American Legislators' Association corresponds to a radio antenna. Its first task, therefore, is to discover who is preparing material for the legislative market.

Founts of Knowledge

"Legislation touches an extremely large number of problems. For this reason, a considerable proportion of the research work in the social sciences has legislative implications. Questions are constantly arising on which expert advice can be given by research workers in the fields of sociology, education, or law, as well as in those of political science and economics. Many of these experts are connected with universities, but it also frequently happens that doctors, lawyers, and social workers develop legislative hobbies and do very reliable work on them.

"The typically American way of securing information, however, is through an organization, a committee, a bureau, or an institute. Some of these organizations are frankly propagandist; others have no ul-

terior motives. Some have large staffs and adequate facilities; others are mere paper organizations centering around single individuals. Some are privately supported, others are public or quasi-public in character. Some are actively interested in legislation; for others legislative work is incidental.

"A list of the names and addresses of these organizations is only a beginning. It is also necessary to know the subjects that each organization is working on, and especially the specific aspect of the subject it is interested in. It is even more important to know which individuals in each organization are interested in these subjects, how adequate their facilities for work are, and how biased their conclusions are likely to be. It is quite as important that this information be kept up to date by continual revision as that it be exhaustive.

Providing Valuable Information

"The time honored method of trial and error has proved temporarily useful in this work. Requests for information are continually pouring into the Interstate Reference Bureau, which is conducted by the Association. In many cases, the inquirer is placed in direct contact with a valuable source of information. But if the subject is a new one, it becomes necessary to survey the field. A few minutes spent with the published list of research projects will usually indicate to whom we may turn, even if our own memories do not call any name to mind. If all these sources fail us, the task is more complicated, but by no means hopeless. By a series of inquiries to persons in closely related fields, it is usually possible to find someone who can name the individual or organization most interested in the given question.

"Sometimes it is desirable to make a systematic survey of one class of organization. The legislative reference bureaus are among the most active and at the same time most valuable sources of information on legislation. They frequently are called upon to investigate legislative subjects, and their work is invariably impartial, usually thorough, and often exhaustive.

Law-making Machinery

"The second part of the research work of the American Legislators' Association

involves the law-making process itself. In this branch of its activity, the Association is interested in legislatures rather than legislation—the legislative process rather than the substance of legislation. The composition, organization, and procedure of the state legislatures are significant in this connection, as are the methods and work of those agencies which assist in the process, e. g., revisors of statutes, interim committees and commissions, bill-drafting agencies, and legislative reference departments. The research activities on these topics range all the way from compiling a simple table showing the 22 special sessions held last year to an elaborate study of the length of legislative sessions. Indeed, the entire process of law-making, from the election of the legislator to the final passage of his bills, lies within the range of this research.

"At the present time, the Legislators' Association is completing a study of legislative personnel. This project was much more elaborate than any which has been undertaken previously, and it is believed that the results are much more significant. The questions it attempted to answer are: What kind of individual is elected to the state legislature in each state? To what extent are our laws being made by novices? The age, the occupation, the party affiliation and the previous legislative experience of every individual who is now a member of a state legislature are being secured. These characteristics were selected because information on them could be secured with reasonable facility and the data thus compiled would be of considerable importance.

The Men Who Make the Laws

"The names of all the 7,500 members of state legislatures had already been compiled for the mailing list of the Association—a compilation, incidentally, which is unique in itself. Data on the age, occupation, party affiliation, and previous legislative experience of some 4,500 legislators were available in state bluebooks or legislative manuals. But many states have no such documents, and in others the information given in the manual is incomplete. It was necessary, therefore, to supplement the data by tapping other sources.

"Requests for information were sent to state officials and to local newspapers, and

although some results were obtained from these sources, there were still gaps in the information. As a last resort, a series of questionnaires was sent to the legislators themselves, and during a period of four months complete information has been secured on 2,200 additional lawmakers. The Association is now able to indicate some of the type characteristics of the *homo legislatus*.

"If the initial material is indicative of what may be expected when all the information is in, the conclusions from this material are certain to be interesting, and perhaps even startling. The great importance of this investigation, however, will be in its cumulative effect. It is planned to carry it on from biennium to biennium. In a few years, we will be able to show the changing characteristics of our legislators."

Whom Does the Bureau Serve?

The Bureau is organized primarily for the service of the following groups:

1. The legislative reference bureaus of the states.
2. Individual state legislators.
3. Governors and other state officials interested in the formulation of effective legislation.

The Bureau stands ready to supply information and to render other services to all members of Congress and to all Congressional agencies.

In this connection it is interesting to note that during recent months, the Bureau has not only supplied information upon the request of various members of Congress and other Congressional agencies but also to a long list of divisions of the Federal Departments of the Treasury, the Interior, Agriculture and Commerce, and the emergency agencies.

What Staff Has the Bureau?

During the past three years the Bureau's staff has consisted of at least twelve full-time members. All of the members of the staff are college graduates; individual members have received degrees from Chicago, Cincinnati, Colorado, Columbia, Duke, Harvard, Iowa, Massachusetts Institute of Technology, North Carolina, Pomona, Princeton, Stanford, Syracuse, Vanderbilt, Williams, Wisconsin and other colleges and universities.

Members of this staff have served on the political science and economics faculties of the universities of Syracuse, Chicago, Stanford, Alabama, Kentucky, North Carolina, Harvard, Duke and American University. The Director of the staff, a former President of the Denver Bar Association, was for eight years a member of the State Senate of Colorado. The actual work of the Interstate Reference Bureau is in charge of Mr. Hubert R. Gallagher, formerly a member of the political science faculties of Syracuse and Stanford.

Inquirers

The Bureau supplies information in response to specific inquiries from legislative reference bureaus, legislative committees, individual legislators, and other governmental officials.

Several thousand requests for information have been received by the Interstate Reference Bureau. In 1934 requests came from all forty-eight states. Among the more active states in this connection were: California, Illinois, Massachusetts, Montana, New York and Pennsylvania. Many letters came from legislative reference bureaus but in the states which have poorly staffed bureaus or no legislative reference service, the inquiries came directly from the legislators themselves.

The names of the inquirers who have asked for assistance could form the basis of a Who's Who in Legislation. A large number of the more progressive law-makers, many chairmen or clerks of important standing or interim committees, directors of two-thirds of the legislative reference services, clerks of various legislative bodies, numerous state and federal officers, professors of political science and legislation in the leading universities, and directors of research agencies which are studying legislative problems, have all requested help from the Interstate Reference Bureau.

Types of Questions

These requests for information have come in by telegram, on post cards, in letters, over the telephone, and through personal calls. Their subjects have ranged over every conceivable problem of legislative concern. Collectively, they would tax the wisdom of the Delphic Oracle and

the resources of the best equipped library. If any of our readers wish to prepare for an examination in legislative science, they might practice on these few simple problems—a sample of those which the Interstate Reference Bureau has been asked to solve during the past few months:

1. How can unemployment relief be financed?
2. How much are judges paid in other states?
3. How much revenue has the Mississippi sales tax produced?
4. In which states may the legislature be convened in special session without a call by the governor?
5. How can lobbying be controlled?
6. Which states require the publication of banns before marriage?
7. Can a bill be amended on third reading without requiring its reengrossment?
8. What are the provisions of the various laws regulating hours of labor in mercantile establishments?
9. What is the best form of blue-sky law?
10. What provisions should be incorporated in a bill calling a convention to consider the repeal of prohibition?
11. Are compulsory automobile insurance laws feasible?
12. How much will a constitutional convention cost?
13. What are the provisions of the New York act regulating the practice of pharmacy?
14. How does Canada regulate the liquor traffic?
15. Which states have free textbook laws?

The press is turning to the Interstate Reference Bureau with increasing frequency. During the past year the Bureau has answered inquiries from many periodicals such as the *New York Times*, the *Chicago Daily News* and the *Christian Science Monitor* and from the chief editorial writer for the Hearst papers. Inquiries have also been answered for both the Associated and the United Press. On one occasion the news magazine, *Time*, held its presses while the Interstate Reference Bureau secured some information for it.

The members of the staff of the Inter-

state Reference Bureau are thoroughly trained research workers in legislative problems, but they do not claim to be supermen. They have been as much puzzled by some of the questions which have been addressed to the bureau as were the legislators who sent them. Many problems could only be solved by pooling the knowledge and wisdom of specialists in all parts of the United States. Other questions required the combined information and resources of all the legislative reference bureaus to answer them. The continuous contact which the Interstate Reference Bureau has maintained with the scores of agencies studying legislative problems has made it possible to unlock, and make quickly available, tremendous resources of information and advice.

In many cases the information desired could be furnished directly from the offices of the Interstate Reference Bureau. A request for the number of legislatures holding regular sessions in 1933, a letter asking which states had enacted minimum wage laws for women and children, or a telegram asking which states permit the consolidation of counties, each presented problems which could be answered from the Bureau's files. More frequently, however, it was found desirable to refer the question to some authority or agency which had recently studied it. In this way the inquirer is placed in direct contact with the source of information and can follow up the answer he receives with further questions.

Each inquiry presents its own special problem. Some demand specific information—"Which states levy taxes on the distribution of natural gas?"—others are extremely general—"What information have you on current legislation?" Some require an answer immediately. Information has been furnished for a committee hearing held the same day that the telegram requesting it was received. Other questions can be adequately answered only through the cooperation of legislative reference services in several states. In a few cases it was necessary to request assistance from a score of agencies.

More inquiries were received concerning taxation than on any other subject. Indeed, a quarter of the requests for information have involved tax problems.

Bulletin Service

It became clear that the Bureau could tremendously improve its service if it would provide bulletins containing the basic information on the questions which were repeatedly asked. In many cases a simple, but accurate and impartial, statement of the facts concerning the problem would answer the question. Accordingly in September, 1932, the Bureau began the issuance of a series of mimeographed bulletins. By the end of the following May, 50 of these informational bulletins had been issued. They have been a most useful supplement to the inquiry service of the Interstate Reference Bureau and have covered a large number of subjects of legislative concern. In all, 105 different bulletins were distributed by the Bureau by the end of 1934, many of which were compiled by the Bureau itself. Doubtless the issuance of these bulletins forestalled a large number of inquiries which would otherwise have been received.

A few examples of the topics upon which the Bureau has recently compiled bulletins are: sales tax laws, sales tax revenues, liquor control laws, housing laws, and state recovery acts.

It was found that suitable material on many problems had already been prepared by some other agency. All that was necessary in those cases was to make that material available to legislators and to the legislative reference bureaus. In some instances it was necessary to prepare the data for a bulletin in the offices of the Bureau, either because no other material was available, or because the bulletins issued by other organizations were not entirely impartial. At other times the material compiled in answer to inquiries seemed so significant that the Bureau mimeographed it as a separate bulletin.

In a few cases bulletins have been specially prepared to meet emergency problems. The rapid spread of bank failures, the wholesale threat of mortgage foreclosures, the prevailing tax delinquency, and the repeal of the Volstead Act led directly to the preparation of bulletins on bank moratorium laws, farm mortgage legislation, state scrip, and the control of liquors.

For more than two years the Bureau has

also distributed a weekly bibliographical bulletin. One hundred and twenty bulletins were issued by January 1935. This service lists the publications received by the 'American Legislators' Association and 18 other organizations in the field of government which are cooperating with it in Chicago. Although distributed primarily to the legislative reference services, copies of the bibliographical bulletin have also been sent to a selected list of legislators.

These various bulletins have been under the immediate direction of Dr. George C. S. Benson, director of the Publications Division, and Mr. Hubert R. Gallagher, director of the Research Division. Mrs. Lucile L. Keck, of the Joint Reference Library, has charge of the indexing for the bibliographical bulletins. This paragraph would not be complete without mention of the efficient assistance which Miss Evelyn Sparling and Miss Martha Shippert have rendered in various phases of the work of the Interstate Reference Bureau.

Other Services

Magazine service: The Interstate Reference Bureau of the American Legislators' Association also superintends the publication of a monthly magazine, "State Government" which is described fully in Chapter III.

Study of law-making machinery: A systematic study of means for improving the organization and procedure of the state legislatures.

Personnel Survey: A systematic and exceedingly illuminating study of the personnel of the 96 legislative houses is under way. This project is discussed earlier in the chapter.

Financing the Bureau

This Bureau has been called into existence on account of the lack of coordination and cooperation between our 48 state governments. There is an obvious defect in our governmental machinery which makes cooperative governmental enterprises exceedingly difficult to maintain. The Association is dedicated in part to an effort to reduce this defect. If this Bureau is worth its salt, it should be financed by the 48 states jointly and the Association is hopeful of securing a small regular appropriation from each of the states. It would also

be appropriate for the federal government to join with the states in financing this undertaking, since it is no less important for us to have coordination and cooperation between the 48 states, than it is to have a well-geared relationship between the federal government and the various states. This project is a contribution to that cause.

A Reference Manual

The Interstate Reference Bureau has recently completed the preparation of a manual, or handbook, of the activities of the state legislative reference services.

Concise statements of the activities of each reference bureau comprise the first section of this volume. There are short paragraphs covering the history of each state bureau, the law establishing it, the finances for its maintenance, its director and staff, its office facilities, the bureau's own library and its relationship to other libraries, the work of the bureau, and the particular activities in which it specializes. The extent to which state bureaus engage in research, bill drafting, revision, and other activities such as editing the state "blue-book" or preparing public documents is also indicated.

One of the principal objects of the Interstate Reference Bureau is to promote closer cooperation between the state reference services. This manual should be a useful tool for the interchange of information among the bureaus, as well as a valuable reference volume for all students of legislative problems.

Annual Conference

A Legislative Conference is held, annually if that is possible, by the American Legislators' Association to which all directors of legislative reference bureaus, state librarians and interested legislators are invited. These conferences are often held in conjunction with the annual meeting of the Association and have afforded opportunities for a valuable interchange of information and opinions among those participating. For instance, the 1932 conference resulted in:

1. The establishment of more direct and cordial relationships between these various bureaus working in the same field.
2. Improved organization in some of the

bureaus—as a result of both formal and informal discussions of techniques.

3. A general agreement that a clearing-house for the various legislative reference bureaus is essential; and that it should expedite its undertaking to organize a continuing survey of the significant researches which each state bureau is making or has recently made.

4. An agreement that the Interstate Reference Bureau should secure a copy of the classification which each active legislative reference service now uses in filing and organizing its legislative material; that the Bureau should make a comparison of these various classifications, thus ascertaining in what respects these classifications are similar and in what respects they are different; and that this should constitute the first step in the preparation of an approved standard classification of legislative topics for bureau use. Eventually this standard classification will be recommended to each new legislative reference bureau as it is established; it may also be utilized by each existing bureau, as far as is feasible.

Executives Express Approval

Many executives of state legislative reference services have indicated their readiness to cooperate in the development of the Interstate Reference Bureau project. Among them are:

DEWITT BILLMAN, Secretary of the Illinois Legislative Reference Bureau.

HORACE E. FLACK, Executive of the Legislative Reference Service of Maryland.

GRACE M. SHERWOOD, Director of the Legislative Reference Bureau of Rhode Island.

CHARLES KETTLEBOROUGH, Director of the Legislative Reference Bureau of Indiana.

ARTHUR A. SCHWARTZ, Head of the Ohio Legislative Reference Service.

MARGARET M. GIBBS, Legislative Reference Librarian for Georgia.

GEORGE S. GODARD, State Librarian of Connecticut.

LAWRENCE K. FOX, Superintendent of the South Dakota State Department of History.

HARRIET C. LONG, State Librarian of Oregon.

JOHN H. FERTIG, Director of the Penn-

sylvania Legislative Reference Bureau.

EDWARD H. REDSTONE, State Librarian of Massachusetts.

EDNA D. BULLOCK, Director of the Legislative Reference Bureau of Nebraska.

A. J. SMALL, Law and Legislative Librarian of Iowa.

HADDON IVINS, State Librarian of New Jersey.

ALLEN MOORE, former Director of the Legislative Reference Office of Colorado.

HELEN COFFIN, Legislative Reference Librarian of Connecticut.

W. T. CASH, State Librarian of Florida.

ALICE LYMAN, State Librarian of Wyoming.

HARRISON J. CONANT, State Librarian of Vermont.

HENRY M. LONDON, Legislative Reference Librarian of North Carolina.

DORIS H. CONNERLY, Legislative Reference Librarian of Texas.

FRANKLIN CORRICK, Revisor of Statutes of Kansas.

WILLIAM R. SHANDS, Director of Statutory Research and Drafting of Virginia.

WILLIAM E. HANNAN, Legislative Reference Librarian of New York.

FRED B. WOOD, Legislative Counsel of California.

HOWARD F. OHM, Head of the Wisconsin Legislative Reference Library.

Others who have furnished information or counsel to the Interstate Reference Bureau are:

REBECCA FRIEDMAN, Librarian of the Legislative Reference Bureau of Maine.

VIRGINIA G. MOODY, State Librarian of South Carolina.

VERNER M. JONES, Director of the unofficial Tennessee Legislative Reference Service.

MULFORD WINSOR, State Librarian of Arizona.

ALICE V. WARNER, of the Legislative Reference Department of Michigan.

DALLAS T. HERNDON, Director, Arkansas Department of Archives and History of Arkansas.

ASHBURN K. BARBOUR, Law Librarian of Montana.

And of course an inestimable contribution to the development of this project has been made by the distinguished Director of the Legislative Reference Service of the

Library of Congress, Dr. Herman H. B. Meyer.

Model Legislative Reference Bureau Law

At the meeting of the legislative reference section of the American Legislators' Association in 1933 a model legislative reference law was discussed and, as a result, a model bill on the subject was drafted. The Interstate Reference Bureau has frequently received requests for such a bill. It is believed that the establishment of legislative reference bureaus may be substantially aided by the existence of this model statute.

Hearing Before House Committee

The following opinions on the Interstate Reference Bureau were expressed at a hearing before the Library Committee of the House of Representatives on March 24, 1932. The hearing concerned a bill for federal appropriations in support of the Interstate Reference Bureau.

Possibly the man most intimately acquainted with just what members of Congress want was the former Legislative Counsel of the United States Senate, FREDERIC P. LEE. He said:

"There are two functions which the Interstate Reference Bureau may serve. It may act as the clearing house for the various state legislative reference bureaus, and it may make available to Congress this collected material concerning state government.

"It has been my experience that a great deal of congressional legislation ties in, in one way or another, with state legislation. I have been concerned in the drafting of very large amounts of various Federal legislative enactments, and while I was engaged in that work we frequently found it necessary to find out what the states had done in this field or what would be the effect of the proposed federal legislation on various types of state legislation.

Information needed: "To illustrate, take the motor-bus legislation which is now pending in Congress. On that legislation I served not only Mr. Couzens' committee in the Senate, but Mr. Parker's committee, the Interstate Commerce Committee, in the House. The measure passed the House

once. For instance, one of the first problems that arises is the question whether the regulation shall extend to trucks as well as busses, and whether it shall cover contract carriers as well as common carriers; and the first thing one wants to know is, what have the states done in these various fields, and how successfully has it worked out? Do they require certificates of public convenience and necessity for these various types of carriers? What has been done in the way of requiring insurance policies or surety bonds to assure that persons injured by one of these carriers may have an adequate recovery, and to provide for the financial responsibility?

Variations in legislation: "The states have various types of legislation. Some have insurance policies; some have surety bonds; some provide for direct suit against the surety company or the insurance company; others require first that suit be brought against the carrier, and if it is impossible to recover there, then there is the additional remedy against the insurance company; and the various types and the various angles of the problem can be worked out in one way or another in the legislation of the states and in the administrative practices of a great many of the states. But to get that sort of information is not an easy thing, even through our legislative reference service in the Library of Congress.

"What Congress wants is immediate information. It is not possible to set some one to work, even in the Library of Congress, for a period of 3 or 4 or 5 months to dig out information that is needed tomorrow or within the next week or so. If the information is already accumulated, for instance, on these bus matters in the Library of Congress, one would naturally ask the Library for it, but if they do not have it, does it exist somewhere else? The Legislative Reference Bureau would serve to apprise Congress of whether or not that information existed at other sources; and they would be in a much better position to know that, than would the Library of Congress. Of course, while the Library of Congress does a great deal of work upon existing legislation, in digesting it and knowing the statutes, it does not keep up with the administrative regulations or the administrative activities in connection with various

legislation and how it is working out in the states, and they can not, sitting in this central position, obtain that sort of information with any facility. That has been my experience. The cost of it would be too great for them. That sort of information has to be ascertained by some one who is in the field in the particular state and knows what is going on there.

"The point that I want to emphasize is that it seems to me that in connection with Federal legislation Congress will find that an organization that can apprise it of where the information exists with regard to state legislation and state administrative activity can perform a real Federal service as well as an interstate service."

SEABURY C. MASTICK, Chairman of the New York Commission for the Revision of the Tax Laws, voiced the need of the states and of special commissions before the House Committee on libraries:

"For the past eight years I have been chairman of the joint committee of both houses on taxation and retrenchment. At present I am chairman of the state commission for the revision of the tax laws which has been conducting an extensive research into taxation for the past two years. During this period of eight years the state has spent, under my direction, for research into the matters set forth, upwards of \$200,000. I have, therefore, special knowledge of the value and result of research.

"Our various committees and commissions have been hampered in their work by lack of information as to what other states and the Federal Government as well, were doing in the various lines of study. There has been no clearing house of information and it has been necessary to conduct extensive correspondence through questionnaires and otherwise which would have been obviated had there been such a clearing house as the American Legislators' Association is beginning to afford. I urge a suitable appropriation for the work of the Association in order to advance the cooperation in legislation and the uniformity of law which will result from the activities of the Association."

PROFESSOR JOSEPH P. CHAMBERLAIN, Director of the Legislative Drafting Fund of Columbia University:

"The state legislator's secretariat gives

the legislator who is interested in the subject a chance to get the wisdom and the data that have been gathered by the states through official sources, such as their legislative reference libraries, upon the various questions at issue. It takes no position on them, of course; it should not; but it can supply the legislators with the information that will enable them to test out the arguments presented by the various national groups and to present matters of legislation in a way which will make them very much more efficient. . . . I am immensely impressed, and more and more convinced that we are supplying fair and reasonable information to legislators and the legislative committees."

EDWIN E. WITTE, former Chief of the Legislative Reference Service of Wisconsin, now Executive Director of the President's Committee on Economic Security:

"With such endorsement of the Interstate Reference Bureau by Congress, its future would be assured, and I have no doubt that it would within a short time prove itself an indispensable agency to legislators, both state and Federal. This is a step which I sincerely hope Congress will see fit to take, and in expressing this hope, I believe I voice the sentiment of all the state legislative reference services."

JOHN G. WINANT, then Governor of New Hampshire:

"May I suggest that the bill before your committee in support of the Interstate Reference Bureau of the American Legislators' Association would, in my opinion, develop a useful and necessary service to state legislators and executives in formulating legislation?"

JOHN H. FERTIG, Director of the Legislative Reference Bureau of Pennsylvania:

"Pennsylvania is vitally interested in the establishment and adequate financing of this Bureau, and was the first state to extend financial aid to it. . . . I heartily endorse the bill now pending in Congress."

JUSTIN MILLER, then Dean of the Law School of Duke University:

"I am sending this letter to you to urge upon you the importance of the work which the Legislators' Association is doing and the desirability of adopting legislation which will give Federal recognition and assistance to this splendid work. It will be par-

ticularly helpful in these times of stress if constructive leadership of this kind can secure the recognition which will come from the passage of this bill."

HAROLD W. DODDS, now President of Princeton University:

"I know of no proposal which will do more to reduce the mass of legislation of which the taxpayers are complaining, and to introduce clarity and understanding into our legislatures, than an interstate reference bureau properly supported. . . . The effectiveness of the state bureaus will be increased by the organization of a national clearing house. Such an organization will be a godsend to those states which do not have reference bureaus and probably will not have for many years to come."

MORRIS B. LAMBIE, Executive Secretary of the League of Minnesota Municipalities wired:

"Acting in my individual capacity, request your committee on Library to support favorably bill introduced by Congressman Luce and Senator Steiwer for Federal participation in Interstate Reference Bureau of American Legislators' Association. Believe passage of bill will be of inestimable value and aid to all governmental reference and informational bureaus, libraries, universities, national and state legislators, and public administrators."

CHARLES E. MERRIAM, head of the Political Science Department of the University of Chicago:

"I have been very much interested in this project ever since the American Legislators' Association came to my attention. Beyond question, there should be a clearing house for the various legislative reference bureaus of the several states. This plan goes much further, and is capable of rendering an extremely important service if given the support it deserves on its merits."

"In my judgment, the organization is developing along sound lines under thoroughly responsible administration. I hope it may be possible to obtain federal cooperation in the development of a service which has so important a bearing on the whole growth of our legal structure."

Report of Library Committee

"The Committee on the Library, whose members were Honorable Ralph Gilbert of

Kentucky, Chairman; Honorable Kent E. Keller of Illinois; Honorable Lindsay C. Warren of North Carolina; Honorable Robert Luce of Massachusetts; and Honorable Ruth Pratt of New York, reports the resolution to the House of Representatives with a recommendation that it be passed.

"This brief report of the committee concerns the interrelation between the work of Congress and that of the state legislatures.

"The Interstate Reference Bureau has been organized in order to make immediately accessible to every state legislator the best information and counsel on any matter of state legislation.

"This committee has reached the conclusion that the Interstate Reference Bureau's services and material have great potential value for Congress. Mr. Frederic P. Lee, who has served for many years as legislative counsel of the United States Senate, presented a comprehensive statement on this subject at the committee hearing. The record of the hearing also contains other authoritative statements concerning the bureau's utility for Congress. The bureau has established a consultant affiliation with Mr. Herbert Putnam, librarian of the Library of Congress, and with Dr. Herman H. B. Meyer who conducts the legislative reference division of the Library under Mr. Putnam's direction.

"Congress is confronted by a countless number of problems which it can not handle correctly if it fails to take into consideration the laws which have been enacted by the legislatures of the various states.

"In the field of taxation, for instance, both the Secretary of the Treasury and the President have very recently emphasized the imperative necessity of such coordination between federal and state statutes on many subjects, such as income taxes, inheritance taxes, sales taxes, franchise taxes, gasoline taxes, tobacco taxes, and many more. Such coordination is also essential in regulating utilities which are operated in more than one state, including buses, railroads, and power developments.

"The judicial processes of the states and the nation are essentially interrelated. The adequate enforcement of many federal laws depends upon a coordinated system.

"In all matters which involve joint financing by state and federal governments, Congress must maintain an accurate familiarity with the acts of the state legislatures. Examples in this field include, for instance, legislation concerning highways, public health, and public welfare.

"Many of the Federal Government's policies concerning conservation, reclamation, public parks, and public lands also involve problems which require cooperation and legislative coordination.

"Such examples might be enumerated almost without limit, but these few instances, coupled with a reference to the testimony of Mr. Frederic P. Lee, Prof. Joseph P. Chamberlain, Prof. Herbert Harley, and other witnesses, sufficiently establish the necessity for this bureau.

"The present need for a reduction of governmental expenditures will inevitably involve us in some preliminary outlay for research and planning. It is not sound economy to perform a major operation in an amateur manner. This committee is charged with the responsibility of providing such research and planning services for Congress. The present resolution is recommended as a significant step in that direction.

"This essential interrelation between the laws of the Federal Government and those of the various states, makes it imperative that we shall have prompt, direct, and adequate contacts—

"(1) Between Congress and the 48 legislatures.

"(2) Between the federal legislative reference and drafting services and the corresponding services of the states.

"(3) Between the research agencies of Congress and the manifold other research agencies throughout the country which are tabulating and analyzing information concerning state laws.

"Such correlation of information and the development of such lines of communication will save more in a year than they will cost in a decade.

"It is a condition of the present resolution that all of the resources and services of the Interstate Reference Bureau shall be placed at the disposal of the members of Congress and their agents. Since the bureau is mustering the services of the staffs of all of the state bureaus of legislative reference and of many scores of other agencies, in addition to those of its own substantial staff, the government is assured of a generous return for its investment.

"In governmental affairs, as in the life of an individual, study, consultation, and planning are prime essentials, too often crowded out by the pressure of the day's work. The well-being of our nation requires us to attempt to overcome this tendency in the conduct of legislative work. This resolution is a part of that attempt.

CHAPTER V

Lawmakers of America

Studies in Legislative Personnel and Procedure

SOCRATES once said that man's first duty is to know himself. Second only to that obligation in these trying times of depression is the obligation to know one's business. "State Government" has always gone on the assumption that legislators want to know their business. Accordingly it has eagerly reached for any nuggets of information on legislative practice or procedure and passed them on to its readers. In doing so it has published an amazing amount of information.

Just as green apples and pie crust are more liability than asset when they cannot be digested, information which is not readily assimilable is worse than useless

to the busy legislator. Recognizing the fact, "State Government" has compressed its legislative data to tabular form which enables one to appraise the situation in his own state at a glance and in neighboring states with a more leisurely look. Some of these tables are reproduced in this chapter.

What do you wish to know about the legislature of which you are a member? Official names, date of session, length of meetings, rates of pay, dead lines on introduction of bills, number of standing committees are all here. The legislators are providing for themselves through their Association a vast quantity of other and equally valuable information.

Regular sessions during 1933

State	Convened	Adjourned	Length of Session†
*Alabama			
Arizona	January 9	March 14	65
Arkansas	January 9	March 9	60
California	January 2	July 26 ²	111
Colorado	January 4	May 9	126
Connecticut	January 4	June 7	155
Delaware	January 3	May 17	135
Florida	April 4	June 2	60
Georgia	January 19	March 18	59
Idaho	January 2	March 1	59
Illinois	January 4	July 1	179
Indiana	January 5	March 6	61
Iowa	January 9	April 20	102
Kansas	January 10	March 24	74
*Kentucky			
*Louisiana			
Maine	January 4	March 31	87
Maryland	January 4	April 3	90
Massachusetts	January 4	July 22	200
Michigan	January 4	July 18 ³	166
Minnesota	January 3	April 19	107
*Mississippi			
Missouri	January 4	April 25	112
Montana	January 2	March 4	62

State	Convened	Adjourned	Length of Session†
Nebraska	January 3	May 9	127
Nevada	January 16	March 26	70
New Hampshire	January 4	June 16	164
New Jersey	January 10	(See note 3)	—
New Mexico	January 10	March 10	60
New York	January 4	April 10	97
North Carolina	January 4	May 15	132
North Dakota	January 3	March 3	61
Ohio	January 2	July 10 ⁴	138
Oklahoma	January 3	April 22	110
Oregon	January 9	March 9	60
Pennsylvania	January 3	May 5	123
Rhode Island	January 3	April 21	109
South Carolina	January 10	May 18	129
South Dakota	January 3	March 3	60
Tennessee	January 2	April 22 ⁵	81
Texas	January 10	June 1	143
Utah	January 9	March 9	60
Vermont	January 4	March 25	81
*Virginia			
Washington	January 9	March 9	60
West Virginia	January 11	March 13	62
Wisconsin	January 11	July 25	197
Wyoming	January 10	February 18	40

† Number of days between date legislature convened and official adjournment date, including Sundays, holidays, and other days when the legislature did not actually meet.

* Did not hold regular sessions in 1933.

¹ Recessed January 27 to February 27, and May 12 to July 17.

² Recessed June 16 to July 17.

³ Recessed June 20 to August 29, and August 30 to November 14.

⁴ Recessed March 30 to May 15, and July 1 to July 10.

⁵ Recessed January 27 to February 27.

SCORE BOARD—1933

On which are recorded the individual contributions of the states to the grand total of forty-three special sessions.

State	Convened	Adjourned	Principal subjects considered
Alabama	January 31	April 14	Taxation; beer; salaries of state employees
Arizona	June 5	June 27	Taxation; liquor control
	June 27	June 27	Impeachment
Arkansas	August 14	August 24	Beer; taxation; banking laws
Colorado	August 2	August 18	Unemployment; liquor control; laws to supplement NRA
	December 4	*	Taxation
Delaware	October 18	*	Public works
Georgia	January 9	January 19	Organization of General Assembly
Idaho	June 19	June 22	Beer; investment of state funds
Illinois	October 3	November 9	Emergency relief
	November 22	*	Liquor control
Iowa	November 6	*	Emergency relief; liquor control; taxation
Kansas	October 30	December 4	Liquor control
Kentucky	August 15	September 26	Taxation; banking; beer; unemployment
Louisiana	March 20	March 24	Prohibition
Maryland	November 23		Liquor control
Maine	November 14	November 14	Banking
	December 4	*	Liquor control; sales tax
Massachusetts	November 8	December 4	Liquor control
Michigan	November 22	*	Liquor control; public works; banking; old age pensions
Minnesota	December 5	*	Liquor control
Missouri	October 17	*	Unemployment relief; sales tax; liquor control
Montana	November 27	*	Public works; banking; taxation; liquor taxes
New Jersey	September 28	November 14	Authorizing savings banks to invest in Home Loan Bonds
New York	July 26	August 24	Liquor control; relief; utility rates; mortgages
	October 18	October 18	New York City finances
Ohio	August 16	September 22	Unemployment; school finances; liquor control; taxation
	December 6	*	Liquor control
Oklahoma	May 24	July 15	Revenue
Oregon	November 20	*	Liquor control; unemployment relief; taxation
Pennsylvania	November 13	*	Liquor; public utilities; unemployment; banking; milk
Rhode Island	June 27	June 30	Laws to supplement NRA
South Dakota	July 31	August 5	Liquor control; unemployment relief
Texas	September 14	October 13	Taxation; unemployment relief
Utah	January 3	January 9	New legal code prepared by Code Commission
	July 10	August 2	Revenue
Vermont	July 19	July 19	Investment of state funds; laws supplementing NRA; banks
Virginia	August 17	September 6	Beer; 18th Amendment; public works
Washington	December 4	*	Liquor control
West Virginia	April 10	June 4	Revenue; schools; roads; insurance
	November 21	*	Revenue; unemployment; debt relief; reapportionment
Wisconsin	December 11	*	Liquor control
Wyoming	December 4	*	Liquor control

*Legislature is in session—December 8.

Reprinted from State Government, December 1933

OFFICIAL NAMES OF LEGISLATIVE BODIES

State	Both Bodies	Senate	House
Alabama, State of.....	Legislature.....	Senate.....	House of Representatives
Arizona, State of.....	Legislature.....	Senate.....	House of Representatives
Arkansas, State of.....	General Assembly.....	Senate.....	House of Representatives
California, State of.....	Legislature.....	Senate.....	Assembly
Colorado, State of.....	General Assembly.....	Senate.....	House of Representatives
Connecticut, State of.....	General Assembly.....	Senate.....	House of Representatives
Delaware, State of.....	General Assembly.....	Senate.....	House of Representatives
Florida, State of.....	Legislature.....	Senate.....	House of Representatives
Georgia, State of.....	General Assembly.....	Senate.....	House of Representatives
Idaho, State of.....	Legislature.....	Senate.....	House of Representatives
Illinois, State of.....	General Assembly.....	Senate.....	House of Representatives
Indiana, State of.....	General Assembly.....	Senate.....	House of Representatives
Iowa, State of.....	General Assembly.....	Senate.....	House of Representatives
Kansas, State of.....	Legislature.....	Senate.....	House of Representatives
Kentucky, Commonwealth of.....	General Assembly.....	Senate.....	House of Representatives
Louisiana, State of.....	Legislature.....	Senate.....	House of Representatives
Maine, State of.....	Legislature.....	Senate.....	House of Representatives
Maryland, State of.....	General Assembly.....	Senate.....	House of Delegates
Massachusetts, Commonwealth of.....	General Court.....	Senate.....	House of Representatives
Michigan, State of.....	Legislature.....	Senate.....	House of Representatives
Minnesota, State of.....	Legislature.....	Senate.....	House of Representatives
Mississippi, State of.....	Legislature.....	Senate.....	House of Representatives
Missouri, State of.....	General Assembly.....	Senate.....	House of Representatives
Montana, State of.....	Legislative Assembly.....	Senate.....	House of Representatives
Nebraska, State of.....	Legislature.....	Senate.....	House of Representatives
Nevada, State of.....	Legislature.....	Senate.....	Assembly
New Hampshire, State of.....	General Court.....	Senate.....	House of Representatives
New Jersey, State of.....	Legislature.....	Senate.....	General Assembly
New Mexico, State of.....	Legislature.....	Senate.....	House of Representatives
New York, State of.....	Legislature.....	Senate.....	Assembly
North Carolina, State of.....	General Assembly.....	Senate.....	House of Representatives
North Dakota, State of.....	Legislative Assembly.....	Senate.....	House of Representatives
Ohio, State of.....	General Assembly.....	Senate.....	House of Representatives
Oklahoma, State of.....	Legislature.....	Senate.....	House of Representatives
Oregon, State of.....	Legislative Assembly.....	Senate.....	House of Representatives
Pennsylvania, Commonwealth of.....	General Assembly.....	Senate.....	House of Representatives
Rhode Island and Providence Plantations, State of.....	General Assembly.....	Senate.....	House of Representatives
South Carolina, State of.....	General Assembly.....	Senate.....	House of Representatives
South Dakota, State of.....	Legislature.....	Senate.....	House of Representatives
Tennessee, State of.....	General Assembly.....	Senate.....	House of Representatives
Texas, State of.....	Legislature.....	Senate.....	House of Representatives
Utah, State of.....	Legislature.....	Senate.....	House of Representatives
Vermont, State of.....	General Assembly.....	Senate.....	House of Representatives
Virginia, Commonwealth of.....	General Assembly.....	Senate.....	House of Delegates
Washington, State of.....	Legislature.....	Senate.....	House of Representatives
West Virginia, State of.....	Legislature.....	Senate.....	House of Delegates
Wisconsin, State of.....	Legislature.....	Senate.....	Assembly
Wyoming, State of.....	Legislature.....	Senate.....	House of Representatives

THE 48: NUMBERS AND DATES

*Showing for each legislature the numbers and terms of its members
and the time of its sessions*

STATE	SENATE		HOUSE		TOTAL NUMBER OF MEMBERS	YEARS IN WHICH SESSIONS ARE HELD	DAYS ON WHICH SESSIONS CONVENE	REGULAR DATE OF CONVENING 1933
	NO. OF MEMBERS	TERM OF YEARS	NO. OF MEMBERS	TERM OF YEARS				
Alabama.....	35	4	106	4	141	Odd*	Second Tues. in Jan.....	No Session
Arizona.....	19	2	63	2	82	Odd	Mon. after first Tues. in Jan.	January 9
Arkansas.....	35	4	100	2	135	Odd	Second Mon. in Jan.....	January 9
California.....	40	4	80	2	120	Odd	First Mon. after first day in Jan.	January 2
Colorado.....	35	4	65	2	100	Odd	First Wed. in Jan.....	January 4
Connecticut.....	35	2	267	2	302	Odd	Wed. after first Mon. in Jan.	January 4
Delaware.....	17	4	35	2	52	Odd	First Tues. in Jan.....	January 3
Florida.....	38	4	95	2	133	Odd	Tues. after first Mon. in April	April 4
Georgia.....	51	2	205	2	256	Odd	Second Mon. after July 4.....	July 17†
Idaho.....	44	2	63	2	107	Odd	First Mon. after Jan. first.....	January 2
Illinois.....	51	4	153	2	204	Odd	Wed. after first Mon. in Jan.	January 4
Indiana.....	50	4	100	2	150	Odd	Thurs. after first Mon. in Jan.	January 5
Iowa.....	50	4	108	2	158	Odd	Second Mon. in Jan.....	January 9
Kansas.....	40	4	125	2	165	Odd	Second Tues. in Jan.....	January 10
Kentucky.....	38	4	100	2	138	Even	First Tues. in Jan.....	No Session
Louisiana.....	39	4	100	4	139	Even	Second Mon. in May.....	No Session
Maine.....	33	2	151	2	184	Odd	First Wed. in Jan.....	January 4
Maryland.....	29	4	119	4	148	Odd	First Wed. in Jan.....	January 4
Massachusetts.....	40	2	240	2	280	Annual	First Wed. in Jan.....	January 4
Michigan.....	32	2	100	2	132	Odd	First Wed. in Jan.....	January 4
Minnesota.....	67	4	131	2	198	Odd	Tues. after first Mon. in Jan.	January 3
Mississippi.....	49	4	140	4	189	Even	Tues. after first Mon. in Jan.	No Session
Missouri.....	34	4	150	2	184	Odd	Wed. after first Mon. in Jan.	January 4
Montana.....	56	4	102	2	158	Odd	First Mon. in Jan.....	January 2
Nebraska.....	33	2	100	2	133	Odd	First Tues. in Jan.....	January 3
Nevada.....	17	4	37	2	54	Odd	Third Mon. in Jan.....	January 16
New Hampshire.....	24	2	438	2	462	Odd	First Wed. in Jan.....	January 4
New Jersey.....	21	3	60	1	81	Annual	Second Tues. in Jan.....	January 10
New Mexico.....	24	4	49	2	73	Odd	Second Tues. in Jan.....	January 10
New York.....	51	2	150	1	201	Annual	First Wed. in Jan.....	January 4
North Carolina.....	50	2	120	2	170	Odd	Wed. after first Mon. in Jan.	January 4
North Dakota.....	49	4	113	2	162	Odd	Tues. after first Mon. in Jan.	January 3
Ohio.....	32	2	135	2	167	Odd	First Mon. in Jan.....	January 2
Oklahoma.....	44	4	118	2	162	Odd	Tues. after first Mon. in Jan.	January 3
Oregon.....	30	4	60	2	90	Odd	Second Mon. in Jan.....	January 9
Pennsylvania.....	50	4	208	2	258	Odd	First Tues. in Jan.....	January 3
Rhode Island.....	42	2	100	2	142	Annual	First Tues. in Jan.....	January 3
South Carolina.....	46	4	124	2	170	Annual	Second Tues. in Jan.....	January 10
South Dakota.....	45	2	103	2	148	Odd	Tues. after first Mon. in Jan.	January 3
Tennessee.....	33	2	99	2	132	Odd	First Mon. in Jan.....	January 2
Texas.....	31	4	150	2	181	Odd	Second Tues. in Jan.....	January 10
Utah.....	23	4	60	2	83	Odd	Second Mon. in Jan.....	January 9
Vermont.....	30	2	248	2	278	Odd	Wed. after first Mon. in Jan.	January 4
Virginia.....	40	4	100	2	140	Even	Second Wed. in Jan.....	No Session
Washington.....	46	4	99	2	145	Odd	Second Mon. in Jan.....	January 9
West Virginia.....	30	4	94	2	124	Odd	Second Wed. in Jan.....	January 11
Wisconsin.....	33	4	100	2	133	Odd	Second Wed. in Jan.....	January 11
Wyoming.....	27	4	62	2	89	Odd	Second Tues. in Jan.....	January 10

*Once every four years: 1931, 1935, and so forth.

†A ten day session begins second Monday in January—the ninth—at which the legislature may change date of regular session.

Governors have called special sessions to convene: Alabama, January 31, Oregon, January 3, Utah, January 3

Reprinted from State Government, January 1933

HOW LONG DO THEY MEET?

STATE	CONSTITUTIONAL TIME LIMITS (days)		WHAT IS A DAY?		ACTUAL LENGTH OF SESSION*				
	On length of session.	On compensation.	Defined as a "calendar day" by:	Defined as a "meeting day" by:	Biennium 1926-7		Biennium 1928-9		Biennium 1930-1
					Calendar days from beginning to end.	Days on which legislature met.	Calendar days from beginning to end.	Days on which legislature met.	Calendar days from beginning to end.
	I	II	III	IV	V	VI	VII	VIII	IX
Alabama.....	50			Court	126	49	6	6	170 ⁷
Arizona.....		60	Court		100	55	90	47	61
Arkansas.....	60 ¹		Court		60	39	60	40	60
California.....					117 ⁵	63	129 ⁵	72	125
Colorado.....					98	73	103	81	112
Connecticut....	5 months				122	61	120	63	141
Delaware.....		60	Custom		94	61	109	68	99
Florida.....	60		Custom		60	52	59	46	60
Georgia.....	60 ²		Custom		60	44	60	45	60
Idaho.....		60		Court	60	52	60	52	60
Illinois.....					176	69	162	76	165 ⁷
Indiana.....	61		Custom		61	43	61	44	61
Iowa.....					94	73	87	68	104
Kansas.....		50		Custom	72	56	68	46	64
Kentucky.....	60			Constitution	72	44	72	42	73
Louisiana.....	60			Custom	58	41	60	40	60
Maine.....					101	58	101	59	87
Maryland.....	90		Custom		90	52	90	51	90
Massachusetts..					114	78	157	91	155 ⁸
Michigan.....					150	81	147	85	136
Minnesota.....	90			Constitution	107	78	108	76	107
Mississippi.....					74	54	114	78	145
Missouri.....		70 ³		Court	87	73	147	110	162 ⁷
Montana.....	60		Custom		60	49	60	48	60
Nebraska.....					109	82	114	78	117
Nevada.....	60		Custom		60	43	60	44	60
New Hampshire..	51 weeks				100	46	99	50	121 ⁶
New Jersey.....					81	43	365	57	99
New Mexico.....	60		Custom		60	41	60	52	60
New York.....					80	61	86	61	94
North Carolina..					64	55	70	60	142 ⁸
North Dakota...	60 ²		Court		60	52	60	53	60
Ohio.....					127	64	100	51	161 ⁷
Oklahoma.....				Custom	79	61	82	71	96
Oregon.....			Custom		46	36	49	38	54
Pennsylvania...					100	41	107	40	130
Rhode Island...		60		Custom	107	62	108	61	107
South Carolina..					103	66	68	43	117
South Dakota...	60		Court		60	47	60	43	60
Tennessee.....		75		Custom	123	75	97	75	179 ⁷
Texas.....		120 ³		Custom	64	39	65	47	130
Utah.....	60		Court		60	44	60	45	60
Vermont.....					79	55	64	48	88 ¹
Virginia.....	60 ⁴		Custom		70	48	68	46	70
Washington.....	60		Custom		60	45	60	45	60
West Virginia...	60 ¹			Custom	110 ⁵	43	66	44	91
Wisconsin.....					202	120	261	137	153 ⁷
Wyoming.....	40		Custom		40	33	40	34	40
Average.....					86	56	96	59	99

¹Can be extended by a 2/3 vote of both houses.

²Can be extended for impeachment proceedings.

³Pay reduced to a lower rate after time limit.

⁴Can be extended by a 3/5 vote of both houses but with no compensation.

⁵Including 30 days constitutional recess.

⁶No session: the Alabama Legislature meets quadrennially.

⁷Legislature still in session—figure is probable length of session.

⁸Where two regular sessions were held during a biennium, the more recent is shown.

DEAD-LINES

Restrictions on the time for introduction of bills in the 48 legislatures

STATE	DEAD-LINE FIXED BY:	PROHIBITS INTRODUCTION OF BILLS:	PROBABLE DEAD-LINE DATE FOR BILLS IN 1933 SESSIONS	NUMBER OF DAYS ON WHICH CONSTITUTION REQUIRES BILL BE READ;
Alabama	Constitution	during last 5 days ¹²	No session	
Arizona	House and Senate resolutions			
Arkansas	Constitution	during last 3 days		3
California	Constitution	after constitutional recess	January 14	3
Colorado	Constitution ⁶	after 15 days	January 18	
Connecticut	Joint resolution		February 1	
Delaware				2
Florida	House, Senate or concurrent resolution			3
Georgia	House rules ⁵	during last 30 days	August 15	3
Idaho	House and Senate rules ⁷	after 35 (40) days	House—Feb. 20 Senate—Feb. 25	3
Illinois	House and Senate rules		House—April 14 Senate—April 18	3
Indiana	House rules	after 45 days	February 18	3
Iowa	House and Senate rules	after 35 or 40 days	House—March 10 Senate—March 15	
Kansas	Concurrent resolution ⁷		February 15	3
Kentucky	Senate rules ⁹	during last 15 days	No session	3
Louisiana	Constitution	after 20 days	No session	3
Maine	House, Senate or Joint order	during last 3 days		
Maryland	Constitution	during last 10 days	March 23	3
Massachusetts	Joint rule	after 2d Saturday	January 14	
Michigan	Constitution ¹³			
Minnesota	Constitution	during last 20 days	March 25	3
Mississippi	Constitution ¹¹	during last 3 days	No session	3
Missouri				3
Montana	Constitution, House rule	after 40 days	February 10	
Nebraska	Constitution	after 20 days	February 2	3
Nevada	Assembly rule		February 24	3
New Hampshire	Joint rule	after second week	January 17	
New Jersey	Concurrent resolution			3 ²
New Mexico	Constitution ³ , House and Senate rules	last 6 (or 10) days	House—March 4 Senate—Feb. 28	2
New York	Assembly rule		April 5	
North Carolina	None			
North Dakota	Constitution ⁴ , House ¹⁰ and Senate rules	after 35 days	February 6	2
Ohio	Joint rule ⁶		February 20	
Oklahoma	Joint rule ¹² , Senate rule ¹²	last 5 days		3
Oregon	House rule ⁶⁻⁷		January 28	3
Pennsylvania	House resolution		April 15	3
Rhode Island	Joint rule	after 42 days	March 15	
South Carolina	House resolution			3
South Dakota	House motion	after 40 days ¹⁴	February 11	2
Tennessee	Joint resolution			3
Texas	Constitution	last 3 days		3
Utah	House and Senate rules	after 40 days	February 17	
Vermont	House and Senate rules ⁴	after 2d Tues. in Feb.	February 14	
Virginia	Joint resolution		No session	3
Washington	Constitution and Joint rule	last 10 days	February 27	
West Virginia	Joint rule	after 50 days	March 15	3
Wisconsin	Assembly and Senate rules ⁷	after fifth week	February 15	
Wyoming	Constitution ⁵ , House and Senate rules	after 25 (or 30) days	House—Feb. 3 Senate—Feb. 8	

¹No finance bill during last 10 days—i.e., after February 20.²5 days must elapse between 2d and 3d reading in house of origin.³No appropriation bill during last 10 days.⁴No appropriation bill after 40th day—i.e., February 11.⁵Applies only to appropriation bills.⁶Except appropriation bills.⁷Except committee bills.⁸Except on Tuesdays or by standing committee.⁹Except on recommendation of rules committee.¹⁰No appropriation bill after 25th day—i.e., January 28.¹¹No finance bill during last 5 days.¹²Applies only to revenue bills.¹³Bills must be printed 5 days before passing.¹⁴After 45 days for committee bills—i.e., February 16.

STANDING COMMITTEES

*In 48 Senates and 48 Houses**Figures Compiled by Professor C. I. Winslow*

SENATE COMMITTEES				HOUSE COMMITTEES		
STATES	Number of committees	Average number of members on each committee	Average number of committees on which each Senator serves	Number of committees	Average number of members on each committee	Average number of committees on which each Representative serves
Alabama.....	28	7.6	6.	40	15.7	6.
Arizona.....	22	4.8	5.8	27	7.7	4.
Arkansas.....	40	5.9	7.	41	9.	3.7
California.....	40	8.7	8.8	58	10.4	7.6
Colorado.....	29	8.	6.7	37	9.5	5.5
Connecticut.....	37	2.	2.3	37	13.	1.75
Delaware.....	23	5.	6.8	27	5.	4.
Florida.....	40	6.3	7.	69	10.3	7.6
Georgia.....	48	12.6	12.	51	35.6	8.8
Idaho.....	28	6.5	4.1	39	6.3	3.7
Illinois.....	41	23.	18.5	32	25.4	5.3
Indiana.....	48	7.6	7.5	58	12.3	7.3
Iowa.....	51	10.	10.	48	17.8	7.9
Kansas.....	43	6.8	7.4	37	11.6	3.4
Kentucky.....	39	7.4	7.6	66	9.1	6.
Louisiana.....	26	9.5	6.4	37	10.8	4.
Maine.....	38	3.	4.5	38	7.	2.1
Maryland.....	29	8.9	9.3	35	9.6	3.
Massachusetts.....	30	7.	3.5	30	19.	1.5
Michigan.....	38	5.4	6.4	62	6.2	3.9
Minnesota.....	40	13.	7.9	46	18.1	6.4
Mississippi.....	37	7.8	6.4	39	16.4	4.8
Missouri.....	24	8.	5.6	55	13.7	5.
Montana.....	39	6.1	4.3	51	11.4	6.
Nebraska.....	31	7.8	7.	30	8.2	2.5
Nevada.....	25	4.	5.7	29	4.7	3.7
New Hampshire.....	24	5.	5.1	32	10.4	1.3
New Jersey.....	26	3.	7.6	31	5.	4.2
New Mexico.....	18	7.	5.2	31	6.8	4.3
New York.....	27	8.	4.2	33	12.9	2.8
North Carolina.....	51	13.	13.2	53	15.6	6.9
North Dakota.....	35	10.3	8.5	34	13.3	4.5
Ohio.....	21	9.	6.	36	13.	3.5
Oklahoma.....	37	16.1	8.5	29	15.1	4.2
Oregon.....	35	5.2	6.	36	6.2	3.8
Pennsylvania.....	35	18.7	13.1	44	30.4	6.5
Rhode Island.....	11	7.	2.5	14	10.2	1.8
South Carolina.....	29	11.5	7.3	25	13.4	2.7
South Dakota.....	53	7.5	8.8	59	8.6	5.
Tennessee.....	34	9.6	10.	44	20.5	9.2
Texas.....	36	9.2	10.7	38	16.9	4.3
Utah.....	12	5.8	3.7	30	6.4	3.5
Vermont.....	31	5.4	5.8	26	14.3	1.5
Virginia.....	20	9.	5.	26	13.5	3.8
Washington.....	51	7.3	9.	49	9.5	4.9
West Virginia.....	26	9.7	8.6	28	15.3	4.7
Wisconsin.....	9	5.1	1.5	22	7.	1.6
Wyoming.....	25	4.1	4.	29	7.	3.3
Average.....	32.3	8.6	7.6	39.2	12.8	4.5

Joint House and Senate Committees do most of the work in Connecticut, Maine and Massachusetts. Only the joint committees are counted in the table. In addition, however, there are the following separate committees each having the average number of members shown:

Connecticut—2 Senate Committees, 3 members; 1 House Committee, 3 members.

Maine—2 Senate Committees, 12 members; 7 House Committees, 8 members.

Massachusetts—5 Senate Committees, 5 members; 7 House Committees, 7.3 members.

WHO APPOINTS

*the Standing Committees in the 48 Legislatures?**Prepared by PROFESSOR C. I. WINSLOW, Goucher College*

	SENATE					HOUSE	
	I Lieutenant Governor	II President	III President pro tem.	IV Senate Elects	V Committee on Committees	VI Speaker	VII Committee on Committees
Alabama.....	X					X	
Arizona.....		X				X	
Arkansas.....	X					X	
California.....	X					X	
Colorado.....				X		X	
Connecticut.....			X			X	
Delaware.....			X			X	
Florida.....		X				X	
Georgia.....		X				X	
Idaho.....	X					X	
Illinois.....				X		X	
Indiana.....	X					X	
Iowa.....	X					X	
Kansas.....	X					X	
Kentucky.....			X			X	
Louisiana.....	X					X	
Maine.....		X				X	
Maryland.....		X				X	
Massachusetts.....		X				X	
Michigan.....	X					X	
Minnesota.....	X					X	
Mississippi.....	X					X	
Missouri.....			X			X	
Montana.....					X	X	
Nebraska.....				X			X
Nevada.....	X					X	
New Hampshire.....		X				X	
New Jersey.....		X				X	
New Mexico.....				X		X	
New York.....			X			X	
North Carolina.....	X					X	
North Dakota.....					X	X	
Ohio.....				X		X	
Oklahoma.....				X			X
Oregon.....		X				X	
Pennsylvania.....			X			X	
Rhode Island.....				X		X	
South Carolina.....				X		X	
South Dakota.....	X					X	
Tennessee.....		X				X	
Texas.....	X					X	
Utah.....		X				X	
Vermont.....					X	X	
Virginia.....				X		X	
Washington.....	X					X	
West Virginia.....		X				X	
Wisconsin.....				X		X	
Wyoming.....		X				X	

* Appoints committees with consent of Senate.
 * Special provision for composition of Rules Committee.

WHAT PRICE LAWMAKERS?

Prepared by Waldo Schumäcker.
Professor of Political Science, University of Oregon

State	Membership		Sessions Limit—Days		Salary		Allowances
	Senate	House	Regular	Special	Regular Session	Special Session	
Alabama	35	100	50	30	\$4 per day	\$4 per day	10c a mile
Arizona	19	51	60	20	\$3 per day	\$3 per day	20c a mile
Arkansas	35	100	60	15	\$1000 per year	\$6 per day	5c a mile
California ¹	40	80	None	None	\$2400 for 2 years		5c a mile
Colorado	35	65	None	None	\$1000 for 2 years		15c a mile
Connecticut	35	262	5 mo.	None	\$300 for 2 years		25c a mile
Delaware	17	35	60	30	\$10 per day	\$10 per day	10c per mile; postage \$25; reg. \$10 special session
Florida	38	95	60	20	\$6 per day	\$6 per day	10c a mile
Georgia	51	205	60	None	\$7 per day	\$7 per day	10c a mile
Idaho	44	59	60	20	\$5 per day	\$5 per day	10c a mile
Illinois	50	153	None	None	\$3500 for 2 years		Actual mileage; \$50 per session for postage, etc.
Indiana	50	100	61	40	\$10 per day	\$10 per day	20c a mile
Iowa	50	106	None	None	\$1000 for 2 years	Not over \$10 a day	5c a mile
Kansas	40	125	50	None	\$3 per day	\$3 per day	15c a mile
Kentucky	38	100	60	None	\$10 per day	\$10 per day	15c a mile
Louisiana	39	100	60	30	\$10 per day	\$10 per day	10c a mile
Maine	33	151	None	None	\$600 for 2 years	\$2 per day	\$2 for 10 miles
Maryland	29	119	90	None	\$5 per day	\$5 per day	20c a mile
Massachusetts	40	240	None	None	\$2000 per year		4.2c a mile
Michigan	32	100	None	None	\$3 per day for elective term		10c a mile
Minnesota	67	131	90	None	\$1000 for 2 years		10c a mile
Mississippi	49	140	None	None	\$1000 for 2 years	\$10 a day	10c a mile
Missouri	34	150	None	None	\$5 per day—70 day limit	\$5 per day	10c a mile
Montana	56	102	60	None	\$10 per day	\$10 per day	7c a mile
Nebraska ⁴	33	100	None	None	\$800 for 2 years	\$10 per day	Necessary mileage
Nevada	17	40	60	20	\$10 per day	\$10 per day	10c a mile; not over \$60 expenses
New Hampshire ²	24	424	None	None	\$200 per year	\$3 per day—15 day limit	Actual mileage
New Jersey	21	60	None	None	\$500 per year		Transportation
New Mexico	24	49	60	None	\$5 per day	\$5 per day	10c a mile
New York	51	150	None	None	\$2500 per year		10c a mile
North Carolina	50	120	None	20	\$600 per year	\$8 per day—20 day limit	
North Dakota	49	113	60	None	\$5 per day	\$5 per day	10c a mile
Ohio ³	32	130	None	None	\$1000 per year		10c a mile
Oklahoma ²	44	120	None	None	\$6 per day; \$2 after 60 days	\$6 per day	10c a mile
Oregon	30	60	40	20	\$3 per day	\$3 per day	\$3 for 20 miles
Pennsylvania	50	208	None	None	\$2500 for 2 years	\$500 per session	5c a mile circular each week during session; \$50 postage
Rhode Island	42	100	60	None	\$5 per day	None	5c a mile
South Carolina	46	124	None	None	\$400 per year		5c a mile
South Dakota	45	103	60	60	\$5 per day	\$5 per day	5c a mile; \$150 expense a biennium
Tennessee	33	99	75	None	\$4 per day	\$4 per day	Actual mileage
Texas ¹	31	131	None	30	\$10 per day; \$5 after 120 days	\$10 per day	\$2.50 for 25 miles
Utah	23	60	60	30	\$4 per day	\$4 per day	10c a mile
Vermont	30	248	None	None	\$375 for 2 years	\$4 per day	20c a mile
Virginia	40	100	60	30	\$720 for 2 years	\$360 per session	10c a mile
Washington	46	99	60	None	\$5 per day	\$5 per day	10c a mile
West Virginia ¹	30	94	60	None	\$500 per year		Mileage
Wisconsin	33	100	None	None	\$2400 for 2 years		10c a mile
Wyoming	27	62	40	None	\$10 per day	\$10 per day	Mileage

¹Divided sessions. ²Membership in lower house varies from session to session. ³May be extended up to 30 days by 3/5 vote in each house. ⁴Adopted at the Nov. 6, 1934 election an amendment which provides for a unicameral legislature of not less than 30 nor more than 60 members elected for a two-year term; sessions to be biennial though more frequent meetings may be provided by law; not over \$37,500 to be paid in salaries in any one year.

⁵Salary fixed by statute.

184 OF US IN CONGRESS

Possibly Congress has its troubles. But possibly it would have even more of them without its pre-trained legislators.

Data by JOHN BROWN MASON, Colorado Woman's College.

THE never-ending marvel of representative government has no more fascinating feature than the variety of men whom the people select to represent them:

Rich man, poor man, beggar man, thief,
Doctor, lawyer, merchant, and representative
of every other conceivable occupation.

The electorate chooses an equally surprising combination of men for its state legislators and for its Congressmen. But an impressive number of those elected to Congress have been through the state mill.

STATE GOVERNMENT considers this a good sign. In fact, only the fear of encountering a serious-minded reader prevents us from suggesting an amendment to the United States Constitution providing that no one shall be eligible for Congress until he has served in the legislature of his own state. The candidate would then know more about government, and his constituents would know more about him.

Apparently a large slice of the forty million American voters share these sentiments to some extent; at any rate, when they have a chance to elect to either branch of Congress a man who has been schooled as a state legislator, they very frequently—perhaps they *usually*—do elect him. Not always is there a state legislator's name on the ballot, but the electorate has nevertheless succeeded in filling more than a third of the seats in the north wing of the nation's capitol, and also more than a third of those in the south wing, with ex-state legislators.

The presence of such a large proportion of these gentlemen is not merely a peculiarity of the Seventy-Third Congress. STATE GOVERNMENT's faithful readers—Heaven bless them—will recall that a similar situation was revealed by the study of the Seventy-Second Congress

made in the fall of 1932 and published in the January, 1933, issue of the magazine.

The list which follows was compiled for STATE GOVERNMENT by John Brown Mason, Professor of History at the Colorado Woman's College and member of the staff of the City College of the University of Denver. It shows that:

34% of the nation's present Senators
36% of its Representatives

have learned the ropes "back home." Since this is the educational number of this magazine, we ought to say that these members of Congress have had vocational training, and that they have received an excellent form of adult-education-for-Congressmen.

When the roll is called in the nation's Capitol today, it includes the names of

35 United States Senators and
149 United States Representatives

who recall the eras when they shouted "Here" in the humbler halls in St. Paul, Frankfort, Nashville, Oklahoma City, Columbus, Trenton, Little Rock, Salem, and the rest. The average length of time which they served in state legislatures was:

Senators 3.2 years
Representatives 5.6 years.

In the two houses of Congress combined, the count of the ex-state legislators shows:

184 members
35% of all the members
4.4 years average service in the home capitol.

The 7500 state legislators of today, who constitute the American Legislators' Association, salute these 149 United States Representatives and these 35 United States Senators—our fellows of yesterday who have gone on to greater responsibilities and to abuse upon a larger scale.



**CONTINUED
ON NEXT
CARD**

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State Governments**

UP THE LADDER

Alabama

Senator John Hollis Bankhead, D.
Hon. John McDuffie, D.
Hon. Henry Bascom Steagall, D.
Hon. William B. Bankhead, D.

Arizona

Senator Henry Fountain Ashurst, D.

Arkansas

Senator Joseph Taylor Robinson, D.
Hon. William J. Driver, D.
Hon. Claude A. Fuller, D.
Hon. D. D. Glover, D.
Hon. Tilman Bacon Parks, D.

California

Hon. Charles J. Colden, D.
Hon. Richard J. Welch, R.

Colorado

Hon. Edward Thomas Taylor, D.
Hon. John Andrew Martin, D.

Connecticut

Senator Frederic Collin Walcott, R.
Hon. Charles Montague Baskin, R.
Hon. Herman Paul Kopplemann, D.
Hon. William Lincoln Higgins, R.
Hon. Edward Wheeler Goss, R.

Delaware

Senator John G. Townsend, Jr., R.

Florida

Senator Duncan U. Fletcher, D.
Senator Park Trammell, D.
Hon. Robert Alexis Green, D.
Hon. Millard F. Caldwell, D.

Georgia

Senator Walter Franklin George, D.
Senator Richard Brevard Russell, Jr., D.
Hon. Edward Eugene Cox, D.
Hon. Emmett Marshall Owen, D.
Hon. Robert Ramspeck, D.
Hon. Carl Vinson, D.
Hon. Malcolm Connor Taryer, D.
Hon. John Stephens Wood, D.

Idaho

Hon. Thomas C. Coffin, D.

Illinois

Senator James Hamilton Lewis, D.
Senator William H. Dieterich, D.
Hon. Thomas J. O'Brien, D.
Hon. Frank R. Reid, R.
Hon. Frank Gillespie, D.
Hon. Kent Ellsworth Keller, D.

Hon. J. Leroy Adair, D.
Hon. Martin Adlai Brennan, D.

Indiana

Senator Arthur R. Robinson, R.
Senator Frederick Van Nuys, D.
Hon. William Henry Larrabee, D.

Iowa

Hon. Lloyd Thurston, R.
Hon. Cassius C. Dowell, R.
Hon. Otha D. Wearin, D.
Hon. Fred C. Gilchrist, R.
Hon. Guy Mark Gillette, D.

Kansas

Hon. William Purnell Lamberson, R.
Hon. Harold McGugin, R.
Hon. Kathryn O'Loughlin McCarthy, D.
Hon. Clifford R. Hope, R.
Hon. Randolph Carpenter, D.

Kentucky

Hon. John Young Brown, D.
Hon. Brent Spence, D.
Hon. Glover H. Cary, D.

Louisiana

Hon. Joachim Octave Fernandez, D.
Hon. Paul Herbert Maloney, D.
Hon. Numa Francois Montet, D.
Hon. Riley Joseph Wilson, D.

Maine

Senator Frederick Hale, R.

Maryland

Senator Millard E. Tydings, D.
Hon. Vincent L. Palmisano, D.
Hon. Stephen Warfield Gambrill, D.
Hon. Ambrose Jerome Kennedy, D.
Hon. David John Lewis, D.

Massachusetts

Senator David Ignatius Walsh, D.
Hon. Allen Towner Treadway, R.
Hon. Robert Luce, R.
Hon. George Holden Tinkham, R.
Hon. John J. Douglass, D.
Hon. John W. McCormack, D.
Hon. Joseph William Martin, Jr., R.
Hon. Charles L. Gifford, R.
Hon. William Joseph Granfield, D.

Michigan

Hon. George G. Sadowski, D.
Hon. Carl E. Mapes, R.
Hon. W. Frank James, R.

Minnesota

Senator Henrik Shipstead, F.L.

Hon. Magnus Johnson, F.L.
Hon. Henry Arens, F.L.
Hon. Ernest Lundeen, F.L.
Hon. Theodore Christianson, R.

Mississippi

Hon. William Madison Whittington, D.

Missouri

Hon. Frank Hood Lee, D.
Hon. Clement Cabell Dickinson, D.

Montana

Senator Burton Kendall Wheeler, D.
Hon. Joseph P. Monaghan, D.

Nebraska

Hon. John Henry Morehead, D.
Hon. Edgar Howard, D.

Nevada

Senator Patrick A. (Pat) McCarran, D.

New Hampshire

Senator Henry Wilder Keyes, R.
Hon. William Nathaniel Rogers, D.
Hon. Charles William Tobey, R.

New Jersey

Hon. Charles A. Wolverton, R.
Hon. Isaac Bacharach, R.
Hon. D. Lane Powers, R.
Hon. Randolph Perkins, R.
Hon. Frederick R. Lehlbach, R.
Hon. Oscar L. Auf Der Heide, D.
Hon. Mary Teresa Norton, D.

New Mexico

Hon. Dennis Chavez, D.

New York

Senator Robert F. Wagner, D.
Hon. Elmer E. Studley, D.
Hon. William Frank Brunner, D.
Hon. George W. Lindsay, D.
Hon. Thomas H. Cullen, D.
Hon. Loring M. Black, Jr., D.
Hon. Samuel Dickstein, D.
Hon. Christopher D. Sullivan, D.
Hon. John J. Boylan, D.
Hon. John J. O'Connor, D.
Hon. Martin J. Kennedy, D.
Hon. Joseph A. Gavan, D.
Hon. Frank Oliver, D.
Hon. Philip Arnold Goodwin, R.
Hon. Frank Crowther, R.
Hon. James L. Whitley, R.
Hon. James W. Wadsworth, R.
Hon. James M. Mead, D.
Hon. Anthony J. Griffin, D.
Hon. Hamilton Fish, Jr., R.

North Carolina

Hon. Lindsay Carter Warren, D.
 Hon. Franklin Wills Hancock, D.
 Hon. J. Bayard Clark, D.
 Hon. J. Walter Lambeth, D.
 Hon. Robert L. Doughton, D.
 Hon. Zebulon Weaver, D.

North Dakota

Hon. James Herbert Sinclair, R.

Ohio

Hon. Leroy Tate Marshall, R.
 Hon. Brooks Fletcher, D.
 Hon. Chestef C. Bolton, R.
 Hon. Robert Thompson Secrest, D.
 Hon. Thomas A. Jenkins, R.
 Hon. Dow W. Harter, D.
 Hon. John G. Cooper, R.
 Hon. Martin L. Sweeney, D.
 Hon. Robert Crosser, D.
 Hon. Warren Joseph Duffey, D.

Oklahoma

Senator Elmer Thomas, D.
 Senator Thomas Pryor Gore, D.
 Hon. Wesley Ernest Disney, D.
 Hon. Wilburn Cartwright, D.
 Hon. Jed Johnson, D.
 Hon. James V. McClintic, D.

Oregon

Senator Frederick Steiwer, R.
 Hon. James W. Mott, R.
 Hon. Walter Marcus Pierce, D.

Pennsylvania

Hon. Harry C. Ransley, R.
 Hon. Benjamin K. Focht, R.
 Hon. Clyde Kelly, R.
 Hon. Matthew A. Dunn, D.

Rhode Island

Senator Jesse Houghton Metcalf, R.
 Hon. Francis B. Condon, D.

South Carolina

Senator Ellison DuRant Smith, D.
 Hon. Thomas Sanders McMillan, D.
 Hon. Hampton Pitts Fulmer, D.

South Dakota

Senator Peter Norbeck, R.
 Senator William John Bulow, D.
 Hon. Fred H. Hildebrandt, D.

Tennessee

Hon. Joseph W. Byrns, D.
 Hon. Clarence W. Turner, D.

Texas

Senator Tom Connally, D.
 Hon. George B. Terrell, D.

Hon. Wright Patman, D.
 Hon. Morgan G. Sanders, D.
 Hon. Sam Rayburn, D.
 Hon. Oliver Harlan Cross, D.
 Hon. William Doddridge McFarlane, D.
 Hon. Milton H. West, D.
 Hon. Robert Ewing Thomason, D.

Utah

Senator William H. King, D.

Vermont

Hon. Ernest Willard Gibson, R.

Virginia

Senator Harry Flood Byrd, D.
 Hon. Patrick Henry Drewry, D.

Washington

Senator Clarence C. Dill, D.
 Senator Homer Truett Bone, D.

West Virginia

Senator Henry D. Hatfield, R.
 Senator Matthew M. Neely, D.
 Hon. Joe L. Smith, D.

Wisconsin

Hon. Gardner R. Withrow, R.
 Hon. James A. Frear, R.
 Hon. Hubert Haskell Peavey, R.

Reprinted from State Government, June 1934

CHAPTER VI

The Interstate Assembly

Meeting of Official Representatives of State Governments

ORIGIN

AT the annual meeting of the American Legislators' Association in Washington, in September, 1932, it developed that the various legislatures which were represented had been concerning themselves with the problem of *conflicting taxation* by the state and federal governments. The proposal was made by Senator Woodward of Pennsylvania that state legislatures make common cause in negotiating with Congress. Senator Mastick of New York said: "The New York State Commission for the Revision of the Tax Laws, of which I am chairman, has already been charged with the responsibility of conferring with the appropriate congressional committee concerning this subject. We must act whether any other legislators do so or not. It would be our disposition to join forces with legislators from other states." The possibilities of concerted action were discussed at considerable length in the sessions of September 20. All of those present recognized the fact that the problem under consideration devolves primarily upon the legislatures. At the conclusion of these discussions, President Belknap of the American Legislators' Association was authorized to call a special meeting of the Association's Board of Managers to confer concerning this national problem, and to consider the advisability of calling a national conference.

Original Financing

During the discussion, Senator Woodward—who has been one of the most generous individual donors to the Association's work since its inception—stated that he would contribute \$2,000 toward the launching of this national conference, and the Director of the Association stated that there was an item of \$2,000 in a conditional appropriation from the Spelman Fund which

might possibly be secured to match Senator Woodward's \$2,000.

Congressional Subcommittee

In the meantime Mr. Frederic P. Lee, who was for many years the Legislative Counsel of the United States Senate, who is one of the Association's most active Advisers, and who was in attendance at all of the sessions of the September Conference, informed the meeting that the Ways and Means Committee of the Congressional House of Representatives had already created a Subcommittee for the express purpose of studying conflicting taxation. This group, which is concerned with the allocation of the sources of revenue between the federal government and the states, is known as the Subcommittee on Double Taxation. Its members were at that time:

HON. FRED M. VINSON, *Chairman*—Ashland, Kentucky.

HON. DAVID J. LEWIS—Cumberland, Maryland.

HON. THOMAS H. CULLEN—Brooklyn, New York.

HON. FRANK CROWTHER—Schenectady, New York.

HON. CARL R. CHINDBLOM—Evanston, Illinois.

Congressional Contact

Accordingly, by Mr. Lee's arrangement, immediately upon the adjournment of the Annual Conference on September 21, the following individuals met:

CONGRESSMAN CHINDBLOM (the only member of the Subcommittee then in Washington).

MR. LOVELL H. PARKER, Chief of the Subcommittee's Staff.

MR. COLIN STAM, Counsel to the Subcommittee.

HON. FREDERIC P. LEE, Member of the

Advisory Board of the American Legislators' Association.

HON. WILLIAM B. BELKNAP, President of the American Legislators' Association.

HENRY W. TOLL, Director of the American Legislators' Association.

The situation was discussed by the members of this group for more than two hours. The representatives of the Subcommittee expressed the opinion that it would be desirable to develop a group which would represent the state legislatures, and that they were in sympathy with the Association's objective.

Consequently, after further discussion among various members of the Board of Managers of the Association and others, a second conference was held on October 24, 1932, at which Messrs. Parker, Stam, Belknap and Toll further developed the plan for the first national meeting of state legislators.

Managers Called Together

After subsequent consultation between Mr. Belknap and Mr. Toll, who also consulted Dr. Thomas Walker Page and other tax experts, President Belknap called the special meeting of the Association's Board of Managers. The Board convened at the Mayflower Hotel in Washington on Friday, December 9, 1932, and devoted two long days to a painstaking analysis of the problem in taxation with which we are confronted. Present at this meeting were the following members of the Board of Managers:

HON. WILLIAM B. BELKNAP, Kentucky.

SENATOR SEABURY C. MASTICK, New York.

EX-SENATOR HENRY W. TOLL, Colorado.

HON. ROBERT L. PATTERSON, California.

SENATOR HENRY PARKMAN, JR., Massachusetts.

SENATOR SHERMAN W. CHILD, Minnesota.

SENATOR LYCURGUS L. MARSHALL, Ohio.

HON. R. BEVERLEY HERBERT, South Carolina.

EX-SENATOR JOHN A. CHAMBLISS, Tennessee.

HON. HUGH REID, Virginia.

SENATOR ALVIN REIS, Wisconsin.

Also present were:

HON. MARK GRAVES, Budget Commissioner of the State of New York.

HON. HENRY F. LONG, Commissioner of Taxation of Massachusetts.

HON. LEON D. METZGER, Secretary of the Department of Revenue of Pennsylvania.

JUDGE EDWARD L. LEAHY, former member of the legislature and present member of the Tax Commission of Rhode Island.

HON. OLIVER MEZZEROTT, Maryland.

HON. J. P. HARTIGAN, West Virginia.

RICHARD E. SAUNDERS, staff member of the Association.

A picture of this group is on page 46.

There were few points upon which the members of this group were in entire agreement at the outset, and one question after another was vigorously argued. By the end of the second day, however, a project had been formulated which every member of the group enthusiastically approved. And it can be said, almost without qualification, that by the end of the conference every member of the group was in complete agreement as to every feature of the plan.

Of especial interest was the comment of Mr. Graves that the undertaking is of such direct concern to the state governments that it would be to their interest to provide financial support for the project. This view was shared by the other fiscal officials present, as well as by the legislators who were in attendance.

In the meantime Senator Parkman had taken up the matter of a national conference with the Director of the Budget, the Chairman of the Ways and Means Committee, and the Governor of Massachusetts, all of whom expressed their approval of the project. In New York State, Commissioner Mark Graves secured state assistance. Hon. Clyde L. King, former Secretary of the Department of Revenue of Pennsylvania, and his successor Hon. Leon Metzger, were active in the development of the plan in Pennsylvania. Governor Pinchot aided them with the following statement:

"Forty-eight states are taxing the citizens of the United States. The federal government also is taxing the same citizens. Clearly these forty-nine separate jurisdictions should not organize and conduct their

taxing systems with complete disregard of each other.

"It is not easy to establish a satisfactory and effective contact between the various states. The proposal of the American Legislators' Association for an Interstate Conference of Legislators gives real promise of contributing to the solution of this national problem.

"I shall recommend to the Senate and the House of Representatives that each send a delegate to the conference, and I shall designate both the former and the present Secretaries of Revenue to represent this State in an advisory capacity at the conference.

"I trust that each of the Governors will designate one or more fiscal officials to attend the conference. Much good should come of it."

Newspaper Interest

Press dispatches concerning the meeting of the Board of Managers, and concerning its decisions, were given national circulation by the Associated Press, the United Press, and the International News Service, and leading newspapers in many sections of the country carried special news stories. In all sections of the United States, also, the newspapers subsequently published editorials which gave earnest moral support to the proposed work. The general attitude of the press was fairly expressed by the concluding paragraph of an editorial published by the Scripps-Howard nationwide system of newspapers.

"The times call for coöperation and courage. If the states act in unison through organizations like the American Legislators' Association and the coming national state tax conference, they can save time and effort."

The *Fort Worth Evening Star*, on December 12, 1932, gave a somewhat different angle to the question in the following passage contained in an editorial entitled, *In the right direction*:

"The American Legislators' Association takes the most important forward step in governmental coördination and economy when it proposes to institute conferences between the States and the Federal Governments with a view to avoiding dual taxation. The duplication of taxes is already

creeping upon us, and it threatens to cover the whole field of property and commodities. If it is necessary for both state and federal authorities to tax everything, the public at least should have the benefit of an agreement between its tax masters. In other words, these tax masters should determine how their exactions are to be distributed, and what limits are to be placed upon them. The project now launched by the American Legislators' Association has long been needed."

An editorial published in the *Toronto Mail and Empire* on December 10 concerning the present project of the American Legislators' Association, gave international perspective to this problem: "The unnecessary burden on taxpayers created by the overlapping of Dominion, provincial and municipal taxation is one of the subjects which will be discussed at the conference between the provinces and the Dominion at Ottawa in January. A similar evil prevails, to a much greater degree, in the United States."

The first of the dispatches issued by the Associated Press was a six-paragraph story which contained this picturesque lead: "Just whose fingers should dip where into the taxpayer's pocket—that is the enigma studied by leaders of the American Legislators' Association who seek to lessen the tax competition between the state and federal governments."

In New Orleans on December 12 the *Times-Picayune* introduced a column-editorial with the following bouquet: "The multiplication, and particularly the duplication of taxes, is worrying the intelligent leadership of the American Legislators' Association, whose studies of state government are always interesting and would be helpful if applied."

President-Elect Endorses Assembly

President Roosevelt, then Governor of New York, discussed the imperfect adjustment of the cogwheels of state and federal government in a United Press report.

"It is time to define more clearly, where the federal machinery of government ends, and where the state machinery of government begins. It is time, likewise for closer contacts between the president and the governors." President Roosevelt swung

into his discussion of state and federal relationships, after pointing to the necessity of reducing the cost of local government.

"Less well defined," he explained, "but of great importance, nevertheless, is another relationship—that between the government of state and the government of the federal Union. The crisis has brought about new problems, and at the same time new possibilities, whereby Washington, and the several state capitals may become more mutually helpful—especially in the matters which—with increasing frequency—involve overlapping functions."

President-elect Roosevelt on December 28, endorsed the call for the national conference, which was to be known as the Interstate Assembly, in his letter to Mr. Toll, which is printed on the opposite page.

THE CALL TO THE CONFERENCE

To the Governor, the Senate, and the House of Representatives of Each of the Forty-Eight States: It has long been apparent that substantial benefits would result to the citizens of all states from a closer contact between the various legislatures, and that many governmental difficulties are aggravated by the absence of adequate facilities for conference between these law-making bodies.

In connection with problems of taxation the evils resulting from this lack of contact had become especially acute even before the present economic depression. The further factor of the inability of the states to deal with the federal government in an orderly and cooperative manner has involved heavy burdens upon the taxpayer, upon the federal government, and upon each state.

The impaired ability of our people to bear the cost of government has now rendered these problems of taxation critical. The burdens of our individual taxpayers, and the difficulties of each of our forty-eight states, imperatively demand that an attempt be made to improve this situation.

This is a legislative problem. The present economic emergency creates an imperative necessity for joint counsel and concerted action. It is time for the states to make common cause.

Accordingly, after careful consideration and after conference with representative

legislators, with eminent tax experts, and with state revenue officials, the American Legislators' Association now issues this call.

Time: The Interstate Assembly of official delegates of the forty-eight legislatures will be held on Friday and Saturday, February 3 and 4, 1933 in Washington, D. C. This will be the first official conference of this character which has ever convened in the United States.

Purpose: This conference is called to consider the advisability of establishing a standing committee of legislators—with an advisory board of fiscal officials—to study the problems of conflicting taxation, and to confer concerning them. It will be the duty of this committee, if established, to negotiate with the appropriate Congressional committees, and to report its findings and recommendations at a subsequent meeting of the Interstate Assembly.

Invitation to Legislatures: The Senate of each state is hereby invited to send as its delegate to this conference one of its members—chosen in such manner as the Senate may determine.

Similarly the House of Representatives of each state is hereby invited to send as its delegate to this conference one of its members—chosen in such manner as the House of Representatives may determine.

Invitation to Governors: The Governor of each state is hereby invited to send to this conference one or more principal fiscal officers of the state (such as the Budget Commissioner, the Chairman of the State Tax Commission, or the Director of the Department of Revenue) to represent him at the conference of legislators, in an advisory capacity.

Designations: All such delegates and fiscal officials—and an alternate for each—should be designated on or before Thursday, January 12, 1933. And on or before that date, official notification of the names of such delegates and alternates should be mailed in behalf of each state to the corresponding secretary of the conference: (1) for the Senate by its Secretary, (2) for the House of Representatives by its Clerk, and (3) for the Governor by his Secretary.

Expenses of Delegates: In most cases the expenses of the delegates to the conference will be provided from contingent funds of



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY

FRANKLIN D. ROOSEVELT
GOVERNOR

December 28, 1932.

Hon. Henry W. Toll,
The American Legislators' Association,
Drexel Ave. & 58th St., Chicago, Ill.

Dear Mr. Toll:

The plan to hold an Interstate Conference of Legislators to secure a better coordination of the revenue systems of the Federal Government and of the forty-eight states is a splendid idea. Many exceedingly important public questions are pressing for solution and among the more urgent of these is the very one with which your Association proposes to deal.

In the past, the Federal Government has passed revenue legislation with too little consideration for state taxing systems and, on the other hand, the states have legislated with little reference to the Federal revenue plan and with almost no consideration for the tax programs of other states. This is not as it should be. I have given considerable thought to this problem and it is my hope to make at least a small contribution to a better synchronized Federal, state and local taxing system. And I shall eagerly follow the proceedings of your Conference, being hopeful that from it many good ideas will develop.

I do hope that every state legislature will be represented in the Conference and that the governors of the several states will appreciate, as I do, the importance of this movement and lend their support by sending representatives to the meeting.

Very sincerely yours,

Franklin D. Roosevelt
GOVERNOR



PLANNERS IN WASHINGTON

TIME: December 9 or 10, 1932.

PLACE: The Mayflower Hotel, Washington, D. C.

ACTION: At the Seventh Annual Meeting of the Association which was held during September, 1932—also in Washington—the President of the Association was instructed to call these public officials together. They are here assembled to plan the first Interstate Conference of State Legislators, which the American Legislators' Association has now called for February 3, 1933.

DRAMATIS PERSONAE: *Seated about the board, from left to right, are:*

HON. ROBERT L. PATTERSON of California.
SENATOR HENRY W. TOLL of Colorado,
Director of the American Legislators' Association.

HON. OLIVER MEZZEROTT of Maryland.

MR. RICHARD E. SAUNDERS of Washington, D. C.

HON. WILLIAM B. BELKNAP (with his hands on the table) of Kentucky, President of the American Legislators' Association.

HON. MARK GRAVES, Budget Commissioner of the State of New York.

JUDGE EDWARD L. LEAHY, Member of the Tax Commission of Rhode Island.

HON. HENRY F. LONG, Commissioner of Taxation of Massachusetts.

SENATOR HENRY PARKMAN, JR., of Massachusetts.

Standing, from left to right, are:

MR. LOVELL H. PARKER of Washington,

D. C., Chief of the technical staff of the Congressional Subcommittee on Double Taxation.

HON. J. P. HARTIGAN of West Virginia.

HON. HUGH REID of Virginia.

SENATOR SHERMAN W. CHILD of Minnesota.

HON. FREDERIC P. LEE of Washington, D. C., former Legislative Counsel of the United States Senate.

HON. LEON D. METZGER, then Secretary of Revenue of Pennsylvania.

HON. R. BEVERLEY HERBERT of South Carolina.

EX-SENATOR JOHN A. CHAMBLISS of Tennessee.

SENATOR LYCURGUS L. MARSHALL of Ohio.

Not shown in picture:

SENATOR SEABURY C. MASTICK of New York.

SENATOR ALVIN REIS of Wisconsin.

SENATOR GEORGE WOODWARD of Pennsylvania, who was unable to attend the conference.

their respective legislatures, and the expenses of the fiscal officials will be paid by their respective departments. Otherwise, special administrative or legislative action will be necessary. But in each state, whether or not such financial provisions have been made prior to January 12, 1933, the delegates and alternates should be designated by that date. In other words, all delegates should be *named* immediately, without delay on account of any financial uncertainties. Each legislature and each Governor is strongly urged to take action promptly in order that the roster of the states may be complete from the outset. Obviously the conference will have no official point of contact with any legislature which fails to designate its delegates.

Place: The two-day conference will be held at the Shoreham Hotel, Washington, D. C. The opening sessions will convene at 10 A.M. on Friday, February 3.

Correspondence: Communications should be addressed in care of the American Legislators' Association, Drexel Avenue and Fifty-eighth Street, Chicago, Illinois.

PRESIDENT GREETAS ASSEMBLY

The First Interstate Assembly met in the Shoreham Hotel, Washington, D. C., and was greeted by President Hoover in the following words:

"Gentlemen: It is a very great pleasure to welcome this first Interstate Conference of Legislators to Washington. The subject of your discussions is one of the important problems before the Nation.

"The depression has naturally made the Nation urgently conscious of the tax burden, but the problem is much older than that. The evolution of the governmental functions of municipalities, townships, counties, and states has led to a haphazard development of sources of taxation to support these functions. The result has been a perfect maze of overlapping, conflicting tax systems, with inevitable invasions by one authority of tax areas properly belonging to another authority. If your conference can help to make a scientific division of tax sources among the various governmental authorities, you will have made a distinct contribution to the efficiency as well as to the economy of our whole governmental system.

"I do not expect, and probably you do not expect, that you will evolve a complete system at this first session. But the very fact that you have entered upon the problem, that you bring it prominently before the Nation, and that you succeed in directing the country's thought to it, will be a contribution of the first importance.

"I warmly hope that your deliberations will produce fruitful results in this most important field. Our economic situation is such that the people must have relief from tax burdens. A decrease in income, whether individual or governmental, requires a decrease in expenditures. Likewise, it implies and necessitates a balancing of budgets, and in all of the maze of problems that we have to consider, to attain these ends, there is none more important than to arrive at some basis of taxation that can be equitably divided amongst our different governmental agencies. In that I look forward to a real contribution from this Assembly.

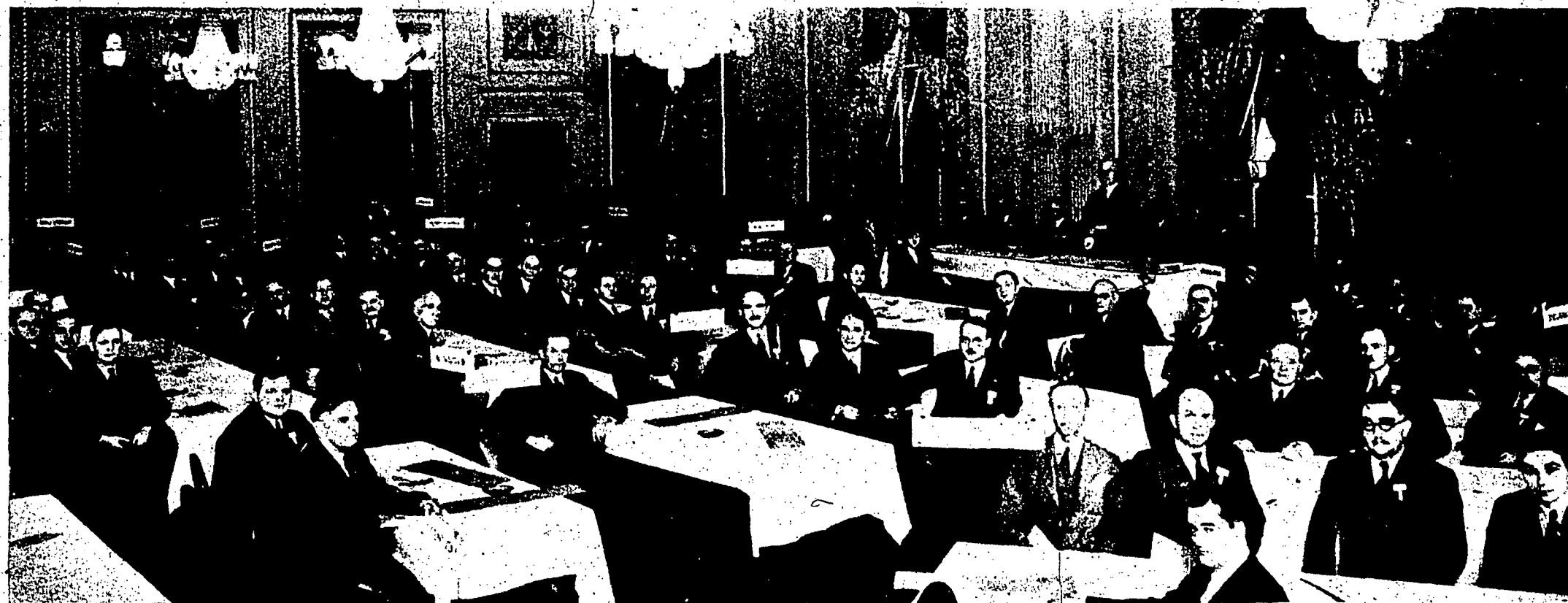
"I wish you all the success in the world. I will be glad to give you any measure of cooperation that the Federal authorities can afford. I know that on the administrative side we will be glad to cooperate with you in every particular.

"*Thank you for coming* and undertaking the service which you are giving.

THE CONFERENCE

During the morning session eighty-seven official delegates from thirty-one states were seated. These included the voting delegates who represented their respective senates and houses and also fiscal officials and representatives of Governors. Twelve state senators, ten state representatives and ten state tax administrative officers presented the states' tax problems. Eight United States Congressmen voiced the Federal Governments' recognition of the problems of conflicting taxation. The theoretical side was ably presented by several college professors.

The Interstate Assembly was considered an outstanding success. The delegates were enthusiastic over the accomplishments. The outcome of the first Interstate Assembly may best be told by printing the committee reports.



"THANK YOU FOR COMING"

*Members of the first Interstate Assembly face the camera immediately
after President Hoover delivered his address of welcome.*

Objectives

Your Committee on Resolutions begs leave to report that whereas, members of the legislature or other official representatives of 31 states have assembled in Washington, D. C., for the purpose of considering the problem of conflicting taxation, and

Whereas, deliberation over a period of two days, participated in by all of such states through their representatives has made clear to all those present the tremendous burden of taxation by all the various units of government, federal, state and local, resulting in taking out of a total national income in taxes an estimated amount in excess of \$9,500,000,000 a year, and

Whereas, all those present are alive to the urgent necessity of reducing such tax burden, and, as a means to that end, to the importance of finding some basis for agreement between the states and the federal government on the problem of conflicting and overlapping taxation, and

Whereas, for that purpose, cooperation between the states is a first essential in order that the states may place themselves in a position to confer with the federal government.

Now, Therefore, Be It Resolved: That the First Interstate Assembly indorses the following objectives:

1. The establishment of a permanent commission composed of legislators of various states and equipped with an adequate staff for the making of the necessary factual study concerning the problem of conflicting taxation.

2. The holding of a second Assembly at such time as the Board of Managers may determine, at which time the said Commission shall render its report.

3. Continuing cooperation between all the states through the medium of the American Legislators' Association.

4. Reduction of the tax burden—first, by reduction of government expenditures, federal, state, and local, to bring such expenditures more in line with the ability of the people to pay; second, by the development of a more orderly, equitable tax system, through coordination and agreement between the states and the federal government; and third, by eliminating so far as possible the expense and aggravation caused the taxpayers by multiple assessments and collections from the same sources of revenue.

HENRY PARKMAN, JR., *Chairman*,
EARL R. LEWIS,
LOUIS P. ELKINS,
J. SINCLAIR BROWN,
SEABURY C. MASTICK,
JOSEPH G. WOLBER.



AMONG THOSE PRESENT

Interstate Commission on Conflicting Taxation

Your Committee on Committees begs leave to report that it appears from this conference that the paramount question before the Assembly is that of conflicting taxation, and that it is therefore important that this organization shall, for the present, give its especial attention to that subject.

With this end in view, your Committee recommends:

1. That the organization be perfected by securing the support and coöperation of all of the states possible;

2. That the states be urged to appoint representatives to the Assembly to serve both as present members, and for such future meetings as may be arranged;

3. That the President appoint an Interstate Commission of not less than ten nor more than fifteen members, having regard to geographical location and economic conditions in making such appointments;

4. That such Commission so appointed shall examine into the problem and report what may be done to relieve the present conflicting and overlapping systems of taxation;

5. That such Commission shall, if necessary, arrange subcommittees to study and report concerning particular phases of the subject referred to them;

6. That such Commission provide for an Advisory Board, and for such technical assistance and staff as it deems advisable.

Your Committee expresses the hope that at a later time it may be feasible to arrange interstate commissions to report on other subjects, of which there are many that challenge the attention of this Assembly. Examples of such subjects are:

1. Employment rehabilitation, and effective relief policies.

2. Scope and cost of public education.

3. Protection of bank deposits and insurance policies.

4. Interstate highways and utilities.

5. The federal policy of fifty-fifty appropriations.

6. Coöperative labor legislation.

7. Simplification of local government.

8. Reorganization of state governments.

9. Modernization of law-making machinery.

Your Committee further recommends that a permanent finance committee be appointed by the President, of such size and drawn from such locations as may, under all the circumstances, seem appropriate.

We recognize that particular problems peculiar to groups of states may best be worked out through conferences by such states, and therefore we recommend that such regional commissions or subcommittees shall be appointed by the President.

WILLIS SMITH, *Chairman*,
R. BEVERLEY HERBERT,
HUGH REID,
DOUGLAS H. GORDON,
ERLAND F. FISH,
PHILLIP STERLING.

The Commission's procedure: Resolved: That whenever two-thirds of the members of the Commission appointed to study tax conflicts between the states on the one hand and the federal government on the other, and to draw up proposals for the reconciliation and simplification of taxing systems, find themselves in agreement on any plan, the Commission shall transmit such plan by mail to the voting delegates then qualified under the rules of this Assembly. The said delegates shall vote by mail upon the question of whether or not the Commission shall proceed to treat with the appropriate Congressional agencies concerning the said plan, and if two-thirds of the delegates who vote within the time specified by the Commission, shall cast affirmative ballots, the Commission shall proceed to treat with the said Congressional agencies.

Financing the Assembly

Your Committee on Finance begs leave to report that it believes that each House of each Legislature should appropriate funds during the current sessions to provide travelling expenses for their delegates to the next meeting of the Interstate Assembly, and that the funds appropriated by the legislatures of the states whose members are serving upon such Interstate Commissions of this Assembly as will hold interim meetings should be sufficient to defray the travelling expenses of such members to such interim meetings;

Also, that all of the states should ap-

appropriate on the basis of an average of three thousand dollars each, toward the support of the Interstate Reference Bureau and toward the support of the proposed technical staff of the Interstate Commission on Conflicting Taxation; and each state is urged to appropriate *not less* than the sum of one thousand dollars for such support;

Also, realizing that adequate funds will probably not be available from the states to prosecute immediately the proposed program, your Committee recommends that funds be solicited from foundations;

Also, that the Director of the American Legislators' Association be authorized to solicit and receive funds from corporations or trade associations or both, provided sufficient funds are not secured from federal and state governments, foundations or individuals, but subject to the provisos that no contribution shall be accepted from any individual, corporation, or trade association exceeding ten per cent of the amount received from all of such donors, and that the names of donors and the amount donated by each is publicized.

ROBERT L. PATTERSON, *Chairman*,
GEORGE WOODWARD,
GEORGE D. CUMMINGS,
LYCURGUS L. MARSHALL,
WALTER L. PRATT,
BEN G. O'NEAL,
MCMILLAN LEWIS,
ARTHUR N. PIERSON.

Resolution of Appreciation

Resolved, that the first Interstate Assembly express its deep appreciation and gratitude to President Hoover for his cordial address of welcome and especially for his valued and heartening interest in our efforts toward the elimination of conflicting state and federal taxation.

That the Assembly express its deep appreciation and gratitude to President-elect Roosevelt for his leadership in endorsing the call for this Assembly, which leadership contributed so signally to its success.

That the Assembly extend a vote of sincere thanks to all others who have contributed to the success of this meeting, and especially to the president of the American Legislators' Association, Honorable William B. Belknap, and to the Association's

Director, Senator Henry W. Toll, whose untiring efforts and unselfish devotion to the project of interstate cooperation have resulted in this important gathering.

That the Assembly also express its appreciation for the unselfish support which it has received from the members of the various state legislatures whose far-sighted assistance in furthering this project has materially promoted friendly cooperation among the states.

That the Assembly extend its sincere thanks to the learned men who, as invited speakers, contributed so substantially to the interest and value of the first day's sessions; Honorable Clyde L. King, Honorable Henry F. Long, Professor Robert Murray Haig, Honorable Franklin S. Edmonds, and Honorable Mark Graves.

That the Assembly also express its appreciation for the helpful cooperation of the Double Taxation Committee, which is a subcommittee of the House Ways and Means Committee of Congress, and particularly to Chairman Fred M. Vinson, Honorable Carl R. Chindblom, and Honorable David J. Lewis for their interesting and informative addresses to the Assembly on the question of conflicting taxation as it affects federal fiscal problems;

That the Assembly acknowledge with gratitude the enthusiastic and fair-minded attitude of the press toward the efforts of this Assembly, and its generous and encouraging comments regarding the entire project;

That the Assembly express its appreciation to the management of the Shortham Hotel and to the Greater National Capital Committee for their courteous service and assistance;

That the Assembly extend its sincere thanks to the members of the staff of the American Legislators' Association for their efficient and unfailing assistance in organizing this Assembly and its work.

Reception Committee:

GEORGE V. BRADLEY, *Chairman*,
WALTER MURPHY,
ROY RAWLINGS,
JOSIAH J. EVANS,
J. VAUGHAN GARY,
J. D. PARLER,
A. L. HELMICK,
ROY V. HARRIS.

Press Comment

Newspaper comments upon the results of the first Interstate Assembly follow.

The Christian Science Monitor: The plan to hold a national conference of state legislators to work out something in the way of a gentleman's agreement as to what taxes the federal government will levy and what the states will levy, carries deeper significance than that which attaches to "just another conference." For if the American Legislators' Association is successful in developing the kind of project it has outlined, it may give to the United States a new agency which can act as a go-between on all matters where state and federal activities conflict or duplicate each other.

At the outset the purpose of the association, however, is to develop a formula on which all the states can agree, as to who shall tax which, and how much, and then to mediate with the federal government for the adoption of this formula as a federal as well as state tax policy. To do this the Assembly authorized a standing committee to study the problem of double taxation and then negotiate with a corresponding committee of Congress.

Here, then, is where the plan begins, but here it does not end. The association points out that the field of taxation is not the only domain in which there are duplicating functions.

If the American Legislators' Association succeeds in its primary objective of reducing tax duplication, that indeed will be a feather in its cap. But if it can develop this new agency into a permanent instrumentality for furthering state and federal negotiations, that will be a whole crown. *New York Herald Tribune:* There convened in Washington yesterday as important a gathering as this country has welcomed to the national capital in many moons. It is composed of delegates from the various state governments, called together by the American Legislators' Association. Its object is to form a permanent organization which shall represent the states in solving the problem of conflicting taxation.

The experiment is without precedent in American history, but so is the emergency it is called upon to deal with. The latter

has brought our federal system face to face with a test of the first importance. It requires an entirely new mechanism of negotiation.

Minneapolis Journal: The American Legislators' Association will have fully justified its existence if its first and last accomplishment is the conference in Washington on duplication of taxation. And if the conference succeeds in any degree there will be glory enough for the association for all time.

When the legislators strike at duplication of taxation they strike at a national sore spot. Taxation is never more irritating than when two or more levies strike in the same place at the same time. And of late these irritants have been multiplying at an uneasy rate as municipal, state, and federal governments scan the field for new revenue sources.

In this movement the association is assured of the support of every taxpayer. It has found a shoe that pinches every foot.

SECOND INTERSTATE ASSEMBLY

Delegates

Since the meeting of the first Interstate Assembly at which thirty-one states were represented, the legislatures in nine other states have appointed delegates to represent their respective states when the second Interstate Assembly convenes.

Resolution

Your Committee on the next Assembly recommends that the President and other executive officers be empowered to select the place and date of the next meeting of this assembly.

And your committee suggests to the said executive officers that they select either the capital city of the Nation, or of some state, or some historical site of Legislative Assembly as the place of meeting.

GROVER C. TALBOT, *Chairman*,
CHARLES C. HEDGES,
ARTHUR I. BURGESS,
ELWOOD GRIFFENBERG,
O. METZEROTT.

Date of Meeting

The Second Interstate Assembly will meet in Washington, February 28, March 1,

and 2 at the call of the American Legislators' Association and the Council of State Governments. A copy of the resolution is given here.

Resolution

The Council of State Governments recognizes the fundamental importance of the problem of conflicting taxation.

Foreseeing the approaching necessity for the harmonizing of federal and state tax policies, the Ways and Means Committee of the United States House of Representatives three years ago established a subcommittee on double taxation, and subsequently the Finance Committee of the United States Senate established a similar subcommittee. The United States Department of the Treasury also foreseeing the approaching necessity for the harmonizing of tax policies has been conducting investigations in this field for some time. The President of the United States has also been giving this problem his personal attention.

The states also have foreseen the necessity for an understanding between federal and state governments in this field. With the assistance of President Roosevelt—as President Elect of the United States, the various states in February, 1933, organized the First Interstate Assembly for the purpose of developing coordinated action by the states as to tax policies. That Assembly established the Interstate Commission on Conflicting Taxation composed of leading tax experts among state legislators and state fiscal officials. During the past two years this Commission has been studying this problem with the assistance of a substantial and highly competent

technical staff and last September arrangements were made for the second biennial meeting of the Interstate Assembly to convene in Washington on February 22, 1935 under the joint auspices of the Council of State Governments and of the American Legislators' Association.

The states are more than ready to do their part in conferring with the Federal Government and in attempting to develop mutually just and beneficial bases for the imposition of taxes by federal, state, and local governments. Obviously neither broad understanding nor just results can be secured without negotiation and conference between state and federal governments.

Fully realizing that it will require many months of negotiations and conference to arrive at a just and proper solution of the inter-governmental matter which affects every citizen of the United States, the Council of State Governments believes that there should be no unnecessary delay in beginning such conferences at the earliest possible time. The legislatures of 43 of the 48 states are now in session. Obviously this conference should be held before these sessions adjourn in order that the legislatures may send appropriate delegates, and in order that the policies discussed at the Assembly may be further considered by the lawmaking bodies of the various states.

The Council of State Governments believes that the public interest requires that the fullest accord be given by the states and by the federal government toward the solution of this problem. Accordingly we respectfully urge that all join in the organization and conduct of the Assembly which will convene on February 28, 1935.

CHAPTER VII

Tax Troubles

And the Solutions Which Are Being Developed by the Interstate Commission on Conflicting Taxation

Origin of Commission

THE difficulties growing out of conflicts between the tax plans of the federal government and those of the states have been so urgent as to command the attention of the Chamber of Commerce of the United States, the American Bar Association, and numerous taxpayers' groups, as well as federal and state agencies themselves. Two years ago the American Legislators' Association, sensing the importance of this problem, called the first meeting of the Interstate Assembly. The entire convention was devoted to problems of overlapping taxation, and it was addressed by some of the outstanding tax experts of the country. The Assembly brought its deliberations to a close by setting up the Interstate Commission on Conflicting Taxation and instructing it to study problems of conflicting taxation and develop plans for alleviation or elimination of the evils inherent in the present situation.

Personnel of Commission

The Commission on Conflicting Taxation was appointed by the President of the Interstate Assembly and met shortly after the adjournment of that body. The Commission consisted of ten state representatives and seven state senators, seventeen in all. Senator Henry W. Toll, executive director of the American Legislators' Association was appointed secretary to the Commission. Thirteen states representing every geographic region were given places on the Commission. The first Commission is pictured on the opposite page.

THE COMMISSIONERS IN 1933

Senator Seabury C. Mastick, Chairman, New York.
Hon. William B. Belknap, Kentucky.
Hon. R. Beverley Herbert, South Carolina.
Hon. Anna Wilmarth Ickes, Illinois.
Judge Edward L. Leahy, Rhode Island.
Senator William Lee Knous, Colorado.
Senator Earl R. Lewis, Ohio.
Senator Ben G. Oneal, Texas.
Senator Henry Parkman, Jr., Massachusetts.
Senator Alvin Reis, Wisconsin.
Hon. Harry B. Riley, California.
Hon. Estes Snedecor, Oregon.
Hon. Philip Sterling, Pennsylvania.
Senator George Woodward, Pennsylvania.
Hon. Mark Graves, New York.
Hon. Henry F. Long, Massachusetts.
Hon. Leon D. Metzger, Pennsylvania.
Hon. C. H. Morrisett, Virginia.
Senator Henry W. Toll, Secretary, Colorado.

Representatives R. Beverley Herbert and Estes Snedecor and Senator Alvin Reis retired from the Commission in December, 1934. Two of the vacancies have been filled by the appointment of Senator Harold M. Groves of Wisconsin and the Honorable A. H. Stone of Mississippi. For two years the Commission has been actively at work, with the assistance of a technical staff during most of the period.

Generally speaking, the work of the Commission includes research, informal deliberations which eventuate in definite recommendations for state or federal action, and negotiations to secure the utilization of plans which may be developed.



Clarence H. Heer, Alvin Reis, Ben G. Oneal, Earl R. Lewis, Robert L. Patterson, Henry F. Long, Leon D. Metzger, Henry Parkman, Jr., Henry W. Toll, Seabury C. Mastick, William B. Belknap, George Woodward, R. Beverley Herbert

Early in 1933 the Commission secured the services of Clarence Heer of the University of North Carolina as Research Director for its staff. It also had the advice and assistance of the permanent staff of the American Legislators' Association. Mr. Heer served until the end of May, 1934. Beginning in the autumn of last year a larger staff has been developed under the direction of James W. Martin of the University of Kentucky.

Staff Reports Submitted

In addition to preparing numerous brief memoranda and articles for publication in "State Government" and elsewhere, the research staff has completed, and submitted the following reports:

1. Need for Interstate Commission, March, 1933.
2. Elimination of Tax Conflicts, March, 1933.
3. Fiscal Coördination Through Intergovernmental Agreement, November, 1933.
4. A Report on Gasoline Taxation, January, 1934.
5. A State-Shared Federal Sales Tax, March, 1934.
6. Pertinent Statistical Data Relative to

Various Proposals for Reducing Tax Conflicts, March, 1934.

7. Coördination of Federal and State Tobacco Taxation, April, 1934.

8. Problems Preliminary to a Study of Conflicting Income Taxes, October, 1934.

9. A Memorandum on Sales Tax Revenues, December, 1934.

10. Sales Taxation: State vs. Federal, January, 1934.

Some of these reports are merely memoranda summarizing available information as to particular subject matter, but others are substantial research reports. They have been prepared in each instance primarily for the information of the Commission rather than for use by the public.

Some Conclusions

The Commission has, as a result of conferences held at various times throughout the last two years, reached certain conclusions respecting the approach to a solution of the overlapping tax situation, which may be stated in the language of the Commission staff as follows:

Preliminary Recommendations: The Interstate Commission on Conflicting Taxation met with its technical staff at the admin-

istrative offices of the American Legislators' Association on March 24 and 25, 1933. After a canvass of the entire field of federal-state fiscal relationships, it was agreed that certain types of conflict as between the respective taxing systems of the federal government and of the states were so serious in their effects as to require immediate negotiations with a view to their removal. Accordingly the Commission unanimously adopted a report containing the recommendations as follows:

First. *Gasoline taxes.* Since Congress has declared that the federal tax on gasoline was levied only as a temporary expedient on account of the emergency, the Commission urges the federal government to relinquish this source of revenue for the exclusive use of the states at the end of the next federal fiscal year, namely June 30, 1934.

Second. *Tobacco taxes.* Fourteen states now have taxes on tobacco, and many other states are seriously considering levying such taxes. If the states continue to impose additional levies on tobacco products, the return to the federal government from this source of revenue will be further diminished. Since any material increase in these taxes during a period of depression will decrease the amount of tobacco consumed, such increase will adversely affect the producer as well as the manufacturer. Accordingly this Commission recommends that no additional tobacco taxes be adopted by the states for revenue purposes.

Third. *Electrical energy taxes.* Since the conditions of the manufacture and distribution of electricity vary so widely from state to state, this Commission recommends that Congress should leave this source of revenue for the exclusive use of the states. The states have long depended on the taxation of electric utilities, whereas the federal government has just entered the field.

Fourth. *Beer taxes.* Congress has already levied a heavy tax on beer. Substantial additional taxes on this beverage, or heavy license taxes on its distributors, levied by the states or by their political subdivisions, will diminish the federal

tax revenues. Therefore the Commission recommends that the states, municipalities, and other local units of government refrain from levying heavy taxes on beer, unless they impose such taxes for regulatory purposes.

Fifth. *General sales taxes.* At the present time the federal government imposes no general sales tax. Consequently the conflicts between federal taxes and the general sales taxes which are levied by states are relatively slight. This Commission believes that the subject of general sales taxes should be further explored by the Commission's research staff in the light of developments at the present legislative sessions. The Commission intends to issue a further report during the coming year, which will contain recommendations designed to prevent the threatened development of serious conflicts in this field.

Sixth. *Compacts between states.* The Commission recommends that states which have tax problems that cannot be satisfactorily adjusted without cooperative action should confer concerning the execution of interstate compacts. The Commission further recommends that Congress should facilitate such compacts by a general enabling and consenting act.

Federal Cooperation

A majority of the delegates to the Assembly voted on the question of negotiating with the appropriate federal agencies on the basis of the above recommendations and such negotiations were unanimously approved. A conference was next sought with representatives of the federal government. This conference was arranged through the cooperation of Senator Pat Harrison, Chairman of the Senate Committee on Finance.

An informal meeting was held in the Ways and Means Committee room of the Capitol Building in Washington on April 21 which marked a distinct innovation in legislative procedure. For the first time in the history of the country, a commission representing officially designated delegates of the various state legislatures conferred with a Congressional group to coordinate federal and state legislative action.

Congress was represented by Senator Pat Harrison of Mississippi; Representative Robert L. Doughton of North Carolina, Chairman of the Committee on Ways and Means of the House of Representatives; Representative Fred M. Vinson of Kentucky; Chairman of the House Ways and Means Subcommittee on Double Taxation; and Representative Frank Crowther, of New York, a member of the House Committee on Ways and Means. The Treasury Department sent Benjamin H. Barthalow, special assistant to the Secretary of the Treasury in matters of legislation; and the Department of Commerce designated Messrs. C. J. Hunkin and Walter Jaeger as its representatives. The federal conferees also included L. H. Parker, Chief of Staff of the Joint Committee on Internal Revenue Taxation and C. F. Stam, Counsel for that committee.

The Interstate Assembly was represented by the members of the Interstate Commission on Conflicting Taxation.

Need of Machinery for Cooperation

In presenting the recommendations of the Interstate Commission, Chairman Mastick stressed the need for setting up machinery which would establish continuous contact between representatives of the federal government and of the states for the cooperative solution of their joint tax problems. Senator Harrison, in reply, said that he was in complete sympathy with the objectives of the Commission and in general agreement with its preliminary recommendations, especially the one relating to the repeal of the federal gasoline tax at the end of the next fiscal year. President Belknap of the Legislators' Association urged that the Senate Committee on Finance put itself on record with regard to the gasoline tax, and Senator Harrison agreed to cooperate toward that end.

The first joint conference of federal and state legislators has already produced two tangible results. In its report of May 1, accompanying the bill to extend the federal gasoline tax for another year (H.R. 5040), the Senate Committee on Finance endorsed the recommendation of the Interstate Commission on Conflicting Taxation in the following language:

"Your committee is of the opinion that the gasoline tax should be reserved for the states after June 30, 1934."

Federal Machinery: A much more important result of the conference came on May 3, when the Senate Committee on Finance authorized its chairman Senator Pat Harrison to appoint a Subcommittee on Double Taxation to study federal and state taxation and the duplications existing therein, and to cooperate with the states in working out a plan by which the taxing system as a whole may be improved. Pursuant to this action, Senator Harrison appointed a committee consisting of Senator King, Chairman, and Senators Barkley, Byrd, Reed and La Follette.

It has long been obvious, but especially so since tax rates have been increased by the revenue act of 1932, that the taxation of the same object by the federal government and forty-eight different state governments results in many inequities. The elimination of a part of this duplicate taxation, and the more equitable distribution of our present heavy tax burden, would, without doubt, not only be welcomed by the public, but would also have a most beneficial effect on business.

The Joint Committee on Internal Revenue Taxation, through its staff, has been studying this subject for about three years, and considerable data in regard to it have been collected. A Subcommittee on Double Taxation was appointed by the Committee on Ways and Means of the House of Representatives. This committee has as its chairman Congressman Vinson of Kentucky, and it is still at work on this problem. At its request, the staff of the Joint Committee published a factual report on this subject. This report is comprehensive in its scope and describes practically all federal, state, and local taxes and the duplications existing therein. A tabulation based on the report can be found in Chapter III of this handbook.

The appointment of a Subcommittee on Double Taxation from the Senate Finance Committee means that both branches of Congress will include members who are thoroughly familiar with this subject, and who are able to cooperate with the states in proposing plans for the improvement of our taxing system.

It is hoped that the Interstate Commission on Conflicting Taxation and the double taxation committees of the Senate and House will provide the necessary machinery for improving our taxing system through joint effort. The dual character of our government makes it possible to accomplish more by cooperation than by direct legislation.

Centralization and Segregation

Various proposals to bring a measure of order into the present chaos of federal-state tax conflicts have recently been made to the Commission. These proposals may, in general, be grouped under two main heads, centralization and segregation. Centralization involves a surrender on the part of the states of the right to levy certain duplicated taxes in the administration of which the federal government enjoys a clear advantage. To make up for the resulting loss of state revenue it is variously suggested (1) that the federal government take over from the states certain functions which they now perform, (2) that it make a more extensive application of the principle of federal grants-in-aid, and (3) that it return to the states a portion of the yields of certain of the surrendered taxes on a basis of origin of collections, or of population, or on other criteria. Another proposal in the general direction of centralization is the suggestion that the federal crediting device, by which state inheritance taxes may be used as an offset against payments due under the federal estate tax, be extended to other federal taxes.

Segregation in its extreme form involves a division of the tax field between the federal government and the states, each level of government keeping specific types of taxes for its exclusive use.

The Commission has not committed itself unreservedly to either of the two lines of action which are described in the preceding paragraphs. Centralization would doubtless reduce the area of federal-state tax conflicts and would considerably simplify the administration of some types of taxes. The further extension of the principle of federal tax credits might remove the element of interstate competition in certain fields. Whether or not federal administration coupled with a sharing of tax yields

with the states, represents a desirable mode of procedure—in the case of taxes which neither the states nor the federal government can afford to surrender completely—is a question which the Commission felt should be given further study. In the meantime the Commissioners were impressed by the fact that whatever gains centralization might accomplish would have to be purchased by the states at the price of restrictions on their sovereign powers. *A logical program:* On the other hand, the Commission is faced with the problem of finding an immediate and complete program of segregation which will adequately satisfy the respective revenue requirements of the federal government and the states, and at the same time prove fair to the taxpayer. It is inclined to believe that the most promising course of action would be to take each of the various forms of duplicated taxes and consider it separately. After determining what seems to be the logical solution with respect to each specific tax, it would then be necessary to go over the entire program and devise some method or methods for adjusting any discrepancies between the assigned resources and revenue needs. A program of this kind might ultimately call for some centrally administered, state-shared taxes; but in the case of many taxes the remedy for the present evils of dual federal-state administration appears to be segregation.

The Commission was well aware of the fact that no constitutional means exist which could be utilized to make agreements binding on either the legislatures of the states or on the Congress. It is believed, however, that the taxpayers of the country—to whom both the Congress and the state legislatures are answerable—will supply all the binding force that is needed. It is the taxpayers who are the chief sufferers from the present welter of federal-state tax conflicts, and if a fair adjustment of some of these conflicts can be arrived at through the method proposed, it seems probable that the taxpayers of the nation will exert pressure to make such adjustments effective.

The recommendations which the Commission put forward as a basis for negotiations rest on a few general propositions concerning which there can be little disagreement.

They are:

(1) That under any scheme of coördination between the respective tax systems of the federal government and the states, there will be certain specific types of taxes which make suitable sources of state revenue. On the other hand, certain taxes are more suitable to the federal government than they are to the states.

(2) That other things being equal, a given type of tax should be administered by the particular level of government which can best perform this task effectively.

(3) That in view of the fact that the states and their subdivisions are compelled to carry the larger share of the country's governmental costs, and in view of the smaller range of non-property taxes which the states are in a position to administer effectively, the federal government refrain as far as possible from utilizing taxes upon which the states have come to depend and which they can administer efficiently.

Recommendations on Liquor Taxation

Recommendations concerning the taxation of alcoholic beverages were adopted by the Interstate Commission on Conflicting Taxation at its meeting in Washington, D. C., November 10 and 11, 1933. The recommendations were as follows:

RESOLVED, That it is the sense and the recommendation of the Interstate Commission on Conflicting Taxation:

1. That the social implications of the repeal of the Eighteenth Amendment greatly outweigh in importance the revenue aspects of repeal.

2. That the taxes on alcoholic liquors, as well as the taxes and license fees upon the traffic in such liquors, should be so devised as to promote temperance, and at the same time to discourage illicit trafficking in such beverages.

3. That there is grave danger that if both the federal and the state governments, without regard to each other, impose taxes or other imposts on these commodities, or upon the traffic in them, the combined load of taxation will become so heavy as to defeat the foregoing objectives.

4. That volume taxes, or so-called gallonage taxes, whether direct or indirect,

should be imposed upon liquor by the federal government only, and only at a moderate rate.

5. That the rate of the volume tax should in no event exceed three dollars per gallon, on spirituous liquors, and that the rate of taxes on beverages of lower alcoholic content should be correspondingly lower.

6. That of the combined gross revenue from the liquor traffic, derived by the federal and state governments from all sources, one-half should inure to the benefit of the states and their localities, and the remaining half should be retained by the federal government.

7. That in applying the principle which is stated in the preceding paragraph, in the case of those states which adopt the state stores plan, or other form of state liquor monopoly, there should be substituted for gross revenue as defined in that paragraph, the actual profit derived from state liquor transactions.

8. That the federal government should ascertain its total gross revenue from the liquor traffic derived from all sources, and divide that amount by the total population in all of the wet areas in the United States, thus establishing *the federal per capita*. Similarly each state should ascertain its total gross revenue, including both state and local proceeds, and divide that amount by the total population in all of the wet areas in the state, thus establishing *the state per capita*. In the case of each state, the state per capita and the federal per capita should then be added, thus establishing *the combined per capita* for that state. The state's minimum share should be one-half of the combined per capita. Accordingly, the federal government should make payments to each state which contains wet areas, in accordance with the following formula:

Ascertain one-half of the combined per capita.

Subtract from that amount the state per capita.

Multiply the difference by the number of the total population in all of the wet areas in the state, thus arriving at the amount to be paid by the federal government to the state.

9. That revenues from spirituous liquors which are sold for medicinal purposes should not be included in the foregoing computations, but should be separately handled, in accordance with the above stated principles, but in accordance with the method stated in the following paragraph.

10. In the case of each state, the federal government should compute the amount of revenue which the federal government derives, by taxation and licensing, from the sale of liquors for medicinal purposes in that state, and also the amount which the state derives from such licensing and sales, total the two amounts, and pay to the state such amount as will give it not less than one-half of the total.

Recommendations on Gas Taxes

The staff of the Interstate Commission on Conflicting Taxation has also made a very complete study of the gasoline taxes in the 48 states. The report of this study was filed with the Congressional Ways and Means Committee by Chairman Seabury C. Mastick in January, 1934. It is the opinion of the Interstate Commission on Conflicting Taxation that gasoline taxes should be definitely left to the states. An article from *State Government* of January, 1934, is reprinted in part:

"As is well known the gasoline tax is the most important single source of state revenue. Taking the country as a whole, state governments derived 24 per cent of their total tax receipts from this source in 1931. In a number of states, the relative reliance placed on the gasoline tax is considerably greater than this. Thus, gasoline tax collections represented roughly 40 per cent of the state tax revenues of Georgia, Tennessee, and Texas in 1931, and about 33 per cent in North Carolina and South Carolina during the same year.

"Acting on the assumption that they could rely on the gasoline tax as a certain and stable source of revenue, and that the federal government would not attempt to enter this field, the states and their subdivisions have made a vast investment in motor highways.

"State and local highway bonds outstanding at the present time, excluding those for city streets, aggregate in the neighborhood

of \$3,000,000,000. These bonds were sold to the public largely on the security of the gasoline tax and motor vehicle licenses which are the main sources of highway revenues. In 1931, state highway bonds outstanding totaled \$1,227,000,000, and in that year about 56 per cent of all state highway revenue was supplied by the gasoline tax.

"A decline in state gasoline tax collections will not only reduce the amounts available for the construction and maintenance of state highways, but will also impair the ability of state and local governments to meet interest and amortization charges on highway bonds. Only about 10 per cent of the total state gasoline tax collections for the country as a whole is used to meet debt service charges on highway bonds. This, however, is an average figure which conceals the precarious situation of a number of states which have gone heavily into debt to match federal-aid highway funds and which have been counting on an undiminished flow of gasoline tax revenues to support their highway bond issues. In West Virginia 83 per cent of all state gasoline tax collections is devoted to debt service charges on highway bonds. The corresponding ratio for Arkansas is 65 per cent; for South Carolina, 58 per cent; for North Carolina, 49 per cent; for Florida, 43 per cent.

"In 1932 state gasoline tax collections registered a decline for the first time in their history, dropping from \$536,000,000 in 1931 to \$513,000,000 in 1932. This represented a loss of \$23,000,000, or 4.3 per cent. Although there may have been no causal connection, it is significant that this decline coincided with the federal invasion of the gasoline-tax field with its excise tax of 1 cent per gallon.

"The immediate cause for the decline in state gasoline tax collections was a falling off in the consumption of motor fuel. The average reduction in consumption for the country as a whole between 1931 and 1932 was 7.5 per cent. For individual states the reductions ranged from less than 1 per cent in New Hampshire to 22 per cent in Arkansas. A serious aspect of this situation is the fact that some of the most precipitous declines in consumption have taken place in states in which the gasoline tax

is most heavily relied upon for highway maintenance and construction, and to meet interest and principal payments on highway bonds.

"In Arkansas where motor-fuel consumption dropped 22 per cent between 1931 and 1932, approximately 65 per cent of the proceeds of the gasoline tax is required for highway debt service charges. In South Carolina where consumption dropped 15 per cent, about 58 per cent of the proceeds of the gasoline tax is required for debt service. Mississippi relies on the gasoline tax for 94 per cent of all of its state highway revenues, and gasoline consumption in this state declined by over 16 per cent between 1931 and 1932. In New Mexico where the gasoline tax supplies 75 per cent of all state highway revenues, the consumption of gasoline has fallen off by 18 per cent.

"It is not claimed that the decline in gasoline consumption was caused by the imposition of the federal excise tax on gasoline. It is maintained, however, that the federal tax prevents needy states from readjusting their tax rates to the new level of gasoline consumption and thus, not only jeopardizes the adequate maintenance of expensive highways, but undermines the safety of many millions of highway bonds which were sold to the public on the assumption that the gasoline tax would be reserved to the states.

"For many years, the average service-station price of gasoline steadily declined. In 1921 it was 26 cents per gallon, exclusive of tax. In 1932 it was a little over 13 cents per gallon. This decline in service-station price more than offset the effects of steadily rising rates of gasoline taxation. With the advent of the N.R.A., however, the price of gasoline has gone up, and should the efforts of the federal government to restore a measure of prosperity to the oil industry succeed, the federal excise tax on gasoline will be so much more severe.

"In addition to threatening the safety of three billion dollars worth of state and local highway bonds, the federal excise tax on gasoline hampers needed efforts in the direction of general property-tax relief. Most important of all it prevents municipalities, which all over the country are rapidly going bankrupt, from sharing in a source of revenue to which they are justly entitled.

"There is at present a desperate hunt for new sources of municipal revenue to stave off impending bankruptcies. Since the cities furnish the highway facilities on which half of the motor fuel of the country is consumed, they are justly entitled to a larger share of gasoline tax collections. But as long as the federal government remains in the gasoline-tax field, few if any states are in a position to do justice to their cities in this regard.

"It is realized that the need of the federal government for revenue is acute. The situation of the states and municipalities, however, is even more desperate. The credit of the federal government is unimpaired. States and localities find it almost impossible to borrow and there have been widespread defaults in municipal bonds. The possible sources of federal taxation are numerous and varied, compared to those of the states and municipalities.

"In imposing a gasoline tax, the federal government weakens the security underlying 43½ billions of city, street, and rural highway bonds. It prevents the states from relieving the overburdened property taxpayer by transferring a larger share of the cost of rural highways to motor vehicle users. Finally, it prevents the states from stemming the rising tide of municipal bankruptcies by allocating to their municipalities the share of the gasoline tax to which they are justly entitled."

Boston Conference

At its conference in Boston, September 30 and October 1, 1934, the Commission developed rather definite plans for activity during the current year. These plans contemplated, in the first place, careful investigation of the overlapping levies of the federal government and the states in the field of death taxation, sales taxation (in the event the federal government should impose a sales tax), and income taxation, both corporation and individual. It was the opinion of the Commission, after extensive deliberation, that the most promising approach in the field of death and income taxation inhered in the further development of the credit plan utilized most effectively thus far in the case of the federal estate tax, as provided in the Revenue Act of 1926. In developing this plan of approach,

the Commission expressed a definite preference for the crediting device as compared with the plan of federal administration which has been vigorously urged in some circles.

In the second place, the Commission has developed plans for a more unified view of the entire situation than has hitherto characterized its activities. Heretofore, investigations of particular tax measures have been made. In the future the consequences of each adjustment on the entire situation will be examined before the Commission acts.

In the third place, the Commission is hoping early in 1935 to offer recommendations respecting all of the more troublesome conflicts, so that a comprehensive program of action will be available. These recommendations, if they materialize, will be presented to the Interstate Assembly and, if approved, will become the official program of the Commission. This of course does not mean that the Commission will refuse in the future to make modifications

in the program. It means rather that the Commission will have arrived at a provisional general solution of federal-state conflicts which it can officially advocate.

Thus far negotiations with representatives of the legislative and executive branches of the federal government have been confined largely to the field of gasoline and liquor taxation. Informal conference between the leaders in the House, Senate, and administrative branches of the federal government and members of the Commission has been the method by which most negotiations have been conducted. In addition to such informal conferences, contacts have been made with official finance leaders in Congress and in the administration by letter, by wire, and by direct personal discussion. It is anticipated that, if present plans are completely worked out, more extensive negotiations will be made with these representatives of the federal government and with the legislative and administrative agencies in the various states.

CHAPTER VIII

Divided We Fall

The Council of State Government Offers a New Means for Preserving State Integrity

In Lieu of Foreword

INSTEAD of a prefatory note—or perhaps in place of an invocation—we copy a letter from Arnold Bennett Hall, head of the Institute of Governmental Research, of the Brookings Institution:

"I am writing to tell you of the thrill that your conception of the Council of State Governments gave me.

"I think that the time has come for a synthetic approach to the whole problem of state government from the political, administrative, and legislative standpoint.

"I believe that a concentrated attack upon the total situation may yield extremely fortunate results at a time when state and local governments are looking more and more to the federal government for support of traditional local and state functions, and when it seems that the states and communities lack the economic capacity to meet the obligations imposed by the present crisis.

"I think that the time is calling for a re-orientation in the whole problem of state and local government, to the end that we may utilize the existing emergency to direct governmental development along more constructive and intelligent lines.

"After all, the wealth of the federal government is nothing but the combined wealth of the several states, and I am not willing to agree that the states have passed their period of usefulness, or that they lack either the economic or the spiritual resources essential to make a distinctive contribution to American progress.

"I do think that our state and local governments need overhauling and reorganization to bring them in line with modern economic and technological progress. I think that our relationships to the federal

government must be restudied and rearranged.

"And I have faith to believe that when this has been intelligently and scientifically accomplished, the newly organized state and local governments will find a challenging task which they have both the resources and the imagination to perform."

New Needs in Government

New times bring new needs in government, as in other affairs. For more than a century republican government in America functioned moderately well, in spite of the fact that it was confined in substantially isolated compartments. These separate divisions, larger and smaller, were administered respectively by the national government and by the governments of the several states.

But now the increased speed of transportation and communication, and the increased size of business units, have rendered safety and prosperity in every state somewhat dependent upon conditions and practices in other states. Here the difficulty begins. In thousands of instances the laws of the states are in conflict, their practices are discordant, their regulations are antagonistic, and their policies are either competitive or repugnant to one another.

Such disharmony cannot continue. One of two results is inevitable. Either the federal government must continue to take more and more of the control from the states until they become vestigial relics of local self-government, or else the state governments must harmonize their activities and must work together. A reduction of the conflicts between the states is not the only imperative need. More is necessary:

a constructive, vigorous, aggressive campaign of cooperation.

The slogan, "A more perfect Union," should be revived. But there must be more than a blind insistence upon "states' rights" as an inherent American tradition. A *claim* of states' *rights* must now be justified by a *demonstration* of states' *competence*. Unfortunately, however, state governments cannot reconcile their policies, nor act in unison, merely by good intentions.

Spread over an area of three million square miles, governing 120 million persons, headed by forty-eight governors, controlled by 7,500 legislators, administered by tens of thousands of officials, the state governments cannot hope for harmony without organization. Their cooperative impulses will continue to be futile until they are implemented. But today there are better facilities for dealings between the federal government and foreign nations than there are for dealings between adjacent states.

There are scores of broad fields in which governmental harmony and cooperation must be sought. A few examples are: the imposition and the collection of all taxes, the protection of our citizens against criminals, the checking of economic and social menaces, the relief of destitute adults and children, the control of the liquor traffic, the simplification of rules which complicate and burden commerce, the guarantee of convenience and safety on the highways, the establishment of the rights and obligations of employers and employees, the determination of governmental policies toward social usages, such as divorce, and toward commercial agencies, such as corporations.

The American people have discovered that some of the original functions of the states cannot be satisfactorily administered except by the federal government. But this discovery should not blind them to the fact that it may be important for the states to retain other functions. In any event, many of the states' functions are being transferred to the national government, year after year, mainly on account of the failure of the states to adjust and coordinate their own governmental practices adequately. This failure of the states should be corrected.

We must make a careful examination in order to determine which functions can best

be performed by the federal government, and which by the state governments. We must check over the hypothesis that the lure of unified federal administration frequently leads to a cumbersome and bureaucratic reality. In other words, we must try to determine what functions the American people would allocate to their states and what functions they would assign to the federation, if they were organizing a new nation under present day conditions.

Emergencies may justify the states in lending some of their powers to the federal government. But the fact should be faced that indifference to the continuance of the conditions which dictate such loans by the states, or acquiescence in the federal government's retention of such powers, will alter the basic structure of our government.

During a century and a half there has been a one-way valve through which functions have constantly passed out of the states and into the federal government. They rarely return.

The contact of the individual with those who govern him is gradually shifting from the neighboring state capitol to the more remote District of Columbia.

This situation does not call for the development of a still greater amount of conflict between state and federal governments. On the contrary, it calls for more effective cooperation. But until the states provide themselves with adequate arrangements for cooperating with each other, they cannot cooperate adequately with the national government. This fact is clearly demonstrated, for instance, by the conflict between state and federal tax systems. Today most of the maladjustments between state and federal governments are irreconcilable, because there is no governmental provision which facilitates cooperation. This situation and these times demand initiative.

The Present Chaos

Of course *in theory* we have forty-eight sovereign nations. The only modification of the sovereignty of each of these forty-eight nations is that which occurred when the states presented certain powers to the Federal Government upon the silver platter which we know as the Constitution. Except for those powers, New York is as much a

sovereign nation as Japan, Illinois is as sovereign as Russia, and New Hampshire is as sovereign as Guatemala.

The entire field of government in the United States is divided into two great areas: the first is the area in which the Federal Government *has* jurisdiction; the second is the area in which the Federal Government does *not* have jurisdiction, and in which the forty-eight sovereign nations go their forty-eight independent ways. Nobody knows exactly how far the jurisdiction of the Federal Government reaches, but we will all agree that there remains a tremendous area in which the Federal Government does *not* have jurisdiction.

Federalization vs. Cooperation between the States

Now here is the crux of our American problem of governmental structure:

In the *federal* area, we have a fair degree of governmental unity. But in the *non-federal* area, we have chaos between the state governments—among this multitude of sovereign nations. This chaos is due to no fault of the federal government, because no amount of congressional efficiency could have harmonized those functions over which Congress has *no control*. In that field of government over which the Federal government does not have jurisdiction, this country is struggling to progress as a centipede—or whatever an animal with forty-eight legs should be called—which has no two of its forty-eight legs operating in rhythm with each other. The curious feature of this situation lies in the fact that *we have never tried to develop any nationwide mechanism* for the purpose of coordinating these legs, and harmonizing the policies of the states.

Under these circumstances, what lies ahead of us? What will be the solution of this chaotic condition of uncoordinated state governments? One fact is sure: we cannot go on as we now are.

There seem to be only two possibilities: increased federalization or increased cooperation between the states. It is a race between the two. There is no doubt which racer is in the lead. The states are not merely slow in harmonizing their own affairs: they are inert. And meantime federalism is progressing with leaps and

bounds. But to quote a phrase, "The states will survive, because they are a tough fact in our system." Nevertheless, it is not at all impossible that the state governments will become relatively insignificant, and that the Federal Government will take over most of their functions.

A Pattern for Federalized Administration

At this point we may pause to smile at the fact that the states have developed a tendency to take over the functions of the counties. In other words, the counties are 3,000 little fishes which are being swallowed by 48 large fishes, and the large fishes are being swallowed by one whale.

If the states continue to be so sluggish that federalism wins the day, how will the National Government administer its swollen powers? There is a serious possibility that we will live to see the Federal Government operating with perhaps ten regional centers, which in turn will operate through district centers. One of these district centers will be located in the capital city of each state, and there will be additional district centers in the larger states.

This suggestion is not fanciful. Of course such a readjustment would meet with great resistance, and of course the present control of the United States Senate could not be altered. The states would continue to exist—just as the counties are continuing to exist in North Carolina, for instance, even after most of their functions have been taken over by the state. Certainly most American citizens would regret such a readjustment, even if they believed that it was necessary. At all events, to repeat, it is safe to guarantee that federalization will increase constantly and rapidly unless the states *do* succeed in developing some device which will bring about closer cooperation among them.

Compacts between States

According to present indications, we will be subjected to extreme federalization within a short time. If we are not, it can only be because the states are on the verge of cooperating with each other as they have never cooperated before. And if we *are* on the verge of such cooperation, compacts be-

tween the states will undoubtedly play an important part in it. It is conceivable that these compacts will become exceedingly numerous. Just as the United States Steel Corporation may be a party to many different contracts concerning a variety of subjects with various other companies and groups of companies which produce steel products, so each state might find itself a party to various compacts—some with single states, some with regional groups of states, and possibly some with a nation-wide aggregation of states. A large proportion of these compacts would involve the creation of interstate commissions, composed of administrative officials of the contracting states.

But then another problem would arise—not so difficult as the present problem, but somewhat similar to it. Suppose, for instance, that the New England states and a few of their neighbors should become parties to a dozen different compacts, each of which created an interstate commission. It is apparent that these commissions should not be entirely unrelated. But how are they to be related to one another?

Or consider a somewhat different case. Suppose that the labor-law compact which the eight northeastern states are today negotiating is consummated, and that a commission is established between these eight states, and then suppose that five similar compacts are executed by five other groups of eight states each. We will then have six interstate commissions each representing a group of eight states. All of the forty-eight states will then be represented by six regional commissions. But then how are these commissions to be related to one another?

Must Relationships between the States Be Random?

At this point we are coming to grips with a stimulating problem. It is stimulating for two reasons: first, because it is vastly *important*; second, because it is as *difficult* as it is important.

If the eight northeastern states succeed in agreeing, by compact, concerning certain phases of the labor problem, substantial benefits may result. But these results will be *relatively* meager unless we can devise means for such coöperation between—not

eight, but forty-eight governments. And obviously it will be difficult either to develop or to maintain an entirely satisfactory contact between the forty-eight states if we cannot hold out to them any greater reward than the improvement of certain aspects of the labor problem. We cannot hope to develop and maintain the machinery which will be essential to an adequate working together of our forty-eight states, unless we can say to the people in each of these forty-eight states, and to those whom they have placed in authority as their governors, legislators, and administrative officials: "To the development of this machinery we ask you to dedicate your best efforts in the hope that it will bring together *all* of the states, in our common determination to replace governmental chaos with governmental harmony in *all* of our major tasks of government."

At this point the fact should be appreciated that there is a great difference between working in a *random* way and working in a *piecemeal* way.

If a community of a hundred citizens should plan a double row of elms, and stake it out in advance, each citizen could plant a single tree, at his own convenience—and a handsome avenue might result. The planting would be done *piecemeal*, but it would be done in accordance with a plan. But if each citizen planted his own tree wherever he felt like it, the planting would be *random*, and the result would be disorder.

Large programs *can* be carried out *piecemeal*, if only a general plan of action is devised at the beginning. But *random* action always involves subsequent tearing out and doing over.

Now it is certain that such compacts as the states enter into, will be consummated in a sporadic manner. First some northeastern states will agree about minimum wages, and then two years later some southeastern states will agree about the pursuit of criminals, and then after another year some northwestern states will agree about the taxation of busses and trucks. To the casual observer these occurrences may seem to be entirely unrelated. But of course they are not. All of them are expressions of a national desire to bring our states into harmony.

If undertakings of this character can be encouraged and somewhat guided in every part of the country, and if a plan can be devised *in advance* by which these co-operative enterprises can be somewhat related to one another, these intermittent occurrences will gradually grow together into a project of vast significance. If we have a systematic *plan*, it can be *developed piecemeal*. But on the other hand, if every such occurrence is merely an isolated and fortuitous eruption, without relationship to any other occurrence, each will lack the vitality and significance that it might have had if it had been related to a general plan.

To Create a More Perfect Union

It will require a discouraging amount of time to put *any* plan into actual practice.

But the *first* question is this: Even if the problem of speed were not involved, even if we had ten or twenty or thirty years in which to put our plan into effect, *is there any conceivable plan* which might practically coördinate all of the coöperative enterprises of the forty-eight state governments? If these interstate compacts and these interstate commissions begin to increase, year by year, can we tie them into a systematic, unifying system—as one integrates the pieces of a jig-saw puzzle.

And the *second* question is this: Is there any possibility of our working fast enough to save the states? Perhaps no more possibility than there is for our averting war in Europe or war in the Orient. But shall we be victims to an attitude of defeatism? Or shall we struggle to achieve that relationship which we all desire for our own states, in the same spirit as that in which we are struggling to achieve that relationship which we all desire for the nations?

Here are three points which seem almost obvious:

First: All interstate commissions *in the same general area* should be brought together as much as possible. And this will eventually require perhaps ten regional headquarters in various parts of the United States.

Second: All interstate commissions which are *dealing with the same subject*—such as minimum wages—in different parts of the country, should be kept in as close

contact as possible. And this will require a central, coördinating office.

Third: No one of these ten regional headquarters should confine its efforts simply to the work of the sporadic interstate commissions which it is serving. Each of these agencies should do everything that it can appropriately do to bring the state governments in its area into more intimate touch with one another and into a closer working relationship, in *all* significant matters of policy and operation.

And the central coördinating office should correlate all of the work of all of the regional headquarters. Through such an arrangement, the *planning* and *consummating* of appropriate compacts could be fostered, as well as the *carrying out* of those same compacts after they had been consummated.

A Pattern for Coöperation between the States

To repeat, there should be about ten regional headquarters in various parts of the United States, each of which would serve as the operating center for the appropriate interstate commissions functioning in that vicinity, and for other coöperative, interstate projects; and there should be one central office through which contact would be constantly maintained, not only between the various groups of regional commissions which were dealing with *similar problems*, but also as to all coöperative activities of *states in the same region*.

The Two Patterns Are Similar

We have expressed the belief that the ~~functions~~ which the states now perform will be harmonized in one of two ways—either through absorption by Washington, or through active coöperation by the states. We have suggested the type of organization which might result from federalization, and we have suggested the type of organization which might result from interstate coöperation. The interesting point is this: The two types would probably be strikingly similar, *in structure*, although not in social consequences.

Under one alternative, the federal government may take over the major functions of the states, and build an organization from the top down: Washington at the

top, ten regional offices below it, and the forty-eight states below them.

Under the other alternative, the states may retain many of their major functions, and build an organization from the bottom up: the forty-eight states as the base, related to each other through ten regional headquarters, which in turn would be related to each other through a central headquarters.

Some Rules Concerning Coöperation Between States

During the past decade the American Legislators' Association has been constantly engaged in an undertaking to secure more harmony among the states. This undertaking has involved many practical experiments in attempts to develop contacts between legislators and administrative officials of the various states. As a result of this experience, five definite conclusions are warranted:

First: States cannot be kept in harmony with each other by dropping communications into mail boxes. Conferences are necessary, and the sooner that the American people fully realize that many interstate conferences of state officials are both legitimate and necessary, and not to be characterized as junkets, the better it will be for the American people.

Second: The forty-eight states cannot be kept in close touch and in harmony simply by *national* conferences. The mileages are too great, the travelling time is too long for busy officials, the expenses are too heavy, and the meetings are too large. Most conferences of governmental officials should be *regional*—although of course they must be supplemented by *national* conferences of some type.

Third: In extensive matters, each regional group of states which endeavors to develop and to maintain an effective working relationship is likely to require not only conferences, but also a regional secretary, or field man, with headquarters in the region.

Fourth: Various regions cannot possibly coördinate themselves, without some arrangement for a central office.

Fifth: The states should not delegate to agents of the federal government any of

the functions involved in maintaining their coordinating structure.

Can the Federal Government Resist Itself?

The fifth point requires some explanation, although probably no fair-minded federal official would disagree with it: In the nature of the case, the tendency of the officials of the federal government is to absorb the states' functions. This implies no criticism of them. The tendency is often sub-conscious. It arises from eagerness to get tasks performed as promptly as possible and as vigorously as possible. It is hardly reasonable to expect them to work wholeheartedly against their own tendencies. But they *can* render substantial assistance to the states, and many of them are disposed to do so; and such assistance should be fully utilized.

The federal government should encourage the states to integrate their activities. It should counsel and inspire them. But the lines of authority must be clearly defined. The states and the federal government should endeavor to coöperate with mutual courtesy and consideration. But it would be unintelligent for the states to throw themselves entirely upon the liberality of federal departments and federal agents to facilitate their own coöperative enterprises.

Some Essentials of Coöperation

Effective state cooperation requires some system such as that here suggested—with regional headquarters, and with a central coordinating secretariat. This system will have three principal functions:

First: To encourage interstate coöperation, including a more extensive use of compacts.

Second: To facilitate the interstate cooperation of all state officials, including interstate commissions.

Third: To work with all appropriate federal officials and federal agencies, in attempting to harmonize state policies and federal policies.

There is food for thought in the story of this new project which is being developed.

The Need for a Broader Agency

During the last decade, the American Legislators' Association has found itself more and more involved in this problem of interstate chaos. But at the same time, the fact has become increasingly clear that the task of coördinating the state governments is not simply a legislative matter. It is increasingly obvious that any undertaking to secure more harmony between the states requires the participation of executive and administrative officials, as well as the participation of legislators. This is especially true because much of the leadership in legislative affairs comes from executive and administrative officials. Consequently, during the last two years, the Association has been engaged upon a project for the development of a separate organization which is to have *no purpose except* the harmonizing of the policies of the forty-eight states—and a similar harmonizing of state and federal policies.

This undertaking has been given little publicity, but it is now well under way.

The Interstate Assembly

It is unnecessary to elaborate the development of the Interstate Assembly, which has been discussed in Chapter VI.

The first Assembly was convened in February, 1933, with the official support of President-elect Roosevelt. President Hoover delivered the opening address. Most of the states sent official delegates. Each state financed the attendance of its own delegates. The quota of each state was one Senate delegate, one House delegate, and one gubernatorial delegate.

The Assembly was successful far beyond expectations, and it met with unanimous approval of the press in all parts of the United States.

The Interstate Assembly will meet once every two years, and it will become the major conference of the Council of State Governments—corresponding to the annual meeting of associations of the ordinary type.

The Interstate Commission on Conflicting Taxation

This noteworthy Commission, established by the first Interstate Assembly, and de-

scribed in Chapter VII, is characteristic of the type of Interstate Commissions which are likely to result from the successive meetings of the Interstate Assembly. Without such an agency as the Assembly, and without such bodies as this Commission, it is difficult to see how the Federal Government can negotiate with the state governments, or develop a spirit of understanding and coöperation. When there is only one party to a negotiation, an understanding, or a coöperative enterprise, it is a pretense.

It seems obvious that there should be some means for crystallizing and expressing the consensus of opinion on the part of our forty-eight Commonwealths, when their interests conflict with those of the Federal Government—as they do in matters of taxation.

Legislative Councils in the States

No one can foretell what the evolution of this Council will be, nor what processes it will develop for the work in this field, but here is one possible direction for its energies:

First: To encourage the development in each state of a Legislative Council—sometimes known as an Executive Council. (The National Resources Board, née the National Planning Board, has recently taken an interest in the organization of "State Planning Boards," but most of them are of a different character, primarily concerned with *physical* planning. The Council of State Governments would be interested in the coördination of the state planning boards, but it would be even more directly interested in the organization of Legislative Councils, since they are a sort of governmental-policy-planning-boards.)

Second: To bring these Legislative Councils into close touch with each other regionally, and then to bring the regional groups closer together, by meetings of regional delegates and otherwise.

If this plan were carried forward, the legislative reference bureau in each state could serve as the secretariat of the Legislative Council of the state. This would provide the Council with a full-time staff of trained research workers, who were familiar with the structure of the government. This arrangement would also help to pro-

vide those more intimate relationships between legislative, executive and administrative agencies, which are so obviously needed when we look to the future. And the Interstate Reference Bureau, already established, is today functioning as the official clearing house and central office for the legislative reference bureaus of the states.

The Planning Board of the Council of State Governments

The Council of State Governments is now a completely organized, autonomous, functioning organization. But it was originally launched by the American Legislators' Association. The Association began by creating an executive committee for the Council. This executive committee is known as the Planning Board. It consists of twenty-one state officials, and twelve consultant members.

Six members of this Board are ex officio: the presidents of nationwide organizations of state officials, namely the presidents of the national associations of:

1. Governors.
2. Legislators.
3. Attorneys General.
4. Secretaries of State.
5. Auditors, Comptrollers and Treasurers.
6. Commissioners on Uniform State Laws.

Of course all of these Presidents are state officials. Thus the Council will tend to focus the efforts of all of the active organizations of the major officials of the states toward a unified program to harmonize and integrate the plans and the policies of the states.

Eight members of the Board are Governors, including all of the members of the Executive Committee of the Governors' Conference. These eight are the Governors of:

- Illinois.
- Indiana.
- Kansas.
- Mississippi.
- North Carolina.
- Wyoming.

The former Governors of Virginia and New Hampshire are also members.

Six members of the Board are state legislators, all of whom are members of

the Board of Managers of the American Legislators' Association. They are members of the legislatures of:

- Kentucky.
- Massachusetts.
- Pennsylvania.
- South Carolina.
- Wyoming.

In addition to the presidents of associations, and in addition to the Governors and the Legislators already mentioned, the membership of the Board also includes the President of the New York State Tax Commission, and the Tax Commissioner of Massachusetts, who is also president of the National Tax Association.

The consultant members of this Planning Board include the President of the American Political Science Association, and a former President of the League of Women Voters.

Also serving as consultants are the Executive Directors of three leading governmental research agencies, namely:

- The Brookings Institution.
- The Institute of Public Administration.
- The Public Administration Clearing House.

Other consultant members of the Planning Board are identified with the political science faculties or the law faculties of five leading universities which are actively engaged in governmental research:

- Chicago.
- Columbia.
- Northwestern.
- Princeton.
- Wisconsin.

Members of the board on January 1, 1935, are:

PLANNING BOARD

HON. ERNEST N. AVERILL

President, National Association of Attorneys-General

HON. WILLIAM B. BELKNAP

President of the American Legislators' Association

HON. MARTIN SENNETT CONNER

Governor of Mississippi

HON. M. J. DESMOND

President, National Association of State Auditors, Comptrollers, and Treasurers

HON. JOHN C. B. EHRLINGHAUS

Governor of North Carolina

HON. ENOCH FULLER
President, National Association of
Secretaries of State

HON. MARK GRAVES
President, New York State Tax Com-
mission

HON. R. BEVERLEY HERBERT
Member of South Carolina Legislature

HON. HENRY HORNER
Governor of Illinois

HON. ALF M. LANDON
Governor of Kansas

HON. HENRY F. LONG
Tax Commissioner of Massachusetts and
President, National Tax Association

SENATOR SEABURY C. MASTICK
Chairman, New York Commission for
Revision of the Tax Laws

HON. PAUL V. McNUTT
President of Governors' Conference

HON. LEON D. METZGER
Secretary of Revenue of Pennsylvania

HON. LESLIE A. MILLER
Governor of Wyoming

HON. C. H. MORRISSETT
Tax Commissioner of Virginia

SENATOR HENRY PARKMAN, JR.
Chairman, Taxation Committee of
Massachusetts General Court

JUDGE ORIE L. PHILLIPS
President, National Conference of Com-
missioners on Uniform State Laws

HON. JOHN G. POLLARD
Former Governor of Virginia

HON. WILLIAM A. SCHNADER
Attorney-General of Pennsylvania

SENATOR T. V. SMITH
Member of Illinois Legislature

HON. HENRY W. TOLL
Executive Director of the Council of
State Governments

HON. GEORGE WHITE
Governor of Ohio

HON. JOHN G. WINANT
Governor of New Hampshire

SENATOR GEORGE WOODWARD
Member of Pennsylvania Legislature

CONSULTANT MEMBERS

HON. LOUIS BROWNLOW
Director of the Public Administration
Clearing House

PROF. JOSEPH P. CHAMBERLAIN
Director of the Legislative Drafting

Fund of Columbia University

PROF. F. W. COKER
President of the American Political
Science Association

DR. HAROLD W. DODDS
President of Princeton University

DR. LUTHER GULICK
Director of the Institute of Public Ad-
ministration

DR. ARNOLD BENNETT HALL
Director of the Institute for Government
Research of the Brookings Institution

HON. SCOTT M. LOFTIN
President, American Bar Association

GEORGE FORT MILTON
Editor of the *Chattanooga News*

BELLE SHERWIN
Former President of the National League
of Women Voters

DR. LEONARD D. WHITE
Member of the Civil Service Commis-
sion of the United States

COLONEL JOHN H. WIGMORE
Dean Emeritus, Northwestern Univer-
sity Law School

DR. EDWIN E. WITTE
Executive Director of the President's
Committee on Economic Security

Thus this Planning Board will tend to
focus upon this one problem the thought
and efforts of five groups, through their
chief executives or other representatives:

First: The principal national associa-
tions of state officials.

Second: State officials in their individ-
ual capacities.

Third: Leading citizens' organizations
engaged in governmental research.

Fourth: Several large universities.

Fifth: Major research agencies engaged
in the study of this field of government.

"The purpose of the Council of State
Governments is to invent and to install
governmental machinery—or methods—
by which the states can cooperate ade-
quately with each other and with the fed-
eral government—not in legislation alone,
but also in planning and in administration."

*Major Purposes of the Council of
State Governments*

1. *The Planning Board.* Obviously the
first essential in the operation of any or-
ganization is adequate planning. The
Council has a notable and very carefully

organized Planning Board. When that Board holds its meetings, probably most of the Governors will be prevented from attending by the pressure of their official responsibilities, but it is reasonable to anticipate that most of the other members and consultant members of the Board—who number twenty-five in all—will attend. The Board should meet not less than three times, not more than four times, a year.

Each conference will begin where the last one left off, and through a continuity of personnel and of subject matter, the conferences of this Board will have cumulative value and effectiveness.

2. *Regional secretaries.* If the Council of State Governments fulfills its appointed destiny, it will ultimately have about ten regional secretaries. Conditions vary so greatly in different regions that a demonstration based upon a single region would not be adequate. If the Council can establish three secretaries at this time, the suitable regions would not be difficult to locate.

1. Certainly one of the secretaries should operate in a group of southern states. In 1932 the American Legislators' Association organized a regional conference in North Carolina, and in 1932-33 it organized pre-session conferences of the legislatures in South Carolina, Tennessee, West Virginia and Kentucky. All of these conferences were highly successful, and the fact was established beyond doubt that in the southern states the legislators and administrative officials—as well as the Governors—are eager for assistance of this character.

2. Probably a second region should include the New England states, or perhaps all of the eight northeastern states. The New England region presents several distinctive features: (1) Its economic and sociological solidarity. (2) The grouping of many states in a small area. (3) The existence of various influences and agencies which are now working for closer cooperation between the states in the region.

3. A demonstration of this character should also be tried in some region west of the Mississippi River—probably either in the Rocky Mountain states or in the Pacific Coast states. The size of these states pre-

sents special problems, especially in connection with the operation of counties and governmental districts. Many problems are much more important in the western states than in the eastern part of the United States—such as irrigation, mining, grazing, oil production and federal lands. The highway problems of the West are also somewhat different in character from those of the East.

What Could a Regional Secretary Do?

The possible accomplishments of a regional secretary must be left largely to the imagination, because a complete statement would require fifty pages. Such a secretary could encourage the development of an adequate legislative reference bureau and an adequate legislative council in each of the states within his region. He could render the Interstate Reference Bureau more useful to the states, and he could render the state reference services more useful to the Interstate Reference Bureau. He could promote cooperation between neighboring states in their policies and activities relating to criminal law enforcement, health, highways, motor vehicles, labor, taxation and many other public problems. He could broaden the perspective of legislators and administrative officials by bringing them into closer touch with corresponding office-holders in adjacent commonwealths, through organized conferences and otherwise. He could do a great deal to promote the improvement of legislative organization and procedure. He could organize a conference of the legislators in each state prior to the convening of each regular session of the legislature, of course working through the local leaders. He could develop facilities for the service of interim committees which would breathe new life into the process of legislative planning. He could facilitate negotiations between states whenever any legislature might see fit to attempt to initiate an interstate compact. And when an interstate compact was consummated, and an interstate commission established, under its provisions, he could serve as the secretary for the commission—in fact, if not in name.

We are approaching this matter in an experimental attitude, and we are regard-

ing it as a demonstration. But we can see no doubt as to the utility of, and the need for, regional secretaries of this character. If there was any doubt before, the experience of the American Legislators' Association in the southern states has dispelled it.

3. *Central staff functions.* To a large extent the central staff functions which would be necessary in connection with the regional secretariats, and in connection with other activities of the Council of State Governments, are already being performed by the staff of the American Legislators' Association. Were it not for the Association's staff and facilities, and were it not for the many facilities afforded by the cooperating Chicago secretariats, it would not be possible to initiate such an extensive project as this is, unless it were undertaken upon a much larger scale.

Regional secretaries should not be installed unless at the same time an individual is installed at the administrative offices, assigned to the full-time work of supervising and integrating the activities of the local secretaries. It would devolve upon this individual to make a constant study of the possibilities of regional and nationwide cooperation between the state governments. This individual would keep the Planning Board informed, and would formulate proposals for its consideration and revision. He should have the assistance of a public relations director, devoting his entire time to securing the moral support of the public for this project.

Press Comment on the Council of State Governments

The New York World Telegram: A far-reaching factor in recovery and the New Deal can be the newly organized *Council of State Governments*, of which Governor John G. Winant, of New Hampshire, is president. Composed of Governors and other State administrative officers, this council aims to bring State executives into closer touch with the legislative side of cooperative State planning already represented by American Legislators' Association.

The new council makes an excellent beginning by deciding to hold its first meeting in Washington next month jointly with the *Interstate Commission on Conflicting Taxation*. This latter commission has become of

high interest and importance in connection with President Roosevelt's move to bring science and system into the present chaos of taxes, federal, State and local. State executives could find no better first items for their cooperative program than rational allocation of taxes between taxing powers, national and State. The next few years will see few more urgent needs in the eyes of American taxpayers. The heavier their taxes the more just their demand for reason, order and economy of collection in the whole tax scheme.

"It is not enough," Governor Winant says, "for modern Jeffersonians to clutch the air and declare for State rights now and forever. The cold fact is that a claim of States' rights must now be justified by a demonstration of States' competence. The American people have discovered that some of the original functions of the States can be more satisfactorily administered by the federal government. But year after year many of the States' functions are being transferred to the national government simply on account of the failure of the States to adjust and coordinate their policies and to deal constructively with the present interstate chaos in legislation and administration."

This is true of the administration of criminal justice. It is true of labor legislation. But nowhere is it more true than in the field of taxation. The new Council of State Governments has picked the right spot for an auspicious start.

The New York Sun: The newly organized Council of State Governments, which will make its first appearance in joint session with the Interstate Commission on Conflicting Taxation at Washington on January 18, has explained the purpose of its organization in these words:

"One striking fact emerges from the welter of argument concerning the relative merits of State and of Federal administration of various government functions, namely, that there is absolutely no adequate medium through which the States may cooperate. Today there are better facilities for dealings between the Federal Government and China, or other foreign nations, than there are for dealings between adjacent States, each of which is theoretically a sovereign nation."

The association of the States in this council is particularly calculated to help in making regional agreements among a group of States. The newly formed council, working toward this end, is expected to establish nine or ten regional headquarters and a central office, through the last of which contact will be maintained with all cooperative activities in all the States. The present staff of the American Legislators' Association, which might be described as the parent organization of both groups which are to meet in Washington on January 18, will provide a trained nucleus for a larger staff. In a remoter fashion, the new organization may be said to stem from the Governors' conferences and other similar previous movements.

The Saturday Evening Post: It requires no profound study to appreciate the dangers involved in the continual federalization of government in this country. Nor is the subject one on which men need differ because of their political affiliations; it is not a topic which flares up during campaigns and can be laid on a dusty shelf between elections. The centralization of government did not begin on March 4, 1933; it began long before that, and if it is to be discussed in terms of political-party guilt, the Republicans have many sins to answer for during their long reign, whatever may be the more recent responsibilities of the New Dealers.

Quite regardless of partisan accountability, there is every present indication that we will be subjected to extreme federalization within a short time. It would be supposed that the difficulty encountered with prohibition might have warned the nation against such a course, but apparently not. Centralization is increasing by leaps and bounds, and there is the likelihood that in the not distant future the National Government will be obliged to administer its swollen powers through ten or twelve regional centers, which in turn will operate through district centers.

Obviously, there is only one alternative to the present tendency, and that is constructive, vigorous, aggressive cooperation on the part of the states themselves in the tremendous area which still exists outside of Federal jurisdiction. Unfortunately, though there is a semblance of unity in the Federal area, outside of it there are thousands of instances of conflicting

laws, discordant practices, antagonistic regulations, and policies which are competitive or at least repugnant to one another. Progress in this area has been compared to that of an animal with forty-eight legs, no two of which operate in rhythm.

Unless there is to be an extreme increase in federalization, the states, with their forty-eight governors and thousands of legislators, must shortly cooperate with one another as they have never cooperated before. Nor is this an impossibility. Today as in no previous time there is discussion of the advisability of forming pacts among different groups of states on specific subjects; an illustration is the labor-law compact which the eight Northeastern States are now negotiating. Among other subjects fairly crying for compacts are highway control and safety, crime, liquor control, taxation, divorce and corporation laws.

If these interstate compacts and the interstate commissions to effect them begin to increase year by year, it may be possible to tie the commissions together into a systematized unifying system, with all those in the same general area brought together as much as possible, and with all those dealing with the same subject brought into as close contact as possible. Instead of the Federal Government building an organization of ten regional centers from the top down, it may be possible for the states to build a similar voluntary organization of ten regional centers from the bottom up.

Only a few years ago a group of state legislators organized the American Legislators Association, and from that has grown the Council of State Governments, including governors and executive officers as well as legislators. Regional conferences of state officials, with regional secretariats tied in with the interstate commissions, might afford the beginnings of a device, even though voluntary, needed to bring about cooperative action.

It may be too late to save the states, but it is well worth trying. Certainly it is too late to insist upon their "rights," but it is just the time to insist upon a demonstration of their competence and to seek mechanisms by which they can work together. Failure of the states to act in this matter is sure to take us further and further into the engulfing forces of bureaucracy and regimentation.

CHAPTER IX

Preparedness

Pre-session Conferences Arranged by the American Legislators' Association

THE PRE-SESSION IDEA

THE "pre-session conference" is an innovation of the American Legislators' Association. It is designed to enable experienced legislators to pass some of their knowledge on to the greater number of inexperienced legislators. A plan of organization and legislative activity may be worked out which will save much valuable time at the opening of the regular session. Legislators of one state or of a region assemble to discuss problems which will be considered at the convening of the regular sessions. State administrative officials and students of government discuss various phases of governmental problems. Sometimes the conference even succeeds in planning much of the agenda of the forthcoming session.

The pre-session conferences described here have been very successful. That they have been valuable is evidenced by the thousands of complimentary letters and press editorials which preceded and followed every conference. By reprinting a few of these it is possible to tell to a large extent the story of each conference.

The following article from the *Saturday Evening Post* describes the condition which the pre-session conferences remedy.

Saturday Evening Post: "In addition to, or operating within, the federal and forty-eight state governments, we have in this country more than 3,000 counties, some 200,000 separate governing and taxing bodies, and 900,000 elective officials. In other words, government has got into a snarl. No amount of excitement over the liquor question or even a presidential campaign alters this basic fact. Nothing so much matters as the way in which govern-

ment, as a whole, has become cumbersome and tangled.

"Under the American system, final sovereignty rests with the states, and municipalities derive their powers from the states. Thus, the straightening out of the situation outlined really rests with the state legislatures.

Legislative Personnel

"There are about 7,500 state legislators, and the data recently gathered by the American Legislators' Association, which was organized by state senators and representatives throughout the country in hope of improving legislative conditions, show that these men and women are largely amateurs or novices at their all-important work. Three out of four are elected for a term of office including only one regular session. A typical body with one hundred and thirty-five members will contain fifty who have never before sat in such an assembly, twenty-five who have previously been members for only one session, and not more than a dozen who have attended more than five sessions.

"This means that state legislatures are not permanent deliberative bodies. About 98 per cent are men and 2 per cent are women, very few being under thirty, but in legislative experience, continuity of policy, collective knowledge and professional standards, large numbers of them are really juveniles. Considering that many of the sessions are for only sixty days, it really requires four or five sessions before a member learns the ropes and becomes acquainted with the intricacies of state government, not to mention its responsibilities to the county and local governments.

"It makes no difference how many good

men are selected to these legislatures, their influence is slight unless they come back again and again. Otherwise members of the various political gangs, who often do get themselves re-elected many times, can control much larger numbers of well-meaning amateurs.

"Yet these bodies directly control some two billion dollars of expenditure and have supervision responsibility for the spending of much larger sums by local agencies. Local government depends so largely upon state statutes that it cannot be effective unless the state legislators are men of outstanding caliber and training.

"Originally, the state legislators were elected for terms which included two regular sessions, the sessions being annual. But when the sessions were made biennial, the proper adjustment of doubling the term of office was not made. If representatives were elected for four-year terms and senators for six-year terms, there would be a considerable increase in experience.

"Many state legislators receive absurdly small compensation, although there is no certainty that increased pay would improve the character of those elected.

"More planning of legislative work in advance of sessions is considered a promising method. Much time is now wasted on petty bills—the bulk of work on which could be done beforehand—while major issues wait. The main point is the existing lack of training and continuity. Those interested in the problem, either as legislators or as students, have long sensed this situation.

"The soundness of the whole American scheme of government requires that state lawmaking be handled in a less slipshod manner.

Legislative Process

"It is almost incredible, but in the typical state, our actual process of lawmaking is this:

"On a day early in January about 150 men dash into the capitol and congregate in two rooms. Most of them are strangers to each other. About half of them are men who have never occupied seats in either of those rooms before. In fact, sixty days previously the half of them didn't know definitely that they were to be legislators.

"They take their seats, and one, two or three thousand bills are promptly poured into their collective lap. Hundreds of lobbyists begin to buttonhole them.

"Most of these 150 men would admit that their knowledge of the science of government is rather haphazard. They come together with practically no agenda.

"Sixty or ninety days later they rush home, after taking a shot at the form of state, county, and municipal governments, after altering the rules of conduct for almost every individual and corporation in the state, and after spending many millions.

"Throughout this process there is no real provision for perspective and planning, although most legislators keenly feel the need of them.

"A significant—almost spectacular experiment quietly progressed down south. It is of interest to every man and woman who thinks about law-making. This means that it interests legislators, too.

"Last December the Board of Managers of the American Legislators' Association, composed entirely of experienced state legislators, decided to try an experiment. Perspective and planning were the key words.

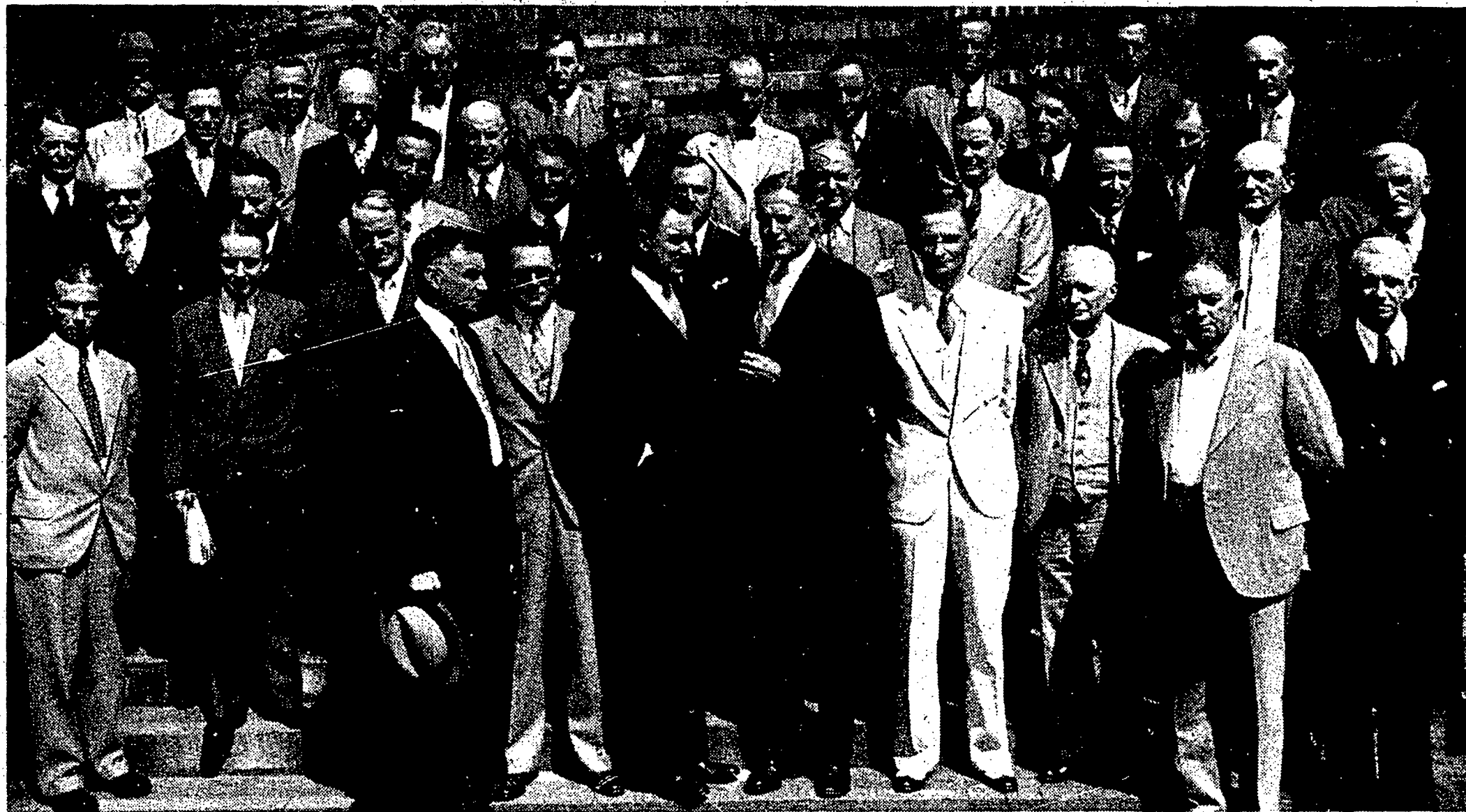
"A six-state conference was called to convene in Asheville, North Carolina, on September 22, 1932. Forty members of the House and Senate Councils of the American Legislators' Association from South Carolina, North Carolina, Georgia, Virginia, Tennessee, and West Virginia, as well as economic experts and state officers set eagerly to work and delved into the difficulties confronting these six states."

HISTORY VIA THE PRESS

The next few pages contain newspaper accounts of the various pre-session conferences and statements concerning these conferences made by outstanding officials and citizens.

The Asheville Regional Pre-session Conference, 1932

Christian Science Monitor, Boston, Mass.: September 20, 1932—"An unusual kind of invitation has been sent out by the American Legislators' Association, during the last few days to a selected group of public officials in North Carolina, South Caro-



PIONEERS AT ASHEVILLE

J. C. Martin	C. L. Estill	L. F. Hallett	B. B. Randolph	R. B. Herbert	N. Bennett	C. Blackstock				
H. R. Leavitt	R. D. Holt	A. G. Mathews	M. McDermott	F. D. Fromme	J. A. Chambliss	G. Moffett	W. Murphy	H. M. London		
J. R. Turner	A. Coates	F. Cohn	A. J. Graves	W. C. Headrick	E. Brownlow	F. Bane	H. Newman	P. H. Doyal	H. C. Kimbrough	
W. R. Shands	R. E. Saunders	W. M. Manning	A. L. Gaston	J. V. Gary	W. Smith	H. W. Toll	A. H. Graham	E. M. Davis	H. McWhorter	O. A. Park

lina, Georgia, Tennessee, Virginia and West Virginia. It is an invitation to a three-day "house party" to be given by the Association at the Grove Park Inn at Asheville, North Carolina, beginning next Thursday and extending from September 22 to 24, 1932.

"Hoping to afford the officials a pleasant week-end, but basing its proposal upon an appeal to their sense of responsibility, the Association has a serious purpose in mind. It is to try out a new experiment in state government, namely, the unofficial organization of groups of four, five, or six states for the purpose of better government.

"In this particular case, however, the objective is to get the six states to exchange ideas on emergency legislation which will undoubtedly be necessary at their next legislative sessions.

"What must the states do to qualify for their share of the \$300,000,000 unemployment relief fund made available through the Federal Reconstruction Finance Corporation? How can they qualify for reconstruction loans for housing and slum rehabilitation, as only one state is now so qualified? How must state laws be modified to carry out the provisions of the Home Loan Bank? These are among the matters the five-state conference will probably discuss.

Richmond News-Leader: September 19, 1932—"The first definite steps towards state legislative planning will be taken at a regional conference of legislators and state officials from six Southern states, to be held at Asheville, N. C., September 22, 23 and 24, it was announced today by J. Vaughan Gary, Richmond member of the Virginia House of Delegates, secretary of the conference.

"First of its kind ever called, the conference is an attempt to start intelligent legislative planning. Vital problems of legislation that will arise in the coming sessions of the general assemblies of the participating states will be discussed, particularly relief and state finances.

"State legislators will be able to get a better perspective of the work before them instead of facing a mass of unrelated legislation fed into the hopper of the general assembly and clogging up the legislative machinery. It will make it possible to

prepare the agenda of the session with the most vital problems of the state coming first instead of being delayed and rushed through in the last minute because the time of the committees and the main bodies of the legislature has been taken up with minor bills," Mr. Gary said.

"In addition to five members of the legislature of each state invited to Asheville, the governors and the presiding officers of the senates and the houses, the budget directors, the directors of public welfare, the directors of the state legislative reference bureaus, and representatives from the political science departments of the state universities have been invited."

Asheville Times: September 24, 1932—

"Two score officials and legislators of six southern states met at Grove Park Inn today to consider problems confronting their respective states.

"The first definite steps toward legislative planning will be taken at the three-day conference which opens this afternoon and continues through Saturday. The regional conference is composed of legislators and state officials from the two Carolinas, Georgia, West Virginia, Virginia and Tennessee.

"J. Vaughan Gary of Richmond, Virginia, secretary of the conference and a member of the Virginia House of Delegates, said particular stress would be placed on emergency relief and finances. The primary purpose of the conference, it was pointed out, is to eliminate the necessity of legislatures' facing at the beginning of their sessions a mass of unrelated and unplanned legislation and to make it possible to prepare an agenda placing most vital problems first.

"The American Legislators' Association, which is sponsoring these regional and state conferences, was organized by state legislators throughout the country who recognize the fact that legislative conditions must be improved and that the responsibility rests primarily upon them," said Senator Toll, director of the Association and a former member of the Colorado State Senate.

"There are about 7,500 state legislators and the data recently gathered by the American Legislators' Association, show that these men and women are largely inexperienced.

"Our records show that 40 per cent are newcomers and another 20 per cent have served only one previous term. This means that state legislatures are not permanent legislative bodies. Considering that many of the sessions are for only 60 days, it really requires several sessions before a member learns the ropes and becomes acquainted with the intricacies of state government, not to mention its responsibilities to county and local governments.

"Definite planning of legislative work in advance of sessions, we believe, is a promising method. Much time which should be devoted to major legislation is now wasted on petty bills."

Opinions Concerning the Conference:

"I am sure that this Regional Conference will be of great interest and benefit to the legislatures of North Carolina and of the adjoining states."

—HON. RUBY LAFFOON,
Governor of Kentucky.

"It seems to me that your plan for legislators' conferences is an excellent one. Certainly the legislators need to have these things intelligently discussed."

—PROFESSOR J. L. GILLIN,
University of Wisconsin.

"I am quite in agreement with the proposition that your plan of regional conferences is a good one. I hope that when you get around to it, something of the kind will be planned for the Pacific Coast states."

—PROFESSOR WILLIAM B. MUNRO,
California Institute of Technology.

"I like your idea. We have already held many such conferences concerning Roads and Highways, and concerning Fish and Game, between our bordering states, north and south. Much could come of this regional conference plan if it were carried out in advance of the meeting of the Legislature. We would see things more clearly."

—HON. JOE E. DUNNE,
Oregon State Senator.

"I am following the work of the American Legislators' Association with much interest. It seems to me high time for some worthy organizations to be giving attention to that field. The holding of some regional conferences should prove produc-

tive of greater interest and larger achievement."

—FREDERICK C. FERRY,
President of Hamilton College.

"I thoroughly enjoyed this meeting. I feel that it will be a great help to those who were present, and that it will mean better legislation."

HON. H. C. KUNBROUGH,
Georgia House of Representatives.

"I enjoyed very much meeting the members of the conference, and I was glad to secure the great amount of information obtained through the association with the members from our neighboring states."

—HON. J. M. SIMMONS,
Georgia House of Representatives.

"I am impressed by the opinion that great good will come out of conferences of this nature. The opportunity offered for men of the states to discuss so many questions in which they are interested is exceedingly helpful. The privilege of exchanging the experiences of the different states relating to these questions is invaluable. I think that the meeting at Asheville was interesting and highly profitable."

—HON. ALBERT G. MATHEWS,
West Virginia State Senator.

"It was a great pleasure to meet those who attended the conference, and I believe that it will produce splendid results. Certainly some suggestions made are invaluable to me."

—HON. HARRIS NEWMAN,
North Carolina House of
Representatives.

"I wish to take this early opportunity of expressing my sense of value in the conference recently held in Asheville, I find that people generally were interested through the papers. Several members of the Legislature have expressed to me their desire for a conference in Columbia."

—HON. NEVILLE BENNETT,
Chairman, Ways and Means Com-
mittee, South Carolina General
Assembly.

"I want to say most emphatically that the Asheville conference was one of the finest gatherings that I have ever attended.

I must commend the business-like way in which the meeting was conducted. I feel that this is the beginning of one of the most important steps for the betterment of government that has been taken in a long time."

—HON. A. J. GRAVES,
Tennessee State Senator.

"I was very much pleased with the conference and felt that it was of decided benefit. It was interesting to know that other states in the same territory, whose conditions are similar to those in this state, are confronted with similar legislative problems.

"Not only were the informal discussions in the group as a whole beneficial, but I believe that each of us derive equal benefit from private conversations with the representatives from the different states. I am quite sure that from these contacts and from the information obtained, I will be better prepared to attack the problems which will come before the next session of the General Assembly of Georgia."

—HON. ORVILLE A. PARK,
Georgia House of Representatives.

The above are just a few of the comments listed in the files. More information is available upon request.

South Carolina Conference, 1932

The call for the first state pre-session legislative conference as reported and discussed by the Columbia State: "A regional meeting of the American Legislators' Association was held in Asheville in September and was attended by several legislators from each of the states of South Carolina, North Carolina, Georgia, Tennessee, Virginia and West Virginia. Now a call is made for a conference of South Carolina legislators to meet in Columbia on the second and third days of November, 1932, for discussion of legislative problems.

"It is planned that men who have had experience in North Carolina and Virginia in dealing with various legislative problems will address the conference and take part in the discussions.

"The idea is new to us, but it holds a promise of beneficial results.

"The business of legislating for a state is certainly important. The successful

conduct of this business calls for certain mental attributes, an understanding of all sides of many questions, and sound information. The best legislators, other things being equal, are those who have long years of experience and who, during those years, have been industrious in digging for and storing up information.

"According to the State's understanding of the purpose of the American Legislators' Association's activities, one of its more important functions is the maintenance of a clearing house for information, through which legislators interested in some particular legislation may obtain the results in any other states of similar efforts.

"There is, we are assured, no propaganda, no attempt to 'put over' anything; no 'outside interference.'

"It may be, probably will be, inconvenient for legislators to meet here in conference. But it might be highly beneficial to have a conference for the discussion of numbers of problems about which it is desirable to discover the facts. That is the sort of discussion which is difficult, if not impossible, to have during a legislative session."

Speakers and Subjects: Over 100 South Carolina legislators were addressed by Governor Blackwood. Henry Burke, budget assistant to Governor Gardner of North Carolina, spoke on budget control methods. Discussion centered on such topics as allotment systems, road building loans, pay as you go, federal relief aid, work relief, et cetera. At the night session, C. H. Morrisett of Virginia, told how governmental reorganization had enabled Virginia to meet the test of economic depression without a deficit but a surplus of \$56,000. He answered many questions as to how Virginia managed her affairs. A thorough discussion of county government was also undertaken before final adjournment of the conference.

Opinions of South Carolina legislators on the Columbia Conference:

"I consider the meeting very helpful, and I think that it will be a wonderful help to South Carolina to have men from other states tell at the meeting of various experiments which have proven their worth and value."

—HON. E. L. DAVIS.

"The meeting was a great success. I heard more about governmental problems more intelligently expressed than during an entire session of the legislature. It may be slow bearing fruit, but work of this kind is bound to do much good."

—HON. R. BEVERLEY HERBERT.

"Lasting good can be accomplished if a good attendance can be kept at such meetings. Every two years at least, a conference should be held and veteran legislators of other states should give the benefit of their experience."

—HON. O. C. SCARBOROUGH, JR.

"I found the proceedings of this conference very interesting and very instructive. It should prove very valuable to the legislators who attended. For years South Carolina has had a wasteful government due to the lack of coordination and unnecessary duplication of work, and now a psychological time appears for some very constructive work along the lines of consolidation and efficiency. The conference just held advanced many ideas along these lines which should prove helpful."

—HON. J. M. MOORER.

"A wealth of material was offered to legislators upon which constructive legislation can be based. Experiences of other states in finance, reorganization of governments, and other matters were obtained at first hand, and the meeting was entirely wholesome and beneficial."

"It will be of great value to have similar conferences each year."

"My only criticism is that sufficient time was not available for discussion of the problems presented, but this can be cured by longer conferences or a more limited field of subjects to be discussed."

—SENATOR R. M. JEFFERIES.

"I am sure that this Association will be invaluable to men who are interested in their legislative work."

—HON. RICHARD L. LANE.

Tennessee Pre-session Conference,

1932

Chattanooga Times, November 16, 1932—

"The legislative conference which is scheduled to be held in Knoxville on November 23 and 24 under the auspices of the Ameri-

can Legislators' Association ought to be attended by every member of the next Tennessee General Assembly and also by many other citizens interested in better government. It is to be one of a series of similar conferences in different states, and the one recently held in South Carolina is reported to have been very successful."

"The American Legislators' Association is a comparatively young organization. Only last September it held its seventh annual conference at Washington. It is, however, gradually becoming an influence of considerable importance. It maintains general offices in Chicago, has twelve advisory boards consisting of numerous prominent citizens, has Senate and House Councils in each state legislature, and publishes a valuable magazine, *State Government*."

"The Association's regional legislative conference idea, as a member of the last Tennessee General Assembly has said, 'has the germ of legislative orientation in it which may finally prove to be one of the leavens which will help our whole legislative system.'"

"Perhaps the greatest handicap of the American Legislators' Association movement is the turnover in the membership of state legislatures at every election. It is stated in a recent article in the *Saturday Evening Post* that 'a typical (legislative) body with 135 members will contain fifty who have never before sat in such an assembly, twenty-five who have previously been members for only one session, and not more than a dozen who have attended more than five sessions.' Because state legislatures have little permanence as to membership, conferences such as the one to be held in Knoxville should be of considerable value."

Discussion at the Tennessee Conference: At the opening session Dr. Lindsay Rogers, professor of Public Law at Columbia, addressed over one hundred legislators on "Functions and Agencies of State Government." He also spoke on taxation and constitutions. The finances of the state were reviewed from two angles on the last day of the conference by Prof. T. L. Howard of the University of Chattanooga and Dr. Charles P. White of the Department of Finance, University of Tennessee.

Extracts from a few of the many letters which were received by the American Legislators' Association follow:

Excerpts from Letters of Tennessee Legislators: "The thoughts carried away from the conference will prove invaluable in the approaching legislative session."

—HON. LEON GILBERT.

"The conference was most valuable indeed, for two reasons:

"*First:* it afforded legislators an opportunity to meet—and in some cases to appraise—each other prior to the meeting of the legislature.

"*Second:* the discussions to which they listened, and in which they took part, not only imparted valuable knowledge to all who attended, but set all participants to thinking about matters which would not otherwise have come to their attention until the legislative session was half over."

—SENATOR WILLIAM P. MOSS.

"I know of no conference or convention that has been held in Knoxville in many years that received as much favorable comment as this particular meeting. I have heard many newspapermen and other citizens state most emphatically that this was the most constructive and the finest thing that we have ever had here, and I am of the candid opinion that the conference did much good."

—SENATOR A. J. GRAVES.

"I had some hesitancy in accepting the invitation to this conference, as I knew nothing about the American Legislators' Association, its purpose or methods, and was just a little suspicious that it had been called to spread some kind of propaganda. I decided that the best thing to do was to attend and find out. I was glad that I made this decision when I discovered the spirit and purpose of the meeting, and I am of the opinion that it was highly beneficial."

—SENATOR WALTER FRANKLIN.

West Virginia Conference, 1932

The Morgantown Post and the Parkersburg News—"The invitation the American Legislators' Association has sent to members of the West Virginia legislature to hold an informal meeting at Charleston, December 2 and 3, for the primary purpose of ac-

quainting new members with legislative functions and procedure and of discussing general problems of state government, the tax plan followed in the state of Virginia, and other taxation methods and proposals ought to be accepted by as many legislators as are able to go to the Capital.

"Nothing but good can come from such a meeting in view of the fact that so many members of the legislature will be serving for the first time, and in view of the large number of new problems that must be taken up at the approaching session.

"If for no other purpose than to see more clearly the broad outlines of some of the major problems with which they must deal at their approaching session, West Virginia legislators should find it eminently worth their while to attend."

From the Grafton Sentinel: "The meeting of a large part of the newly elected members of the state legislature at Charleston for two days just at this time, a little more than a month ahead of the constitutional convening of the regular session, for a general conference upon problems which they will face when the regular session meets, and to discuss the general fiscal and legislative problems of the state, as well as incidental plans for organization, is a new departure in this state. We believe it is a good thing, and that it will go far to expedite the quick organization of the regular session, and will minimize to a large extent the preliminary confusion and incidental delay. This meeting is bound to have a beneficial result in laying much of the ground work for real business the regular session will have to do."

Comments on West Virginia Conference: "I heard virtually every one of the legislators in attendance at the Charleston meeting express appreciation of the benefits derived therefrom. I believe it will do much to generate an intelligent approach to the complicated problems of this state."

—SENATOR CHARLES E. HODGES.

"The conference was a definite step toward the improvement of legislative conditions; it tended to familiarize the members of the legislature with the great problems that are before them, and it showed clearly that it would be quite possible for one state to profit greatly from the experiments made

by the others if there was some agency to convey this information from one legislative group to the other."

—HON. JOHN J. PELTER.

"The conference was of great value to all of us as it gave us views of the successful things which have been done in other states, as well as helpful suggestions as to what we can do in our state. Some who attended regretted that the subjects of utility regulation and the development of our water power were not taken up for discussion."

—SENATOR EARL H. SMITH.

"I feel that this conference gave the members of the West Virginia Legislature an insight into needed legislation, from a non-partisan standpoint, and that it would be advisable to hold these conferences biennially."

—HON. R. M. HINER.

Kentucky Pre-session Conference, 1933

The conference was attended by 84 Kentucky legislators and numerous other officials interested in legislation. The general idea is conveyed in the following two editorials from two sections of the country.

The News, Dec. 9, 1933, Middlesboro, Kentucky—"The pre-session conference of Kentucky legislators being held this week at the University of Kentucky, under the auspices of the American Legislators' Association, is one of the finest things that has happened lately. The discussion will be led by capable people, free of partisanship and with only one aim in mind, and that to outline remedial legislative programs for the coming session of the Kentucky legislature.

"The program includes the discussion of the principal economic, political, and social problems now facing Kentucky, and only the best interests of the state are being considered in the round table conference.

"Subjects stressed will be taxation reform, governmental reorganization, public debts, relief problems, liquor control, state finance, and county municipal economy.

"Of course it is too sanguine to hope that an ideal legislative program can be worked out which will be adopted in toto at the coming legislature, for things do not happen that way in Kentucky legislatures, but cer-

tainly we may believe that the incoming legislators who are present for the discussions will get many valuable viewpoints and have many things definitely fixed in their minds before they go to Frankfort.

"We need more such discussion. Our legislators all too often are completely at sea when a session meets, and then, without a program or without any definitely fixed ideas, they are left helpless in the sawing and log-rolling which begins after the session opens. We cannot expect much progress in such sessions, unless there are some outstanding legislators who have previously worked out sensible programs which they can jam through by exerting political pressure. Too often such measures are selfish and not all embracing, with the long look for the good of all the people."

The Press Telegram, Long Beach, California—"It is being widely recognized that one of the reasons why American legislation so often meets inadequately the public needs is that legislators are ill prepared for their duties. When they assemble in the capitols of their respective states for annual or biennial sessions, they have given little time and thought to the subjects upon which it will be their duty to legislate.

"What is stated here is not a criticism of California or any other state. The criticism is intended for the system. Legislators as a rule receive a per diem compensation, which is at a modest enough rate even for the limited time that it runs; and it stops when the legislators adjourn. They are in session for a few months of each year or every other year, and in the brief time of their sessions they are besieged by a clamorous public, reinforced by importunate lobbyists.

"A great mass of proposed legislation is thrown into the legislative hopper; legislators mill around in an atmosphere of tension and confusion produced by debate, parliamentary maneuvering, lobbying, petitions, protests, and denunciations. Toward the end of the allotted period for the session, decisions, deferred as long as possible, are forced by exhaustion of the legislators' time and strength.

"From a recognition of these conditions has sprung in recent years a plan for legislative conferences in advance of the convening

of legislatures for their regular sessions. Several states actually have adopted this experimental scheme for bringing greater deliberation to the task of legislation.

"Kentucky is the fourth state to try out the plan, its conference of legislators having been held early this month. The American Legislators' Association has been interested in developing the device, believing that the possession of a program formulated before the legislature meets for its constitutional session will give it a great advantage in the performance of its duties."

Colorado Legislative Planning Campaign

The last pre-session conference sponsored by the Association was held in Denver, November 26-28, 1934. For the first time a program of legislative planning was developed in conjunction with the pre-session conference idea. Eight interim commissions were set up in advance to study outstanding legislative problems. A research staff was appointed to serve these committees. When the conference met, the reports of these commissions were considered, and the research staff was instructed to draft bills in accordance with the decisions of the conference. Typical newspaper comments and a list of the conferees follow:

Fort Collins Express-Courier: By JAMES R. MILLER, Member of the Colorado Senate. When, of a legislature of 100 members, 87 take their tasks with a sufficient degree of seriousness that they will travel from all parts of Colorado and spend three days in Denver at their own expense in order to engage in a pre-session conference on legislation, it is a hopeful indication. At least it may be considered indicative of the caliber of the majority of the men who will comprise the personnel of the thirtieth general assembly when it meets at the capitol on January 2.

The interim committees, which were created to study legislative problems between sessions of the state assembly, are made up of leading citizens of Colorado, representing a variety of occupational interests and selected without regard for political affiliations. They serve absolutely without pay. Certainly it is a public service worthy of commendation. At least the reports gave the legislators some definite indication of

the trend of public thinking on state issues, and some valuable information upon which to base studies during the month remaining before the assembly convenes.

Reports of these interim committees were, of course, the chief features of the conference. Probably the greatest interest centered in the committee on revenue and taxation, of which Mortimer Stone, Fort Collins attorney, is chairman. The report stated that for emergency purposes (such as the relief situation which is generally admitted to be the first problem which the general assembly must meet) the sales tax has the advantages of bringing quick revenue in volumes easy to forecast; of being an "installment payment" method felt less than most tax methods; and of avoiding duplication of any federal tax. It has the disadvantages of raising the costs of the necessities of life, of not being based upon ability to pay and therefore a heavier burden upon the poor, and of being more difficult for the small merchant to shift to the consumer than for the large merchant. The income tax, while slow in returns and therefore not adapted to emergency use, would be more suitable as a replacement for the tax on real estate.

Attorney General Paul P. Prosser praised the twenty-ninth assembly for much beneficial legislation, including the administrative code measure and amendment of the inheritance tax law.

The Rocky Mountain News: A report submitted by Ferry Carpenter, chairman of the interim committee on county government, showed that, outside of Denver, there is a local unit of government levying taxes for general property for every 82 families. The report recommended four things:

1. A constitutional amendment to provide for consolidation of counties and county manager administration.
2. A law providing for receivership for insolvent counties.
3. Transfer of all county welfare work to a central state department.
4. Transfer of maintenance and building of all roads from the counties to the state highway department under revised form.

Professor J. H. Risley of Pueblo made a partial report for the interim committee on public schools. He described the present

system, whereby there are more than 2,000 school districts in the state, and said a study is being made with a view to presenting a bill for a county unit system. "The change," he said, "is being considered chiefly with the idea of efficiency, but economy also will play a part in the program."

John E. Gross, secretary of the Colorado State Federation of Labor, outlined a survey made by the interim committee on social welfare legislation. Among his recommendations were the following: formation of a state public welfare department; more efficient county and state health administration; state child labor laws; more adequate workmen's compensation laws; state NRA legislation; minimum wage for women and minors; revision of factory inspection laws and of the laws governing the safety of coal mine workers.

Representative J. J. Trainor of Ordway advocated a retail sales tax to raise \$10,000,000—with \$4,000,000 allocated to relief purposes and \$6,000,000 to be used for the purpose of removing the heavy tax burden from real property.

The Denver Post: Closer cooperation among the state's institutions of higher learning through the control of a state educational council was urged in a report by Paul W. Lee, chairman of the interim committee on higher educational institutions. He recommended that the council be composed of members from all judicial districts of the state, and an executive secretary. The secretary would be empowered to study the curricula and functions of the educational institutions and recommend changes to eliminate waste and overlapping of courses and to centralize activities.

Delegates

Presiding Officers: ED C. JOHNSON, Governor; RAY H. TALBOT, Lieutenant Governor.

Senators: JOHN G. ABBOTT, EDWARD AFFOLTER, R. BROAD, JR., RALPH J. CUMMINGS, DAVID ELLIOT, DONALD J. GILLIAM, JOHN HEALY, VIRGIE C. HERRIN, VERN S. HILL, A. B. HIRSCHFELD, CLAIR HOTCHKISS, GEO. M. HOUSTON, H. H. HOUSTON, D. E. HUNTER, LEE KNOUS, A. L. LITEL, W. L. LLOYD, J. M. MADRID, JAMES R. MILLER, JOHN NOLON, BURT RAGAN, CURTIS P. RITCHIE, LYNN SMITH, SAM T.

TAYLOR, L. B. WALBRIDGE, CHARLES F. WHEELER.

Representatives: CHARLES E. ARMSTRONG, H. J. ATENCIO, GEORGE J. BAKER, LOU E. BECKER, JOHN S. BOGGS, J. A. BROWNLOW, THOMAS H. CLENNAN, DOMINIC A. COLOROSO, J. P. CONSTANTINE, W. L. CURTIS, THOMAS H. DAMERON, HAROLD H. DAVIES, WILLIAM H. DAY, EARL M. DEEDS, JOHN DICKINSON, W. J. ENGLAND, E. E. FORDHAM, GEORGE P. FREY, JAMES W. GRAHAM, JR., JAMES E. GRIFFITH, A. M. GUERRERO, GEORGE HALLEN, P. HARNEY, WILLIAM E. HIGBY, EDWARD J. HOEFNAGELS, PETE HUGHES, JOE C. JANKOWSKY, HARRY C. JOHNS, DAVE C. JOHNSTON, RUDOLPH JOHNSON, BERT M. KEATING, HERBERT C. KELLY, CHARLES W. LILLEY, RAY E. LOWDERBACK, ED. T. MATTHEWS, J. E. MAYER, JAMES H. McDONALD, A. J. MCFARLAND, OTIS E. MCINTYRE, HENRY E. MCKINNEY, THOMAS N. MULVIHILL, THOMAS W. NEVIN, FRANK J. NOLAN, FRANK J. O'TOOLE, W. P. PITCOCK, A. H. POPPEN, WILLARD B. PRESTON, ROY RAY, C. P. SCHMIDT, MOSES E. SMITH, M. E. STRAIN, GEORGE H. STUNTZ, A. C. TINSLEY, J. J. TRAINOR, JERRY VIGNOL, J. CARL WILSON, ORTON WOOD.

Speakers: LESLIE A. MILLER, Governor of Wyoming.

BEN M. CHERRINGTON, Director of the Foundation for the Advancement of the Social Sciences, University of Denver.

OSCAR L. CHAPMAN, Assistant Secretary of the Interior.

LAWRENCE LEWIS, Member of the United States House of Representatives.

F. H. GUILD, Research Director, Kansas Legislative Council.

PAUL P. PROSSER, Attorney General of Colorado.

BURDETTE G. LEWIS, Member of the National Committee on Prisons.

DONALD HOWARD, Statewide Social Welfare Survey of Colorado.

ALLEN MOORE, Special Counsel, National Recovery Administration.

HENRY W. TOLL, Executive Director, American Legislators' Association.

JOHN T. BARNETT, Chairman, Colorado State Planning Board.

J. H. RISLEY, Superintendent of Schools, Pueblo.

FERRY R. CARPENTER, Director, Division of Grazing Control, United States Department of the Interior.

JOHN GROSS, Secretary, Colorado State Federation of Labor.

PAUL W. LEE, Attorney.

FREDERICK D. BRAMNALL, Professor of Political Science, University of Colorado.

MORTIMER STONE, Attorney.

CHARLES H. QUEARY, Director, Colorado Legislative Reference Office.

ANGUS LAIRD, Professor of Political Science, University of Denver.

J. J. TRAINOR, Member of the Colorado General Assembly.

GEORGE BEGOLE, Mayor of Denver.

PRE-SESSION CONFERENCES IN 1934

Four states—Arkansas, Colorado, Missouri, Tennessee—officially invited the American Legislators' Association to organize pre-session conferences prior to the con-

vening of their 1935 legislatures. Impressed by the success of the 1932 and 1933 pre-session conferences they were anxious to call together their legislators to plan a legislative agenda before the sessions convened.

It was necessary for the American Legislators' Association to disappoint these states and to suspend temporarily a valuable service since the organization of Motor Vehicle Conferences and the expanding work of the Interstate Reference Bureau have made heavy demands on the Association's limited funds and personnel.

Several requests for pre-session conferences—including one from Virginia—are on file for next fall. It is hoped that the organization of these conferences and of those for the legislatures convening in 1937 will be made possible by an adequate budget and staff. The work is too valuable to stop.

CHAPTER X

Border Warfare

The American Legislators' Association Aids in the Solution of Interstate Motor Vehicle Problems

THE INTERSTATE BUS AND TRUCK CONFERENCE

History

BORDER warfare between the Commonwealth of Pennsylvania and the State of New Jersey was responsible for the first motor vehicle conference which was held at Harrisburg, Pennsylvania, October 20-21, 1933. Pennsylvania had passed a law requiring that foreign commercial carriers operating for hire on regular schedules take out Pennsylvania licenses when using Pennsylvania roads. To this law, New Jersey countered by requiring Pennsylvania cars going into New Jersey to carry New Jersey license plates; the result was chaos on the border line. In order to end this chaos, on February 27, 1933, Mr. Frederick C. Peters, Chairman of the Highway committee of the House of Representatives of Pennsylvania introduced a resolution calling for a conference of the 17 northeastern states. The resolution also provided, "that the American Legislators' Association be requested by the Legislature of the Commonwealth of Pennsylvania to call this regional conference."

Copy of Resolution

The General Assembly of Pennsylvania:
Resolution No. 34, Mr. Peters, in place.

WHEREAS, Various bills have been introduced seeking to regulate further the transportation of passengers and freight by motor vehicles, and

WHEREAS, The correct and equitable solution of this important question cannot be solved by the lone action of one state without detriment to its own citizens through the breaking down of reciprocal relations between states; therefore be it

RESOLVED, (if the Senate concur) That

the American Legislators' Association be requested by the Legislature of the Commonwealth of Pennsylvania to call a regional conference of representatives of the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Indiana, Illinois, and the District of Columbia with the view of framing reciprocal and uniform legislation and regulations relating to the size, weights, heights and lengths of motor vehicles for the transportation of passengers and freight which shall be permitted in the interests of the public safety and to make recommendations to the legislatures of said several states for the adoption of such legislation at a uniform date.

RESOLVED, That if such conference be called the delegates thereto from the State of Pennsylvania shall be the Secretary of Highways, Speaker of the House, the Chairmen of the House and Senate standing Committees on Highways, President of the Senate, two Senators to be appointed by the President Pro Tempore of the Senate and two Representatives to be appointed by the Speaker of the House of Representatives.

RESOLVED, That a copy of this resolution be transmitted to the American Legislators' Association and to the Secretary of Highways by the Chief Clerk of the House of Representatives.

Adopted by the House of Representatives, February 28, 1933.

Agreed to by the Senate, May 2, 1933.

Position of the "Association"

The Association has no more predispositions with regard to the motor vehicle law

than it has on labor laws or banking legislation. On the other hand, one of the objects to which the Association is dedicated is the harmonizing of the activities and legislation of the various states. For that reason the Association undertook the organization of the conference.

The Project

The conference convened in the hope of agreeing upon a uniform code, specifying how large and how heavy motor vehicles may be. It also wished to perfect some permanent arrangement which would not only promote the adoption of the code, but also would facilitate its revision from time to time in case further study and experience indicate that it should be revised, or in case changed conditions call for changed specifications.

The following are the variations in view-

point which made it difficult to agree upon a code.

1) Private motorists, whose passenger cars constitute the majority of traffic, usually object to all large buses and trucks.

2) Automotive manufacturers are not, in general, anxious for the authorization of exceptionally large units, because the market for them is more limited.

3) Bus and truck operators, whether operating as adjuncts to manufacturing and merchandising businesses or exclusively engaged in transportation as such, are the principal advocates of large automotive units, because the use of such units lowers the passenger-mile and the ton-mile cost.

4) Railroads find their revenues decreased by bus and truck competition, and therefore some of them are adversely affected by the use of large bus and truck units.

A FEW OF THE CONFLICTS

*There are innumerable conflicts in the width, height, length, and weight regulations in the various states. Here are a few samples**

States	Height (feet & inches)	Width (inches)	Over-all Length for Combination of Vehicles (feet)	Gross Weight (tons)		
				4-Wheel Truck	6-Wheel Truck	Tractor and Semi-trailer
Connecticut ...	No limit	102	40	16	20	20
Delaware	12-2	96	60	13	18	20
Illinois	No limit	96	40	12	20	20
Indiana	12	96	40	12	12	12
Maine	12-6	96	62	12	13½	18
Maryland	No limit	96	No limit	12½	20	20
Massachusetts ..	No limit	102¹	60	15	20	20
Michigan	12-6	102¹	50	13½³	18³	18³
New Hampshire.	No limit	96	45	10	10	10
New Jersey....	12-6	96	56	15	15	30
New York.....	13	106²	65	18³	22	15⁴
Ohio	12-6	96	60	12	12	21
Pennsylvania ..	14-6	96	70	13	18	19½
Rhode Island...	12-6	102	85	16	20	20
Vermont	12	96	50	17⁵	17⁵	17⁵
Virginia	12-6	96	45	12	17½	17½
West Virginia ..	12-6	96	45	12³	27	27
Dist. of Col....	12-6	106²	85	15-2/5	19-3/10	19-3/10

* This table conforms with legislative enactments until 1934.

¹ For vehicles with dual pneumatic tires, other vehicles 8 feet.

² To help change over from solid to pneumatic tires.

³ Gross weight computed on basis of maximum legal axle weight plus 50% thereof for front axle weight.

⁴ Plus 750 lbs. per each foot and fraction thereof from center of front to center of rear axle.

⁵ On state-aid highways; on other roads 8 tons.

5) Highway officials as a class oppose exceptionally large buses and trucks, because it costs more to construct and maintain highways and bridges to accommodate them, and also because of the increased hazards.

Various Interests Represented

The Association did not originally intend to invite representatives of the various interests but as the plans progressed many special groups urgently pressed their desire to be heard. The Association finally came to the conclusion that the situation was identical with that of a legislative committee before which interested parties may make pertinent statements. Accordingly, the first part of the program was turned over to spokesmen of the interests involved while the last part was given to the chairman of the state delegations.

Views Presented

1. PIERRE SCHON, Transportation Engineer. General Motors Truck Company. "Existing Physical Regulations."
2. WILLIAM J. CUNNINGHAM, Professor of Transportation. Harvard University. "The Public Viewpoint."
3. E. N. SMITH, Executive Vice-President, American Automobile Association. "The Viewpoint of the Private Car Owner."
4. ROY F. BRITTON, Director National Highway Users' Conference. "The Shippers' Viewpoint."
5. GEORGE E. CLINTON, Chairman Rates and Transportation Committee, International Association of Milk Dealers. "Special Problems of the Milk Industry."
6. STERLING G. MCNEES, Counsel, Pennsylvania Bus Association. "The Bus Operators' Attitude."
7. WILLIAM H. BREARLEY, National Automobile Chamber of Commerce. "Automobile Manufacturers' Views."
8. JOHN J. PELLEY, President New York, New Haven and Hartford Railroad Company. "The Point of View of Competing Carriers."
9. TED V. RODGERS, President American Trucking Association. "The Truck Operators' Standpoint."
10. H. S. FAIRBANK, Director of Research, United States Bureau of Public

Roads. "A Governmental Viewpoint."

11. JOHN S. WORLEY, Professor of Transportation, University of Michigan. "Automotive Vehicle Fees and Taxes."

12. JOSEPH B. EASTMAN, Federal Coordinator of Transportation. "Regulation and Coordination of Transportation."

The delegation chairmen of the several states then voiced suggestions as to what machinery would bring about and maintain uniform action of the states. They also gave their views on desirable regulations for the length and weight of busses and trucks.

ROSTER OF DELEGATES

Presiding Officers

WILLIAM B. BELKNAP, Kentucky.
HENRY W. TOLL, Colorado.

Secretary of the Conference

JOHN H. FERTIG, Pennsylvania.

Parliamentarian

S. EDWARD MOORE, Pennsylvania.

Connecticut

MICHAEL A. CONNER, Motor Vehicle Department.

H. B. PINNEY, for the Governor.

R. W. STEVENS, for the Governor.

Delaware

JOHN W. BURRIS, Representative.

E. B. GRIFFENBERG, Senator.

W. W. MACK, Highway Department.

DONALD R. MORTON, for the Governor.

W. JENNINGS POORE, Representative.

W. A. SIMONTON, Senator.

Illinois

JAMES R. CLARK, Commerce Commission.

HOWARD C. KNOTTS, Commerce Commission.

Indiana

EARL CRAWFORD, Representative.

Iowa

LEW E. WALLACE, Motor Vehicle Department.

Maine

HERBERT W. KITCHEN, Senator.

ROBINSON C. TOBEY, Secretary of State.

Maryland

THOMAS D. ALESANDRO, JR., Representative.
 C. C. A. ANDERSEN, for the Governor.
 J. ALLAN COAD, Senator.
 A. H. ETZLER, Representative.
 EMANUEL GORFINE, Representative.
 T. BARTON HARRINGTON, Representative.
 ADRIAN HUGHES, Representative.
 HERBERT LEARY, for the Governor.
 DAVID G. MCINTOSH, JR., Senator.
 KENT R. MULLIKIN, Representative.
 ROBERT M. REINDOLLAR, Highway Department.
 D. G. ROE, Senator.
 D. MARSHALL SCHROEDER, for the Governor.

Massachusetts

NEWLAND H. HOLMES, for the Governor.
 DANIEL J. HONAN, Representative.

Michigan

GEORGE F. ALGER, for the Governor.
 ORVILLE E. ATWOOD, Motor Vehicle Department.
 H. EARL McNITT, Representative.
 CLAUDE ROOT, Senator.
 MURRAY D. VAN WAGONER, State Highway Commissioner.

New Hampshire

GEORGE H. DUNCAN, Representative.
 JOHN F. GRIFFIN, Motor Vehicle Commissioner.
 HAROLD H. HART, Representative.

New Jersey

HAROLD G. HOFFMAN, Commissioner of Motor Vehicles.
 R. EARLE LEONARD, Motor Vehicle Department.
 JAMES J. SHANLEY, Motor Vehicle Department.

New York

HERBERT BARTHELEMEW, Assemblyman.
 JOHN L. BUCKLEY, Senator.
 ROBERT A. CATCHPOLE, Assemblyman.
 CHARLES A. HARNETT, Commissioner of Motor Vehicles.
 JOHN W. KEOSHAN, Assemblyman.
 C. E. MEALEY, Department of Taxation and Finance.
 FRANK T. QUINN, Assemblyman.

HERBERT A. RAPP, Assemblyman.
 OGDEN J. ROSS, Senator.
 RICHARD L. SAUNDERS, Assemblyman.
 E. W. WENDELL, Department of Public Works.
 WALTER W. WESTALL, Senator.

Ohio

GLEN M. DAILY, Registrar of Motor Vehicles.
 B. R. DONOVAN, Senator.
 JAMES M. MATTHEW, JR., Senator.
 G. E. NISWONGER, Representative.
 R. A. POLLOCK, Representative.
 J. EUGENE ROBERTS, Senator.

Pennsylvania

D. W. BECHTEL, Representative.
 W. Y. BLANNING, Public Utility Commission.
 HARRY H. BRENNAN, Representative.
 WILLIAM C. HUNSICKER, Senator.
 A. J. WHITE HUTTON, Representative.
 W. W. MATTHEWS, Motor Vehicle Department.
 FREDERICK C. PETERS, Representative.
 WILLIAM A. REITER, Motor Vehicle Department.
 WILLIAM P. ROAN, Representative.
 H. RICHARD STICKEL, Motor Vehicle Department.
 GROVER C. TALBOT, Representative.
 ELLWOOD J. TURNER, Representative.
 THOMAS WEIDEMANN, Representative.
 JOSEPH R. ZIESENHEIM, Senator.

Rhode Island

JAMES H. KIERNAN, Representative.
 GEORGE R. WELLINGTON, Board of Public Roads.

Virginia

JOHN W. RUST, Senator.
 WALTER H. SCOTT, Delegate.

West Virginia

WILLIAM S. DOWNS, for the Governor.
 H. P. HENSHAW, Senator.
 A. L. HELMICK, Senator.
 RUSH D. HOLT, Delegate.
 J. KAY THOMAS, Delegate.
 JAMES P. TIERNEY, Delegate.

Resolutions

After two days of discussion, the Conference adopted the following resolutions:

WHEREAS, The Interstate Bus and Truck Conference has accomplished much in that it has shown the participating states the value of an opportunity to counsel together in a spirit of cooperation; Now therefore be it

RESOLVED, (1) That this body extend its thanks to His Excellency, the Governor of Pennsylvania, the Pennsylvania Legislature, and the other Pennsylvania officials who made this Conference possible.

(2) That this body express its appreciation to all of the states who cooperated by sending delegates.

(3) That this body express its sincere thanks to many of the delegates to this Conference who came at great personal sacrifice.

(4) That this body extend its thanks to the officers and the staff of the American Legislators' Association for their efficient and unfailing assistance in organizing this Conference.

(5) That this Conference commend the idea of interstate conferences such as this one, since much lasting good can be accomplished by calling states together in conferences on matters which are of general interest to all states.

WHEREAS, There is great variance of opinion among those using or interested in the use of the public highways for commercial purposes as to what are proper weights and dimensions of motor vehicles propelled thereon; and

WHEREAS, This variance is particularly noticeable in the conflicting claims of commercial motor vehicle operators and other common carrier agencies; and

WHEREAS, It would appear that the interest of taxpayers and private non-commercial motorists are not receiving the consideration that they should; Now therefore be it

RESOLVED, That the interests of taxpayers and private non-commercial motorists must be recognized as paramount in determining the dimensions and weight of motor vehicles and the length of permissible combinations thereof;

That the public interest requires the adoption of specific maximum gross weights for each class of highway vehicles consistent with the preservation and safe use of the

highways for private non-commercial motorists and consistent with a fair distribution of the expense of construction and maintenance of such highways;

That the public welfare and safety require the continuance of maximum gross weights for each class of vehicle and combination of vehicles, and within such maximum gross weights, such axle load and wheel load limitations as the protection of bridges and highways demand; and

That it is the sense of this Conference that there is a tendency toward a reduction of lengths and weights rather than an increase.

WHEREAS, It appears that sentiment and research have not sufficiently developed to enable this Conference to make recommendations governing the dimensions of trucks and buses throughout the area covered by this Conference;

THEREFORE, Be it recommended to the various state legislatures that arrangements be made for properly constituted and authorized delegates to be appointed to conferences of smaller groups of states under the direction of the American Legislators' Association.

THE WESTERN MOTOR VEHICLE CONFERENCE

History

This conference, like the Interstate Bus and Truck Conference which met at Harrisburg, Pennsylvania, October 20, 21, 1933, was called by one of the state legislatures. During a special session two years ago, the Utah legislature adopted a resolution calling a regional conference of eleven western states and requesting the American Legislators' Association to organize it.

Resolutions

The Legislature of the State of Utah

Senate Concurrent Resolution No. 1. By Senator Julian M. Bamberger. As signed by Governor Henry H. Blood, July 22, 1933.

BE IT RESOLVED by the Legislature of the State of Utah, the Governor concurring therein:

WHEREAS, a lack of uniformity exists in the motor vehicle laws and regulations of the various states; and

WHEREAS, this important question can

not be properly solved by the action of one state alone;

NOW, THEREFORE, BE IT RESOLVED, that the American Legislators' Association be requested by the Legislature of the State of Utah to call a regional conference, preferably at Salt Lake City, of the representatives of the states of:

Arizona	New Mexico
California	Oregon
Colorado	Utah
Idaho	Washington
Montana	Wyoming
Nevada	

with a view to framing reciprocal and uniform legislation and regulations relating to the licensing of motor vehicles, traffic regulations, regulations as to size, weights, heights, and lengths of motor vehicles, and regulation and control of motor vehicles engaged in transporting passengers and freight for hire, and to make recommendations to the legislators of said several states for the adoption of such legislation at a uniform date.

BE IT FURTHER RESOLVED, that if such a conference is called the delegation from the State of Utah shall consist of:

- a member of the Senate to be appointed by the President of the Senate,
- a member of the House to be appointed by the Speaker of the House,
- three members to be appointed by the Governor.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted by the Secretary of State to the American Legislators' Association, and to the Governors of the States above mentioned with the request that said Governors submit it for action by the Legislatures of their States.

Resolutions endorsing the calling of this conference were also adopted by several of the state legislatures in that region. A resolution of endorsement was passed by the Western Conference of Governors at its meeting in Boise, Idaho, November 28, 1933.

Delegates

Official delegates were appointed by the eleven western states as follows:

Arizona

NELLIE T. BUSH, Representative
THOMAS COLLINS, Senator
JOHN CUMMARD
E. T. HOUSTON, Senator
J. R. MACDOUGALL
E. M. WHITWORTH

California

RUSSEL BEVANS
T. H. DENNIS
WILLIAM E. HARPER, Senator
L. I. HEWES
WILLIAM B. HORNBLOWER, Representative

Colorado

GEORGE T. BRADLEY
JOHN E. FURLONG
C. H. GUNN
VERN S. HILL, Senator
HARVEY H. HOUSTON, Senator
DAVE JOHNSTON, Representative
EDWARD E. WHEELER

Dist. of Columbia

H. K. KELLY

Hawaii

WILL BORTHWICK, Representative

Idaho

J. A. CHAMBERLAIN
M. REESE HATTABAUGH
HARRY HOLDEN
WILLIAM HYNES, Representative
THOMAS L. MARTIN
G. E. MCKELVEY
EMMIT PFOST
CHARLES A. ROOT
E. A. TAYLOR
FRANK E. WOODWARD, Senator

Montana

L. J. CROONENBERGHS
T. P. DANIELSEN, Senator
W. C. HUSBAND, Senator
A. J. PLUMER, Senator
R. D. RADER
FRANCIS A. SILVER
S. C. SMALL
HARRY SPARLING, Representative

Nevada

W. M. DAVID
M. C. HAMLIN, Representative

LEE S. SCOTT
J. E. SHAUGHNESSY
PHIL M. TOBIN, Senator
E. H. WALKER
NYE WILSON

New Mexico

DON R. CASADOS
T. E. MEARS, Senator
C. R. SEBASTIAN

Oregon

JOHN BEAKEY
MAX FLANERY
HERBERT H. HAUSER
S. H. PROBERT
W. E. STOCKDALE, Representative
CLYDE E. WILLIAMSON, Senator

Utah

H. G. BAKER
JULIAN M. BAMBERGER, Senator
ELMER E. CORFMAN
GEORGE A. CRITCHLOW
PATRICK J. FENNEL, Senator
B. J. FINCH
F. H. JONES
W. J. PARKER
D. B. STRINGHAM
K. C. WRIGHT
B. SPENCER YOUNG, Representative

Washington

J. W. BOLLONG
HARRY C. HUSE
BERTRAM H. LINDMAN
E. K. MURRAY
LACEY V. MURROW
V. G. SKINNER
E. N. STEELE, Senator

Wyoming

WILLIAM C. DELONEY, Senator
WORTH GARRETSON, Representative
EDWARD T. LAZEAR, Senator
B. B. MORTON
LOUIS J. O'MARR
C. E. SEIFRIED
E. W. SPENCER, Senator

A total of eighty delegates were passed by the committee on credentials. Each state was allowed but two votes; one administrative and one legislative, thus giving each state equal representation at the conference.

Proceedings and Purpose

The proceedings of this session were broadcast over one of the leading stations in Salt Lake City. Senator Henry W. Toll presided as temporary chairman of the conference until Honorable John F. Shaughnessy, chairman of the Nevada public service commission, was elected chairman. D. B. Stringham of Salt Lake City was elected secretary.

The purposes of this conference were: To promote uniform laws and regulations covering registration, drivers' licenses, equipment, taxation, safety, and reciprocity; to cooperate with all interested organizations in studies related to service and expeditious highway transport; and finally, to promote a closer personal contact between legislators and motor vehicle administrators. Accordingly committees were appointed on taxation, reciprocity, regulation and uniform code, registration and licensing, weights, dimensions and speed, permanent organization, and resolutions.

Permanent Organization

The delegates from the eleven western states established an executive committee on permanent organization composed of three delegates for each state—one state senator, one member of the house, and one administrative officer. This committee selected the following officers: Chairman, E. K. Murray, director of the Department of Public Works of the State of Washington; vice-chairman, Nellie T. Bush, state representative of Arizona; secretary, Henry W. Toll, former state senator of Colorado and executive director of the American Legislators' Association.

The report of this committee recommended that it reconvene every six months "to advance and perpetuate the work outlined by the conference and to propose and develop new objectives." It is also provided that the executive committee will arrange for annual conventions of the Western Bus and Truck Conference and determine the manner of selection of delegates. The committee's first meeting was held at Phoenix, Arizona, December 17-18-19, 1934.

The Conference had the expert advice and

counsel of two representatives of the United States Bureau of Public Roads—Dr. L. I. Hewes, regional director with headquarters in San Francisco, and H. H. Kelly of Washington, D. C. On questions relating to carrying capacity of highways and bridges, and limitations on weight of motor vehicles, these gentlemen proved exceedingly helpful to the delegates in working out a formula which will prevent overloading and damage by trucks and busses to the federal aid highways in the western states.

Traffic Supervision

The sentiment of the delegates clearly indicated that the safety and convenience of the private automobile operator is of paramount importance, and that every effort must be made to reduce the growing number of automobile accidents and deaths on the highways.

The various states were urged to provide for better traffic supervision and policing within their borders. It was also urged that immediate provision be made for the adoption of safety legislation by the different states. If this is not done, the federal government may be compelled to intervene and promulgate regulations which would be imposed by officers far removed from the western states—a possibility which was vigorously opposed. In this connection, the opinion was freely discussed among the delegates that the Bureau of Public Roads and the various western legislatures could adequately meet the issues relating to highway construction, transportation, and safety without the intervention of any other specialized federal bureau. The various states seem to have the fullest confidence in the policies pursued by Thomas H. McDonald, Director of the Bureau of Public Roads.

The resolutions which were adopted included recommendations for: a limit on the weights and dimensions of trucks, busses, and trailers; uniform regulations and licensing of automobiles; reciprocity as between states; and a uniform flat rate for licenses of private passenger cars as soon as economic conditions in the various states become more nearly equal. It was also proposed that the states which collect compensation for use of the highways by interstate commercial vehicles, in the form

of a ton-mile tax, establish checking stations at the principal points of entry to collect the tax and to enforce the law with regard to reports on the contents of trucks, on insurance, and on proof of payment of state gasoline taxes.

Opposition was expressed to the diversion of motor vehicle registration fees, license fees, gasoline tax, or other special taxes on motor vehicle owners and operators to any purpose other than the construction, improvement, maintenance, or support of highways.

The committee on taxation also proposed that the federal government allot \$500,000 for the construction and operation of an experimental and test road project in the western states. The resolution urged that the engineering features of such project and its operation be delegated jointly to the United States Bureau of Public Roads, the Western Association of Highway Officials, and the Highway Research Board.

The purpose of the project would be to determine facts and principles affecting highway types, taxation, regulation, and administration. The resolution was unanimously adopted.

A Special Problem

At the outset of the afternoon session, William B. Hornblower, California Assemblyman, submitted a statement on behalf of his state explaining that the delegation would not participate in the voting on resolutions. He explained that California's problems were much different from those in the other western states, but he stated that the delegation would present the recommendations of the conference to the California legislature for consideration, just as the other delegations will do in their respective states.

The first resolution, submitted by the committee on registration and licensing, was passed without comment. It urged that all certificates of title, all registration certificates, and all registration plates be controlled by a central department in each state; that a state highway patrol be created in each state to bring about enforcement and observance of motor vehicle laws; that upon the transfer of registration, the plates issued at the time of the original registration follow the car; and that every appli-

cant for a registration of or title to a vehicle not previously registered under the laws of the state be required to disclose its exact location.

Length and Width

A minority report was submitted by Arizona and New Mexico delegations objecting to weight-fixing proposals of the committee on weights and dimensions. During the discussion of the minority report, Mrs. Bush declared that highways in southern Arizona showed definite evidences of damage from heavy trucking from California, and that Arizona was not financially able to build highways up to the specifications of California, and that the weight problem should be left to the determination of the individual states.

The majority resolution which was adopted, however, without change provided: That the over-all length of single vehicles may not exceed 35 feet and that the over-all length of combinations of vehicles shall not be less than 45 feet nor more than 60 feet;

Combination Vehicles

That no combination shall consist of more than two units;

That no vehicle shall exceed a height of $12\frac{1}{2}$ feet;

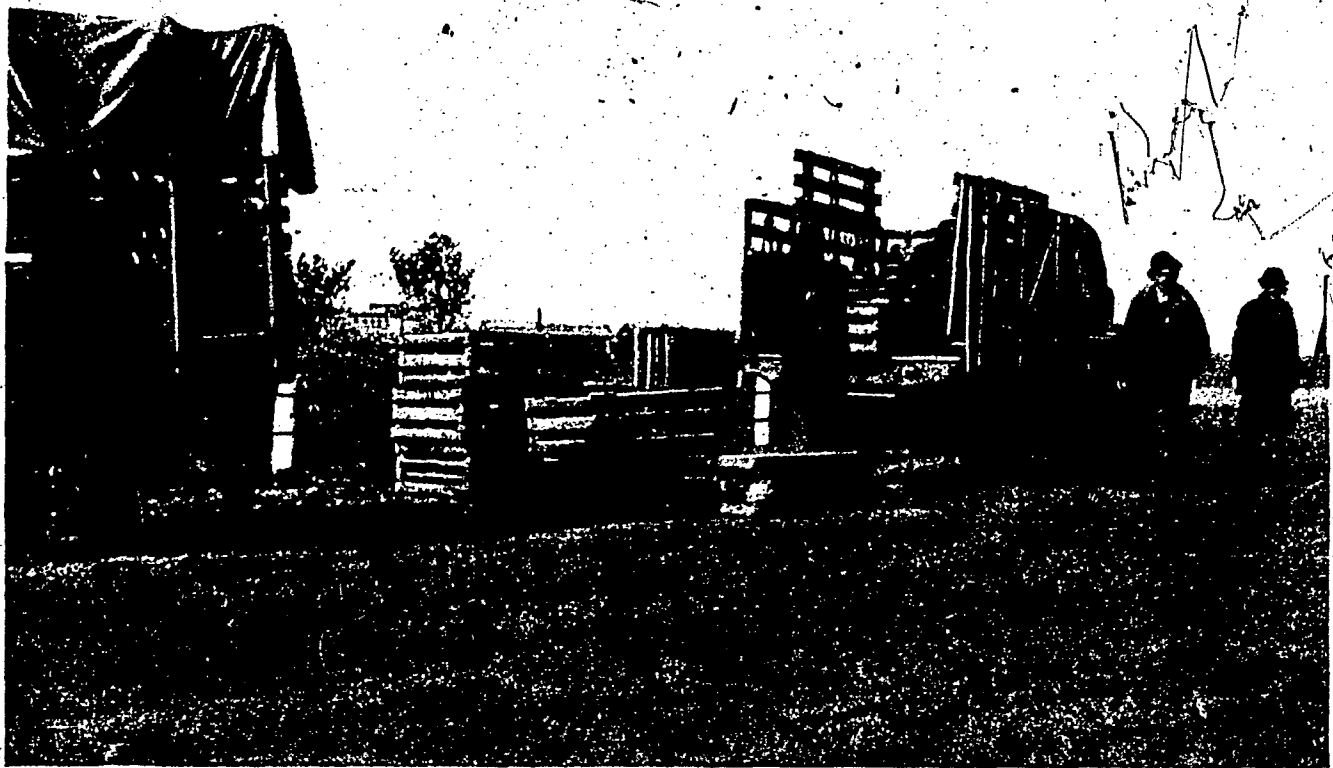
And that the width shall not exceed eight feet, with a few exceptions such as fire apparatus and road machinery;

That service brakes on all vehicles shall be adequate to stop within a distance of 40 feet when traveling 20 miles per hour on dry asphalt or concrete;

That wheel and axle loads shall be fixed as follows: 8000 pounds when wheel is equipped with high-pressure pneumatic, solid rubber, or cushion tire; 9000 pounds when wheel is equipped with low-pressure pneumatic tire; gross weight on any wheel, 18,000 pounds if equipped with low-pressure pneumatic tire, and 16,000 pounds if equipped with any other type of tire;

Gross Weights

That the gross load on two-axle vehicles be limited to 24,000 pounds and the gross



RELOADING

A scene laid near Evansville, Indiana, December, 1932; crates of Christmas turkeys laid on the Kentucky line; and blame laid on the conflicting motor vehicle laws.

load on three-axle vehicles be limited to 34,000 pounds. The resolution also proposed that the formula of the American Association of State Highway Officials governing gross weight be adopted.

The committee on reciprocity, regulation, and uniform code admitted at the outset that "the diversity and multiplicity of laws governing transportation of persons and property for 'hire' made reciprocity at this time difficult," but urged that the legislatures consider uniformity for the protection of the public.

It proposed uniform regulation of working conditions, hours of service, insurance, and other measures so that a maximum of safety and security to the public may be assured.

The resolution urged that the executive committee of the conference work with officials of the states toward a more uniform system of laws governing bus and truck traffic.

Harry C. Huse, Director of Licenses in the State of Washington, as chairman explained that his committee realized the difficulties in the way of reciprocity but expressed the hope that the resolution would result in some legislative action which would be beneficial to the states.

Taxation

The committee on taxation and highway costs submitted a resolution which was adopted without discussion. It proposed that the total amount of taxes to be imposed upon motor vehicles and their use

should be determined by the economic requirements of the annual highway budget and should take into account the following costs: administration, maintenance, interest on highway debts, replacement charges, and improvement of existing highways.

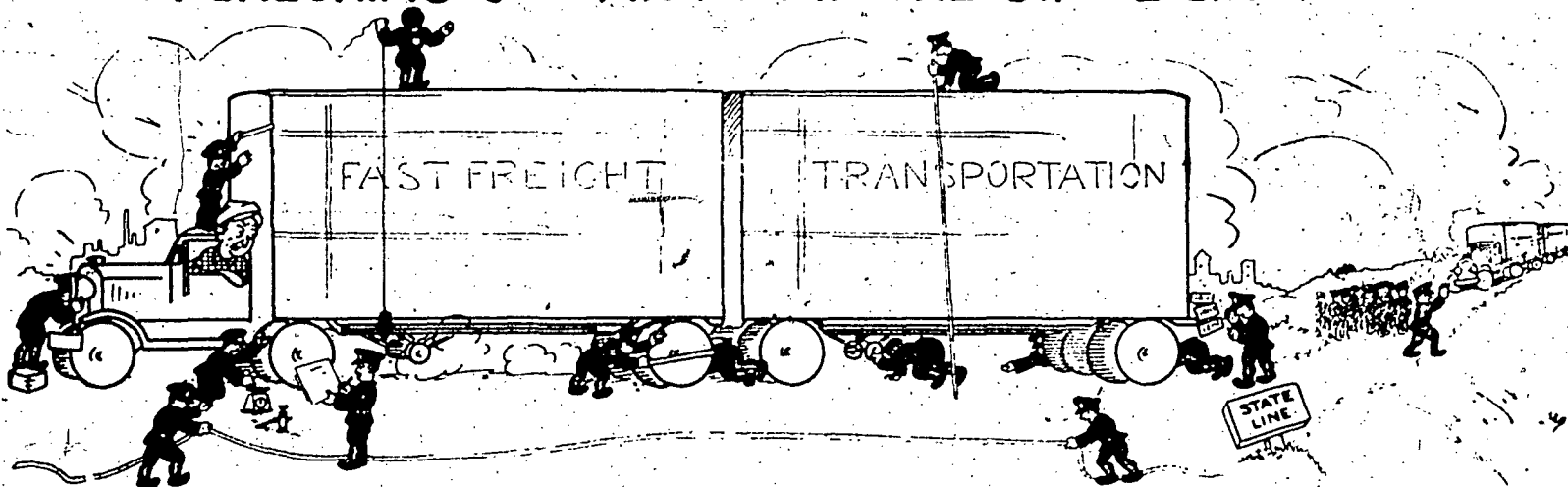
The same committee also proposed that for the sake of uniformity, the conference recommend to the various legislatures the passage of a flat license rate for passenger cars at some future date and that vehicles using untaxed fuels be charged higher license fees to equalize the tax burden between such vehicles and those using taxed fuels.

Adjournment

The Western Bus and Truck Conference adjourned June 27 after making a significant advance in the cause of uniform motor vehicle regulation. Through the adoption of a set of resolutions, which are to be offered for ratification to the various legislators, the Conference took an initial step in the unification of our forty-nine motor vehicle codes. These resolutions can now serve as a model for other sections of the country desiring to solve their motor vehicle problems by similar interstate co-operation.

The work of the American Legislators' Association in this conference is summed up by the New Mexico Tax Bulletin, "The American Legislators' Association is an agency which offers unlimited potentialities for the solution of many problems through the organization of conferences among states."

A CHECKING-UP PARTY AT THE STATE LINE.



CHAPTER XI

Officially Approved

Forty-Six States Commend the American Legislators' Association

Purpose of Endorsement

TO PLACE the American Legislators' Association on a firm basis as the only organization of, by, and for legislatures of all the states, resolutions of endorsement were presented to all the legislatures convening in 1931. The resolution—a copy of which is given below—contained a simple statement of the reasons for interstate legislative cooperation, a description of some of the services rendered by the Association, and a commendation of the work. The Board of Managers in suggesting the presentation of this resolution to the forty-eight legislative bodies placed no great stress on the value of a perfunctory endorsement. State financial support would be, of course, far more important as a means of broadening the scope of the Association's activities. At the same time, however, it was only fair that the endorsement of the legislatures should be secured before the Association could fairly claim to be representative of the country's lawmakers. Moreover, the desirability of acquainting all legislatures with this project for service to them was undeniable. Finally there was always the question: Do the senators, representatives, delegates, and assemblymen, of forty-eight different states and commonwealths wish to establish one organization?

The endorsements approved by the various states of course differed somewhat in form but the following model resolution was the one most widely used.

Resolution of Endorsement

Whereas, all experienced persons know that in each State, legislative problems continually increase, both in number and in complexity.

Whereas, it is obvious that in order to solve such problems most effectively, each legislature must give systematic, scientific and business-like consideration to the actual *facts* which have a bearing upon each question—to the extent that such facts have been determined by reliable research.

Whereas, each legislature must give similar consideration to the methods and experience of other jurisdictions in dealing with problems similar to its own.

Whereas, no such problems can be dealt with adequately until facilities are established to assist every inquiring legislator to secure the most accurate information and the most expert advice which are available.

Whereas, experience indicates the necessity for an interstate legislative reference bureau to serve as a clearing house of information between all of the legislative reference services which are now being conducted by numerous states, and also to serve as a clearing house of information between the legislatures and all other agencies which are engaged in the study and analysis of legislative problems, such as governmental departments, political science departments of universities, competent reputable associations, and all other sources of information.

Whereas, experience also indicates that in certain States which do not maintain substantial legislative reference services, there is an imperative need for such an interstate legislative reference bureau, which will assist the legislators of those States to secure whatever information they desire in analyzing the legislative problems which they must determine, and to make more readily accessible for them, without cost, the valuable material which is at all times available

from the legislative reference libraries and bureaus of various other states, and from many other reliable sources.

Whereas, every individual legislator in the United States shares the responsibility for improving the present inadequate and unsatisfactory condition of the legislative processes, but neither any individual legislator, nor any group of legislators from one State, can bring about such improvement without the coöperation of legislators of other states.

Whereas, such an interstate legislative reference bureau cannot be maintained by any one State alone, without the coöperation of the legislatures of other States.

Whereas, in order to set the machinery in motion to secure the necessary coöperation of the forty-eight legislatures, members of each legislature are working together in the development of the project of the American Legislators' Association.

Whereas, the said American Legislators' Association has now established in the vicinity of the University of Chicago, the Interstate Reference Bureau, which by explicit pledge is without color of politics, partisanship or propaganda, is conducted without profit, and is engaged upon three principal purposes:

First: To procure promptly for all inquiring state legislators, and their agents, whatever information or advice they desire in connection with any legislative problem, primarily by assisting them to secure, without cost, the benefit of all researches conducted by governmental departments, universities, associations, legislative reference bureaus, and other agencies throughout the United States.

Second: To conduct a systematic study of the legislative processes of each of the States, in order to ascertain the practices which contribute most to efficient and economical organization and procedure; and to render all possible assistance to each legislature—and to each legislative reference bureau—which is endeavoring to improve its organization.

Third: To publish for the benefit of all state legislators the monthly magazine, *State Government*, as well as special Bul-

letins, and thus to disseminate information which will be helpful to all conscientious students of legislation.

Whereas, the American Legislators' Association is promoting acquaintance and mutual understanding among all individuals and organizations officially concerned with the impartial and scientific functioning of the legislatures of the various States, by the organization of Standing Committees and Advisory Boards, and otherwise.

Whereas, the character and project of the American Legislators' Association have the endorsement, and its organization has the active coöperation, not only of its membership, which consists entirely of members and ex-members of state legislatures, but also of numbers of other responsible citizens, many of whom, having specialized knowledge, are serving on the Association's Advisory Boards.

NOW, THEREFORE, IT IS HEREBY RESOLVED: That the organizations of the American Legislators' Association and of the Interstate Reference Bureau are hereby commended as legitimate and constructive efforts to assist the legislatures of the various States in the efficient performance of their work.

Results Obtained

The response was extraordinarily gratifying to the men who felt that this organization was worth while. Senators, representatives, delegates and assemblymen, agreed with remarkable unanimity. The record of endorsement came in one sixteen-day period in which eighteen legislative bodies announced their approval of the organization. Others came before and after in rapid succession, until all but two of the forty-eight had joined in their endorsement of the organization. And even in those two—Connecticut and Maine—the Association has had the active support of many of the legislators of the best type, and it has supplied a great deal of information upon the request of individual members of these legislatures—thus, by overwhelming majority the Association was recognized as the official organization of American legislators.

CHAPTER XII

The Almighty Dollar

Ways and Means of Supporting the American Legislators' Association

Introduction

LET no man suppose that the democratic form of government is not inherently expensive. It costs money to ascertain the judgment of the electorate, to carry out both good and bad decisions of the voters, to have elective officials who are not qualified for their work, and sometimes to employ somebody to watch somebody who is employed to watch somebody else.

"Nevertheless, as democratic governments go, some are efficiently and economically administered—some are not. And we all know that there is a basis for the foregoing complaints; we know that tax money is wasted by dishonesty, by foolish objectives, and (even in the case of worthy objectives) by bungling.

"The first essential of good government is to have honest, capable officials and employees. If the personnel is to be improved, it must come about partly by the activities of the electorate and partly by wise legislation.

"But only the inexperienced believe that mere improvement of personnel would produce satisfactory government. Even good workmen cannot build a good house without good tools; and for competent government, expert legislation is as essential as well-qualified office-holders.

Expert Legislation Is Essential

"In other words, without expert legislation, we can never have a reasonable measure of good government. And until we have that much good government, a disturbing amount of the tax money will be poured down the sewers of graft, misdirection and bungling.

"We, the legislators, make no pretense that more than a few of us are technically trained for our official work: we are farmers, bankers, merchants, druggists, laborers, capitalists, real estate dealers, and practicing lawyers. Our true function is that of directors of policy—and we are beginning to realize that we must have the services of employed technicians in our work. Contrary to the tenor of popular comment, there are many of our colleagues who are successful, intelligent, educated, well-intentioned men; but even they cannot make an expert decision on any measure, unless they can readily secure such information as they desire in order to understand the problem and determine how to handle it.

Preposterous but True

"It is preposterous for a legislature to deal with a question of importance without first informing itself concerning the methods which the other States of the Union have tried in dealing with the same problem and the results. But however preposterous it may be, it is the usual practice.

"Experimental legislation is social vivisection. Nevertheless almost every legislature is passing such legislation because—in the usual case—it does not know that the same experiment has been performed elsewhere and failed.

"A man who buys a home for his family is somewhat sickened when he later discovers that he could have had a better home in a better neighborhood for the same money. Similarly a legislature should have pangs of remorse when, after passing a law, it discovers that some other State had already formulated legislation which solved

the same problem better at no greater expense. It is as necessary for a legislature to 'look over the field' as it is for any prudent man before he buys.

"The most anxious question before any legislature is that of supplying enough money to meet departmental requirements. Nevertheless, taxation is not actually the most important legislative function. Vast economic waste results from governmental requirements and rules of conduct which are not expertly prescribed.

"And an additional economic burden of incalculable weight is imposed upon our people and our industries by the continual readjustments which are necessary when governmental rules and requirements are changed. These changes—these amendments of laws—are largely due to an original lack of legislative knowledge. Because of that lack, clumsy laws are passed, and they are biennially patched up by clumsy amendments. The touch of an expert legislature, able to formulate legislation correctly the first time, might be compared to the healing touch of a master physician.

"And who can measure the social benefits which we would be enjoying today, if, during the past 150 years every legislature could have had adequate technical research always available? Some of us are as oblivious of the unrealized possibilities of better laws as is the Arab of the possible benefits of plumbing, telephones, and automobiles.

"Probably the project and history of the American Legislators' Association are now so well-known that they do not require repetition. At any rate it suffices to say here that this Association is the only institution which offers each State a prospect of effective and adequate cooperation in legislative matters with each and all of its forty-seven fellows. And this involves the prospect of making the best information and advice in the country equally available to the lawmakers of each state. Without this, no legislature can act expertly.

"Moreover this function must be directed from within and not from without our legislatures.

"The development of this essential project will involve a work of great magnitude, which cannot be accomplished

without an expenditure of money. Two questions immediately arise: Where has the money come from to start this work? Who will provide the necessary funds to develop and maintain it? The Association believes that all legislators are entitled to the first information, and that all must be much more concerned with the second."

The above editorial from *State Government* of January, 1931, expressed the views of the American Legislators' Association on the expenses of the legislative process. Money spent on good legislation is rarely wasted. Since the editorial was written six states have made unsolicited appropriations to aid the Association. Far from being enough to support the work in the way in which it should be supported, they are still welcome testimonials of the value placed on legislative cooperation. In this chapter is a short account of each form of support. There are also separate articles on each of the state appropriations and the purposes for which they were made.

Support from Individuals

From the time of the founding of the organization in 1925, it has been underwritten by Senator Henry W. Toll. During each of the nine years of the Association's history, he has paid at least some part of the expenses of the work; and whenever the organization has required bank credit, he has furnished the requisite collateral.

At the first annual meeting of the Association, held in Denver in 1926, Senator George Woodward, well-known in Philadelphia as a patron of civic and social welfare work, informally and without solicitation, offered to contribute \$500 a year to the Association's work. A man who more than fulfills his promises, he has actually given far more to this work.

In 1927, Hon. Henry L. Shattuck, then Chairman of the Ways and Means Committee of the Massachusetts General Court, and now Treasurer of Harvard University, on his own initiative mailed in a contribution of \$100. The Association's only other support from individuals has consisted of two contributions received in 1930: \$100 from Hon. Frederick M. Davenport of Clinton, New York, and \$1,000 from Hon. Morton D. Hull of Chicago; both former state legislators.

The Association has never received any financial support from any individual who has not been a member of a State legislature. Since every member of its Board of Managers, including the Director, is also a past or present legislator, no one can question that this endeavor is—in terms of the yegg—"an inside job."

At no time during the nine years of its existence has the Association solicited contributions from individuals, except that one of its representatives has had conversation, with a few philanthropists.

Support from Foundations

On January 23, 1930, the Spelman Fund of New York, which is intimately associated with the Rockefeller Foundation and with the General Education Board, made a substantial appropriation to the work of this Association.

On November 24, 1930, the Julius Rosenwald Fund of Chicago also made considerable appropriations to the Association for 1931 and 1932.

The foundations are in sympathy with the Association's project because, as the Rosenwald Fund suggested in announcing its appropriation, "government services, such as public health, public works, education, and crime prevention, are of such direct concern to all citizens, that the improvement of these non-political aspects of public administration seems to be a proper subject for the support of foundations."

Support from Dues and Subscriptions

The only other income of the organization has consisted of \$5 payments for dues—a practice long since discontinued—and \$2.50 payments for subscriptions to the Association's periodical. The primary purpose of the Sustaining Memberships—five dollars for each two-year legislative period—was to afford an opportunity to any legislator to indicate the fact that he is especially interested in the project, and to become an active sponsor of it. The Association has never conducted either a membership drive, or a campaign for subscriptions to *State Government*. It has felt that governmental appropriations were a more suitable means of support.

Financial Requirements

The Association's far-reaching and nation-wide program will involve a substantial annual budget. For instance, it costs more than \$1,000 to print, and to distribute to each legislator, a single number of *State Government*. Even a multi-graphed letter to each legislator costs \$450.

During the month of January, 1933, nearly 7,000 legislators convened in 42 capitols, and about 75,000 bills were submitted to them. At these sessions, if each legislator voted on only 300 measures, either in committee or on the floor, it would involve about 2,000,000 individual decisions. This Association, through its Interstate Reference Bureau, proposes to assist every legislator—and every staff member of any legislative reference service—who requests information on any one of these 75,000 measures; it desires to be of any service that it can in helping to bring about an intelligent result in each of these two million decisions. As legislators begin to appreciate the usefulness of the Interstate Reference Bureau, this task will become prodigious. And an almost equal amount of work will be involved in rendering similar assistance in connection with the work of the Interim Committees and Legislative Commissions of the various legislatures—hundreds of which are created during each biennium. The Interstate Reference Bureau will be called upon to perform extensive secretarial services for the Association's twelve standing committees and ten regional secretariats.

The Association is the proper agency to study the means for improving the machinery of our legislatures: their personnel, their organization, and their facilities. This, also, is a work of national necessity which will require an expert staff.

The Association has announced its intention to maintain a "service man" who knows the technique of legislative reference service. Upon request he will visit the legislative reference bureau of any State, in order to assist its Director to develop the most effective organization. An important by-product of this service will be greater uniformity among the legislative reference services of the various States.

The adequate performance of these and

other tasks which the Association has undertaken, will involve an annual cost of at least \$100,000. This cost includes the overhead expenses of administration, but does *not* include any amount for the expenses of legislators who attend the Association's annual meetings—which expenses should be provided by the several States.

Each of the Annual Conferences of the Association has been attended by legislators sent at State expense, under measures passed for that express purpose.

PRECEDENTS FOR SUPPORT

There are many precedents for national and state support of the American Legislators' Association.

Congress has led the way by contributing as much as \$100,000 in a year toward the support of the Inter-Parliamentary Union. The Union is the organization of the legislative bodies of the nations. It corresponds closely to the American Legislators' Association which is the organization of the legislative bodies of the States. As the lawyers say, the precedent goes on all fours—perhaps meaning that it hits on all eight cylinders. This long-established Congressional practice, which is being annually repeated, would be a fully sufficient precedent if there were no others. But there are many others, both in and out of the Federal Statutes.

A preliminary inquiry indicates that from thirty to forty-five States are annually paying a substantial amount toward the support of each of these organizations in the form of "special membership dues":

The National Association of Agricultural Commissioners; The National Convention of Insurance Commissioners; The International Association of Industrial Accident Boards and Commissions; The National Association of Supervisors of State Banks; The National Association of Securities Commissioners; and various other organizations.

Most of the States are also making substantial annual contributions (in no case less than \$100 apiece) to each of the following organizations:

The Child Welfare League of America; The National Conference of Commissioners on Uniform State Laws; The American

Library Association; and various other organizations.

Numerous legislatures have enacted laws giving official sanction and financial support to the Governors' Conference. The "Conference" is an annual meeting largely devoted to a discussion of what the Governors think about many legislative problems. Thus since the days when Theodore Roosevelt was President, the States have made it a practice to provide funds to support this interchange of *opinions* between Governors. This would seem to be a sufficient precedent for similar sanction and support for a bureau of *information*, much more scientific in character, for legislatures themselves—concerning their own problems.

The Governors' Conference collects support money from the States under the designation of "dues," fixing the annual contribution of each State at \$100. Some States thus contribute under express legislative acts, others from contingent funds, and so forth. The latest figures which *State Government* has on file are those for 1928; during that year the Conference collected \$4,850.

Governors' Conference laws provide:

1. That the Governor may, at the expense of the State, attend all conferences of Governors;
2. That the State shall bear as much of the expense of each of these conferences as the Governor thinks necessary.

Among the provisions of these State laws there is found this generous legislative grant: "There is hereby appropriated so much as may be necessary for the expenses of the Governor, and other expenses, in connection with any and all other conferences of Governors."

The most cordial relations have always existed between the Governors' Conference and the American Legislators' Association. The meeting of the Governors performs a most useful function in its field, and legislators may well take pride in their generosity toward this agency of executive co-operation.

But this is only one of many cases where legislatures have appropriated funds which executive and administrative departments are using for the support of organizations which promote "coöperation between the

States." This use of funds must be made by express or implied *authority derived from the Legislature*. If, then, a Legislature can contribute to the financing of organizations which are beneficial to other State departments, it can certainly, with equal legality and propriety, support its own super-important work. Any other conclusion would mean that a legislature can do indirectly what it cannot do directly.

STATE APPROPRIATIONS

It is clear that the legislative departments of the forty-eight States must co-operate for most effective results. It is equally certain that the American Legislators' Association and its Interstate Reference Bureau are now permanently established and nationally recognized as the agencies through which such coöperation is to be effected. Thus the Interstate Reference Bureau has now become virtually a part of the legislative organization of each State—a semi-official institution. Undoubtedly legislatures other than those described below can and will make appropriations to finance this Bureau.

No matter what form a legislative appropriation may take, all the legislators in an appropriating state are accorded the status of Sustaining members of the Association. As such they receive every copy of "State Government" published during the year and receive certain special services of the Interstate Reference Bureau.

State of California

California has consistently evidenced an especial interest in the project of the American Legislators' Association. It has been represented at all of the recent annual meetings, and in various official capacities with the organization.

On May 15, 1929 the California Assembly adopted a resolution providing for the appointment of a committee of three members of the Assembly to conduct a study of the practices of the legislatures of other states, and to report back any resultant proposals for the improvement of legislative methods in California. Wide discretion and substantial power were conferred upon this committee, and it was adequately financed. On January 23, 1931, it

rendered its report to the Assembly. This was a significant document, containing many comments and suggestions concerning the organization and procedure of the legislative efficiency.

The Chairman of this Committee was the Administration Floor Leader, Hon. Robert L. Patterson. The two other members were Hon. Roscoe J. Anderson and the Speaker, Edgar C. Leavey.

After citing the fact that in addition to its activities in California, the Committee had sent members to the meetings of the American Legislators' Association in Memphis in 1929 and to Cleveland in 1930, their report states:

"We have found that the American Legislators' Association is a valuable organization, and is becoming more valuable each year. The national convention meetings are devoted to a study of problems that are common to legislators—that is, problems dealing primarily with procedure, with research bureaus, and with other departments that are of aid to legislators. The American Legislators' Association, however, does not take sides upon the advisability or non-advisability of adopting certain legislation. Our committee recommends that the Legislature of California coöperate in every way possible with the American Legislators' Association, and recommends that each member of the California Legislature become an active member of the Association."

The report further expresses the opinion that "the Interstate Reference Bureau inaugurated by the American Legislators' Association is destined to be of great value to every legislator who makes a study of the subject he is handling, and who endeavors to ascertain the experience of other states along the same or similar lines."

On March 24, 1931, the Uniform Resolution of Endorsement of the American Legislators' Association was introduced in the California Assembly. On April 16 it was passed by the Assembly, and on May 15 it was passed by the Senate.

In the meantime three other measures had been introduced into the Assembly, all of which were passed on May 14, 1931:

The first contains a finding that the annual meetings sponsored by the American

Legislators' Association constitute "a practical and appropriate medium for the discussion of matters relating to legislation of primary importance in the relations of the various states of the United States, and is also of value in determining the policy to be followed in the adoption of uniform state laws."

The resolution also declares that the American Legislators' Association "in bringing together the members of legislatures of the various states of the United States contributes immeasurably to mutual understanding and encourages cooperative effort in the solution of interstate problems."

Accordingly the resolution provides that during the ensuing biennium the Speaker should annually appoint a representative to attend these meetings as the official delegate of the California Assembly, and appropriates a nominal amount for that purpose.

The second resolution authorizes the State Librarian to designate a member of his staff to attend the Legislative Reference Conference to be held under the auspices of the American Legislators' Association in 1931, and also a representative to attend the Conference to be held in 1932.

The third resolution reads as follows:
Relative to Subscribing to the Services of the American Legislators' Association.

Whereas, The American Legislators' Association offers a service of great value to the various state legislatures, and through them to the people of the states;

Whereas, There is included in such service the furnishing of important information bearing on legislation and legislative methods, and, whenever desired, the establishing of contacts with authoritative sources of such information; and

Whereas, There is also included in such service the furnishing of a monthly magazine, known as "State Government" which contains material of special interest to legislators and which is of significance and assistance in the preparation of legislation and in the efficient functioning of the legislature; and

Whereas, There is further included in

such service the holding of annual conferences of state legislators which conferences may be attended by any member of any state legislature, to the end that there may be an exchange of ideas and a comparison of practices, as well as the establishment of reciprocal relationships which will engender a cooperative and friendly attitude of inestimable value in the solution of legislative problems; now, therefore, be it

Resolved by the Assembly, That the Chief Clerk of the Assembly is hereby directed to subscribe to such service for the calendar years 1931 and 1932, and there is hereby set aside for that purpose the sum of \$400 from the Contingent Fund of the Assembly, so that each member of the Assembly of the forty-ninth session of the Legislature will be entitled to the services above mentioned.

This resolution was adopted by a vote of 47 to 2.

A similar resolution was passed in 1933 by an equally large majority whereby the sum of \$500 was set aside from the Contingent Fund of the Assembly for the same purposes as listed above namely: two years sustaining membership for eighty Assemblymen which includes a subscription to "State Government," and \$100 for the support of the Interstate Reference Bureau.

State of Colorado

The first annual meeting of legislators convened in the Senate Chamber of the Colorado Capitol, in Denver, five years ago. Since that time the lawmakers of the Centennial State have always taken a generous interest in the development of the work.

The Colorado Legislature was the first to pass the Uniform Resolution of Endorsement of the American Legislators' Association through both houses. On January 15, 1931, it was introduced in the Senate. On the same day the Senate adopted it. On the next day it was passed by the House of Representatives.

Later in the session, Representative Phelps introduced House Bill No. 426, which was subsequently amended to conform to the Pennsylvania Act, reprinted in this chapter. The act was passed on April 25.

It provided for the expenses of House and Senate delegates, to be annually designated to attend the meetings of the American Legislators' Association; for the attendance of the Director of the Legislative Reference Office—or a member of his staff—at the annual Legislative Reference Conference to be arranged by the Association; and for the insertion in each general appropriation law, henceforth, of an item "of such amount as the General Assembly may deem advisable for the support of the Interstate Reference Bureau."

As elsewhere stated, it is the Association's established policy to accord the status of Sustaining Members to each member of any legislature which makes an appropriation toward the support of the Interstate Reference Bureau. Accordingly, each of Colorado's 65 Representatives and 35 Senators would acquire full standing as Sustaining Members of the American Legislators' Association for the entire biennium referred to in the Act.

The enactment of this statute would not have been possible without the approval of the joint committee on finance and appropriations composed of Senators Warren, Shawcroft, and Bannister, and Representatives Fossett, Poppin, and Harris.

However, the statute enacted by the General Assembly was not destined to become law. Governor Adams vetoed the bill but later apologized, saying that he had mistaken the purpose of the bill entirely.

Commonwealth of Kentucky

The General Assembly of the Commonwealth of Kentucky substantially endorsed the American Legislators' Association and its projects in July, 1934. At this time it passed the General Appropriations Bill for the biennium July 1, 1934 till June 30, 1936. Paragraph 66A of that bill provided that; there is appropriated out of the General Expenditure Fund for the fiscal years ending June 30, 1935 and June 30, 1936 the annual sums of \$500 for the American Legislators' Association, and the Auditor of Public Accounts shall draw warrants payable to the Treasurer of said Association on or before October 1, 1935 and October 1, 1936.

Another section of the same paragraph provided that: there is hereby appropriated out of the General Expenditure Fund for the fiscal years ending June 30, 1935 and June 30, 1936, the annual sums of \$500 for the payment of expenses of the duly selected delegates from the Commonwealth of Kentucky to the meeting of the American Legislators' Association in said years, and the Auditor of Public Accounts shall issue warrants payable to said delegates for their pro rata part of said sums to be used by them in defraying the expenses while attending said meetings.

As in South Carolina the Kentucky legislators were convinced that a pre-session conference planned and developed under the auspices of the American Legislators' Association constituted a saving in valuable time and drew popular approbation and confidence to them when they stood in greatest need.

The Kentucky General Assembly has also endorsed the Interstate Reference Bureau and made use of its facilities.

Commonwealth of Massachusetts

Although the General Court of Massachusetts has supported the activities of the American Legislators' Association, the appropriation is made for the support of the Interstate Assembly and the Interstate Commission on Conflicting Taxation.

"Resolve Relative to Certain Expenses in connection with the Interstate Assembly and the Commission on Conflicting Taxation."

Resolved: That, subject to appropriation there may be paid out of the state treasury a sum not exceeding one thousand dollars for defraying the expenses of delegates representing the general court in attendance upon sessions of the Interstate Assembly held during the current year and for promoting the purposes of the Commission on Conflicting Taxation authorized and created by the Interstate Assembly held at Washington, D. C. on February third and fourth of the current years. Delegates to future meetings shall not exceed three in number and shall represent both political parties.

Approved July 12, 1933.

Services Undertaken for Contributing States

By the American Legislators' Association

In the case of each state which makes an annual appropriation of one thousand dollars or more to the work of the Association, or toward the support of the Interstate Reference Bureau, the Association undertakes:

1. To send *State Government* once a month to each legislator.
2. To furnish a copy of the future Book of the States to each legislator.
3. To furnish insignia of membership in the Association to each legislator—lapel button and wall certificate.
4. To furnish bulletin service to the legislative reference bureau or other appropriate similar agency of the state.
5. To endeavor to assist the individual legislators and the legislative reference bureau to locate and secure any requested legislative information which has been compiled by any research agency.

In the case of each state which makes an annual appropriation of two thousand dollars or more:

1. To organize a pre-session conference of the legislature, upon the request of twenty-five per cent of the members.

In the case of any legislature which makes an annual appropriation of five thousand dollars or more toward the support of the work of either the American Legislators' Association; the Interstate Reference Bureau or the Council of State Governments:

1. To maintain jointly with the Council of State Governments a regional secretariat to facilitate cooperation between the governments of the appropriating states and neighboring states, upon the adoption of a joint resolution of the legislature requesting the maintenance of such a secretariat.

State of New York

In 1933 the New York Legislature showed its confidence in the work the American Legislators' Association is doing to bring about the improvement of legislative conditions and better cooperation between the states. In the 1933 session the Legislature approved a contribution of \$5,000 toward the Interstate Reference Bureau's support for the coming year. Thus New York joins the list of the states which are actively contributing to the financial success of the undertaking.

Another indication of the interest of New York State in the Association's work

is that it sent 16 official delegates to the first meeting of the Interstate Assembly held in Washington, D. C., February 3 and 4, 1933. At the conclusion of this meeting of the Assembly a commission of 14 was appointed to study the problem of conflicting taxes and to negotiate with Congress concerning them. A New Yorker, Seabury C. Mastick, was appointed Chairman of the Commission.

It is to be hoped that the citizens of New York State will derive a permanent satisfaction from the fact that its legislators have taken their place in the vanguard of the national crusade for the improvement of legislative conditions. It is equally rea-

sonable to believe that their investment will be repaid many times by dividends in the form of increased governmental efficiency and economy.

It has been the practice of the Association to accord the status of Sustaining Member to each member of any legislature which makes an appropriation toward the support of its Interstate Reference Bureau. Accordingly, all of New York's 150 Assemblymen and 51 Senators have acquired full standing as Sustaining Members for the duration of the appropriation. This means that in addition to receiving advice and information on legislative matters, each member of the New York Legislature receives every number of *State Government* published during this period.

Messrs. Mastick, Graves, Hannan, Sargent, Moffat—to mention only a few—are among those from New York State who have participated in the growing pains of the American Legislators' Association. Others from this state who have taken a special interest in the work of the Association are: President Roosevelt, when Governor of New York, Governor Herbert H. Lehman, Professor Joseph P. Chamberlain of the Legislative Drafting Fund of Columbia University, and Mr. Guy Moffett of the Spelman Fund.

The efforts of these forward-looking citizens of the Empire State have contributed in large measure to the success of the Association, until now it has representatives in every state and maintains a sizeable staff in its Chicago Offices.

Commonwealth of Pennsylvania

When, under the auspices of the American Legislators' Association, the first annual meeting of legislators convened in Denver on July 19, 1926—the State of Pennsylvania sent an official delegation consisting of Senator George Woodward, Senator Franklin S. Edmonds, Senator Albert D. MacDade, and Senator Horace W. Schantz. The State of Pennsylvania has subsequently sent official delegations to the Conferences of the American Legislators' Association at Buffalo, Seattle, and Memphis.

On January 19, 1931, Representative Grover C. Talbot introduced the Uniform

Resolution of Endorsement of the American Legislators' Association in the Pennsylvania Legislature. It was passed by the House of Representatives on January 26 and by the Senate on February 23.

Shortly thereafter, Senator George Woodward introduced the following bill:

Senate Bill 664—Session of 1931. Introduced by Senator George Woodward, March 30, 1931. Passed by the Senate, April 20, 1931. For: 47; against: 0. Passed by the House, May 18, 1931. For: 180; against: 0. An Act recognizing, and for the support of, the American Legislators' Association and its executive and Administrative agency, the Interstate Reference Bureau, and making an appropriation.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same: That the Commonwealth of Pennsylvania hereby recognizes the American Legislators' Association and its executive and administrative agency, the Interstate Reference Bureau, as agencies capable of rendering valuable assistance and information to the General Assembly of this Commonwealth, and to the Members thereof, and as agencies quasi-governmental in their character.

The President Pro Tempore of the Senate, and the Speaker of the House of Representatives respectively shall annually appoint one Senator and one Member as delegates to attend the meetings of the American Legislators' Association; and the Director of the Legislative Reference Bureau, or some person from the staff of the Legislative Reference Bureau appointed by him, may attend annually the Legislative Reference Conference conducted under the auspices of the American Legislators' Association.

Biennially an item shall be inserted in the general appropriation law to pay the expenses of the delegates of the Senate and House attending the said Conference. The expenses of the Director of the Legislative Reference Bureau, or of his representative attending such Conference, shall be paid from the regular appropriations to the Legislative Reference Bureau for such purposes.

Section 2. In order to assist in the support of the Interstate Reference Bureau, established by the American Legislators' Association to coördinate the work of the various state legislative reference bureaus, and other official agencies dealing with legislative matters, the sum of \$4,000 is hereby specifically appropriated for the fiscal biennium beginning June first, one thousand nine hundred and thirty-one. One-half of said appropriation shall be paid during each fiscal year of said biennium in equal quarterly installments, on requisition drawn by the Auditor General. Warrants for such payments shall be drawn to the order of the Director of the Interstate Reference Bureau. Biennially hereafter an item of such amount as may be deemed necessary for the support of said bureau shall be inserted in the general appropriation law.

Section 3. On or before March first of each year the Interstate Reference Bureau shall furnish to the Auditor General a printed accounting containing an itemized summary of receipts and expenditures for its preceding fiscal year, verified by oath or affirmation, and accompanied by a verified copy of a report by one or more certified public accountants. Upon failure to file such accounting the financial support hereby granted shall be withdrawn.

Comment. It will be observed that this measure contains the following provisions, among others:

1. "The Commonwealth of Pennsylvania hereby recognizes the American Legislators' Association and . . . the Interstate Reference Bureau . . . as agencies quasi-governmental in character."

2. Annually, the President Pro Tempore of the Senate shall appoint a senator as an official delegate to attend the meetings of the American Legislators' Association.

3. Annually, the Speaker of the House of Representatives shall appoint a member of the House as an official delegate to attend the meetings of the American Legislators' Association.

4. The Director of the Pennsylvania Legislative Reference Bureau, or some member of his staff appointed by him, may—at the Bureau's expense—attend the Legislative Reference Conference conducted

under the auspices of the American Legislators' Association, annually.

5. Biennially an item shall be inserted in the general appropriation law to pay the expenses of the delegates of the Senate and House attending the meetings of the American Legislators' Association.

6. \$4,000 is specifically appropriated for the fiscal biennium beginning June 1, 1931, to assist in the support of the Interstate Reference Bureau.

7. "Biennially hereafter an item of such amount as may be deemed necessary for the support of said Bureau shall be inserted in the general appropriation law."

8. The Interstate Reference Bureau shall annually furnish to the Auditor General, a properly certified audit of its accounts.

State of South Carolina

The pre-session legislative conference held at Columbia, evidently made a deep impression on many South Carolina legislators.

Senator R. Beverly Herbert of the South Carolina Senate introduced a \$1,000 item into the 1934-1935 appropriation act which was sustained by the Budget Commission and the House Ways and Means Committee but cut to \$500 by the House of Representatives. The amended amount was passed by the Senate and approved by the Governor.

Upon transmission of this sum Senator Herbert declared that it was considered as little more than a gesture of good will and that it was accompanied by many expressions of great appreciation for what the American Legislators' Association did in holding a meeting in South Carolina and regrets that the state did not make a substantial appropriation.

Needless to say the Association values the approbation of the South Carolina legislators even as it appreciates the monetary aid. The American Legislators' Association intends that the members of state legislatures will find its services increasingly useful as their need arises.

State of Utah

In July of 1933, the Legislature passed a resolution calling the Western Motor Vehicle Conference to meet in Salt Lake City.

The American Legislators' Association was asked to plan and conduct the conference.

Since the Association could not bear the entire expense, much of this was borne through the splendid cooperation of three of the interested administrative departments. The Utah State Tax Commission of which Mr. George A. Critchlow is chairman, the Public Utilities Commission with Judge E. E. Corfman as its chairman, and the Utah State Road Commission whose chairman is Mr. Preston G. Peterson, donated two hundred dollars each from their respective budgets to cover the cost of the Conference.

THE SHARE OF EACH STATE

The Association's annual expense will amount to less than the forty-eight States are spending, at the present average rate, every three minutes, throughout the day. Most of this expense is required to conduct the work of the Interstate Reference Bureau. The annual cost will average less than \$2,500 for each State. Some legislatures which have a large volume of legislative proposals involving many tens of millions of dollars—such as those of New York, Pennsylvania, Illinois and California—will probably consider it just for them to appropriate more than an average share of these expenses; while some of the smaller states may feel that they should bear less than the average share. But it is to be hoped that each of the forty-eight will officially participate in this cooperative enterprise. It has required substantial contributions of time and money from private sources to launch the American Legislators' Association. Through these contributions it has developed into an institution of such stability that its high character and strict integrity are not questioned. The belief seems justified that the various legislatures will be willing to carry on from this point. Certainly the foundations and the individ-

uals who have contributed to this work, have done so in reliance upon that belief.

Most organizations which supply information to legislatures have ulterior motives. The difficulty of securing unbiased information has been a serious defect in our legislative system. Thus the work of the Interstate Reference Bureau acquires an additional public significance. As time goes on, the legislatures will probably insist that the funds for the performance of this public function shall be provided from public sources. Thus, they will make certain that no situation can ever arise in which this impartial agency of the states might be embarrassed by the fact that its work was being financed from private sources.

Conclusion: Legislators have the responsibility for improving legislative conditions. The nation is properly demanding that they do so. They cannot meet this demand without cooperating among themselves. The American Legislators' Association is their own organization and through it they can cooperate with legislators of other states and can meet with national and regional problems as a unit rather than as 48 separate legislative entities.

No one can be found to question the need of this work.

Discriminating individuals and organizations have so frequently investigated and approved the character of this Association, that it no longer requires credentials.

The only remaining question is this: how promptly will the States assume the financial responsibility for the support of this undertaking, through which they are to achieve the cooperation which is imperatively required of them?

The legislators who are pioneering in this work are developing an institution of national significance. Such activities may well be a source of pride and satisfaction to each of them.

CHAPTER XIII

Entente Cordiale

Relationships of the American Legislators' Association to Other Organizations of Public Officials

Coöperating Governmental Organizations

WITHIN the past few years several national associations of public officials and several other organizations interested in government and public administration have established headquarters in Chicago in close proximity to one another and to the University of Chicago. The names of these organizations, the years in which they were founded, and the years in which each established an office in Chicago are listed on the bottom of the page:

Each of these organizations has a separate and distinct field, but it has been possible for their secretariats to coöperate in many helpful ways. These organizations share the belief that government in the United States can be made more satisfactory if administrative organization, techniques, and methods are improved; and that the responsibility for such improvement rests primarily upon the public officials.

Much of the service value of the Interstate Reference Bureau comes from the fact that the offices of the American Legislators' Association are located in the same building as those of the other associations described in this chapter.

The advantages of this proximity are clear. When a difficult inquiry on municipal codes is sent in by a Florida legislator, the advice of the American Municipal Association or the City Managers' Association is readily available. If the laws on bonded indebtedness in a few states are wanted the Municipal Finance Officers' Association can give invaluable aid. A telephone call and the American Public Welfare Association has the information on that troublesome point about old age pension legislation. The legislators' group has, in one way, greater need for these contacts than any of the other organizations. So wide is the scope of legislative problems that half a hundred government organizations could readily be used.

	Founded	Office in Chicago
Municipal Finance Officers' Association.....	1906	1932
International City Managers' Association.....	1914	1929
Governmental Research Association.....	1915	1932
American Municipal Association.....	1924	1932
American Legislators' Association.....	1925	1930
American Public Welfare Association.....	1930	1932
Public Administration Clearing House.....	1931	1931
Council of State Governments.....	1933	1933
United States Conference of Mayors.....	1933	1933
National Association of Housing Officials.....	1933	1933
American Society of Municipal Engineers.....	1894	1934
International Association of Public Works Officials....	1919	1934
National Association of Tax Assessing Officers.....	1934	1934
National Association of Planning Officials.....	1935	1935

PUBLIC ADMINISTRATION CLEARING HOUSE

LOUIS BROWNLOW, *Director*. Commissioner of the District of Columbia, 1915-20; City Manager of Petersburg, Virginia, 1920-23; City Manager of Knoxville, Tennessee, 1924-26; Municipal Consultant to City Housing Corporation, New York, 1928-30.

CHARLES S. ASCHER, *Secretary*

ROBERT M. PAIGE, *Assistant Director*

Organization

The Public Administration Clearing House is directed by a board of trustees consisting of: FORMER GOVERNOR FRANK O. LOWDEN of Illinois, *Chairman*; SENATOR HARRY F. BYRD of Virginia, *Vice-Chairman*; SEWELL L. AVERY of Chicago, business man and civic leader; LOUIS BROWNLOW; RICHARD S. CHILDS, President of the City Club of New York; ROBERT M. HUTCHINS, President of the University of Chicago; and CHESTER ROWELL of San Francisco, publicist.

Program and Activities

The purpose of the Clearing House is to facilitate the interchange of information, points of view, ideas, and experience among organizations of public officials, organizations of citizens, and other groups which are planning for improvements in the administrative technique of government; to encourage closer cooperation among these groups; and to assist in making available to each group the information and technical resources and experience at the disposal of other organizations, thus preventing overlapping of program and duplication of effort. The Clearing House seeks particularly to bring together operating officials, research agencies, and technical experts; to reduce the gap between theory and practice.

To carry out its program the Public Administration Clearing House has gathered comprehensive data relative to the activities of several thousand national, state, and local organizations, and has published a Directory of 1,700 national and state groups, entitled "Organizations in the Field of Public Administration." The Director and his staff maintain personal contact with

a large number of the more active organizations and agencies in this field. From time to time the Clearing House assembles special conferences of individuals who represent groups which can beneficially exchange ideas and experience.

NATIONAL ASSOCIATION OF HOUSING OFFICIALS

COLEMAN WOODBURY, *Executive Director*

ELIZABETH LONGAN, *Associate Director*

Organization

All public officials having to do with low-cost housing, whether board members or staff members, are eligible to active voting membership. All other persons interested in low-cost housing, slum clearance, subsistence homesteads, and allied problems are invited to associate membership.

Program and Activities

The Association serves as a clearing house of information primarily for public officials concerned with the administration of low-cost housing, rural and urban; to aid in the development of administrative standards and sound procedures in the supervision, construction, and operation of housing projects under public auspices.

In addition to maintaining a headquarters for the dissemination of information and answering inquiries, the Association is prepared to send technically qualified consultants to aid officials in the field, and to aid groups in the organization of local public housing agencies, and the drafting of legislation.

AMERICAN MUNICIPAL ASSOCIATION

PAUL V. BETTERS, *Executive Director*

CLIFFORD W. HAM, *Director of Field Service*

ROBERT GAREN, *Staff Member*

Special consultants in various fields; 32 field representatives.

Organization

The American Municipal Association is composed of approximately twenty-five state leagues of municipalities. The membership of these leagues in turn consists of the cities and towns. Because the leagues are supported by public funds voted by the member municipalities they have a dis-

tinctly quasi-official status. About five thousand cities and towns hold membership in the leagues represented in the Association.

The membership of the Association also includes some municipalities in states where leagues do not exist and the number of such direct subscribing members is increasing.

The Association is the United States member of the International Union of Cities at Brussels.

Program and Activities

The American Municipal Association carries on a wide variety of activities designed to assist member leagues in their work of serving and representing their member municipalities. It prepares research and informational reports and bulletins; maintains a comprehensive municipal information service, including perhaps the most complete file of model municipal ordinances in existence; and provides a consulting service on special phases of municipal government. The Association keeps members informed of all federal legislation affecting municipal government and attempts to represent the interests of municipalities nationally, and especially before Congress, in much the same way that the state leagues of municipalities represent municipalities before the state legislatures. Official relationships exist between several of the federal departments and the Association.

The Association holds an annual conference of league officers and public officials, assists leagues with their annual and other meetings, fosters cooperation between the leagues on mutual municipal problems, and promotes the establishment of leagues in states where none exists.

AMERICAN PUBLIC WELFARE ASSOCIATION

FRANK BANE, *Director*

MARIETTA STEVENSON, *Assistant Director*

IVAN ASSAY

GLEN LEET

BURDETT LEWIS

Field Representatives

Organization

Membership is open to all those engaged in public welfare work. Provision is also made for associate membership for those

interested in public welfare. Approximately 3,000 are enrolled.

Program and Activities

The Association works with welfare departments, governors, legislatures and other governmental institutions and agencies, state and local, with the idea of assisting in the improvement and development of adequate and effective public welfare machinery and administration within the states and localities. This requires contact with federal relief agencies; with legislatures and their committees in the drafting or re-drafting of welfare statutes; contact with governors in the planning of their administrative programs; with municipal and county governments in the administration of welfare functions; and continuous contact with public welfare departments in developing their plans and programs. The Association works in close cooperation with all national organizations in the public and private welfare field. It is concerned primarily with those welfare activities which are conducted under public auspices and supported by public funds. Field representatives of the Association are assigned to particular sections of the country and are in the field most of the time, in consultation with state agencies and welfare administrations.

Complete information on current legislation affecting state departments of public welfare and on unemployment relief is available as well as other informational and research services. Bulletins, including "Public Welfare News," are issued on legislation, public administration, and other current matters. An annual meeting is held at the time of the meeting of the National Conference of Social Work, and joint meetings are held with the Public Officials' Section of the Conference.

GOVERNMENTAL RESEARCH ASSOCIATION

ROBERT M. PAIGE, *Secretary-Treasurer*

Organization

The membership is composed of individuals professionally engaged in governmental research. Members are connected with bureaus of municipal or governmental research, taxpayers leagues, civic depart-

ments of chambers of commerce, research departments of city and county governments, universities, et cetera. These local research agencies carry on a continuous program of investigation and installation of improved organizational and operating methods, and apply to government the principles of scientific management and public administration. All interested in the application of scientific research to government are eligible for associate membership. The Association has about two hundred and fifty members.

The secretary is also assistant director of the Public Administration Clearing House.

Program and Activities

The Association holds an annual meeting, and distributes the weekly bulletin prepared by the Joint Reference Library—"Recent Publications on Governmental Problems," the monthly magazine published by the National Municipal League, "National Municipal Review," the publications of Public Administration Service, a monthly news letter, special bulletins, and various miscellaneous reports and pamphlets of interest to members.

Other services to members include: maintenance of a personnel exchange, the facilitation of the exchange of research bureau publications among members, and assistance in the preparation of bibliographies and collection of data. The Association is vitally interested in the establishment of governmental research agencies in cities where no such work is now carried on, and in making the Governmental Research Association fully representative of this profession.

INTERNATIONAL CITY MANAGERS' ASSOCIATION

CLARENCE E. RIDLEY, *Executive Director*.

Ten years of public administrative experience including four years as a city manager; Staff Member, Institute of Public Administration, 1927-29.

ORIN F. NOLTING, *Assistant Director*

CLARENCE C. LUDWIG, *Staff Member*

LYMAN MOORE, *Staff Member*

Organization

The membership is composed of city managers, i.e., "administrative heads of

municipalities appointed by their governing bodies," who have served in that capacity for at least three years. Classifications are also provided for city managers with shorter terms of service, and for students and specialists in public administration. There are in all about five hundred members.

Program and Activities

The Association was formed for the purpose of aiding in the improvement of local government administration. It encourages city managers to administer the affairs of their cities in accordance with the best methods developed through research, practical application, and actual experience. Toward this end the Association offers a limited consulting service; conducts an annual conference; publishes "Public Management," a monthly journal devoted to local government administration; publishes a "Yearbook," containing the proceedings of the conference and a résumé of the significant events and developments in municipal administration during the year; maintains representation on joint committees dealing with such matters as measurement standards in government, municipal reporting, and uniform crime reporting; and conducts extension courses in municipal administration.

The Association also publishes a bi-weekly "City Manager's News Letter" and a monthly book list of recent publications on municipal administration. Some of the more recent special publications include: "Some Observations on Municipal Practices in European Countries," "How to Reduce Municipal Expenditures," "The Qualifications and Selection of a City Manager," "How Cities Can Cut Costs," and "The City Manager Profession."

MUNICIPAL FINANCE OFFICERS' ASSOCIATION

of the United States and Canada

CARL H. CHATTERS, *Executive Director*

T. M. DICKERSON, *Assistant Director and Chief Staff Accountant, National Committee on Municipal Accounting*

JOHN F. WILLMOTT, *Survey of Census Bureau Statistics*

A. M. HILLHOUSE, *Study of Municipal Revenues and Functions*

I. TENNER, *Research Assistant*

Organization

The membership is composed of public officials dealing with all phases of municipal finance. Comptrollers, accounting officers, treasurers, assessors, and auditors of cities, towns, villages, and counties, state and federal officials concerned with some phases of local finance, and consulting accountants specializing in public finance make up the membership, which totals about three hundred and fifty.

The Association was founded in 1906 as the National Association of Comptrollers and Accounting Officers.

Program and Activities

The Association acts as a service bureau for its members. It gathers data of current interest and formulates principles of accounting and finance. Accounting manuals are developed for different types of municipal corporations. The National Committee on Municipal Accounting has been formed, with the cooperation of the leading societies of accountants and officials, to develop national standards for municipal accounting. At the request of the Bureau of the Census, the Association is revising the "Financial Statistics of Cities" and "Financial Statistics of States." A special study of the functions and revenues of local governments is being made to determine the proper place of the municipality in the entire structure of activity and finance. The Association publishes a quarterly magazine, "Municipal Finance," a bi-weekly news letter, and many special bulletins.

UNITED STATES CONFERENCE OF MAYORS

PAUL V. BETTERS, *Executive Director*. The staff of the AMERICAN MUNICIPAL ASSOCIATION serves the Conference as secretariat.

Organization

Membership in the United States Conference of Mayors is open to municipalities of 50,000 or over in population. At the present time the chief executives of approximately 110 of the largest cities in the country are official members of the Conference.

Program and Activities

The objects of the United States Conference of Mayors are:

The general improvement of every branch of city government by the following means: First, the perpetuation of this organization as an agency for the cooperation of mayors, managers, and other duly designated representatives of cities, in the practical study of all municipal questions; Second, the holding of annual and other meetings for the discussion of current city problems; Third, the furnishing of information to municipal officials in order to enable them better to perform their functions; and Fourth, the safeguarding of the interests, rights, and privileges of municipalities as they may be affected by legislation.

In carrying out these objects, the Conference has given special attention to the formulation of federal legislation designed to be of assistance to the larger cities of the United States. The Conference maintains a Municipal Information Bureau on all phases of municipal government, prepares research reports on various municipal problems and distributes them to the members, renders a special bulletin service on all federal matters of interest to cities, holds special meetings to consider current and emergency issues confronting the larger cities generally, and sponsors annually a nation-wide meeting of mayors. During 1933, the Conference held three general meetings in Washington in connection with proposed federal legislation affecting the interests of city governments. The Executive Committee, which functions for the Conference between regular meetings, appeared during the same year before numerous Congressional committees on municipal legislation.

PUBLIC ADMINISTRATION SERVICE

DONALD C. STONE, *Director, Consulting and Research Division*

GUSTAVE A. MOE, *Chief Accountant*

ARNOLD MILES, WILLIAM A. LAFFERTY, JR., A. W. NOONAN, *Staff Consultants*

CHARLES S. ASCHER, *Director, Publications Division*

C. A. BINGHAM, *Mgr. New England Office*
W. O. HARRIS, *Accountant*

Organization

The Service is governed by a board consisting of the directors or secretaries of American Legislators' Association, American Municipal Association, American Public Welfare Association, Governmental Research Association, International City Managers' Association, Municipal Finance Officers' Association, Public Administration Clearing House, and National Municipal League (of New York).

Program and Activities

The CONSULTING AND RESEARCH DIVISION furnishes cities, counties, states, and the federal government with advisory and consulting services on administrative problems. It is prepared to install budget, general accounting, cost accounting, work programs, stores, and equipment control systems, departmental records, and other procedures. The Service makes administrative surveys, reorganizes departments and offices, improves operating procedures. It has made installations, reorganizations, or surveys for many public bodies; and scores of other governmental units have adopted its recommendations as published from time to time in manuals. The Service acts as the research staff of the COMMITTEE ON UNIFORM STREET AND SANITATION RECORDS, NATIONAL COMMITTEE ON STREET MAINTENANCE ECONOMICS, NATIONAL COMMITTEE ON MUNICIPAL STANDARDS, in devising systems for scientific measurement and control of governmental activities. The Service assists its governing organizations in various research programs; it aids associations of public works officials, municipal engineering officials, and chiefs of police in improving administrative procedures and promoting uniform records and reports.

The PUBLICATIONS DIVISION publishes monographs on administrative problems prepared by outstanding authorities who have had first-hand experience with their subjects. While these are aimed chiefly to aid operating officials, they are published for general sale. The Division provides consulting editorial service for several associations of public officials.

JOINT REFERENCE LIBRARY

LUCILE L. KECK, *Librarian*

Organization

The Library is maintained by the American Legislators' Association, American Municipal Association, American Public Welfare Association, International City Managers' Association, Municipal Finance Officers' Association, National Association of Housing Officials, and Public Administration Clearing House.

Program and Activities

Each of the supporting organizations is continually collecting reports, statistical data, and pamphlet material which it is difficult for the ordinary library to secure. More than three hundred and fifty periodical publications are received by the group. Through the Joint Reference Library, material of general interest and value received by one organization is readily available to the other members of the group. The Library indexes and files all material received, acts as a reference library for the associations, compiles special subject bibliographies, and compiles for distribution by the supporting organizations bulletins listing recent publications on governmental problems.

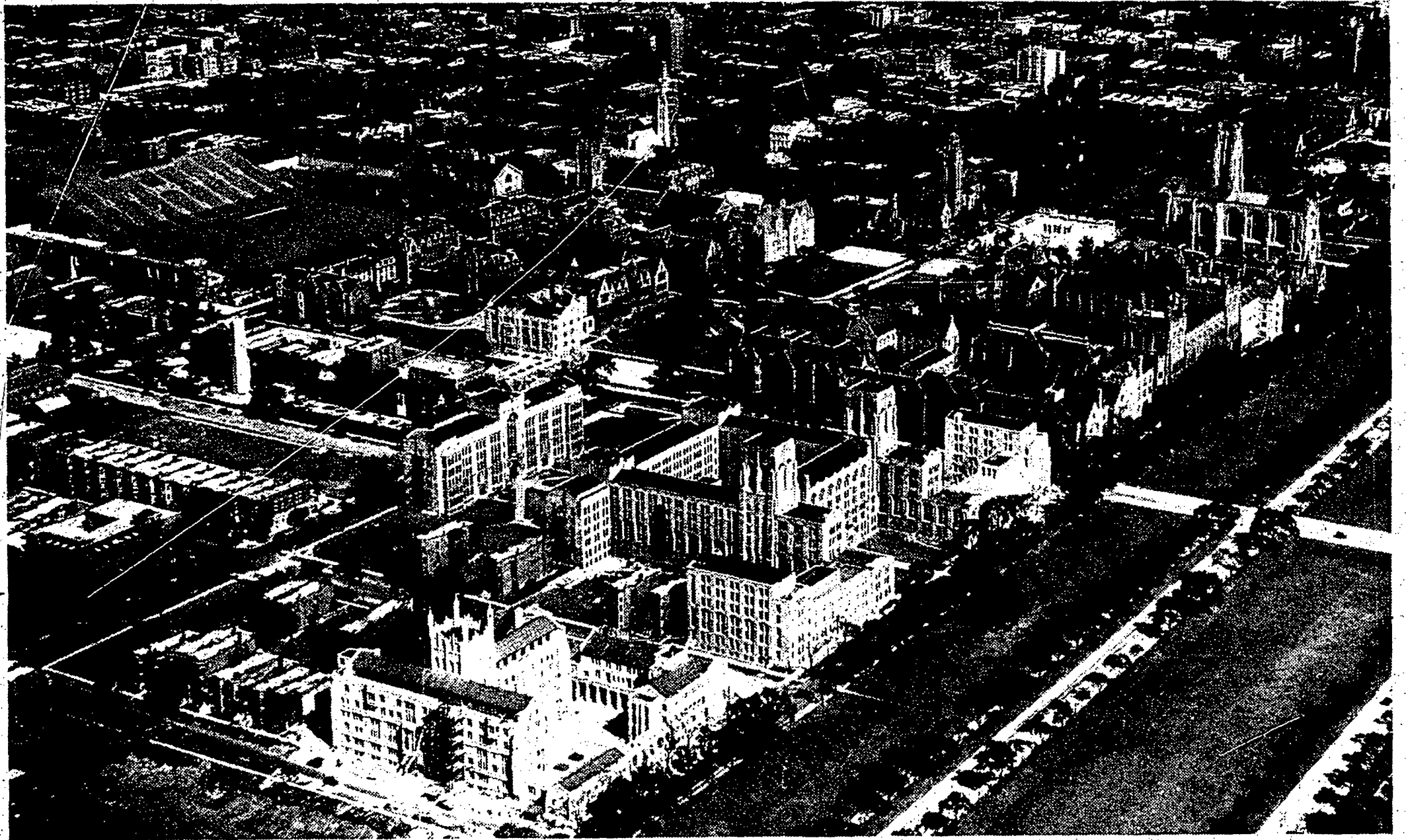
WASHINGTON INFORMATION SERVICE

RICHARD E. SAUNDERS, *Correspondent*
NATIONAL PRESS BUILDING
WASHINGTON, D. C.

Seven of the organizations jointly employ a Washington Correspondent who furnishes them information and helps to keep them advised of the activities of the various federal departments and Congress.

RELATION TO THE UNIVERSITY OF CHICAGO

The location of the secretariats within a block of the University campus makes it possible to use the many facilities found around a great research center. There is opportunity to consult the Department of Political Science, the Department of Economics, the School of Social Service Administration, the Law School, the School of Education, and the University Libraries. Unusual opportunities are available to confer with skilled statisticians, psychologists, and experts in various other fields who are centered around the campus.



MAN'S-EYE VIEW OF THE UNIVERSITY OF CHICAGO

In the neighboring building—menaced by the arrow—are the administrative offices of the American Legislators' Association and of ten other governmental organizations.

Six of the directors: MESSRS. ASCHER, BROWNLOW, BANE, RIDLEY, STONE, and TOLL, have been appointed to the University of Chicago faculty as lecturers, and other members of the staffs are occasionally invited to give lecture courses. The regular members of the faculty, particularly those of the Department of Political Science and other departments in the Social Science Division, have been cordially coöperative and have given generously of their time when called upon for advice and assistance on special problems. CHARLES E. MERRIAM, Chairman of the Department of Political Science; HARRY A. MILLIS, Chairman of the Department of Economics; EDITH AB-BOTT, Dean of the School of Social Service Administration; SOPHONISBA BRECKIN-RIDGE, Professor of Social Economy; CHARLES H. JUDD, Dean of the School of Education; ARTHUR H. KENT, Professor of Law; FREDERICK KÜHLMAN, Associate Director of Libraries; SIMEON LELAND, Professor of Public Finance; WILLIAM F. OGBURN, Professor of Sociology; ERNST W. PUTTKAMMER, Professor of Law; HENRY SCHULTZ, Professor of Economics; DONALD SLESINGER, Professor of Law; L. L. THURSTONE, Professor of Psychology; LOUIS R. WILSON, Dean of the Graduate Library School, are but a few of the many to whom the organizations are deeply indebted for conference and consultation.

These organizations are, of course, entirely independent of the University, which is in no way responsible for the development of their programs. The cordial relations existing between those in academic work and those who are more concerned with immediate and practical problems, have, however, been highly profitable to both groups.

THE GOVERNORS' CONFERENCE

The first annual conference of the American Legislators' Association, held in Denver in 1926, sent a representative to the Governors' Conference in Cheyenne, to pledge the coöperation of this organization in the common cause of nation-wide improvement of state government. Since that time a cordial relationship has continued between these two quasi-governmental agencies, which represent the executive and the legislative departments of the 48 states.

The Governors' Conference and the American Legislators' Association are among the too few informal agencies through which the states can help to make up for the complete lack of any constitutional machinery for coördinating the work of the commonwealths. Brief meetings such as those of the Governors' Conference can cover no very great part of the field of state government. At least, however, these sessions bring the chief executives of the several states into contact and enable each of them to profit by an exchange of ideas, and to gain a wider appreciation of the efforts of neighboring states.

A more extended attempt to coördinate the work of the states and to standardize laws and practices of state governments has been made by the American Legislators' Association.

The Governors' Conference and the American Legislators' Association, enable each of the states to profit by the experience of the others and are agencies through which a greater conformity in administration and legislation may be brought about. The future is certain to see even greater effort in this direction.

The executive director of the American Legislators' Association, has a continuing invitation to sit in at the sessions of the Governors' Conference.

The Association congratulates the executives of the Conference upon the spirit in which they have arranged their programs and the subjects for discussion. In America today there is no more fundamental need than the rehabilitation of the legislative and executive departments of our forty-eight commonwealths.

JOINT CONFERENCES

The American Legislators' Association engages in many joint conferences and meetings. It is felt that this procedure is both beneficial and economical for all concerned. The subjects discussed are entirely within the field of government and largely pertain to legislation and administration. Since there is some difficulty in drawing an arbitrary distinction between these two functions it is advantageous for officials in each to know something of the allied branch.

The best example of joint conferences in

which the American Legislators' Association has participated is the Annual Conference on Government which was held in Cleveland in 1930, Buffalo in 1931, Washington in 1932, and Atlantic City in 1933. From eight to twelve organizations participated including in addition to the "co-operating organizations" listed above, the National Municipal League, and the American Political Science Association.

One of the most outstanding of recent conferences was the Western Conference on Government held at Berkeley, California; March 28-30, 1934. Nearly six hundred delegates—representing eleven states, seventy cities, and ninety organizations—gathered on the campus of the University of California at Berkeley to attend this conference. Legislators, city managers, mayors, financial officers, city planners, housing and welfare officials, researchers, and professors of government on the western side of the Continental Divide discussed common problems of government during three days of meetings. Among the participants were officials of the dozen governmental organizations which for several years have taken part annually in the National Conference on Government. Possibly this western meeting presages the development in the very near future of a series of regional conferences on government.

Encouragement

The *Chicago Daily News* gives editorial encouragement in an article entitled "Political Research in Chicago."

"Within the last five years Chicago has become the national center for organizations specializing in applied political science—that is to say, in the functioning of government, local, state and federal. Nine organizations, each representing a particular field or method of activity, are clustered in the neighborhood of the University of Chicago, which hospitably extends its facilities to them. A tenth, the Public Ad-

ministration Clearing House, serves all the others as a center for the interchange of information and points of view.

"That extraordinary concentration is a significant tribute to the importance of Chicago as a focal point for currents of thought and developmental tendencies which mark the increasing effort to make democracy function efficiently. But chiefly it is evidence of the intensive effort being made in the United States to effect a governmental readjustment to the complex problems of the day, and to justify the faith of the fathers in the fundamental principles upon which is based the organic life of the nation.

"In recent years the need for collective wisdom and cooperative action has been strongly felt. Thus the American Legislators' Association and the Interstate Assembly represent two phases of a growing movement to promote better understanding and constructive common policy among the forty-eight states. Associations of city managers, municipal finance officers, other officials and experts in municipal government, together with the United States Conference of Mayors, testify to the importance which is now attached to that field of administration. The principle of the merit system in civil service is represented by the Bureau of Public Personnel Administration. A phase of work which, because of unemployment, has assumed in exigency and cost a foremost place finds specialization in the American Public Welfare Association. Finally, an association of persons professionally engaged in governmental research furnishes a common scientific background.

"The existence of those agencies, with facilities for constant communication and conference, means that there are at work informed and creative forces whose enlightening influence increasingly affects the administration of public affairs. It is by such influence, if at all, that politics may be raised from its degenerated status as a game to its proper status as a science."

CHAPTER XIV

The Men Behind the Laws

*The 7,500 State Legislators Who Represent the
125,000,000 Citizens*

THE American Legislators' Association maintains an index file of all of its members which is the only complete list of the names, addresses, and party affiliations of state legislators in the country. When information on vocation and on legislative history is available, it is also recorded on the cards.

Until a legislature establishes a Committee on Interstate Cooperation and thus obtains the control over selection of its own councillors to which it is entitled, five men are selected in every house and senate in the forty-eight legislatures to act as councillors of the American Legislators' Association. These men receive State Government and are regularly advised of all Association activities. Thus they are in a position to acquaint their fellow legislators with the aims and services of the American Legislators' Association.

One asterisk before a name indicates that the legislator is a councillor; two asterisks indicate that he is chairman of the House (or Senate) Council in his state. In a few states the list has not been completed as this book goes to press.

The following pages contain the first complete list of lawmakers of the forty-eight states ever published:

STATE OF ALABAMA

Senate

*Bonner, John M.	Goldsmith, R. L.	Rogers, C. M. A.	Taylor, H. A.
Browder, I. J.	Kelly, J. L.	Rogers, John A.	Thomas, Earle
Carlton, O. D.	Locke, J. J.	Russell, Edgar P.	Thrower, Thomas J.
Chestnut, Webb	McDowell, A. M.	*Simpson, James A.	Tucker, Hayse
Cook, Grady W.	McNeil, Walter S.	Starnes, W. T.	Walden, D. A.
Dorsey, Isham J.	Mixon, W. B.	Stephens, F. G.	Walton, Will O.
*Fletcher, Shelby S.	Mooneyham, Floyd H.	St. John, Vernon L.	Weaver, L. A.
Frazer, T. S.	Parrish, W. A.	*Swift, G. R.	Wellborn, M. B.
Glover, H. L.	**Riddle, D. Hardy		Woodall, W. Carvell

House of Representatives

Adams, V. L.	Coleman, John C.	Hare, James A., Jr.	Livingston, Speer
Almon, T. C.	Connor, Eugene	Harris, John E.	Long, James W.
Arnold, John C.	Cook, Dan G.	Harrison, W. C.	*Lusk, John A., Jr.
Austin, J. C.	Cox, C. B.	Heslin, John T.	Mathews, B. H.
Bateman, John W.	Davis, Albert C.	Hendley, J. E.	McDermott, Wm. V.
Blann, S. M.	Deloney, John E.	Hill, Dr. R. L.	McGowin, Earl M.
Braswell, Dr. W. C.	De Vane, P. F.	Hinson, L. T.	McPhaul, A. B.
Bridges, Forrest G.	Dominick, Aubrey	Hodges, Harry	Miles, Dr. W. C.
Britton, T. W.	Doster, H. M.	Hollingsworth, J. W.	Moore, L. S.
Buffington, Luke W.	Douglass, Vernon J.	Hollis, A. U.	Norman, C. D.
Bulger, Mike J.	Glover, Lester	Johnston, Albert P.	Norman, M. R.
Burleson, F. E.	Goodwyn, R. Tyler	Jones, George Bliss	O'Neal, J. S.
Byars, J. D. L.	Goolsby, J. B.	Kelly, M. P.	Owen, Evan J.
Calhoun, W. Perry	Haley, J. P.	Kirby, A. D.	Owens, C. J.
Carter, J. D.	Hall, David M., Jr.	Langdon, R. G.	Parish, J. A.
Castleberry, Forrest	Hamner, R. F.	Lee, A. C.	Parish, J. H.
Chichester, John D.	Hanks, A. L.	Lee, W. J.	Parker, E. B.

THE BOOK OF THE STATES

House of Representatives—*continued*

Petrey, Walter L.
Poole, Joseph N.
Posey, G. W.
Posey, John A.
Propst, Frank Glenn
Quarles, George P.
Reeder, H. L.
Reid, R. A.
Reynolds, J. B.
*Robertson, M. L.

Robinson, Neil
Samford, William J.
*Sanderson, L. A.
Sanford, J. R.
Segrest, Charles E.
Shaver, Charles E.
Shipman, J. Milton
Sightler, S. B.
*Sparks, Chauncey

Sparks, W. S.
Spence, C. A.
Staples, Alfred L.
Steele, J. O.
Street, Dr. T. H.
Taylor, William C.
Tidmore, J. W.
Todd, J. R.
Tompkins, T. P.

Toomer, S. L.
**Tunstall, A. M.
Waldrep, Eugene E.
Walker, R. H.
Wallace, J. R.
Welch, W. S.
Whigham, C. E.
Wilkes, Norman C.
Williams, A. P.
Wright, Dr. L. J.

STATE OF ARIZONA

Senate

Angius, Dan
*Bush, Nellie T.
**Collins, Thos.
Ethington, Peter H.
Haldiman, Joe C.

Harrison, J. A.
Houston, E. T.
Hunt, Joe S.
Johnson, George A.
*Keefe, Paul C.

*McEachren, E. H.
Nelson, Aaron
*Nelson, G. W.
Patterson, W. E.

Rienhardt, Daniel E.
Riley, Peter
Stauffer, Clyde
Smith, J. Huber
Whiting, Bryant

House of Representatives

Armstrong, Bert C.
**Babbitt, James E.
Batchelder, G. A.
*Bohlinger, Edwin F.
Bowling, Frank
Caine, Bernard T.
Chavez, Justo A.
Chisum, Guy C.
Curry, M. E.
Danenhauer, Matt
Davis, Vernon G.
Franklin, Ben H.
Gardner, C. W.

*Gillett, William F.
Goodson, J. Melvin
Gray, M. A.
Heron, James R.
Hill, Raymond S.
Imler, Tom J.
Isley, Philip A.
Kenworthy, R. W.
Love, J. E.
Mader, Harry J.
Marks, David J.
Morrow, Robert E.

Murray, O. L.
O'Neill, Ben J.
Orthel, John H.
Palmer, W. R.
Penny, D. M.
Patterson, Don R.
Petersen, William
Peterson, Jam.
Porter, Mrs. B. M.
Pratt, M. G.
*Rapp, John H.
Reichard, V. A.
Richards, Thomas S.

Riggs, L. Alton
*Rosenbaum, W. G.
Sharpe, Frank W., Jr.
Skinner, Frank
Steinel, P. C.
Sullivan, Harry J.
Thompson, C. T.
Tway, Thos. D.
Webb, Fred
Williams, L. S.
Wilson, J. C.
Wisdom, William
*Wisener, William

STATE OF ARKANSAS

Senate

Armstrong, Fred S.
Ashley, John C.
Barney, H. M.
*Cardwell, Wilson
Carnes, G. C.
Cole, Andrew W.
Crutchfield, R. Lee
Dillon, Edward B.
Ellis, Clyde

Evans, Charles I.
Fagan, Ellis
Featherston, Alfred
Gathings, E. C.
Gilbert, Ivo W.
Gregg, C. B.
Hall, Joe
Hardy, Dr. H. B.
Harris, Marvin

Holloway, Claude
Johnson, A. J.
Lake, Winifred
Levine, Sam N.
Livingston, J. W.
*Marlin, Tom
**Milum, Roy
Norrell, W. F.

Parish, John F.
*Shaver, J. L.
Switzer, Ovid T.
Taylor, Armil
Thompson, R. R.
Ward, J. Paul
*Ward, William L.
Wheatley, Walter
Wilson, John L.

House of Representatives

Baker, Eugene B.
Beck, J. O. E., Jr.
Berry, Earle
Blair, Ray
Blount, Golden
Bolton, Cal M.
Boulware, R. T.
Bradford, Clyde
Buerkle, Louis K.
Brown, Lyle
Buckalew, Hollis
*Burke, F. N.
Burris, Dorin
Butt, John K.

*Campbell, James R.
Carraway, W. M.
Carter, Ben E.
Carter, V. N.
Chapman, A. B.
Cheyne, E. H.
Childers, J. C.
Crisp, R. W.
Christian, Dr. J. A.
Clark, L. W., Jr.
Clerget, Gus
Coleman, Adrian
Colvin, G. B.
Combs, W. Lee

Condrey, Robert
Copeland, W. W.
Coward, Claude
Crawford, Ivy W.
Crawford, Sam D.
Crossno, S. J.
Cummings, Maupin
Dawson, J. C.
Eicher, D. E.
Elgin, O. B.
Ferguson, Zeb V.
Fletcher, W. E.
Foster, Joe
Fox, Homer W.

Garner, Ezra
Gates, O. E.
Gooch, S. A.
Grider, R. H.
Hampton, Eugene
Hardgrave, G. L.
Harris, Carleton
Holland, Chester
Horton, Dennis
Horton, Joe
Houston, G. E.
Hurst, Mrs. Ella B.
Jones, Fred
Killian, Charles S.

House of Representatives—continued

Langley, R. L.	Northcutt, H. A.	Rountree, M.	*Thorne, Harvey B.
Maner, Ernest	Nyberg, Leo E.	Rowell, Hendrix	Tibbles, Dr. W. O.
Mason, R. K.	Pilkington, I. L.	Rye, John H.	Toland, Dr. W. H.
McCall, B. B.	Proctor, Marcus W.	Sampier, J. Wesley	Toney, H. Kemp
McCollum, Fred	*Raney, Walter W.	Silvey, J. B.	Underhill, Ralph
McGraw, B. F.	Rea, Ralph	Smith, J. Erskine	Ward, Joe H.
**McHaney, E. L., Jr.	Rector, H. M.	Stephens, Al J.	Warfield, Carneal
Miller, Marcus E.	Reints, Neal	Sykes, J. E.	Watson, C. W.
Milwee, Minor	Rice, W. S.	Thomas, H. Steve	Wilkes, Luther J.
Mitchell, Shelby	Richardson, O. G.	Thompson, Emory A.	Wilkinson, Means
Moore, I. N.	Rogers, V. A.	Thompson, W. M.	Woolsey, Mark

STATE OF CALIFORNIA

Senate

Biggar, George M.	Hulse, Ben	Olson, Culbert L.	Seawell, Jerrold L.
Crittenden, B. S.	Jespersen, Chris N.	Parkman, Harry L.	*Sharkey, Will R.
Deuel, Charles H.	King, Charles	Perry, Harry A.	Slater, Herbert W.
Difani, Leonard Jos.	Knowland, William F.	Pierovich, A. L.	Snyder, Bert B.
*Duval, Walter H.	McColl, John B.	Powers, Harold J.	Stow, Edgar W.
Edwards, Nelson T.	McCormack, Thomas	Reindollar, Charles F.	*Swing, Ralph E.
Fletcher, Ed	McGovern, Walter	**Rich, W. P.	*Tickle, Edward H.
Garrison, J. C.	McGuinness, Henry	Riley, Joe	Wagy, J. I.
Gordon, Frank L.	Metzger, D. Jack	Schottky, Andrew R.	Williams, Dan E.
Hays, Ray W.	Mixter, Frank W.	Scollan, Thomas P.	Young, Sanborn

Assembly

Anderson, H. Dewey	Evans, Herbert J.	Laughlin, Frank D.	Phillips, John P.
Andreas, Godfrey A.	Evans, Ralph W.	Lore, Elmer E.	Reaves, Fred
Boyle, James J.	*Field, C. Don	*Lyon, Charles W.	Redwine, Kent H.
Brennan, Jas. F.	*Fisher, Charles W.	Maloney, Thomas A.	Richie, Paul A.
Burns, Michael J.	Flint, Gene	Martin, Frank G.	Riley, Harry B.
Cassidy, James M.	Frazier, John E.	Mayo, Jesse M.	Robertson, Alfred W.
Chatters, Ford A.	Fulcher, Clinton J.	McBride, J. J.	Rosenthal, Ben
Clark, John G.	Garibaldi, James D.	McCarthy, John D.	Scarborough, John
Corwin, Gordon W.	Geyer, Lee E.	McMurray, Patrick J.	Scudder, Hubert B.
Cottrell, C. C.	Gilbert, Wilbur F.	Meehan, Henry P.	Stream, Charles W.
**Craig, Edward	Gilmore, Joseph P.	Miller, Eleanor	Thorp, James E.
*Cronin, Melvin I.	Glover, A. Franklin	Minard, Claude	Turner, Rodney L.
Crowley, Ernest C.	Hawkins, Augustus F.	Morgan, Geoffrey F.	Utt, James B.
Cunningham, Thos. J.	Heisinger, S. L.	Nielsen, Roy J.	Voigt, Ernest O.
Dawson, Kennett B.	Hornblower, Wm. B.	O'Donnell, John H.	Wagner, Charles J.
DeLap, T. H.	Hunt, Charles A.	Patterson, Ellis E.	Wallace, Ralph W.
Desmond, Earl D.	Johnson, Gardiner	Peterson, Frederick	Waters, Frank J.
Donihue, Leon M.	*Jones, Wm. Moseley	Pelletier, John B.	Welsh, Ralph Louis
Donnelly, Hugh P.	Kallam, Clifford R.	Peyser, Jefferson E.	Williamson, Ray
Eicke, Dana P.	Latham, E. V.		Wright, Frank W.

STATE OF COLORADO

Senate

Abott, John G.	Gaylord, Fred	Houston, George M.	Nolon, John, Jr.
*Affolter, Edward	Gilliam, Edward R.	Houston, Harvey H.	Ragan, Burt
Ammons, Teller	Headlee, A. Elmer	Hudson, Guy	Sanders, Grant
Broad, Richard, Jr.	Healy, John F., Jr.	Hunter, D. E.	Smith, Lynn
Chapman, Roy M.	Herrin, V. C.	*Knous, Lee	**Talbot, Ray, Lt. Gov.
Christensen, Fred T.	*Hill, Vern S.	Litch, Norman	Taylor, Sam Tesitor
Cummings, Ralph J.	Hirschfeld, A. B.	Madrid, J. M.	Walbridge, L. B.
Ehrhart, T. J.	Hotchkiss, Clair	McCarty, Phil	Wheeler, Charles F.
*Elliot, David		Miller, James R.	William, Lloyd

House of Representatives

Armstrong, Charles E.	Becker, Lou E.	Childress, T. F.	*Constantine, Joseph P.
Atencio, H. J.	Brownlow, James A.	Clennan, Thomas H.	Crowley, Clem
Baker, George J.	Carlson, W. A.	Colorado, Dominic A.	Curtis, Wilbur L.

THE BOOK OF THE STATES

House of Representatives—*continued*

Davies, Harold	Higby, W. E.	Matthews, Edward T.	Poppen, A. H.
Day, William H.	Hillman, Charles A.	Mayer, J. E.	Preston, Wilbur B.
Deeds, Earl M.	Hoefnagels, E. J.	McAuliffe, Gerald E.	Ray, Roy
Dickinson, John P.	Hughes, Pete	McDonald, James H.	Rivers, Frank R.
*England, W. J.	Jankovsky, Joe C.	McFarland, A. J.	Schmidt, C. P.
Fordham, E. E.	Jensen, James	McIntyre, Otis E.	**Smith, Moses E.
Frey, George P.	Johns, Harry C.	McKinney, Henry E.	*Strain, M. E.
Graham, Jas. W., Jr.	Johnson, Rudolph	Mulvihill, Thomas N.	Stuntz, George H.
Griffith, James E.	Johnston, David C.	Nevin, Thomas W.	Tinsley, A. C.
Guerrero, A. M.	Keating, Bert	Nolan, Frank J.	Trainor, J. J.
*Hallen, George	Kelly, Herbert C.	O'Toole, Frank J.	Vignol, Jerry
Harney, P. E.	Lilley, Charles W.	Pitcock, Walter P.	Wilson, J. Carl
Haynes, Harlan K.	Lowderback, Ray E.	Plummer, Joe.	Wood, Orton
Henry, E. W.			

STATE OF CONNECTICUT

Senate

Barney, Austin D.	Culhane, George T.	Hogan, Francis W.	Robbins, David R.
**Blackall, John C.	Daly, Matthew A.	Hungerford, Wm. C.	Rumpf, Charles P.
Bradley, H. M., Jr.	*Devlin, Raymond J.	Kelley, Arthur T.	Secor, Audubon J.
Bradley, J. Kenneth	Dimock, Edwin R.	Lawlor, Joseph H.	Shea, Cornelius D.
Brennan, E. Gaynor	Eccles, Albert E.	Lynch, John F.	Spiro, Nathan
Claffey, Robert F.	Fox, John O., Jr.	Malkan, Samuel H.	Stremlau, Julius C.
Colton, Fred M.	Gebhardt, Edmund R.	Morgan, Stanley	Taft, John M.
Costello, Cornelius C.	Hagearty, William E.	O'Connell, A. Wayne	Thompson, Harvey L.
*Cramer, Kenneth F.	*Harwood, Benj. E.		Tracy, J. Sedewick

House of Representatives

Allard, Wilfred D.	Bronson, Howard E.	Dunlap, William J.	Hickey, Daniel F. B.
Allen, John T.	Brown, Curtis P.	Eliot, John L., Sr.	Hindinger, William H.
Allyn, W. Ellery	Brown, Harold F.	Ely, Edward D.	Hine, Walter S.
Amidon, Andrew H.	Burke, L. Paul	Emmons, Nathaniel E.	Hodge, Merton R.
Amprimo, Aldo	*Burns, J. Agnes	Estill, Joe Garner	Hogan, James F.
Anson, James M.	Caron, Aime J.	Fagan, William W.	Holbrook, Fredrk. H.
Anthony, Albert E.	Carey, John	Farmer, Marjorie D.	Holmgren, Theresa
Arrigoni, Charles J.	Carlson, Walfred C.	Fatscher, George C.	Honan, William A.
Ashman, R. F.	Carpenter, Ernest E.	Faucher, L. P.	Honold, C. Albert
Austin, Wilbert N.	Case, Theodore G.	Field, Warren A.	Horton, Edmund H.
Avery, Irving J.	Casella, Anthony D.	Finn, George J.	Howe, Walter
Avitabile, A. L.	Casey, James H.	Fontaine, Victor P.	Hoxie, George H., II
Badger, Claude V.	Chamberlain, Harry B.	Foster, Christie H.	Hull, Sylvia G.
Baldwin, Clarence F.	Chase, John W.	Fraser, Donald A.	Humphrey, Harold W.
Baldwin, Herbert E.	Christensen, John	Frink, Herman E.	Humphrey, Lemuel P.
*Ball, Thomas R.	Church, Hollis F.	Fuller, A. Morgan	Huntington, C. A., Jr.
Ballou, Frederick D.	Clark, Daniel B.	Gagnon, Francis A.	Hurley, Margaret C.
Bancroft, James W.	Clark, Hallett F.	Galavin, James W.	Hutchings, C. E.
Banks, George W.	Clark, Ralph N.	Gallup, Linder W.	Jackson, Charles H.
Barnes, Frank H.	Cohen, Herbert L.	Gates, Edward O.	Jackson, Joseph L.
Barrows, Raymond C.	Collins, Alvin C.	Gerrish, Robert H.	Jewett, Carl W.
Barry, John C.	Converse, Frank B.	Gillotti, Joseph J.	Jeynes, Alfred W.
Bartle, Thomas J.	Cornforth, Clarence C.	Goettler, Gus L.	Johnson, Charles L.
Bartlett, Dorothy J.	Corning, Morris S.	Goodman, Richard J.	Johnson, Herbert S.
Beecher, Seth N.	Cowdell, George H.	Goodrich, Charles E.	Johnston, H. Selden
Bell, J. Mortimer	Crawford, Sara B.	Greenleaf, Arthur A.	Jones, Ansel R.
Bender, Harry G.	Crofts, Alfred H.	Griswold, Leonard C.	Jones, George E.
Bentley, Raymond G.	Curtis, Newton M.	Guyott, Louis E.	Judson, Robert O.
Bergen, Jack C.	Curtis, William M.	Hall, Linus H.	Kane, William V.
Bessette, John M.	Deering, Daniel D., Jr.	Hall, Raymond E.	Kelleher, James W.
Bigelow, Erastus B.	Dennis, Edward L.	Hamre, Gustave A. R.	Keefe, Maurice J.
Blakeslee, Waldo S.	Dick, James M.	Hanley, Bernard C.	Keeney, Julia Allen
Boucher, Lionel E.	Dickinson, Stanley L.	Hanna, William	Kelly, Bernard A.
Boynston, Kenneth B.	Doran, Frank A.	Hayden, J. Garfield	Kirwin, Thomas P.
Bradley, William B.	Dowling, Robert M.	Hayes, George	Kitchel, Helen B.
Bradley, Henry H.	Downs, Ralph R.	Herr, Wilson F.	Knowlton, Royal O.
Breakell, Edward L.	Doyle, Julia H.	Hewes, Philip	Krapf, Anthony E.

House of Representatives—*continued*

Kugeman, Lionel	Mohn, Geo. L.	Ryan, Thomas N.	Thornhill, John S.
Lamb, John E.	Morse, Harry B.	Samuelson, S. Harold	Thornton, William J.
Lamphier, Eugene H.	Mull, Benjamin L.	Sanford, Charles M.	Tonkonow, Benjamin
Leavy, Thomas F.	Nevius, Clarissa	Schenherr, Grace H.	Towne, Clinton D.
LeFebvre, Joseph A.	Nichols, Finette B.	Scott, Wilfrid	Trowbridge, C. E.
Leonard, Peter J.	Northrop, Caro H.	Seaman, Edward	Turkington, Ferris R.
Lewis, Clara W. M.	Norton, Stanley W.	Seymour, Ralph A.	Vincent, Charles H.
Lewis, Julius B.	Nothnagle, Edward	Seymour, Robert S.	Wadsworth, Adrian R.
Loper, Ray C.	Orcutt, Franklin R.	Shea, Michael J.	Wallace, George M.
Lown, Harvey B.	Paine, Irving A.	Shea, Thomas J.	Walsh, Vincent J.
Lucas, Harold G.	Parkhurst, Richard	Shethar, Samuel	Walsh, Walter W.
Ludwig, Alfred F.	Parsons, Robert E.	Smith, Dwight E.	Wanzer, William D.
Lynch, John E.	Pastore, Philip R.	Smith, Edwin O.	Warncke, George L.
Lyons, William J.	Peck, Elmer N.	Smith, William R.	Warren, William S.
Maciora, Lucien	Peck, Ralph P.	Spaulding, A. Ward	Watt, Raymond
Magee, John L.	Perregaux, R. H.	Spellman, Nicholas J.	Wheeler, Arthur G.
Mahaney, Daniel J.	Platt, Isaac C.	Spencer, Elliot A.	Wheeler, William N.
Main, Calvin R.	Plimpton, K. DeP.	Stark, William G.	White, Frederick L.
Marsh, Gerald G.	Polhill, Harry C.	Stewart, Nellie D.	White, Montague
McBee, Doris	Pratt, Gilbert F.	Stotts, Clarence F.	White, Robert L.
McCarthy, Leon E.	Purple, Mayo S.	Sturtze, William H.	Whitney, George E.
McDermott, Wm. F.	Ransom, George	Sullivan, Cornelius J.	Wilcox, Frank N.
McEnerney, Frederick	Reutemann, J. Edw.	Sullivan, John F.	Williams, Albert H.
McGarry, John	Reynolds, Charles	*Swayne, Noah H.	Wolff, William M.
McGuire, William A.	Reynolds, Ralph V.	Talbot, Leon A.	Woods, Thomas, Jr.
McNierney, Ralph J.	Rizner, George C.	Tefft, Robert A.	Woodward, Maud L.
**Mead, Stanley P.	Robitaille, Charles F.	Telesca, Anthony W.	Worthington, C. R.
Messenger, William R.	Rogers, Thomas J.	Thompson, Fenton	Wright, Merton F.
Middlebrook, A. D.	Roser, Conrad H.	*Thoms, John D.	Yesukiewicz, S. A.
Mitchell, Asahel W.	Russell, Harry B.		Ziegra, Louis R.

STATE OF DELAWARE

Senate

Bancroft, Frank C.	Frasher, Milton T.	*Matthews, Wm. E., Jr.	*Simonton, Wm. A.
Cannon, John Roy	Glenn, Edward L.	*McCabe, James B.	Van Sant, C. R.
Chandler, Ebe H.	**Maloney, Levi L.	Neugebauer, Chas. A.	Walls, Fred A.
Davis, James L.	*Marshall, Dr. Samuel	Ross, Donald P.	Wright, Norris N.
Davis, W. Mailly			

House of Representatives

Bailey, Leon A.	Esham, James J.	Kelton, Robert B.	Schorr, Sigmund
Baker, Alvin O.	Evans, James S.	Lekites, Albert P.	Shaw, James G.
Brogan, Joseph M.	*Heal, Burton S.	*Lyons, Harry V.	**Simon, Morris
Brown, Carroll B.	Hobson, William T.	Paskey, Walter J.	Steele, William Daniel
Buckson, Howard M.	*Hughes, Randolph	Peel, Archie L.	Tyndall, John M.
Clark, George R.	Hurley, Leroy B.	Pierce, Willard R.	Warren, Lawrence E.
Dill, Harry J.	Hutchinson, Jos. C.	Pool, Frank R.	White, Henry C.
Dugan, Leo J.	Joseph, Frank L.	Rentz, F. Leslie	Wright, Fred M.
Durnall, George Irvin		Roe, William G.	*Zebley, Frank R.

STATE OF FLORIDA

Senate

Adams, R. S.	Harper, Herbert C.	Murphy, H. G.	Shivers, Olin G.
Bass, Clayton C.	**Hodges, Wm. C.	Nordman, F. B., Jr.	Sikes, James F.
Beacham, John R.	Holland, S. L.	Pannill, William	Smith, J. Slater
Beall, Philip D.	Lewis, H. H.	Parker, F. P.	Smith, Dr. S. C.
Black, R. Lucas	Lundy, E. H.	*Parrish, J. J.	Sweger, R. L.
*Butler, J. Turner	Mann, Dr. J. M.	Raulerson, C. F.	Tervin, Wallace
Clarke, S. D.	McArthur, A. G.	Rose, Walter W.	Tillman, Henry
*Futch, Truman G.	McKenzie, H. S.	Savage, C. A.	Touhcton, Fred L.
*Gillis, D. Stuart	McWilliams, W. A.	Shelley, W. P.	Turner, J. W.
Gomez, Arthur			Watson, John W.

THE BOOK OF THE STATES

House of Representatives

Baker, L. R.
Banks, James J., Jr.
Best, M. A.
*Bishop, W. B.
Black, F. A.
Boe, R.
Bonifay, W. A.
Brady, E. E.
Bruhs, C. W.
Bruton, James D., Jr.
Bucholz, F. W.
Burke, John S.
Burnett, Carl W.
Burns, J. W.
Butler, Thomas W.
Butt, Noah B.
Chappell, Dan
Childers, E. F.
*Christie, W. McL.
Cole, John W.
Collier, C. M., Sr.
Collins, Leroy
Coogler, M. A.
Cowart, R. E.

Coxwell, Thomas L.
Crocker, O. Lamar
Davis, Amos H.
Denison, Ed
Dixon, W. R.
Driver, M. R.
Dugger, J. D.
Early, John L.
Edney, T. H.
Fearnside, H. M.
Folks, A. B.
Frost, M. M.
Getzen, Samuel W.
Godwin, W. C.
Gregory, G. Scott
*Griffis, William
Hale, Caspian
Hancock, J. A.
Hardee, Bascom O.
*Harrell, F. B.
Hatch, J. P.
Hazen, Dr. O. B.
Herndon, O. P.
Hill, J. Clarence

Hubbell, W. W.
Hunt, Charles W.
Ives, Norman P.
Johns, Charley E.
Kanner, A. O.
Kelly, Dan, Jr.
Kelly, J. Locke
Kennedy, I. N.
Knight, E. M.
Larson, C. Wesley
Lea, G. O.
Matthews, D. B.
McKinney, J. M.
McLeod, R. Don
McLin, W. S.
McNeill, A. D.
Merritt, R. M.
Miller, J. N.
Mincer, Glen C.
Papy, Bernie C.
Preacher, S. M.
Price, A. A.
Roberts, N. E.

**Robineau, S. Pierre
Robison, W. F.
Rogers, Dwight L.
Rogers, John R.
Sandler, Harry N.
Saunders, Harry H.
Scofield, Geo. W.
Shepherd, Jurant T.
Simmons, B. L.
Sims, J. E.
Smith, C. H.
Stewart, Elbert L.
Wadsworth, L. E.
Walker, Eli C.
Ward, G. Fred
Warren, Walter
*Westbrook, George F.
Whiddon, W. S.
White, Jack F.
Williams, J. J.
Williams, W. E.
Wood, G. P.
Wood, William J.
Woodward, C. C.

STATE OF GEORGIA

Senate

Almon, Z. P.
Atkinson, David S.
Beasley, John C.
Cannon, R. E.
Carrington, John W.
*Carswell, George H.
Chappell, Allen
Clark, James H.
Cooper, W. O., Jr.
Crawford, J. Sante
Darden, Allen W.
Dickerson, F. M.
Dennis, Frank A.

Duncan, J. P.
Edenfield, Homer
Evans, Randall, Jr.
Fulghum, Chas. C.
Gary, Dr. Loren B.
Gaskins, J. Henry
Goodwin, W. M.
Harden, C. Z.
Hart, William A.
Johnson, Linton S.
Johnston, Joe. E.
**Jones, John J.

Kiker, C. W.
King, E. R.
Kirkland, J. D.
Lancaster, P. M.
Larsen, W. W., Jr.
*Lester, W. M.
McGehee, John H.
McGinty, Roy, Jr.
McLeod, A. N.
McWhorter, Hamilton
Millhollin, J. H.
Millican, G. Everett
Pope, J. Ellis

Ragan, L. C.
*Rawlins, Preston
*Redwine, Chas. D.
Rucker, Lamar C.
Scott, W. Fred
Simmons, J. M.
Skelton, James H., Sr.
Smith, H. Dixon
Strickland, J. Marvin
Thomas, W. M.
Turner, Frank
Vaughn, C. R.
Wright, J. A.

House of Representatives

Adams, Worley
Allen, Marion H.
Almand, Bond
Almand, E. L.
Anderson, R. C.
Ansley, C. C.
Ansley, David H.
*Arnall, Ellis G.
Atwood, Henry G.
Bannister, H. R.
Barnard, J. E.
Barger, J. Jones
Barrett, W. K.
Batchelor, F. S.
Bennett, John W., Jr.
Benton, L. O., Jr.
Black, John D.
Bland, D. G.
Blease, W. R.
Bloodworth, Luther

Bond, M. L.
Booth, Verlyn
Bowden, C. L.
Bradley, J. D.
Brinson, B. O.
Brisendine, W. G.
Brooks, Roland
Brown, Lawrence
Brown, S. Hadley
Brown, S. M.
Burgin, J. S.
Bush, I. B.
Camp, Dr. G. W.
Campbell, R. Pat
Caswell, Paul E.
Claxton, C. S.
Claxton, Q. L.
Clements, J. McKrae
Clements, Jerome M.
*Cobb, Carlisle

Cohen, Girard M.
Coleman, Theo W.
Coxon, Mrs. Helen
Culpepper, I. F.
Culpepper, J. W.
Darnell, Carl
Daughtry, A. W.
Davis, Duke
*Davis, Ernest M.
Deal, A. M.
Dean, William T.
DeLoach, R. E.
Dobbins, Harold
Dorris, W. H.
Douglas, John B.
Durdan, A. N.
Dyer, S. H.
Edwards, H. B.
Edwards, W. C.
Ennis, J. H.

Etheridge, J. P.
Felton, Wm. H.
Flynt, J. J.
Fowler, James
Freeman, Joseph
Freeman, R. H., Jr.
Gammage, George M.
Gardner, James A.
Garrett, Lawrence
Gavin, Chester
Gilbert, Jeff
Gnann, Fred B.
Goolsby, Joe
Grayson, Spence M.
Griffin, Carl
Griffin, S. Marvin
Green, Lamar
Groover, M. E.
Groves, L. C.
Guess, Carl N.

House of Representatives—continued

Hammock, Olin	Lewis, Ralph E.	Patten, M. S.	Tapp, Glyndon P.
Hampton, R. T.	Lindsay, Paul L.	Patten, W. F.	Teasley, Jno. R.
Hand, Fred	Mallory, E. Y.	Peebles, W. S.	Terrell, J. Hudson
Harris, Roy V.	Mann, R. E. L.	Peek, C. W.	Terrell, J. Render, Jr.
Harrison, E. S.	Manning, Jas. T.	Perry, Terrell R., Jr.	Terrell, Joel H.
Hartsfield, Wm. B.	Marshall, A. A.	Peters, J. S.	Thompson, J. R., Jr.
Head, Grady	Martin, S. W.	Pound, Marvin G.	Thoms, Marion
Hefner, E. C.	McBride, Clifford	Preston, J. T.	Thrasher, Tigner E.
Henderson, D. J.	McCracken, Roy	Preston, Prince H., Jr.	Tipton, Thos.
Herndon, T. Oscar	McCranie, Manning	*Ramsey, Ralph L.	Townsend, J. M. C.
Hogan, Robert L.	McCutchen, Kelly	Rawlins, W. M.	Twitty, R. W.
Hogg, H. Willis	McGraw, R. A.	Reagan, E. L.	Warnell, D. B.
Holland, Gilbert S.	McNall, Frank A.	Rivers, E. D.	Watkins, T. R.
Hooks, B. A.	Milam, Wiley G.	Ross, A. R.	Watson, H. H.
Horton, Reese	Minchew, A. T.	Sabados, George L.	Weathers, E. G.
Houston, Leon	Mitchell, F. G., Sr.	Salter, Roy	Weeks, J. L.
Howard, Dr. Chas. N.	Mitchell, W. H.	Sammon, F. Q.	Welsch, Sam J.
Howard, H. L.	Moore, G. N.	Sartain, J. A.	West, Victor H.
Jackson, Guy D.	Moore, H. Grady	Saunders, G. B.	Whaley, John K.
Jackson, Dr. J. B.	Morris, M. J.	Scruggs, M. P.	Whitmire, R. B.
Joel, Jake	Moye, Dr. T. R.	Settle, E. Smith	Williams, C. A.
*Johnson, J. E.	Mundy, W. W.	Shedd, J. P.	Williams, Carl C.
Johnston, W. S.	Musgrove, W. V.	Shirah, Milton A.	Williams, H. L.
Jones, Fred C.	Neal, Jule C.	Smith, L. M.	Williams, H. Odell
Jones, W. Harley	Newby, Robert	Smith, Wm.	Williams, T. V.
Kelley, T. F.	Oden, Dr. Lewis	Spivey, J. B.	Willingham, Tom
Kerbo, Joe H.	Parham, Jep H.	Standard, W. T.	Wilson, Fain S.
Lanier, W. D.	Parker, J. N.	Stephens, Rufus I.	Woods, Alonzo H.
Lee, J. F.	Parker, John C.	Sutton, C. E.	Wrench, T. W.
Leonard, E. A.	Parks, W. L.	Swann, J. P.	Young, T. J.
*Leonard, Wm. A.	Patr, Emory F.	Swindle, J. H.	Zellner, A. M.
Lewallen, Floyd			

STATE OF IDAHO

Senate

Adamson, D. E.	Dow, Robert E.	Loosli, Dimond	Rich, Edward C.
Atkele, Andreas	Erb, R. S.	May, Joseph E.	Rigby, L. Y.
Baker, Charles F.	Friend, C. H.	Metcalf, Frank	Ryan, Philip
*Barlow, Kimber C.	Gardner, David I.	Miller, W. G.	Shimp, Harry C.
Blake, Bruce	Gibson, Wesley	*Mitchell, Perry W.	**Stratton, Owen T.
Brookman, E. A.	Glauner, William	Neil, James H.	Tapper, W. J.
Burtenshaw, L. L.	Henderson, B. W.	Newport, J. B.	Whitten, R. E.
Callahan, Donald A.	Hinton, Walter J.	Peters, William A.	Williams, W. W.
Choules, Alfred	Jenny, J. F.	Purcell, L. I.	Wilson, R. B.
*Clark, C. A.	Just, James	Rab dau, Joe	*Woodward, Frank E.
Gonnor, T. Dan	Lafrenz, Frank H.	Reynolds, Fred O.	Yost, Harry L.
Donart, George			

House of Representatives

Albrethsen, Adolph L.	Fry, Daniel P.	Jones, H. W.	Satterfield, A. Y.
Anderson, Leonard C.	Goodwin, V. C.	King, Clarence	Sharp, J. M.
Andrus, S. Reed	Gossett, Charles	Klepfer, S. J.	Siddoway, J. C.
Bailey, Robert G.	Graham, Guy	*Leavitt, C. C.	*Smith, Troy D.
Barry, Harry W.	Handy, J. A.	Lewis, Hyrum S.	Snow, Arthur
*Boyle, Neil F.	Harn, Harry R.	Kind, O. J.	Talboy, Walter E.
Bradbury, Fred H.	Harrington, Fred	Lindsay, D. K.	Taylor, Wilford J.
Callaway, Dr. Mary	Hendricks, Orval E.	Lusk, James R.	Thornburg, L. H.
Cavanaugh, Dan J.	Herrick, Coit E.	Meade, Owen	Thornton, W. C.
Christenson, F. L.	Hersley, George	Meeker, J. R.	Turk, Joe
Coker, Tracy	Hove, Fred E.	Nelson, Fred	Waddoups, T. C.
**Curtis, George H.	Hussman, W. B.	Powell, B. H.	Whittle, Perry D.
Day, J. H.	Hynes, William J.	Powers, H. E.	Wilson, B. F.
Dewey, John C., Jr.	Jensen, Lorenzo	Ramey, Louis F.	Wilson, C. B.
Foreman, D. I.		Ray, D. C.	*Wright, Silas L.

THE BOOK OF THE STATES.

STATE OF ILLINOIS

Senate

Baker, Charles W.
Barbour, James J.
Barr, Richard J.
Behrman, Carl
Benson, Arnold P.
Bidwill, Arthur J.
Boeke, Harry C.
Broderick, John
Burgess, H. S.
Carroll, Patrick J.
*Clifford, W. E. C.
Connors, William J.
Dixon, George C.

Ewing, Clinton L.
Finn, W. L.
Fibley, John W.
**Graham, Richey V.
*Gunning, Thos. P.
Harper, Robert M.
Hickman, W. H.
Huckin, Frank J., Jr.
Karraker, R. Wallace
Keane, Thomas E.
Kielminski, Peter P.
King, William E.

Kribs, Chas. J.
Lantz, Simon E.
Lee, John M.
Leonardo, James B.
Lohmann, Martin B.
Loughran, Francis J.
*Mason, N. M.
Mayor, James C.
Maypole, George M.
McDermott, Frank
Mendel, Joseph
Menges, Louis J.
*Monroe, James O.

Mundy, J. S.
O'Connell, Jerome
Paddock, Ray
Penick, Mark A.
Searcy, Earl B.
Serritella, Daniel A.
Shaw, R. M.
Sieberns, L. C.
Smith, T. V.
Stuttle, Harry C.
Tuttle, Oral P.
Ward, Harold G.
Williams, Louis O.

House of Representatives

*Adamowski, B. S.
Adduci, James J.
Allen, Henry C.
Allison, Robert H.
Alpiner, Ben W.
Arnold, Laurence F.
Auth, A. L.
*Bauer, George J.
Benson, Ole E.
Berman, Louis G.
Bingham, John A.
Bolger, Thomas A.
Bolton, John M.
Boyle, James P.
Brands, A. A.
Branson, R. J.
Breen, P. J.
Broche, Arthur T.
Brookhouse, W. E.
Browner, M. F.
Bruer, Calistus A.
Burns, James T.
Carroll, William M.
Coia, Chas.
Collins, Dennis J.
*Crisenberry, R. G.
Cross, Hugh W.
Crowley, Leo D.
Cutler, Reed F.
Davis, Jos. H.
DeGrazio, Joseph N.
Devine, John P.
Dinneen, Dan
Donahue, Joseph H.
Douglas, Warren B.
Downing, T. Mac
Easterday, C. F.
Edwards, W. O.
Farina, Joseph E.

Field, Abner
Fitzgerald, George A.
Foster, Frank E.
Franz, Charles D.
Franz, Matt.
Fries, Frank W.
Gaines, Harris B.
Gorman, Howard J.
Gormley, William J.
Granata, Peter C.
Green, Hugh
Green, Leroy M.
Halick, Stanley A.
Hall, T. W.
Hannigan, Michael E.
Harris, Lloyd (Curly)
Hayne, Edward G.
Heckenkamp, Jas. E.
Hennebry, Michael F.
Holten, Frank
Hruby, John O.
Hubbard, Nicholas
Hunter, David, Jr.
Jenkins, Charles J.
Jezierny, Peter P.
Johnson, Calvin D.
Johnson, Gustaf J.
Johnson, Verne R.
Kaindl, A. M.
Kalahar, Maurice O.
Kewin, Bernard J.
Kluczynski, John C.
Knauf, Henry
Koehler, Charles A.
Kostka, James
Lager, A. B.
Laughlin, Edward E.
Lawler, William J.

Lenane, Thomas J.
Lewis, F. W.
Lewis, Louie E.
Lorton, Sam S.
Luckey, H. M.
Lyons, Richard J.
McCarthy, Frank A.
McCaskrin, Harry M.
McClure, Frank W.
McDonald, Victor H.
McSweeney, John R.
Noonan, George Garry
Nowlan, James A.
O'Grady, Edward P.
O'Keefe, Raymond T.
O'Neill, Lottie H.
O'Neill, Schaefer
Peppers, John M.
Petefish, Glen
Peters, Everett R.
Petit, John Frank
Petlak, Edward J.
Petrone, Robert
Powell, Paul
Powers, William W.
Prignano, A. J.
Quinn, Arthur J.
Randolph, R. R.
Kategan, Joseph L.
Reavill, Fred A.
*Rennick, Frederick W.
Rigney, Hugh M.
Ring, Frank G.
Robert, Daniel A.
Roderick, Solomon P.
Ruddy, Michael A.
Russell, Joseph W.
Ryan, Frank

Ryan, John G.
Saltiel, Edward P.
Sandquist, Elroy C.
Scarborough, Henry F.
Schnackenberg, E. J.
Scott, Clarence P.
Searle, Clinton
Shanahan, David E.
Shannon, Pierce L.
Simkins, Ray
*Sinnott, Thomas P.
Skarda, Edward
*Slater, Drennan J.
Smith, Dr. A. H.
Soderstrom, R. G.
Sparks, Henry D.
Stewart, Frank A.
Stice, Lawrence H.
Streeper, I. H., III
Strohm, Charles G.
Sturdyvin, E. E.
Sullivan, Mason S.
Sunderland, Glenn H.
Swanson, David I.
Swift, Hardy M.
*Teel, H. V.
Thomas, Claude R.
Topping, Harry L.
Turner, Charles M.
Turner, J. M.
Upton, Edward J.
Van Der Vries B. T.
Vicars, William
Warfield, William J.
Weber, Charles H.
Williams, Harry L.
Wilson, Frank B.
Wood, Warren L.

STATE OF INDIANA

Senate

Albright, Alanson L.
Anderson, Willard M.
Bedwell, Charles H.
Biddle, Ward G.
Brandon, Larry

Brown, Will
Carlson, Lawrence E.
Chambers, Walter S.
Cleary, Martin J.
Dennigan, William P.

Eichhorn, Frederick F.
Ferris, Albert
Fitzgerald, William
*Garrott, I. Floyd
*Gottschalk, T. A.

Handy, Russell R.
Hardy, William D.
Harter, Russell M.
Hays, Edward C.
Hemmer, Floyd J.

Senate—continued

Hendricks, Thomas A.
Inman, Perry H.
Janes, William B.
*Jenner, William E.
Jernegan, Ralph H.
Johnson, Perry
Kolsem, Charles J.
Lane, O. Bruce

Lynch, Daniel D.
McBride, Claude B.
Miller, George D.
Nichols, Merrill W.
Portteus, A. Leroy
Robertson, Joseph M.
Rupert, William H.

Sands, George
Schricker, Henry F.
Schuler, Arnold
Smith, Leo X.
Sohl, Raymond C.
Swihart, Elias C.
Trent, Isaac N.

Vermillion, Walter
Wade, Jesse E.
Watson, Chester K.
Watson, Dale
Webb, John Bright
*Weiss, Jacob
*White, E. Curtis
Wickens, Hubert E.

House of Representatives

Andrew, Joseph A.
Babeock, Wm. C., Jr.
Barrett, Fred E.
Barry, Edward P.
Bauer, Lenhardt E.
Baumgartner, S. M.
Black, William J.
Bohannon, C. Nelson
Braun, Edward J.
Brembeck, Paul
Byers, David H.
Carter, I. Emory
Coers, Rev. Morris H.
Coffin, Charles L.
Colbert, Dennis J.
Coons, Merle F.
Creighton, Hobart
Datterer, William G.
Dausman, Guy W.
Dilley, Kenner K.
Downey, Martin J.
*Dyer, John Napier
East, O. Austin
Emig, Henry A.
*Evans, Herbert H.

Flock, Jesse O.
Gettinger, Dan O.
Gibbons, William
Gilbert, Stanley S.
Goddard, Fred
Griffith, Lloyd E.
Groves, Herbert M.
Guernsey, Elam Y.
Gutzwiller, William A.
Harris, Benj. F., Jr.
Harrison, Roy J.
Hill, Harry
Hoffman, Balthasar
Hoover, Robert A.
James, Richard
Jeffrey, Ernest R.
Johnson, Charles R.
Jordan, Clyde J.
Kent, James V., Jr.
Kirch, John C.
Klen, Joseph E.
*Knapp, James M.
Krueger, Martin T.
Lee, William H.
**Linke, Hardin S.

Lomont, Allen C.
Lutz, Charley
Matthews, George C.
Mayhill, Bert B.
Mills, Frank T.
Mills, J. Blair
Modisett, Herman W.
Mohr, Henry A.
Moody, James A.
Morgan, Marion P.
Morris, William C., Jr.
Neumann, Otto C.
Nicholson, Roberta W.
Nordhoff, Arthur C.
Nottingham, Karl D.
Parker, Chester V.
Patterson, Joseph W.
Pickens, Scott
Price, Will J.
Radabaugh, Byron
Randall, Alfred H.
Reichmann, Louis
Reisinger, Jacob J.
Roszkowski, John E.
Roush, Floyd L.

Rowley, Fred C.
Richardson, H. J., Jr.
Roberts, Justin A.
Rockey, B. H.
Sahm, Albert
Schermerhorn, J. H.
Shafer, Lee E.
Shull, Harry
Sigler, John R.
Simpson, Edward C.
Slenker, Glenn R.
Smith, LeRoy
Stanton, Robert L.
*Stein, Edward H.
Stephens, R. Clarence
Sterns, Harry A.
Strickland, Harry G.
Sturm, Paul B.
Thompson, Frank G.
Thompson, J. Ralph
Treadway, Wm. E.
*Willan, Horace R.
Wolf, George W.
Wood, Carl E.
Woodard, Carl E. M.

STATE OF IOWA

Senate

Anderson, Paul H.
Aschenbrenner, Carl
Baldwin, Howard C.
Beardsley, Wm. S.
Bell, Andrew
Bell, James M.
Berg, John
Billingsley, J. W.
Byers, Frank C.
Calhoun, John N.
Chrystal, I. G.
Corwin, Elmer P.
DeWey, A. Claire

Donohue, E. P.
Doze, J. E.
Driscoll, T. F.
Elthon, Leo H.
Fisch, Mike G.
Geske, M. X.
Goetsch, Sam D.
Gruenwald, H. J.
*Harrington, Vincent F.
Hopkins, George M.
Hush, Homer
Husted, Ora E.

Irwin, Harold L.
*Kimberly, David W.
Knudson, Irving H.
Malone, C. E.
Mason, E. D.
McArthur, Wm.
Meyer, L. H.
Miller, Henry D.
Millhone, Paul L.
Moore, Morris
Mullaney, T. W.
Nelson, Fred W.

Parker, George L.
Patterson, Geo. W.
Pendray, Carolyn C.
Reese, Chris
*Roelofs, Garritt E.
Schmidt, Paul W.
Shangle, L. T.
Shaw, A. J.
Stanley, Claude M.
Stevens, Frank M.
**Stevens, R. E.
*Valentina, John K.
Wilson, George A.

House of Representatives

Alesch, Gustave
Avery, A. H.
Ayers, Chas. C., Jr.
Baumhover, A. H.
Benz, M. E.
Blattsjieler, Lewis
Blue, R. D.
Bonnstetter, A. H.
Bowers, L. C.
Burlington, Don W.

Campbell, J. R.
Clark, Marley D.
Copeland, Harry
Cramer, W. H.
Craven, J. E.
Cunby, J. E.
Cunningham, John
*Cunningham, Paul
Curtis, Glenn
Dancer, David

Daniels, H. E.
Doran, Ben B.
Dreessen, William J.
Elliott, E. A.
Ellsworth, E. O.
Evars, D. M.
Falvey, M. C.
Felter, Victor
Fishbaugh, Earl C.
Flynn, Joe

Foster, LaMar P.
Freeburn, Paul
Frizzell, J. W.
Fuelling, Otto
Fuester, C. E. R.
*Gallagher, J. P.
Gaughen, M. J.
Goode, Dewey E.
Groves, George W.
Hansen, J. P.

House of Representatives—*continued*

Hanson, Edmund
Hartman, Henry M.
Hendrickson, Thomas
Henningsen, A. H.
Hickenlooper, B. B.
Hultman, Oscar N.
Humeston, Alva
Irwin, John R.
Jenkins, John H.
Johannes, W. J.
Johnson, C. G.
Johnson, Oscar E.
Johnston, James F.
Knudson, Herman M.
Kringlaak, Ole
Kuester, G. T.
Latchaw, F. A.

Laughlin, E. P.
Lookingbill, C. E.
Love, H. S.
Maniece, E. J.
*McFarlane, Arch. W.
McGill, Frank T.
McKinnon, Curtis L.
McLean, Don V.
McNie, Morris M.
*Mercer, LeRoy
**Mitchell, John H.
Moore, Charles D.
Moore, E. A.
Moore, John W.
Moore, Leonard L.
Moore, R. G.
Oehmke, W. F.

Ove, E. N.
Peaco, Milton
Pell, Loren R.
Putnam, Chas. F.
Reilley, Eugene H.
Rice, C. L.
Riddle, Matt B.
Roan, Phillip F.
Roe, Ove T.
Rutherford, Thos., Jr.
Ryder, John
Schlatter, George
Scott, George L.
Selby, John H.
Shifflett, Grant A.
Smith, C. C.
Sorg, H. H.

Sours, Roy J.
Stewart, Andrew
Stewart, E. L.
Stimpson, Thomas
Taylor, John H.
Tefer, L. D.
Thies, William
Thiessen, J. H.
Thompson, George L.
Thompson, Jens
Thompson, Stanley M.
Treimer, William
Weed, Arthur R.
Wieben, A. E.
Wiese, Louis W.
Yager, W. A.
Ziegler, Sanford

STATE OF KANSAS

Senate

Baird, C. O.
Beckett, H. M.
Bender, M. A.
Benson, E. H.
*Bradney, Claude C.
Cannon, L. T.
Carter, Jonathan B.
Coffman, Clyde W.
Conkey, Claude O.
Cox, H. B.

Dale, Kirke W.
Defendorf, Henry
Delaney, A. O., Jr.
Denious, Jess C.
Dodge, C. B.
Finley, A. W.
Fishman, Simon
Friend, C. E.
Frost, John
Hansen, Claud

*Jones, Walt F.
*Knapp, Dallas W.
Krouse, Chas. L.
Logan, J. Glenn
McCarthy, Daniel M.
McDonald, Joseph S.
Miller, Charles E.
Nelson, A. G.
Oberg, Frank C.
Ralston, Ralph B.

*Rees, Edward H.
Russell, R. C.
Rust, Ralph G.
Schoen, William
Skovgard, Thale P.
Stauffer, W. A.
Taggart, E. J.
Topp, Arnold C.
Warren, Harry
**Webb, Simeon

House of Representatives

Abbey, H. C.
Allen, James R.
Archer, G. J.
Baker, Earle
Balch, O. M.
Blanchat, H. O.
Blase, Oscar H.
*Bloss, S. C.
Blount, W. M.
Blythe, L. J.
Brandon, Russell L.
Brewer, C. C.
Briles, E. A.
Brown, D. A.
Burnette, R. S.
Buzick, H. S., Jr.
Carter, F. M.
Christian, Will R.
Connor, H. S.
Converse, Asa F.
Cook, E. M.
Cowden, Lee
Cox, R. A.
Cron, F. H.
Cross, A. F.
Crouch, G. W.
Crum, C. D.
Cyr, A. F.
Davies, Price J.
Diehl, C. C.
Donahue, Pat

Doten, David C.
Dubbs, L. A.
Dunham, J. L.
Edwards, E. L.
*Fink, W. G.
*Fisher, Harry W.
Fitzgibbons, Geo. A.
*Fossey, Don
Freeland, Rolly W.
French, Fay S.
Gerstenberger, C. C.
Gordon, Gerald
Gould, George R.
Grant, Warren B.
Guard, C. G.
Hall, Charles
Halleck, P. H.
Hammond, Harold A.
Harbert, Ewing
Harris, Innis D., Jr.
Harrison, Carter
Hatch, Dan M.
Hayes, Thomas
Hickert, H. W.
Hubbard, Maurice R.
*Hutchinson, A. W.
Jackson, Charles H.
Johnson, Morris
Jones, F. G.
Jones, Max
Kirchner, Edmund J.

Kopper, William
Laird, C. S.
Lawless, Ralph A.
Lindsay, W. M.
Mallin, James F.
Manauh, W. A.
Marshall, L. L.
May, Oscar P.
McDaniel, C. T.
McFarland, Frank H.
Melvin, Geo. K.
Meyers, Allen
Miller, C. N.
Mills, Orville, Jr.
Missimer, J. E.
Morgan, E. L.
Morse, John O.
Morss, Nettie H.
Murr, Henry
Ott, Archie R.
Palmer, Chas. H.
Parson, Roy
Peterson, Reuben E.
Pettit, C. B.
Plummer, George W.
Pomeroy, Frank C.
Price, D. M.
Primm, Milton W.
Relihan, A. W.
Rhodes, Jas. M.
Riegle, Wilford

Rinker, Harry M.
Robertson, George
Robertson, Will
Royer, Geo. D.
Ryan, W. H.
Sanford, Bide
Schowalter, J. A.
Schrepel, Chris. F.
Scott, Buell
Scott, John A.
Searcy, J. A. Arthur
Shacklett, Fred B.
Shattuck, W. H.
Showalter, A.
Sleper, A. R.
Smith, Ray
Smith, Raymond E.
Stullken, Ed. H.
Sweeney, James
Templar, George
Ulm, Ralph
von Trebra, R. L.
Waggoner, Grant
*Wall, N. B.
Walters, R. G.
Wesche, H. F.
White, J. R.
Williamson, Blake A.
Wood, John W.
Wood, Willis B.
Zimmerman, John R.

THE MEN BEHIND THE LAWS COMMONWEALTH OF KENTUCKY

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Senate

Brock, Hiram M.
Dawson, Edwin C.
Edge, T. G.
Farmer, W. C.
Ferguson, Thomas C.
Flippin, Walter N.
*Gaines, Perry B.
Gibson, Lee
Hamilton, Arch
Harrison, Fred A.

Humphreys, Robert
Isaacs, William
Lebus, Frank
Lloyd, Frank L.
Mayer, Stanley B.
McCormick, C. T.
Mehler, William
Miller, E. B.
Moore, E. C.

*Moss, Ray B.
Murphy, John T.
Nickell, Clarence
Ragan, G. W.
Ray, S. C.
Richardson, J. L.
**Rose, Dr. J. M.
Royster, R. H.
Smith, Ray A.

*Stephenson, E. D.
Sugg, John A., Jr.
Thompson, James H.
Turner, Ervine
Turner, Thomas O.
Van Hoose, Fred C.
Wise, J. E.
Yates, W. A.
Young, Allie W.
*Young, Gates F.

House of Representatives

Allen, Henry H.
Asbury, Carroll D.
Baker, Lem
Barnes, H. L. (Jack)
Barnes, Marshall
Beatty, Robert E.
Bedford, B. F.
Belknap, William B.
Boling, Reuben J.
Bowen, Ollie J.
Bright, Jas. C.
Brown, Corbett
Brown, Wallace
Bruten, Frank C.
Bullitt, Hugh K.
Cantrill, Mrs. Cecil
Chandler, Charles
Coleman, J. A.
Collins, Sid J.
Coughlin, D. Bernard
Crenshaw, Joel T.
Cropper, Carroll L.
Cunningham, Garland
Curtis, W. J.
Davis, Harry

Demunbrun, R. A.
Dickson, S. S.
Dunlap, George
Embry, Garland
Evans, Clarence E.
Ferguson, Rudy
Fitzpatrick, Thos. P.
Floyd, John B.
*Francis, Kelly J.
Gamon, Lawrence J.
Garnett, W. J.
**Gilbert, Ralph
Gnau, Fred A.
Gottschalk, Chris.
Hall, J. S.
Handy, W. Y.
Harmon, Judson
Harris, Frank
Harrison, R. M., Jr.
Hettinger, J. Joseph
Hill, A. L.
Hobbs, John R.
Howard, G. W.
Huette, Ira J.
Johnson, G. C.

Johnson, Theron M.
Keese, F. P.
King, J. H.
King, Leo
Kirtley, John
Knuckles, W. L., Jr.
Lane, Glenn W.
Love, A. L. (Chick)
McCarthy, Marion T.
McIntosh, George R.
McKinley, Herschel
McMasters, Clifton C.
McWaters, Roy
Mattingly, Johnson R.
May, C. C.
Meadors, L. B.
Milam, G. Samuel
*Miller, Clarence
Miller, H. H.
Miller, W. H.
Milliken, James B.
*Munford, E. Tyler
Myers, Rodes K.
Nufer, Richard H.
Persky, Robert A.

Peter, James I.
Phelps, M. D.
Pieratt, Steve
Price, Kleber F.
Pritchett, Grayden M.
Rankin, Pat
Rayburn, Waylon
Renfro, W. P.
*Rogers, W. E.
Sandlin, L. D.
Sartin, Avery
Schneider, Jos. W.
Scott, Mrs. Mary B.
Sparks, Harry
Spencer, Lefe J.
Tackett, Lyle C.
Taylor, John W.
Thomas Elmore J.
Thornton, Harry B.
Towles, J. Sterling
Tracy, Starling B.
Ward, Henry T.
Webb, Robert E.
Wicker, J. B.
Williams, B. M.

STATE OF LOUISIANA

Senate

*Bistes, Joseph M.
*Boudreaux, J. I.
Brodtmann, Edw. C.
Byrne, Charles A.
*Chasez, Paul E.
Davis, Gove D.
Delahoussaye, F. E.
Dore, J. Hugo
Dugas, Waldo H.
Fisher, Jules G.

Fleming, Daniel B.
Fredericks, Albert A.
Gardiner, Arthur C.
Gardiner, Charles A.
Gilbert, Harry W.
Heywood, W. Scott
Holland, Thomas M.
Hollenshead, M. S.
Huson, Chas. B.
Lindsey, Coleman

Morgan, Cecil
Moss, Clement
Noe, James A.
Nunez, A. Sid
Oser, Fred W.
Peltier, Harvey
**Peterman, Frank H.
Reitmeyer, George R.
Richardson, H. C.

Richardson, James A.
Robinson, E. B.
Sanders, Jared Y., Jr.
*Schwing, Calvin K.
*Sevier, A. L.
Terzier, Leo F.
Wingate, Thomas C.
Wingrave, John J.
Wingrave, Richard A.
Woods, Rodney P., Jr.

House of Representatives

Alexander, P. T.
Anderson, Charles B.
Angelle, Robert
Anzalone, Charles
*Bauer, R. Norman
Beeson, J. J.
Bond, James
Bordelon, S. Allen
Bouanchaud, J. Oliver

Bradford, W. T.
Buie, J. C.
Burgess, J. Porter
Burke, Edmund G.
Burns, James T.
Calhoun, W. F.
Cassagne, Pierre A.
Casse, Peter
Chandler, Wm. J. B.

Cole, David
Cunningham, W. P.
Curry, Joseph T.
deHass, Louis J.
Delesdernier, Geo. W.
Dicharry, S. J.
Dougherty, M. S.
Drake, Clifford W.
Duke, Claude W.

Edwards, D. F.
Ellender, Allen J.
Ethridge, J. W.
Feazel, W. C.
Ferguson, J. M.
Fisher, Joseph
Fletcher, Harry W.
Folse, Louis H.
Fordyce, John W.

THE BOOK OF THE STATES

House of Representatives—*continued*

Fortier, Gilbert J.
Friedman, Leon
Gilmore, W. T.
Guillory, Isom J.
*Hamiter, Joe B.
Hammon, William J.
Hand, Peter A.
Hebert, Ralph
Henriques, Jas. C., Jr.
Hoffpauir, N. S.
Holloway, Guy H.
Hood, John T.
Horton, James
Hunter, J. D.
Hutchinson, Thomas
James, John W.

Jones, Monette
Jones, Robert D.
Joseph, C. L.
Kennedy, John A.
Kennedy, Robert P.
Lang, Dudley D.
Lee, George W.
*Lester, George M.
LeTissier, H. W.
Lucas, Jesse F.
Madison, James
Martin, Esteve A.
Mayhewski, August J.
McGrath, Patrick H.
McKneely, W. T.
Meaux, J. H.

Meridier, Frank J.
Mitchell, Arthur
Morelock, M. M.
Morvant, Camille A.
Moynagh, John E.
Pavy, P. Octave
Payne, E. N.
Pegues, William C., Jr.
Perrault, Geo. K.
Peyton, Rupert R.
Picciola, Marc. J.
Provost, C. Arthur
Reed, Roland B.
Riddle, C. A.
Savoie, Clarence J.
Sharp, I. W.

Shaw, J. W.
Sigur, E. A.
Smith, Goode
*Spencer, L. Mason
*Stich, Frank J.
Vilac, Omer
Walker, J. E.
Weber, Joseph
Weber, William E.
Wilds, R. S.
Wilkinson, Horace
Williams, Willis J.
Williamson, Jack
Wimberly, Lorris M.
Woods, Chas. J.
Wright, T. A.

STATE OF MAINE

Senate

Ashby, George F.
*Bartlett, Alton
Billings, Elmer H.
Bissett, William
*Blaisdell, C. Carroll
Blanchard, John F.
Bodge, Thomas H.
Burkett, Franz U.
Burkett, Fred E.

Burns, J. Frederic
Carll, Eugene C.
Cowan, George A.
Fernald, John D.
*Fernald, Roy Lynde
Friend, Francis H.
Goodwin, Burton W.
Harmon, George

Haskell, Lewis W., Jr.
Hathaway, Wm. R. L.
Hussey, Leroy F.
Jackson, N. Gratz
Martin, Marion E.
*McDonald, John A.
Pillsbury, Ralph B.
Pinansky, Max L.

Potter, Frank A.
Schnurle, Harold F.
Thatcher, Frank A.
Tompkins, Harvey A.
Weeks, Elwood P.
**Weeks, Harold E.
Winn, Walter C.
Worcester, Homer F.

House of Representatives

Alden, Harley R.
Allan, Ernest A.
Austin, E. Roy
Austin, Ernest W.
Ayer, Walter A.
Belaire, Raoul A.
Bragdon, Roger S.
Bramson, Udeff
Brown, Edwin L.
Boucher, Jean Charles
Bubar, B. C.
Burgess, Merle F.
Burnham, Elmer J.
Burrill, Frank E.
Bushey, Arthur W.
Cambridge, Herbt. E.
Campbell, Augustus E.
Carleton, Daniel
Garswell, Edgar F.
Chase, Charles J.
Chase, Charles N.
Chase, Clifford G.
Churchill, Harry W.
Clark, Herbert E.
Clarke, Lindsay
Cole, Archie D.
Connolly, Joseph W.
Cook, Sanger M.
Coolidge, J. Guy
Cote, Benjamin W.
Crosby, Harvey S.
Crowell, John Hubert
Cummings, Ralph P.

Currier, Marion G.
Davis, Earle H.
Davis, George M.
Dyer, William B.
Demers, Phidelem S.
Dennett, Charles A.
Desmond, J. Walter
Devereux, Reuben
Donahue, William P.
Donovan, Timothy F.
Dorr, Eugene H.
Dow, Clinton H.
Doyle, George J.
Doyle, Newman B.
Drisko, Shapleigh C.
Eddy, John H.
Elliot, Albert B.
Ellis, Phineas F.
Ellis, Reed H.
Eveleth, Fred B.
Findlen, Geo. P.
*Flanders, Louis E.
*Fogg, Neil A.
Forbes, Sarah Hughes
Forgue, Henry J.
Fortin, Chas. E.
Fowles, Edgar B.
Gibbons, Paul C.
Gleason, Charles E.
Goss, Harold J.
Graves, Rae D.
Gray, Granville C.
Gray, Ray C.

Hagan, Leon Earle
Hall, Oliver G.
Hammond, Vance E.
Harriman, Evander
Harriman, Linwd. M.
Haskell, Orville V.
Hathorn, George A.
Hastings, Marshall R.
Heald, Seth F.
Hearn, Sumner
Hescock, Roy M.
Higgins, Howard S.
Hill, George E.
Hobbs, Everett N.
Jacobsen, Silas
Jandreau, Saul F.
Jillson, Charles D.
Kendrick, Cyrus M.
Kilroy, Jane Callan
King, Edmund J.
Labbee, Ernest G.
Lancaster, Cecil M.
Latno, Florence M.
Lausier, Archie R.
Lebel, Laval R.
Leclair, Henry R.
Leonard, Roger G.
Lewis, Elton H.
Lindsey, Everett C.
Mace, Frank E.
MacKenzie, Frank A.
Maheu, Ephrem
Mallett, Hollis J.

Martin, Charles R.
Martin, Clarence H.
Mason, Forest L.
McKay, Ernest A.
Mosher, Herbert J.
Newton, John O.
Noyes, Malcom P.
Oliver, Wilbur C.
Palmer, Kenneth H.
Parsons, Harold E.
Patterson, Levi T.
Payson, Albert B.
Phair, James H.
Philbrick, Donald W.
Pike, Frank A.
Poulin, Omer J.
Proctor, Charles W.
Richardson, Frank W.
Roach, Everett C.
Rush, Frank W.
Russ, Albert H.
Ryder, Ralph W.
Sawyer, Clarence E.
*Scates, John C.
Seabury, Carl W.
Sennett, Millard L.
Sewall, Sumner
Shaw, Nathan H.
Sleeper, Cleveland, Jr.
Smith, Belmont A.
Smith, Mildred E.
Sprague, Charles L.
Stickney, Isabel H.

House of Representatives—*continued*

Stilphen, Alden C.	Thurston, Ralph D.	Weatherbee, R. A.	Wiley, John E.
Stoddard, Charles B.	Tompkins, Nathaniel	Webber, Daniel W.	Woodbury, James L.
Story, John A.	**Tupper, William S.	Wentworth, George J.	Worthen, Harold W.
Thompson, Erroll A.	Vaughan, Henry G.	Wheeler, Charles E.	Wright, Ralph S.
*Thompson, George C.	Wallace, Orrin F.		Young, Elmer R.

STATE OF MARYLAND

Senate

Atkinson, Thurman C.	Dodson, Richard S.	Hofferbert, Geo.	Phoebe, Harry T.
Baile, J. David	Donovan, Joseph L.	Kimble, Robt. B.	Prescott, Stedman
Brice, Arthur H.	Duncan, John D. C.	Latimer, James B.	Risteau, Mary E. W.
Callan, John G.	Every, W. Frank	*LeGore, H. W.	*Sasscer, Lansdale G.
**Coad, Joseph Allan	*Fine, Melvin L.	Lloyd, O. S.	*Veasey, Milton L.
Cobourn, Harold E.	Friend, Clifford	Melvin, Ridgely P.	Wilson, William R.
Cooksey, Robert V.	Higgins, Olin R.	Miller, Ernest W.	Wyatt, Jos. M.
Davis, Wilmer F.			

House of Delegates

Abramson, Leon	Clagett, Lansdale G.	Harrison, William T.	Novak, John A.
Ament, Lawrence W.	Clark, Albert W.	Hartle, Charles S. G.	Owings, Albin, Jr.
Anderton, Chas. A.	Clark, Allen C. K.	Hayden, Dr. C. B.	Payne, J. B.
Appel, Lawrence F.	Clark, John E.	Hays, Shirley	Pfaffenbach, G. Arnold
Baer, C. W. H.	Clarke, Robert A.	Hirt, Frank Joseph	Phillips, E. B. (Mrs.)
Baer, David	Collins, Mayme A.	Hoffman, Carl P.	Phillips, William R.
Baker, Richard M.	Conlon, Thos. E.	Holzapsel, Henry, 3rd	*Popp, Thomas L.
Barnes, C. Ray	Conroy, John F.	Howard, Wm. R., 3rd	Ramsburg, J. R.
Barrick, A. L.	Cordish, Paul L.	Hubbard, W. R.	Reynolds, Thos. H.
Beachley, Frederick E.	Coulby, Charles A.	Ireland, Herbert	Rinehart, C. S.
Bennett, Earl	Cromwell, R. Chester	Kephart, Charles B.	Robertson, Clarence E.
Berman, Theodore B.	Cullers, Arthur G.	Knapp, William G.	Routson, Melvin W.
Blake, George A.	Davis, Chas. A.	Knight, James G.	Schap, Frank J.
Blum, Jacob	Dennis, Ralph R.	*Labrot, William H.	Shoemaker, Ruth E.
Boucher, L. W., Mrs.	Dick, J. Milton	Lehnert, George F.	Sothoron, L. Harold
Boyce, Arthur W.	Dulin, Wilbur R.	Locke, Walter J.	Strong, Roy T.
Brimmer, Samuel E.	Edwards, Harry C.	Lomax, Albert J.	Sweeney, Thos. E.
Brinsfield, D. Floyd	Evans, Glenwood	Luther, Wm. E.	Thomas, Percy E.
Briscoe, Wm. E.	Evans, Joseph W. A.	Magruder, Walter M.	Tingley, Egbert F.
Bröawn, Samuel H.	Fairbank, J. Frank	Manlove, Wroth H.	Tolle, Milton
Broumel, James H.	Friedel, Samuel N.	*Marbury, Charles C.	Troxell, Hugh E.
Bruno, N. G.	Funk, John B.	Mason, Geo. E.	Twigg, P. A.
Burroughs, P. Elliott	Gassoway, William G.	*Meade, Hugh Allen	Wallace, Philip J.
Canby, T. Yellott	Geraghty, Leo. Charles	Miller, Harvey M.	Ward, George B. P.
Cantrel, Joseph A.	Glenn, R. L.	Miller, Philip	Warns, Henry
Cardin, Meyer M.	*Grofine, Emanuel	Mitchell, J. Walter	Webster, John F., Jr.
Carrico, Rudolph A.	Griesacker, Joseph B.	Monroe, James B.	Wheaton, Clarence W.
*Carroll, Charles, Jr.	Groves, Martin L.	Moore, Leo M.	Whitby, Alda P.
Castle, G. E.	Hall, Everett	Mullikin, K. Roberts	White, J. S.
Chambers, Daniel B.	Hanley, Claude A.	Myers, Allen J.	Wilson, Wm. S., Jr.

COMMONWEALTH OF MASSACHUSETTS

Senate

Burke, Thomas M.	Donahoe, Joseph P.	Langone, Jos. A., Jr.	Nicholson, Donald W.
Carroll, Edward C.	Donovan, John F.	Mackay, John D.	Nutting, Edward H.
Casey, P. Eugene	*Fish, Erland F.	Madden, William J.	Parkman, Henry, Jr.
Cavanagh, Charles T.	**Goodwin, Angier L.	McAree, Charles A. P.	Pierce, Albert
Clancy, Joseph B.	Haley, Cornelius F.	McCarthy, William J.	Plunkett, Theodore R.
Conroy, William S.	Hollis, Arthur W.	McKeown, Francis M.	Putnam, Harry B.
Considine, Walter L.	Holmes, Newland H.	*Meehan, James P.	*Scanlan, James C.
*Cotton, Joseph R.	Hurley, Frank	Miles, Charles G.	Sullivan, John S.
Daly, Charles T.	Johnston, Thomas H.	Moran, James G.	White, Joseph C.
Davenport, Wm. A.		Moyse, George G.	Wragg, Samuel H.

House of Representatives

Achin, Henry, Jr.	Dearborn, Hiram N.	Kelley, Charles A.	Paul, Richard F.
Airola, Augustine	Delmore, Thomas A.	Kelley, Edward J.	Pehrsson, Herman
Akeroyd, William A.	Demeter, George	Kelley, Francis J.	Petersen, Tycho M.
Ashe, George T.	Dewar, Burt	Kendall, James E.	Pettingill, George W.
Aspell, John F.	Dillon, Thomas P.	Kiley, James J.	Pierce, Frederick E.
Babcock, Frank D.	Dole, Fred B.	Killgoar, George F.	Pierce, George F.
Babcock, Josiah	Donahue, John J.	Kimball, John V.	Ramsdell, William E.
Bacigalupo, Edward P.	Donahue, Martin W.	Kinney, Orvis J.	Rice, George E.
Baker, William B.	Donnelly, James P.	Kirkpatrick, Wm. E.	*Roach, Joseph N.
Baldwin, William A.	Donovan, Cornelius P.	Knowles, John Q.	Rolander, Victor E.
Barnet, Philip	Dooley, Joseph W.	Kurzon, George M.	Rolfe, Joseph D.
Barrows, Mary L.	Dorgan, Thomas	Landergan, Wm. J.	Rose, David A.
Barry, Thomas E.	Downey, Joseph H.	Landry, Leo P.	Rubin, Albert
Bates, Stanley S.	Doyle, Anthony R.	Lane, Thomas J.	Ryan, Francis E.
Baylies, Walter R.	Driscoll, George F.	Lasell, John W.	*Saltonstall, Leverett
Bell, Malcolm L.	Durant, Clarence N.	Leonardi, Frank M.	Sargent, Frank J.
Bergeron, Albert	Erickson, Sven A.	Lodge, Henry C., Jr.	Savage, Charles H.
Bessette, Alfred M.	Estabrook, Henry A.	Lomax, T. J., Jr.	Sawyer, Roland D.
Bessette, Rodolphe G.	Everberg, Gustave W.	Luitwieler, C. S.	Scanlon, Louis J.
*Bigelow, Albert F.	Falvey, John J.	Lunney, William C.	Schofield, Martin R.
Birmingham, Leo M.	Finkelstein, Bernard	Lyons, John P.	Sears, Mason
Boland, Edward P.	Flaherty, Thomas A.	MacLean, Frank E.	Sessions, William J.
Bond, Rufus H.	Flannery, Thomas J.	Mahan, Arthur U.	Shaughnessy, John R.
Bourgeois, Albert L.	Floyd, Frank L.	Mahoney, James F.	Shea, Charles H.
Boyer, Albert O.	Foley, John J.	Manning, John J.	Sheridan, Frank C.
Bowker, Philip G.	Foley, Katherine A.	Markley, Philip M.	Sherman, Philip
Brady, Edward T.	Gallagher, Owen A.	McCooley, Joseph P.	Sirois, Edward
Briggs, Fred E.	Gilmartin, John J.	McCracken, James M.	Sirois, Edward J.
Brigham, Emma E.	Giroux, Eugene H.	McCulloch, Elmer L.	Sisson, Harry D.
Brimblecom, W. K.	Gleason, John L.	McDermott, F. T.	Small, E. Hayes
Brown, William A.	Gott, Hollis M.	McDonald, Donald A.	Smith, Frank W.
*Burgess, Arthur I.	Grant, William P.	McDonald, Paul J.	Southgate, J. Francis
Cahill, Horace T.	Gunn, James A.	McDonough, T. J.	Sparrell, Ernest H.
Campbell, Charles J.	Halliwell, John	McElroy, James M.	Stacy, Richard H.
Cande, Zachus H.	Hamilton, Ralph N.	McHugh, Lawrence P.	Staves, Edward W.
Carney, Leo E. J.	Hannaford, Wm. A.	McLaren, Henry P.	Sullivan, Patrick G.
Carroll, Michael J.	Hannon, T. J., Jr.	McLellan, Owen D.	Swain, William T.
Casey, Bernard P.	Harnisch, Joseph J.	McNamara, Roger A.	Swanson, Martin
Centracchio, Tony A.	Hassett, George P.	McNulty, Anthony A.	Sweetser, Mollie A.
Chase, Chester W.	Hastings, William A.	McNelly, William H.	Talbot, Edmond, Jr.
Clampit, Ralph V.	Hathaway, J. Dolan	Milano, Joseph A.	Tarbell, George G.
Clarkson, Frank	Havey, Clayton L.	Morrill, Charles H.	Tarr, F. H., Jr.
Cleary, Ignatius B.	Hays, Martin	Morris, Albert E.	Theberge, Joseph E.
Cleary, Joseph F.	Healy, Jeremiah J.	Morrison, Frank J.	Tobin, James J.
Coady, Francis D.	Hedges, Charles W.	Murphy, John E.	Tuttle, J. Walton
Coakley, Andrew J.	Henigan, James W.	Murphy, John J.	Tyrell, Christopher J.
Coddaire, John W.	**Herter, Christian A.	Murphy, Joseph L.	Urquhart, H. W.
Coffey, Edward A.	Higgins, William F.	Murphy, Timothy J.	Valentine, John H.
Cohen, Samuel H.	Hogan, Charles V.	Murray, John A.	Walls, Margorisk L.
Comerford, John T.	Honan, Daniel J.	Nagle, David G.	Ward, Ira C.
Comerford, Richard	Horton, Frank H.	Nelson, Elmer C.	Ward, Michael J.
Connelly, Edward J.	Hutchinson, Fred A.	O'Brien, Frank D.	Washburn, K. H.
Cooke, Charles H.	Innes, Charles J.	O'Brien, Michael T.	Welsh, Patrick J.
Cooney, Timothy J.	Irwin, Francis W.	O'Connell, R. F.	Wenzler, John B.
Coughlin, Frank B.	Johnson, Adolph	O'Kane, Joseph N.	Whalen, John J.
Coyne, Francis X.	Jones, Archibald L.	Olander, Edwin L.	White, John Philip
Crosby, Nelson B.	Jones, Gerald D.	Olson, Charles W.	Wilson, John C.
Currier, Ralph R.	Jones, William A.	Otis, Ralph E.	Woekel, Carl A.
Curtis, Laurence	*Jordan, Michael H.	Parker, Katherine V.	Young, Martin E.
Dean, Ernest J.	Kearns, Patrick J.	Paul, Arthur E.	Zimon, Abraham I.

STATE OF MICHIGAN

Senate

Baldwin, Joseph A.	Carpenter, Ben	Dawé, Denias	Fehling, Edward W.
Bishop, Otto W.	*Case, Leon D.	Doyle, Dale	Flynn, Felix H. H.
Brake, D. Hale	Cotter, Gerald J.	Dunckel, Miller	*Gorman, Lee A.

Senate—continued

Gray, Sidney C.	Matthews, Christian F.	Palmer, William	Vanderwerp, Don
*Heidkamp, Adolph F.	*Moore, Andrew L.	Pangborn, Samuel H.	**Van Eenenaam, G. F.
Hittle, Harry F.	Mosier, Frank E.	Reid, John W.	Wickstrom, John C.
Luecke, John	Munshaw, Earl W.	Saur, Harold	Wilkowski, A. J.
Mankowski, John	Murphy, James A.	Town, C. Jay	Wood, Arthur E.

House of Representatives

Adams, Charles P.	Espie, John P.	Legg, Peter R.	Remer, Walter F.
Aldrich, Ezra F.	Faircloth, Ernest	Lingeman, Casper J.	Romanski, Stanley J.
Allard, Homer L.	Faulkner, Ellis E.	Long, Joseph A.	Roosevelt, Joseph C.
Baginski, Martin W.	Feenstra, Charles R.	*Martin, Joseph F., Jr.	Root, Edson V.
Bellows, Harold	Fenlon, Edward H.	McCall, Duncan J., Jr.	Schneider, Louis J.
Berka, Frank J.	Fisher, Edward F.	McMann, Clifford	Schriber, Frederick
Bielawski, Albert	Fitzgerald, Chester B.	McNitt, H. Earl	*Schroeder, George A.
Brouwer, Edward	*Frey, James G.	Morley, Dean	Schwinger, Louis C.
*Brown, Vernon J.	Gartner, Fred J.	Mullen, Joseph G.	Smith, John B.
Burr, Redmond M.	Gedda, Michael A.	Murphy, John B.	Steele, Frank N.
Bushnell, Ambrose G.	Glass, Harry, Jr.	Murphy, Joseph C.	Stockfish, Walter N.
Callaghan, Miles M.	Green, William	Myers, Charles M.	Stout, M. Clyde
Calvert, Frank J.	Haight, Charles F.	Nagel, Ernest G.	Sundstrom, Charles F.
Clines, Hans Ole	Harma, George O.	Nagel, Joseph F.	Teachout, George L.
Compson, E. S.	Helme, James	Nichols, Haskell L.	*Thatcher, T. Thomas
Coumans, Joseph V.	Herrick, Walter G.	Nugent, Howard	Tibbitts, Douglas D.
Courter, Byron	Holbeck, Fred C.	Odel, Arthur U.	Town, Floyd E.
Cuthberton, Willis E.	Houseman, Fred J.	Osborn, Henry A.	Wagner, Albert A.
**DeLaño, Carl F.	Jamison, James K.	Post, James I.	Walsh, Edward J.
Diehl, Harry	Jarvis, Harvey H.	Post, Maurice E.	Ward, William A.
Dignan, Herman H.	Jurkiewicz, Leonard A.	Priest, Frank C.	Watson, George C.
Dombrowski, S. J.	Kaminski, Joseph L.	Pullen, Charles D.	Wheeler, Neil
Douville, Henry	Kappler, Frederick	Rahoi, Philip J.	Williams, C. Dodge
Emunson, Chester P.	Lee, Melvin H.		Wilson, James M.

STATE OF MINNESOTA

Senate

**Adams, Charles E.	Galvin, M. J.	McLeod, J. Lawrence	Ruppert, Al. H.
Almen, A. L.	Gardner, Richard N.	Mellon, A. S.	Schmechel, Herman
Anderson, William B.	Harris, Paul A.	Miller, Archie H.	Sell, Frank J.
Berg, Louis E.	Hausler, Charles A.	Miller, Frederick J.	Siegel, George L.
Berglund, Alfred	Immer, Val	Mullin, Gerald T.	Sletvold, A. O.
Bonniwell, H. H.	Johnson, C. Elmer	Murphy, D. D.	Solstad, Alfred
Bridgeman, H. A.	Johnson, T. H.	Noyak, B. G.	Sprung, Herman F.
Carley, James A.	Koziak, Joseph A.	Oliver, C. L.	Starks, A. O.
Carr, Homer M.	Larson, Henry A.	Orr, Chas. N.	Stiening, Henry C.
Cashman, M. R.	Lawson, Victor E.	Pederson, Nels A.	Sullivan, George H.
Cravens, Fay	*Lightner, Milton C.	Ribenack, Edward R.	Sullivan, Henry R.
Crowley, Roy F.	Iodin, Albert A.	Rice, Richard	Teigan, Henry G.
Devold, A. O.	*Loftsgaarden, B. H.	Richardson, Wm. B.	*Weber, J. V.
Dietz, William L.	Lommen, George H.	Rockne, A. J.	Wing, Harry
Farnand, Patrick L.	MacKenzie, C. H.	Roepke, William	Wolfe, Walter P.
Finstad, O. J.	Marshall, Robert G.	Romberg, Frank F.	Woolsey, Ralph V.
Foslien, Fred J.		Ruotsinoja, Arvid	*Wright, Donald O.

House of Representatives

Amundson, Albert	Campbell, L. A.	*Dahle, C. A.	Erickson, Gustaf
Andersen, H. C.	Campbell, Walter H.	Dahle, O. K.	Eriksson, Leonard
Anderson, Ray	Champlin, George W.	Dalen, G. H.	Ettel, Michael F., Jr.
Barker, Harold	Chilgren, E. J.	Daly, W. C.	Fast, H. B.
Bellman, S. H.	Coduti, Joseph A.	Dammann, Herman	Finnegan, Galen L.
Bennet, W. F.	Collins, Will S.	Dawson, Fred H.	Finstad, Andrew
Biever, J. M.	Costello, Burt J.	Day, Walter E.	Forsythe, R. H.
Blum, Fred B.	Covert, Homer J.	Dixon, Lafayette C.	Frederickson, H. A.
Boberg, Ernest	Cox, John W.	Dunn, Roy E.	Fridberg, Eric
Brophey, L. E.	Crissey, A. D.	Eastvold, Carl J.	Friederichs, Wm.

THE BOOK OF THE STATES

House of Representatives—*continued*

Gibbons, Arthur T.
Green, Frank A.
Gryte, Ralph E.
Hagen, Edward
Hagland, Carl G.
Hall, Lawrence M.
Hall, William H.
Halvorson, C. A.
Hart, R. T.
Hartkoph, Baldwin
Hartle, John A.
Hastings, Warren E.
Havemeier, Wm. H.
Hayford, Andrew O.
Helgeson, Miner A.
Herfindahl, Lewis
Hilton, Roy E.
Hogan, A. L.
Horwitz, Henry E.
Hove, Clifford R.
Iverson, Oscar E.
Jebb, Melvin B.
Jesten, Clarence

**Johnson, George W.
Johnson, Rollin G.
Julkowski, R. J.
Kempfer, Hannah J.
Kettner, John C.
Kieffer, Wm. H.
Kinzer, John J.
Kueffner, Albert
Lager, Martin P.
Lee, Robert F.
Lieske, Albert G.
Lockhart, George O.
Lockwood, V.
Long, Fred D.
Lowe, Alex.
Lux, Fred T.
MacKinnon, George
Madden, G. P.
Mann, C. G.
Martz, Wilbur G.
Masek, Joseph H.
McIntosh, J. A.
McNulty, John J.

Melby, J. O.
Merrill, W. F.
Miller, Fred R.
Moore, F. F.
Nellermoe, Otto D.
Nelson, Marcus
Nissen, W. Kenneth
Nolan, Mark
Nordin, J. H.
Nystrom, William
O'Rourke, J. E.
Ost, William F.
*Paige, Mabeth Hurd
Paulsen, O. A.
Paulson, J. Albin
Powers, A. J.
Prestegard, John
Raddle, Fred W.
Roebke, John L.
Rohne, M. J.
Samiec, Albert J., Jr.
Schwartz, F. V.

Severson, Ralph W.
Severtson, S. Theo.
Slen, Theodore S.
Stockwell, S. A.
*Sweitzer, J. R.
Syreen, Wm. A.
Terwilliger, Gilbert W.
Thielen, Theodore
Thompson, A. C.
Thorkelson, Theo. E.
*Tighe, Richard L.
Trisch, John R.
Wahlstrand, Harry L.
Wambach, Andrew J.
Wangenstein, Chas. T.
Wanvick, Arne C.
Weeks, John A.
White, Frank W.
White, John J.
Wier, Roy W.
Witt, William
Youngquist, W. R.
Zwack, John M.

STATE OF MISSISSIPPI

Senate

**Adams, W. C.
Allen, Percy Wilmo
Andrews, Landon C.
Arrington, R. Olney
Blair, Wiley A.
Bond, Oscar Luther
Bramlette, David Clay
Brown, Gideon N.
Clark, Arthur Ree
Clark, John Archibald
Collins, Henry Clay
Cook, Joe
Crawford, Vivien E.

*Culkin, J. H.
Dale, Robert Henry
Denton, Manford E.
Drexler, Thomas E.
Gibson, Charles E.
Grantham, James M.
Gregory, David L.
Hardy, R. S.
Harper, Frank H.
Harper, Grantley B.
Hebron, John E.
Herring, Geo. Bryan

Hopkins, Moses Perry
Johnson, Henry H.
Kyle, John W.
Lumpkins, John
McGehee, Dan R.
McIntosh, Tarver M.
Mabus, Leslie E.
*Minor, Henry A.
Nobles, George R.
Richardson, Earl S.
*Roberts, William B.
Slaughter, Thomas O.

Smith, Samuel H.
Stubblefield, Peter
*Taylor, Walter N.
Upshur, Littleton
Waddell, James F.
Warren, J. Elbert
White, James M.
Whittington, L. A.
Williams, L. Q. C.
Winn, Corry Pomroy
Winter, Wm. Aylmer
Young, M. C.

House of Representatives

Allen, Carl Cochran
*Anderson, Samuel V.
Armstrong, John T.
Austin, James S.
Bailey, Samuel M.
*Bailey, Thomas L.
Batson, Alpheus
Brooks, Homer M.
Buckley, Benjamin B.
Bulloch, Mansard
Burns, Robert, Jr.
Burroughs, James W.
Butler, John Sharp
Callicott, Albert Todd
Canizaro, Peter C.
Capers, Walter W.
Carter, Samuel P.
Catchings, Oliver W.
Catt, Ernest Vaiden
Caver, William H.
Chapman, Wm. Merry
Cohen, Hooker M.
Cooper, Smythe H.

Cowart, Charles F.
Cox, Robert Harvey
Creel, William Rufus
Crosby, John C.
Darby, John T.
Davis, Edwin D.
Daws, Joseph H.
Day, Ivey Wiley
Dees, Calvin Elias
Dennison, George M.
Denson, Richard B.
Duncan, George O.
Dye, Bradford J.
Edwards, John P.
Elliott, John Pascal
Elliott, Walter
Ewing, Jack Hilton
Ewing, William Hugh
Fitzgerald, Robert Lee
Fleuning, Wm. Jasper
Flurry, Abner Walker
Fugler, Madge Quin
Gewin, Crawford

Glass, David Henry
Gore, Daws Beebe
Gore, William F.
Graham, Hubert N.
Hand, Oren A.
Harris, Charles H.
Heidel, William Nast
Herbert, John Curtis
Hicks, Hervey Owings
Hill, James Rufus
Holloman, John H.
Hopkins, Jos. Wilsford
Howorth, Lucy S.
*Hutchinson, Wm. N.
Jarratt, Erskine Hill
Jones, Ernest P., Jr.
Keyes, Fred
*Kennedy, Laurens T.
Lake, James A., Jr.
Lamar, Nathan R.
Lancaster, Johnie S.
Lee, Robert Ellis
Lee, Robert G.

Livingston, Elwin B.
Lumpkin, Samuel E.
McCallum, Torrey G.
McClellan, Thompson
McClure, John Thos.
McCormick, Edwin G.
McGraw, William
McLeod, Herbert H.
McNeel, Connor C.
Magers, Cratus Cedra
Mangum, Wiley P.
Mansell, Charlie F.
Mason, Harvey E.
Mauldin, Byrd P.
May, J. A.
Myers, George D.
Newman, Josephus C.
Nichols, Thomas V.
Patterson, Joe T.
Patterson, R. Holmes
Phillips, John Alton
Phillips, Oliver W.
Posey, Louis Lonzo



**CONTINUED
ON NEXT
CARD**

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House of Representatives—continued

Potter, William T.	**Sillers, Walter, Jr.	Topp, Mildred S.	Wells, Bennie F.
Power, Shelby R.	Smith, Geo. Robert	Torrey, Robert	West, Joseph E.
Purser, William Elton	Smith, L. A., Jr.	Trowbridge, Clif. J.	Wheless, Leon Lum
Purvis, Sam J.	Smith, Lawrence O.	Tucker, John James	Williams, Joe Davis
Renick, Laban Victor	Smith, Lester M.	Upchurch, Robert W.	Williams, William A.
Rigby, Earl P.	Speights, Nevis E.	Vance, Robert Lee	Wilroy, Nathaniel E.
Riley, Charles R.	Stanford, James H.	Voller, Wm. Jos., Jr.	Woolfe, Oscar O., Jr.
Roberts, Charles A.	*Stansel, Horace S.	Wadlington, Walter J.	Woolfolk, Ellis Trigg
Roebuck, Sidney T.	Stockett, Peter M.	Waits, Dewey Hilton	Wright, Fielding L.
Seal, Leo Zeno	Sykes, C. E.	Walker, Joseph C.	Young, Carey Ethan
Sharpe, Guy Phillip	Tankersley, E. G. H.	Walker, W. A.	Young, Elmer Martin
Shields, Joseph D.	Taylor, Charles A.	Weathersby, Olan O.	Young, Harman D.

STATE OF MISSOURI

Senate

Barbour, Edw. A., Jr.	*Donnelly, Phil M.	Kinney, Michael	Quinn, William M.
Briggs, Frank P.	Doran, W. J.	*Lewis, McMillan	Roberson, Charles O.
Brogan, Joseph H.	Frost, Gene	Lindsay, Arthur N.	*Rollins, James S.
Cassey, Michael E.	Gordon, Baylis T.	Lockridge, Will G.	Rozier, George A.
Clark, Albert M.	Hixson, W. L.	Mabee, Ray	Russell, James H., Jr.
Clayton, Geo. D., Jr.	**Joffe, Jerome M.	McDowell, James C.	Searcy, L. N.
Cope, Clyde C.	Jones, Langdon R.	*McReynolds, Allen	Shea, John P.
Crouse, Emmett J.	Kennedy, Joseph L.	Pepoon, P.	Shotwell, Clarence L.
Dail, Delmar			Wisdom, Carroll

House of Representatives

Adams, Heber W.	DeWitt, R. A.	Jones, Paul C.	Raike, Ellis E.
Aldrich, N. R.	Dickson, H. S.	Jones, Vinton	Rainwater, H. S.
*Armstrong, O. K.	Dodson, W. W.	Joslyn, L. D.	Reinhard, George
Asotsky, Max	Downing, C. C.	Junge, C. P.	Rice, James M.
Auld, George R.	Drury, Louis J.	Kallenbach, R. W.	Roberts, T. E.
Baker, J. R.	Easterday, S. J.	Karst, Raymond W.	Rodecker, G. N.
Barber, Ben	Eckert, Allen	Keating, Edgar J.	Roe, Silas
Barton, William	Evans, Glenn D.	Kehr, Hugh H.	Russell, David B.
Bays, Robert	Evans, Paul R.	Keisker, D. F.	*Schechter, Maurice
Beadles, Francis H.	Falzone, J. A.	King, N. A.	*Schick, Oliver E. J.
Bennett, E. W.	Florea, J. N.	Kirchner, R. E.	Sherwood, A. J.
Bentley, J. F.	Foerst, Edwin G.	Lafferty, William H.	Shockley, T. A.
Blong, Andrew F.	Fontana, Lawrence J.	*Lauf, H. P.	Shoup, Floyd
Bloodworth, C. T., Jr.	Fritz, William C.	Lindhorst, Will L.	Smart, W. R.
Bourk, Gil P.	Fulbright, Carlton	Mahnkey, Douglas	Smith, Francis
Bowling, Howard J.	Fyan, Robert W.	Maples, Dorah E.	Sowers, O. T.
Brady, Edward M.	Gist, Ben H.	*Maxey, Herman O.	Stephens, John
Breckenridge, Carl	Gray, Fred J.	McGee, Harry	Stevens, W. E.
Brinkman, Jules	Gray, Dr. J. A.	McHugh, William O.	Stewart, Gladys B.
Brown, Tom A.	Gwinn, G. W.	Miller, W. Herbert	Still, C. E.
Browning, Louis E.	**Hamlin, Roy	Miner, Elbert S.	Stolte, H. L.
Burke, Wm. Warren	Harlan, George B.	Montgomery, E. E.	Sullivan, John A.
Byrnes, Edward F.	Harrison, J. Fred	Morris, M. E.	Sutton, O. R.
Caldwell, Ed. R.	Harutun, James J.	Nelson, C. S.	Talbert, Robert M.
Catron, Frank F.	Haskell, John B.	Newton, J. F.	Taylor, Joe
Christy, J. G.	Henson, Tolbert	Nolen, Ralph	Taylor, John D.
Cleary, Maurice J.	Herring, H. B.	Norton, R. A.	Thedinger, L. C.
Clinkscales, E. C.	Hershey, August V.	Nutter, Fal	Turley, C. P.
Cluster, A. B.	Hess, David A.	Osborn, Morris E.	Vonderschmidt, Lester
Coffield, H. W.	Hogan, Edw. J., Jr.	Overhulser, C. H.	Wallace, J. S.
Collins, George W.	Hudson, Taylor D.	Pate, S. J.	Walsh, Lawrence P.
Cooper, A. H.	Iffrig, Frank J.	Peery, D. A.	Webbe, Anthony M.
Crain, Hartwell G.	James, Baylis	Phelps, G. E.	Welborn, A. L.
Crooks, Forest L.	Jeffries, L. B.	Phillips, V. E.	Wells, W. L.
Daily, John	Jeffries, T. V.	Pollard, D. A.	Whitaker, O. B.
Dale, Dick B.	Jolly, J. L.	Presley, Lawrence H.	White, C. C.
Daniels, Leo T.	Jones, J. L.	Putnam, J. C.	Wild, P. G.
DeTienne, F. B.			Williams, Dorsey

THE BOOK OF THE STATES

STATE OF MONTANA

Senate

Anderson, Alfred	Cooper, Geo. R.	Kalberg, F. S.	Page, John R.
Angvick, Lars	Cotter, Charles P.	Keeley, W. E.	Parkin, E. J.
Armstrong, Bert B.	Danielson, T. P.	Kelsey, Frank	*Pauline, Robert
Arnold, Steve	Delaney, F. W.	Kilduff, J. F.	Plank, Leonard
Baker, F. E.	**Eaton, Ernest T.	Lamp, F. M.	Plumer, A. J.
Benjamin, Harry	Ekegren, E. P.	Larson, T. O.	Putnam, John A.
Blankenbaker, V. F.	Garrison, J. B.	Liess, Frank	Shannon, Ray
Campbell, John L.	Groff, H. C.	MacGilvra, E. E.	Sibbert, Henry N.
Carey, Emmett	Hammond, W. L.	Melton, George M.	Simmons, H. A.
Carroll, L. Ray	Harris, Orville	Meyer, Harry	Sparling, James T.
*Church, W. R.	Hennessey, W. B.	Murphy, Thos. F.	Stevens, Thayer
Clifford, Frank H.	Hollenbeck, B. D.	Nass, J. N.	Sullivan, Mike
Coburn, John W.	*Holt, Elmer	O'Day, R. S.	*Thein, Henry
Colbo, G. A.	Holton, Albert	Oliver, John	Wass, L. M. A.

House of Representatives

Ahlgreen, Carl	Foor, A. M.	Leavitt, W. B.	Parker, Neil C.
Aker, John	Fowler, C. W.	Lemmer, Frank	Peterson, E. A.
Anderson, Eric	Goodwin, Phil C.	Liggett, J. A.	Peterson, J. M.
Balgord, O. P.	Gordon, George	Lippard, Gordon	Peterson, P. C.
Ballard, Jack	Gray, Claude F.	Lott, Mortimer J.	**Pilgeram, Wm. P.
Bertche, W. H.	Green, Henry R.	Lovell, Ed.	Quigley, Clyde J.
Boone, W. M.	Groene, Merle C.	Manning, D. M.	Ritch, John B.
Brennan, J. P.	*Haight, Herbert H.	Masterson, James W.	*Rolph, H. D.
Burris, Eugene	Hall, Deloss	McLaughlin, John	Ryan, Thomas
Busch, L. W.	Hamilton, E. D.	Metlen, B. Joe	Schofield, Charles L.
Buttleman, William H.	Harlen, Harry	Miller, Guy	Sexton, E. M.
Byrne, E. J.	Harwood, Ben	Miller, Robt. J.	Sherman, Charles
Byrne, Edward O.	Haugen, Knute	Minnette, Dr. C. H.	Smith, Paul W.
Caldwell, V. D.	Heavlin, J. B.	Mitchell, Harry	Smith, W. C.
Chamberlain, Clarence	Hedden, H. T.	Monaghan, G. M.	Southmayd, W. P.
Chapman, D. W.	Helding, Oscar	Moss, G. M.	Spiegel, Sam
Conner, J. B.	Hinerman, S. A.	Mulholland, M. J.	Stevens, Charles L.
Connors, Cain	Joffray, E. N.	Mundy, V. F.	Stimtz, Thomas
Coultas, J. E.	Johnson, Ted	Neary, William	Stromnes, E. J.
Cusick, W. M.	Kathan, A. E.	Nelson, F. J.	*Toomey, E. G.
Doe, Everett	Kelly, W. G.	Nutting, L. A.	Watson, Fred
Ecton, Zales	*Kruse, Albert H.	O'Brien, John	Whaley, James
Egan, Hugh	Kuhl, Herman	O'Connor, George	White, B. C.
Emmett, M. F.	Lasby, W. D.	Ormsby, E. R.	White, W. R.
Emmons, R. A.	Leary, J. E.	Padbury, Fred H.	Worden, Donovan
Ewing, G. L.			York, E. H.

STATE OF NEBRASKA

Senate

Allen, Charles E.	Dafoe, Charles A.	McGowan, John C.	Reynolds, John D.
Blessing, Alvin	Gillette, Edward	McMahon, John J.	Schultz, O. Edwin
Brady, Frank J.	Green, Charles D.	Neeland, F. A.	Slepicka, Alois
Brodecky, Emil E.	Howard, A. T.	*Neumann, Arthur L.	**Stewart, Cloyd L.
Bullard, W. C.	Howell, Sam	O'Brien, Archie C.	Sullivan, George T.
Cady, P. L.	Jelen, Edward	Pedersen, Henry	*Van Kirk, Rolla C.
Callan, John S.	Kaspar, Joseph F.	Price, F. O.	*Warner, Charles J.
Carsten, Fred L.	Mattson, Ivan H.	Regan, R. C.	*Wells, Frank S.
Crowley, Charles B.			

House of Representatives

Adams, John, Jr.	Biermann, August H.	Brown, Frank W.	Bushboon, Ben H.
Bailey, E. Preston	Bishop, John S.	Brown, James A.	Canfield, John
Barnes, Elmer C.	Bock, Henry	Buffington, John W.	Carlson, Swan
Beatty, W. I.	Brandt, Henry F.	Buresh, James	Claussen, Peter H.
Bentzen, Otto	Brämer, Carl T.	Burr, Walter M.	*Comstock, John

House of Representatives—*continued*

Cone, Trenmore.	Havekost, John	O'Brien, John J.	Schroeder, Martin
Cromer, E. P.	Haycock, W. F.	*O'Gara, W. H.	Soderstrom, Ralph
Cummins, H. B.	Henderson, Roy	Osterman, Ed. T.	Softley, Alfred
*Cushing, Marion J.	Herrick, Charles R.	Owens, Claire E.	Somerhalder, H. J.
Diers, W. H.	Hopkins, Owen H.	Perigo, Eugene	Stark, Mrs. Marjorie
Dinan, Emmett	Howard, R. M.	Peterson, John B.	Steele, J. S.
Dowell, M. L.	Humphrey, A. R.	Pizer, Harry L.	Steuteville, John H.
Doyle, John F.	Hyde, Mason E.	Porter, John W.	Stringfellow, J. I.
Dugan, Edward J.	Jeppersen, Lewis M.	Proskocil, J. K.	Strong, Allen A.
Dunn, Lester L.	Johnston, A. M.	Putney, W. G.	Sullenberger, Dayton
Erisman, LeRoy	Lilley, Gates	Rasdal, M. E.	Summers, J. Frank
Finnegan, Simon J.	Long, John R.	*Ratcliff, J. F.	Sutton, A. Lincoln
Flaherty, Frank P.	*Lusinski, Ed. F.	Reed, Jas. E.	Thomas, Ray
Fleming, Henry	McDonald, Neil A.	Reilly, J. W.	Thompson, Don L.
Frank, C. E.	McKim, E. D.	Reuter, F. A.	Tipton, A. A.
Gillespie, L. G.	McLellan, John	Richards, J. E. W.	Von Seggern, E. M.
Gutoski, Peter P.	Meline, Gus A.	Sallandar, E. F.	Wachtler, Fred A.
Hansen, Henry P.	Nickles, George E.	Schepman, William	Webber, B. B.
Hanthorn, Walter A.	Nuernberger, L. C.	Schoenrock, A. C.	Weber, Otto
Hastings, J.	Obbink, Henry		Worthing, William

STATE OF NEVADA

Senate

**Branson, Lindley C.	*Foy, John B.	*Marsh, Wm. A.	Sadler, Edgar
*Burt, L. L.	Friedhoff, Geo. W.	Miller, John H.	Sawyer, H. W.
Carpenter, W. W.	Getchell, Noble H.	*Robbins, John E.	Tobin, Phil M.
Cobb, Will	Keenan, W. H.	Ryan, Frank	Winters, Ira L.

Assembly

Anker, Chester	Glaser, Walter	*Kennett, William	Phillips, Fred
Arnold, L. R.	Goodwin, W. Holmes	Lattin, Ralph	Renfro, O. M.
Bellinger, W. R.	Gray, Harry	Lauritzen, Ed.	Riddell, James
*Boak, C. C.	Grier, Mrs. Glenn E.	Murphy, Ambrose	Rochon, Joe, Jr.
Carter, Geo. H.	Harriman, J. P.	*Newton, R. J.	Russell, Charles H.
Clark, Jas. D.	Henrichs, Peter	*Noble, C. L.	Shelly, Carl B.
Cline, Patrick	Hopkins, A. R.	Oldham, John W.	Sherwood, John M.
Conwell, S. W.	Horgan, J. E.	Parker, George	Stewart, Clair
Cooper, Joe S.	Hussman, George G.	Perrson, Roy	Wines, Mrs. Hazel
Fogliani, Jack	Jameson, Curry D.	Perry, Charles R.	Young, Charles W.

STATE OF NEW HAMPSHIRE

Senate

Alexander, Anson C.	Butler, Charles F.	*Doe, Haven	Marston, John G.
Bailey, Clarence L.	*Calef, Austin L.	Foley, John A.	Martel, Aime
Barrett, John E.	*Carter, Eliot Avery	Harrington, William F.	McLeod, Donald
Bouthillier, Honore E.	Cole, William M.	Kelley, Emmett J.	Roberts, George D.
Brown, Arthur W.	Condon, John J.	Knowlton, George F.	*Sanborn, Ansel, N.
Burbank, Winfred C.	**Dale, Charles M.	Manson, Harry	Wiley, Maurice G.

House of Representatives

Abbott, Ernest L.	Avery, Clarence J.	Barry, John C.	Bernard, John E.
Abbott, Walter S.	Bagley, John F.	Barry, John J.	Bernier, Joseph A.
Adams, Elihu T.	Bailey, Elsie Cora	Barton, Fred A.	Betley, Stanley Jos.
Adams, Wesley	Baker, Charles E.	Bastow, Stephen W.	Bishop, William E.
Ahern, William J.	Ball, John S.	Bean, Charles H., Jr.	Bixby, Esther C.
Allen, Charles A.	Banfield, Charles W.	Beane, Dana S.	Blake, Harold H.
Appleton, Arthur T.	Barden, Margaret H.	Bell, Joseph Fred	Blanchette, Arthur
Astle, William A.	Barnard, Charles H.	Benton, Corning	**Blandin, Amos N.
Aubin, Joseph P.	Barnes, Charles L.	Bergeron, Louis S.	Blood, Robert O.
Averill, Chester B.	Barrett, Andrew J.	Bergholtz, Harry W.	Boilard, Frank

House of Representatives—*continued*

- Bolton, Frank J.
 Booth, William J.
 Boucher, Alfred J.
 Bouthiette, Edward F.
 Bouthillier, Paul E.
 Boutwell, Arthur J.
 Bowles, Oliver L.
 Boynton, George W.
 Brackett, Thomas J.
 Britton, Glenn E.
 Brouillette, Horace
 Brunel, Shirley
 Brünget, Hilda C. F.
 Buckley, Timothy J.
 Buffum, Francis H.
 Bullock, Stephen A.
 Burgault, Anthony
 Burke, Arthur O.
 Callahan, William J.
 Cantin, Alfred J.
 Carignan, Emile
 Carlton, Austin E.
 Carroll, Michael J.
 Cartier, Rudolph G.
 Chabot, Philius J.
 Chandler, Charles A.
 Chandler, Herbert C.
 Chandler, Joseph H.
 Charbonneau, A. J.
 Charland, Zoel F.
 Charois, Bernadette E.
 Chase, Marshall S.
 Chickering, Ralph C.
 Cilley, Frank M.
 Clancy, John G.
 Clancy, William F.
 Clark, John N.
 Cloues, Alfred S.
 Clougherty, James K.
 Clow, Stephen W.
 Coakley, Charles P.
 Coffin, Fred
 Colburn, Oscar A.
 Colby, Frank E.
 Cole, George William
 Connelly, Arthur J.
 Connor, William B.
 Cook, William G.
 Corey, William W.
 Cormier, Rodolphe
 Cote, Francois X.
 Courtemanche, Alcide
 Craïne, Bert L.
 Cram, George B.
 Creighton, Patrick J.
 Crowell, Wendell D.
 Cummings, George D.
 Cummings, M. H.
 Currier, Geo. Moody
 Cutting, Asa D.
 Dagan, Henry F.
 Dahl, Otto J. A.
 Daly, James D.
 Dame, Edward A.
 Danforth, George E.
 Danforth, Paul W.
 Daniel, J. Felix
 Daniels, Joel S., Sr.
 Davis, Burnham B.
 Demers, Edward B.
 Dempsey, John P.
 Deschenes, Frank
 Desmarais, Roland R.
 Desruisseaux, Geo. E.
 Dickinson, Spencer
 Dion, Henry A.
 Dodge, James B.
 Dondero, Mary C.
 Donovan, Thomas F.
 Dow, Charles H.
 Downing, Maurice J.
 Driscoll, John F.
 Dugan, John D.
 Dugas, Alphonsine M.
 Durkin, Patrick J.
 Durnin, Edward
 Dutil, Patrick L.
 Dwyer, Michael J.
 Eliot, Roger E.
 Elliott, John S.
 Ellis, Sheldon E.
 Elson, William J.
 Emerson, Bessie
 Emerson, Charles H.
 Emerson, George Y.
 Emery, Dana A.
 Estabrook, A. Ralph
 Estabrook, Henry L.
 Etsler, Clarence B.
 Farmer, Tharon I.
 Farrell, Francis A.
 Firmin, Julius H.
 Fitts, George L.
 Fitzgerald, Wm. J.
 Flanagan, Edward L.
 Floyd, Rufus B.
 Fogg, Carl M.
 Ford, Stephen J.
 Foss, Alvin E.
 Fournier, Amedee W.
 Fowell, William J.
 Francoeur, Wilbrod E.
 Freeman, Allen M.
 Freeman, Morris M.
 Fuller, Albert L.
 Fuller, Edward B.
 Gaffney, William L.
 Gage, Perley W.
 Gagnon, Alcide R.
 Gale, Arthur P.
 Gallagher, Francis L.
 Garland, George W.
 Gates, Wilder F.
 Gaudreault, Philippe
 Gelinas, Joseph O.
 Gelinas, William E.
 Getz, Oscar E., Sr.
 Gilson, James Herbert
 Glynn, James H.
 Goodwin, Fred T.
 Goodwin, Harry A.
 Gordon, Edward S.
 Gotts, Thomas H.
 Graf, Kenneth F.
 Graham, Joseph L.
 Granger, William R.
 Grant, David A.
 Graves, John W.
 Gray, Lynn M.
 Greenfield, Sara E.
 Guay, Alfred L.
 Guay, Thomas J.
 Guyer, Alfred W.
 Hall, Carroll E.
 Hall, Forrest W.
 Hammond, Lester F.
 Hancock, Frank M.
 Hanson, William B.
 Hardy, Val M.
 Harmon, Simon P.
 *Hart, Harold H.
 Hathorn, Roy C.
 Hayes, Timothy F.
 Heald, Philip C.
 Healy, Daniel F.
 Healy, George T.
 Henderson, Harry L.
 Henderson, Oren V.
 Hepworth, Oliver H.
 Hetherman, Wm. E.
 Hilliard, Frank
 Hilton, Cowling
 Hodgman, Albert C.
 Hodsdon, John R.
 Holleran, Martin
 Horner, Eli J.
 Hosking, E. Earl
 Hough, Thomas W.
 Howard, Ernest
 Howard, William F.
 Howison, Gertrude N.
 Hoyt, Charles B.
 Hoyt, Florence Ward
 Hoyt, Oscar L.
 Hunt, Perry E.
 Hunter, Edgar Hayes
 Huntley, Fred G.
 Hutchins, Charles S.
 Janvrin, Louis B.
 Johnson, Eben M.
 Jones, Albert H.
 Jones, Fred A.
 Jones, William E.
 Jordan, John P.
 Judd, Willie N.
 Kearns, John J.
 Keating, Jerry
 *Keefe, Francis Clyde
 Keenan, Thomas H.
 Kemp, George W.
 Keyser, Frank N.
 Kimball, Walker S.
 Kiniry, Donald J.
 Kittredge, Patrick J.
 Knowlton, Edward T.
 Ladouceur, Thomas
 Lafond, Ephrem
 Lagueux, Placide
 Lambert, Lucien G.
 Lariviere, Wilfred S.
 Lavallee, Alfred H.
 Lavigne, Gerard R.
 Leahy, Albert D.
 Lee, William A.
 Lefavour, Ernest E.
 Legassie, J. A., Sr.
 Lemire, Eusebe P.
 Letendre, Alpha J.
 Letendre, John
 Lewis, Herbert S.
 Little, Adin S.
 Little, Harry E.
 Locke, Clarence B.
 Locke, Leroy H.
 Lombard, Darwin
 Lufkin, Edgar C.
 Lyford, James A.
 Lyman, George A.
 Maddox, Wm. F., Jr.
 Magoon, Charles E.
 Mahoney, Denis F.
 Mahoney, Martin L.
 Maker, Claude M.
 Manor, Carl
 Mansur, Paul Amos
 Marden, Mark K.
 Marshall, Clarence A.
 Marston, Walter G.
 Martel, Albert E.
 Mason, Elizabeth H.
 Matheson, R. Robert
 Matott, Harry W.
 Maxham, George Azro
 Maynard, Albert
 McDonough, D. M.
 McDonough, Peter J.
 McIntire, Wendell M.
 McLaughlin, B. T.
 McLean, Richard J.
 McNamara, Thomas J.
 McNamee, B. F.
 McNeil, James R.
 Mercer, Forrest C.
 Merrill, Arthur R.
 Merrill, Charles L.
 Merrill, Harry A.
 Merrill, Herbert C.
 Millen, Ralph N.
 Mitchell, Lester E.
 Molloy, William A.
 Moran, J. Vincent
 Moran, Paul A.
 Morgan, Charles V.
 Morgan, Ernest W.
 Morris, Lula J. A.
 Mudge, William F.
 Mudgett, Perley W.
 Munroe, Oliver H.
 Myler, Letitia J.
 Nash, George H.
 Neal, Haldimand W.
 Neal, William J.
 O'Brien, John C.
 Ordway, Norma T.
 O'Reilly, John J., Jr.
 Osborne, Leo L.
 Page, Ralph G.
 Palmer, Albert G.

House of Representatives—continued

Parker, Dwight H.
Peaslee, Frank H.
Peaslee, Fred A.
Peaslee, J. William
Peever, Leonard B.
Peloquin, Alpheo J.
Perkins, Herbert
Perkins, John H.
Perley, Joseph B.
Perry, Herman H.
Perry, James B.
Phelan, George J.
Pickering, F. M.
Pierce, Arthur J.
Pillsbury, Walter A.
Piper, Donald J.
Piper, Fred H.
Plantier, Charles
Plastridge, Frank C.
Pomerleau, Albert J.
Pray, Richard G.
Putnam, Erwin D.
Putnam, Robert J.
Quimby, Erwin W.
Ramsay, Louis
Randall, Don W.
Ravenelle, Theo. O.
Read, Arthur P.
Read, Palmer C.
Reardon, Frank L.

Reid, John A.
Remick, Willard S. H.
Reney, Wilfred A.
Rice, Harris H.
Richard, Walter J. T.
Robinson, George O.
Robinson, Thomas P.
Roche, Carl D.
Rose, William T.
Roukey, Elmer D.
Russell, Charles C.
*Russell, George W.
Saltmarsh, Donald W.
Sanborn, Burton F.
Sanderson, Robert H.
Sawyer, Arthur W.
Sawyer, Harry D.
Scruggs, Rhett R.
Seavey, Ralph F.
Shaw, John L. T.
Shea, John F.
Sheehy, Thomas R.
Shepard, Charles E.
Simpson, Charles L.
Simpson, George R.
Simpson, Scott C. W.
Smart, Arthur K.
Smith, Arthur W.
Smith, Henry A.

Soucy, Louis J.
Spaulding, Marquis O.
Stafford, George C.
Stetson, Albert
Stevens, John W.
Stevens, Milton R.
Stevenson, Reginald C.
Stiles, Bessie G.
Stobie, Robert H.
Sturtevant, Arthur F.
Sullivan, Harold C.
Sullivan, John Jos.
Sweeney, Frank H.
Sweeney, Patrick J.
Sym, William
Tallman, William C.
Talty, Michael A.
Tanner, Stanley C.
Thayer, Jerry L.
Thomas, Edwin A.
Thompson, John G.
Thompson, William H.
Thompson, William T.
Tighe, John M.
Tilton, John C.
Tobin, Jeremiah J.
Towle, George W.
Tucker, Fred Garland
Turcotte, Gedeon A.

Turcotte, Hervey E.
Turcotte, Leo J.
Turgeon, Euclide
Vancore, Dixon F.
Van Vliet, Henry J.
Varney, Oe
Wadleigh, Fred T.
Walker, Jonathan
Wallis, John S.
Wardwell, Clarence A.
Warren, Foster G.
Weeks, Charles B.
Weston, William
Whitcher, George W.
Whitcomb, Ernest E.
White, John E.
Williams, Clinton S.
Willis, Merton M.
*Wilson, Allan M.
Wilson, Henry A.
Winkley, Mark H.
Winslow, Ovid F.
Wiswall, Leon E.
Woodbury, Charles I.
Woods, Willard P.
Wylie, Craig
Yeaton, John H.
Yeaton, Walter J.
Young, Alden N.

STATE OF NEW JERSEY

Senate

*Barber, Thomas
Barbour, John C.
Camp, Percy R.
Cole, Blase
Durand, Frank
Erickson, Linwood W.

Hendrickson, Robt. C.
King, Elmer S.
Kuser, Dryden
Leap, S. Rusling
Loizeaux, Charles E.

Powell, Clifford R.
*Prall, Horace G.
Read, Charles C.
*Reeves, A. Crozer,
*Smathers, William H.

Stout, Edward P.
Toolan, John E.
Van Winkle, Winant
**Wolber, Joseph G.
Woodruff, Albert S.

General Assembly

Adams, Alex
Adler, Harry
Altman, Joseph
Artaserse, Peter P.
Beronio, Benedict A.
Betts, James W.
Bien, Frank A.
Bischoff, Harry E.
Bowers, James I.
Burke, John V.
Burrell, J. Mercer
**Cavinato, L. A.
*Clee, Lester H.
Cunard, Erwin S.
DeCamp, Ralph D.

Eber, Herbert H.
Gilmore, Anna
Giuliano, James R.
Goldberg, Sidney G.
Gross, Anthony V.
Gurk, Edward H.
Hand, Constance W.
Hunziker, Walter J.
Jamieson, Crawford
Jefferson, Clyde C.
Katzenbach, F. S., III
Kelley, Frank S.
Kerner, John M.
Knight, J. Edward
Maloney, Teresa A.

McAlevy, Robt. F., Jr.
McC Campbell, Theron
McCauley, Cyril J.
McKean, Dayton D.
McKinstry, John W.
McNaughton, John
Moroney, J. Francis
Muir, Thomas M.
Newcomb, Marcus W.
*Pascoe, Herbert I.
Paul, Joseph C.
Pesin, Samuel
*Rafferty, John J.
Reinert, Isabella C.
Riggs, Albert R.

Sanford, Olive C.
Schroeder, Lloyd L.
Scovel, Edwin G.
Shelton, Mary P.
Sherred, Willis H.
Silkowski, Charles
Taggart, Thos. D., Jr.
Taylor, Walter P.
Thomas, J. Parnell
Topoleski, Joseph J.
Van Fleet, Hart S.
von Nieda, Frederick
Vorsanger, Berthold
*Walker, Thos. Glynn
Young, Henry, Jr.

STATE OF NEW MEXICO

Senate

Adelo, Samuel
Atwood, Lee Brown
*Coe, Mrs. L. H.

Fleming, Dr. Geo. N.
Hendricks, P. B.
Jackson, J. H.

*Jones, S. A.
Julien, Taylor M.
Lee, Floyd

*Mears, Thomas E.
Morrow, James
Mullis, John H.

THE BOOK OF THE STATES

Senate—continued

Olivas, Cornelio
Quintana, J. Perez
Schiele, George

Sedillo, Juan A. A.
Starr, Arthur
Steyskal, A. D.

Tackett, J. W.
*Thaxton, Dr. J. Q.
Torres, A. C.

Vigil, J. Benito
Vogel, Clarence F.
**Wilson, Fred E.

House of Representatives

Adair, Byron
Baca, Ed.
Baca, R. L.
Borunda, E.
Brown, Mrs. L. McG.
Brownfield, A. D.
Chacon, Mrs. Soledad
Chavez, Mrs. Susie
Donnell, Dee
Fernandez, A. M.
*Ford, Willis,
Foutz, S. A.

Gage, W. A.
Garcia, Guillermo
Gonzales, A. A.
Gonzales, S. C.
*Greaser, O. S.
Hall, L. P.
Harrelson, R. R.
Harris, Geo. T.
Jones, Edward
Kennedy, Floyd T.
Kutz, Dan
Leyba, Miguel

Maes, Luciano
Maes, Max
*Marron, O. N.
Martin, D. A.
McDuffie, C. E.
*McNeil, T. J.
McWhirter, J. M.
Montgomery, Robert
Moore, C. N.
Ortega, Jose U.
Ortiz, Rodolfo
Pacheco, A. C.

Page, C. M.
Potter, J. M.
Romero, John B.
Sanchez, Adelaido
Sedillo, Augustin
Smith, Milton R.
Tarpley, Lee
Taylor, J. V.
Usnik, Louis
Valdez, Benito
Wamel, Rufus H.
**White, Alvan N.

STATE OF NEW YORK

Senate

Baldwin, Jos. C., III
Berg, Julius S.
Bontecou, Frederic H.
Buckley, John L.
Burchill, Thomas F.
*Byrne, William T.
Cheney, Nelson W.
Coughlin, Edward J.
Crawford, James J.
*Desmond, Thomas C.
Deyo, Martin W.
Doyle, David E.
*Dunnigan, John J.

Egbert, Rae L.
Esquirol, Joseph A.
*Fearon, George R.
Feinberg, Benjamin F.
Feld, A. Spencer
Garrity, James A.
Graves, Rhoda Fox
Hampton, William H.
Hanley, Joseph R.
Hendel, Frank B.
Hewitt, Charles J.
Howard, John J.
**Joseph, Lazarus

Kelly, George B.
Kirkland, Leigh G.
Kleinfeld, Philip M.
Lee, William H.
Mandelbaum, Samuel
McCall, John T.
McNaboe, John J.
Miller, Edwin E.
Nunan, Joseph D.
O'Brien, Duncan T.
O'Brien, Henry L.
O'Brien, Norman A.

Patrie, Henry I.
Pitcher, Perley A.
Quinn, Elmer F.
Ross, Ogden J.
Schwartzwald, J. J.
Stagg, C. Tracey
Stokes, Walter W.
Thompson, George L.
Twomey, Jeremiah F.
Warner, Earle S.
Wicks, Arthur H.
Williamson, Pliny W.
Wojtkowiak, S. J.

Assembly

Allen, Howard N.
Alterman, Meyer
Andrews, William T.
Armstrong, Harold
Austin, Bernard
Averill, Harry L.
Babcock, Lloyd J.
Bartholomew, H. A.
Black, John H.
Breen, Michael F.
Breitbart, Charles H.
Brownell, Herbert, Jr.
Burgdorf, Andrew D.
Burke, James A.
Bush, E. Ogden
Byrne, Doris I.
Byrnes, John A.
Cahill, John H.
Canney, Anthony J.
Condon, William F.
Conway, J. Edward
Corbett, Donald J.
Corwin, Edward K.
Crawford, Harold J.
Cuvillier, Louis A.
Daniels, Warren O.
Delagi, Michael N.
Devany, John A., Jr.
DiFede, Joseph

Dooling, James J.
Downs, John G.
Doyle, Edward P.
Duffy, Eugene R.
Dunkel, Harry F.
*Dunmore, Russell G.
Dunn, William S.
Ehrlich, Harold B.
Falk, Alexander A.
Farbstein, Leonard
Farenga, Salvatore A.
Farrell, Peter T.
Fischer, Bert
Fite, Emerson D.
FitzGerald, Maurice A.
Flynn, Daniel
Gamble, Ralph A.
Gillen, Michael J.
Gladstone, Benjamin
Goldstein, Aaron F.
Goodrich, Harry E.
Haas, William
Hall, Leonard W.
Hamerman, Joseph
Hamilton, Laurens M.
Hammond, C. B.
Haskell, Albert, Jr.
Hawkins, C. W.
*Hayes, John P.

Heck, Oswald D.
Helfand, Julius
Herman, Harold P.
Hill, James E.
Holley, Ira H.
Hollowell, Fred S.
*Ives, Irving M.
Kaminsky, George
Kane, John V.
Kantowski, Edwin L.
Killgrew, John F.
Kirnan, William
Knapp, J. Maxwell
Langenbacher, Earl
Lavery, Hugh A.
Livingston, Jacob H.
Lonis, Ernest J.
Lore, G. Thomas
Mailler, Lee B.
Mangana, James V.
Marasco, Carmine J.
Marble, Harry R.
McCaffrey, F. J., Jr.
McConnell, Charles R.
*McCreery, William C.
McDermott, S. Earl
McGinnies, Joseph A.
McGrath, Chris. C.
McLaughlin, M. J. H.

McNamara, Danl., Jr.
Meiss, Fred L.
Messer, Wilson
Methfessel, Herman
Miller, Frank G.
Milmoe, Wheeler
Moffat, Abbot Low
Monahan, Joseph J.
Moran, Bernard J.
Moran, Edward S., Jr.
Morris, William E.
Neustein, Irving D.
Newell, W. Allan
Nicosia, Joseph A.
Ostertag, Harold C.
Otto, Joseph Austin
Pack, Carl
Parsons, George B.
Pease, Fayette E.
Piper, R. Foster
Pollard, James Devillo
Porter, Fred L.
Potter, Hamilton F.
Quinn, Frank T.
Rapp, Herbert A.
Reoux, Harry A.
Riley, James Wands
Robillard, Harry
Robinson, James R.

Assembly—continued

Rossi, Nicholas A.
Schanzer, Albert D.
Schwartz, Ralph
Schwartz, William
Shaver, L. James
Sheldon, Edward M.
Sheldrick, Wm. J.
Shepman, Frank G.
Smith, Herbert R.

Smith, Richard B.
Steingut, Irwin
Stephens, D. Mallory
Stephens, James E.
Stewart, George W.
Stewart, McKensie B.
Stone, Horace M.
*Streit, Saul S.

Strong, Pritchard H.
Suitor, Harry D.
Sullivan, Patrick H.
Swartz, Arthur L.
Taylor, Paul R.
Taylor, Rainey S.
Thompson, John S.
Todd, Jane H.

Torsney, George F.
Vincent, Edward F.
Wadsworth, James J.
Washburn, Fred. A.
Weisman, Samuel
Whitney, Maurice
Wightman, David C.
Wright, Russell
**Zimmerman, Fred. L.

STATE OF NORTH CAROLINA

Senate

Allsbrook, Julian R.
Bagley, D. W.
Bailey, Carl L.
Bell, J. A.
Blanton, J. D.
Browning, V. A.
*Burris, Dr. J. T.
Carson, Ray G.
Coburn, R. L.
Corey, Arthur B.
Dunn, J. Allen
Ferrell, W. L.
Folger, Fred

Frink, S. B.
Gibbs, Frank H.
Gibbs, J. P.
**Grady, Paul D.
Gravely, L. L.
Griffin, E. F.
Griffin, L. E.
*Hill, John Sprunt
Horton, W. P.
Hurley, B. S.
Johnson, Rivers D.
Johnston, A. Hall

Lee, P. A.
Mason, George B.
Mitchell, Dr. Wayland
Morgan, Z. V.
*Newman, Harriss
Nixon, K. B.
Powell, Walter H.
Ramsey, Ralph, Jr.
Robertson, Owen S.
Shute, J. Ray
Smith, W. Erskine
Spence, U. L.

Stacy, J. Benton
Steele, Thomas H.
Summersill, E. W.
Swaringen, O. A.
Teague, S. F.
Thompson, Carl S.
Warren, Dalton
Watkins, John S.
*Weathers, Carroll W.
Webb, Ernest V.
White, A. E.
Williams, Joe

House of Representatives

Abernathy, C. C.
Alspaugh, Hal
Andrews, Wiley
Bailey, J. T.
Barbee, W. D.
Barker, Oscar G.
Barnes, Troy T.
Bean, J. W.
Bender, R. P.
Blount, M. O.
Blount, Sam M.
Bowers, J. V.
*Bowie, T. C.
Brock, B. C.
Brown, W. T.
Bryan, T. S.
Bryant, Victor S.
Bryson, T. C.
Carr, Dr. R. L.
Cherry, R. G.
Clegg, W. R.
Cloud, E. B.
Cone, Ben
Cook, Staley A.
Cooper, T. E.
Crabtree, C. H.
Craig, George W.
Craver, H. P.
Cross, Hathaway
Davis, Roy L.

Day, Nero E.
Dees, Julius G.
Dobson, Henry
Douglass, Dr. S. E.
Dowtin, J. A.
Eagles, W. W.
Ervin, Paul R.
Falkner, O. S.
Farrell, Dr. W. I.
Fenner, W. E.
Funderburk, Coble
Gardner, Ernest
Garrell, C. D.
Garrett, James E.
Gibson, W. H.
Gray, T. C.
Harris, R. L.
Hatcher, H. J.
Hauser, C. M.
Head, George
Henry, W. M.
Hobbs, J. C.
Horton, Hugh G.
Howard, B. J.
Hoyle, T. C., Jr.
Hutchins, Mrs. Charles
Hyde, Edwin
**Johnson, R. G.
Johnston, C. C.
Jonas, Charles A.

Jones, B. O.
Kelly, W. D.
Kendrick, N. B.
Klut, L. F.
Lee, G. W.
Leggett, L. W.
Lindsey, H. R.
Lumpkin, W. L.
McCall, Martin
McDonald, Dr. Ralph
*McEachern, Laurie
McQueen, Malcolm
Meekins, P. W.
Mitchell, C. E.
Moody, J. L.
Morphew, R. B.
Norwood, John H.
*O'Berry, Thos.
Page, U. S.
Palmer, A. B.
Paylor, J. H.
Peterson, Dr. Chas. A.
Pickens, R. T.
Rasberry, E. A.
Ray, J. Frank
Regan, H. S.
*Rouse, Robert H.
Royster, T. S.
Scholl, William F.
Sentelle, R. E.

Sherard, W. H.
Sink, Fred O.
Sparger, S. Gilmer
Sprinkle, Herschel
Spruill, C. W.
Stell, Harry
Stevens, L. L.
Stone, T. C.
Sullivan, W. A.
Swift, Dean
Tatem, C. W.
Taylor, James A.
Thomas, F. E.
Thomas, Fred
Thompson, E. M.
Thompson, Paul H.
Thorne, W. H.
Tonnissen, Edward T.
Uzzell, George
Vann, J. N.
Wade, T. C.
Ward, D. L.
Warden, W. P.
Warren, Joseph H.
White, John F.
Williams, O. L.
Williams, Webb
Wilson, R. V.
Woodall, Preston
Zickler, Dr. C. R.

STATE OF NORTH DAKOTA

Senate

Bonzer, A. F., Jr.
Braaten, Oswald
Brostuen, John K.

*Cain, J. P.
Child, E. A.
Coffey, G. E.

Crandall, John
*Drew, G. F.
Dubay, Albert

*Eastgate, J. E.
Erickson, O. E.
Ettestad, Ole

Senate—continued

*Fine, C. W.
 **Fowler, Arthur W.
 Fredrickson, L. O.
 Greene, Ed.
 Greens, E. E.
 Grønvold, F. T.
 Handley, W. S.
 Johnson, Melvin
 Jones, G. A.
 Kamrath, William

Kolpin, George W.
 Kroeber, William
 Lemke, B. W.
 Lind, Alex
 Lowe, W. J.
 Lynn, Harry
 Marshall, A. S.
 Matthaei, W. E.
 McDonald, S. S.

McGillic, J. T.
 Mikelthun, John
 Mutchler, E. F.
 Nelson, A. C.
 Nelson, Nick
 Owings, R. A.
 Peterson, Harry
 Strehlow, Max
 Stucke, E. C.

Thacher, William A.
 Thorson, Herman
 Topp, Otto
 Trout, Walter J.
 Trovatten, Arthur
 Vinje, Dr. Syver
 Watt, William
 Whelan, Thomas
 Wog, Gust
 Young, Milton

House of Representatives

Adams, John J.
 Aljets, George
 Anderson, A. C.
 Anderson, O. C.
 Anderson, O. F.
 Anfinson, Carl
 Bailey, Dave L.
 Bailey, J. W.
 Bauer, William
 Beggs, Arlo
 Bettenhausen, W. H.
 Biberdorf, W. O.
 Bilden, Oliver
 Bjerke, Albert
 Black, Charles
 Blaisdell, Joe C., Jr.
 Born, Fred
 Borstad, Christ
 Brunsdale, Karl H.
 Brusseau, Harvey
 Burgum, L. R.
 *Burke, Thos. J.
 Caddell, James
 Child, E. A.
 Clarke, Earle E.
 Cosgriff, Ed. P.
 Crockett, William
 *Cunningham, D. C.
 *Dahl, J. A.

Dahl, Math.
 Dazell, Alex
 Dittmer, Carl H.
 Downey, R. J.
 Dullea, Edw. J.
 Erickson, F. W.
 Erickson, John A.
 Field, Albert
 Fitzgerald, Joe F.
 Fosaker, Ole G.
 Geyser, Frank
 Gilbertson, Ben
 Godwin, W. J.
 Goodlaxon, L. E.
 Graham, M. D.
 Hall, Roy R.
 Halverson, Harris
 Hanson, J. C.
 Hewitt, H. H.
 Hill, Ed A.
 *Holey, M. L.
 Holte, M. H.
 Holthusen, J. D.
 Hurd, F. D.
 Isaak, Gottlieb
 *Jensen, Nels P.
 Johnson, J. P.
 Kapaun, A. J.

Keidel, Carl
 Kubischta, Anton
 Langford, J. E.
 Larson, Martin
 Lavik, A. N.
 Levin, Palmer
 Lohnbauer, Ejnar
 Marks, E. J.
 *McIlraith, E. J.
 McLarty, A. J.
 Mode, Chas.
 Moore, C. E.
 Morgan, C. H.
 Morris, H. J.
 *Muus, Einar
 Myers, Leonas
 Niewehner, H. F.
 Noben, Nels P.
 Norheim, L. O.
 O'Brien, Harry
 Odegard, L. C.
 Oglesby, Sam
 Olson, Axel
 Olson, O. C.
 Page, Franklin
 Parkinson, Howard
 Peterson, Fred J.
 Peterson, Peter

Place, W. S.
 Randall, John F.
 Ritter, Christ P.
 Sand, Paul A.
 Saumur, Geo. H.
 Savre, Edward
 Schantz, William M.
 Schauss, Gus A.
 Schnell, Ray
 Scholl, R. R.
 Seibel, Fred
 Shannon, Joe
 Shockman, Zack
 Shurr, Fred J.
 Smith, Leland J.
 Solberg, Harvey R.
 Stray, Ole B.
 Symington, Earl D.
 Thompson, J. M.
 Thoreson, James G.
 Traynor, Edwin
 Treffry, W. W.
 Tuff, Wm. H.
 **Twichell, L. L.
 Urschel, Jacob
 Wendland, G.
 Williams, H. C.
 Wolf, Val P.

STATE OF OHIO

Senate

Bower, John P.
 Campbell, Emerson
 Campbell, Willard D.
 Davis, John R.
 Donovan, Bernard R.
 Emmons, V. D.
 Foss, Wm. R.
 Gingher, Paul R.

Handley, William E.
 *Herner, William H.
 Hunter, John F.
 Jackson, Overton D.
 **Lawrence, Keith
 Lipscher, Maurice W.
 Lloyd, John A.
 *Lowery, John G.

Matthews, Jas. M., Jr.
 McCluskey, B. J.
 McIntyre, Bart C.
 Metcalf, Verner E.
 Metzenbaum, James
 Nelson, Oliver S.
 Nichols, Harold D.
 Pollock, Robert A.

Price, Will R.
 Seidner, J. Ralph
 Waldvogel, Edward N.
 Weber, August W.
 *Whittemore, Frank E.
 Wolfe, Philip
 *Yoder, Paul P.
 Zoul, W. J.

House of Representatives

Anderson, Samuel A.
 Armbruster, C. H.
 Arnold, George M.
 Ashbolt, Wm. E.
 Asmann, J. Harry
 Ballard, Paul H.
 Bangham, R. R.
 Barthelmeh, Jacob J.
 Bast, Charles

Best, Charles S.
 *Bittinger, J. Freer
 Boyd, William M.
 Brown, Harold H.
 Butler, Patrick
 Canfield, Donald D.
 Carey, John Q.
 Carroll, Frank J.
 Chapman, Ora B.

Christy, Thomas A.
 Cordes, Henry F.
 Cory, Willis I.
 Creesy, B. L.
 Cully, Hiram H.
 Curtin, John E.
 Davis, Jacob E.
 Deddens, William H.
 Deibel, Edmond H.

DeRighter, John T.
 Desch, Bernard
 Dombeck, John A.
 Duffy, Joseph R.
 Dunn, Patrick J.
 Elliott, F. M.
 Fair, A. Lee
 Fairbanks, Newton H.
 Frakes, Samuel M.

House of Representatives—continued

Fuller, Hugh R.	Jones, Tom W.	McColloch, Wm. M.	Rose, Ed S.
Galehouse, D. W.	Kalb, Al	McCormick, Chas. P.	Rutherford, Raymond
Gallagher, Tom L.	Kane, Lawrence A.	McGraw, Wm. J.	Sawyer, James V.
*Gessaman, Myron B.	Kaser, Robert F.	McGregor, J. Harry	Schiesler, Nicholas
Gilbert, Jesse J.	Kerns, Floyd C.	McInturf, Fred	Schweller, Julian H.
Gilpin, Arthur C.	Kiefer, R. J.	McKie, Stanley G.	Sellers, James H.
Grubbs, Frank	Kilpatrick, Bishop	Metcalf, Henry H.	Shaver, Gilbert J.
Guyer, James M.	King, E. R.	Miller, Harold F.	Shaw, R. K.
Hall, Forest W.	Kirkpatrick, Geo. H.	Mills, J. G.	Smith, Alma
**Hamilton, Arthur	Knepper, W. H.	Moorhead, L. A.	Stacy, Lloyd S.
Hansen, Harry J.	Krueger, Clarence M.	Mourey, Fred	Thomas, Earl E.
Harter, George J.	Laderman, Louis N.	Munger, Harry J.	Traxler, Grover R.
Hayden, John J.	Lake, Charles	Myers, L. H.	*Uible, Frank R.
Heath, John F.	Lawrence, L. A.	Niday, Victor J.	Van Ness, W. P.
Heller, Leo F.	Lehmann, John J.	Niswonger, George E.	Ward Grant P.
Hesse, Sydney A.	Levan, Marzel	Nixon, Delbert E.	*Ward, P. E.
Hewitt, John T.	Lloyd, Miss Ruth	Ogrin, Joseph J.	Whetro, W. H.
Hower, Mrs. B. E.	Lutz, Ralph C.	Paskell, John, Sr.	Whitacre, O. E.
Hudlett, William	Marlow, Richard	Petri, Kenneth M.	Whitney, O. W.
Huml, Lody	Marshall, Ralph G.	Phillips, H. T.	Wilkins, Ralph W.
Hummell, E. Ray	Matthias, John M.	Phillips, W. R.	Williams, Wm. H.
Hunsicker, Clark K.	Maxwell, Grover C.	Reiners, Fred G., Jr.	Wintzer, Carl F.
Jackson, Clingan	Mayer, Albert J., Jr.	Richards, John L.	Wright, Harry H.
Johnson, Otis R.	McChesney, W. R.	Rogers, P. H.	Zablotny, Stanley J.
Jones, Jas. A.	McClain, R. P.		Zona, Stephen A.

STATE OF OKLAHOMA

Senate

Albright, Charles	Fidler, W. C.	*Logan, David M.	Sowards, Willard
**Briggs, Claud	*Fischl, Louis A.	Lowrance, Oscar K.	Spencer, Gerald
Broadbuss, Bower	Garvin, Knox L.	*MacDonald, John A.	*Stewart, Paul
Burns, DeRoy	George, E. V.	Nance, Jim	Taylor, Nat
Bushyhead, Dennis	Hill, E. P.	Nichols, Allen G.	Thomas, Grover
Carlile, W. A.	Howsley, R. L.	Paul, Homer	Timmons, Henry C.
Carmack, S. W.	Hutchinson, Geo. A.	Pugh, John D.	Waldrep, Tom
Chamberlin, Cecil R.	Ivester, H. C.	Ray, W. O.	Whitaker, Joe M.
Commons, A. L.	Johnston, Henry S.	Rinehart, J. A.	Wilbanks, Don
Curnutt, H. M.	Jones, Ray C.	Ritzhaupt, Louis H.	Willis, Bert R.
Duffy, Charles B.	King, Ed.	Rorschach, Jack L.	Wright, H. W.

House of Representatives

Abernathy, Kenneth	Coe, William O.	Hogg, T. J.	Moffett, Ed B.
Abernethy, Oscar H.	Coleman, Ray	Holliman, John M.	Montgomery, A. E.
Allen, Charles W.	Cook, Rowe	Howell, Vernon	Mooney, Bob
Armstrong, Luther D.	Corson, Ed E.	Hoyt, Lester D.	Morrow, J. A.
Bailey, Frank	Couch, Penn.	Huey, Benjamin	Morse, Wilbur L.
Barnett, W. A.	Cox, Julius W.	Hunt, George H.	Morton, Howard
Beaman, L. V.	Davis, Arleigh	Hunt, Harry G.	Munger, Thomas O.
Beck, Louie W.	Davis, George H.	Huser, O. S.	*Munson, Merton
Billings, Bryan	Deaton, Austin R.	Jones, Tupper	Myers, Cecil A.
Boggs, H. O.	Doggett, Walter M.	Johnson, J. A.	O'Brien, Edward P.
Branan, Herbert L.	Doty, V. A.	Johnson, Walter B.	O'Dell, Homer
Brewer, R. W.	Dunn, W. R.	Johnston, W. P.	O'Neill, F. B.
Brewster, Joe	*Eason, T. W.	Kerr, Aubrey M.	Pauls, George
Brown, Dale	Eby, Seth G., Jr.	Keyes, Chester A.	Peterson, W. J.
Bruce, Alvin	Ellis, Ben F.	Kiker, V. L.	Phillips, Emerson R.
Byrom, Marvin	Frayar, Darwin	King, Henry Clay	**Phillips, Leon C.
Campbell, O. K.	Frazier, R. W.	Kirkpatrick, Glade R.	Poe, L. M.
Cantrell, D. C.	Freeman, Harold	Larason, Bert	Poteet, William E.
Carey, Leonard	Gibbons, Murray F.	Long, Con	Pugh, M. T.
Carleton, LaVerne	Goodwin, Sam. J.	Martin, D. E.	Raasch, F. E.
Carmichael, J. D.	Gregory, Ellis V.	Mauk, W. L.	Rawls, Clarence
*Chambers, Joe	Hankla, John R.	McAlester, W. B.	Reed, Jean R.
Chase, Robert N.	Haynes, Ralph C.	McCollow, J. W.	Roberts, David C.

THE BOOK OF THE STATES

House of Representatives—*continued*

Rone, Ira
Sadler, Ewing C.
Schwoerke, C. W.
*Shoemaker, F. N.
Singleton, Sandy H.
Skinner, R. W.
Spear, Lucian C.

Speck, Burr
Spencer, Ralph
Standridge, J. A.
Stokes, Virgil L.
Sullivan, Sam
Taylor, Jesse E.
Thornton, Murrell H.

Traw, B. J.
Twidwell, Carl
Ulmark, Arthur W.
Welch, Don.
Whitaker, Samuel G.
Whitt, O. H.
Wilder, Webster, Jr.

*Williams, G. J.
Wingo, Geo. H.
Wooten, Marvin
Worthington, M. C.
Wright, J. Carl
Wright, Thomas Z.
Wyly, Percy

STATE OF OREGON

Senate

Aitken, George M.
Allen, Jack E.
Best, James A.
Burke, W. E.
Bynon, Allan A.
Carney, Byron G.
Chinnock, James T.
**Corbett, Henry L.

Dickson, Ashby C.
Duncan, Robert M.
*Dunn, George W.
*Fisher, Walter S.
Franciscovich, F. M.
Goss, John D.
Hazlett, James H.

Hess, Henry L.
Lee, D. McCullough
Lessard, Delmore
*McCornack, Elwin A.
McKay, Douglas
Pearson, Walter E.
Spaulding, Charles K.

Staples, Isaac E.
Steiwier, William H.
*Strayer, W. H.
Stringer, Cortis D.
Walker, Dean H.
Wallace, N. G.
Wheeler, H. C.
Zimmerman, Peter

House of Representatives

Alber, N. Ray
*Angell, Homer D.
Barnes, Ellis W.
Boivin, Harry D.
Brockway, Alvah E.
Bull, Vernon D.
Carter, Roy E.
Caufield, J. R.
*Cooter, John E.
Dickson, Wm. L.
Duerst, W. B.
Eckersley, James W.
Engdahl, Carl
Erwin, Warren
Fatland, E. R.

Frazer, Harry
Fuhrer, Walter
Gouley, Romeo
Graham, Wm. L.
Haight, C. P.
*Hamilton, Moore
Harrison, Fred E.
*Hill, Earl H.
Hill, M. M.
Hockett, Dr. C. T.
Honeyman, Mrs. N. W.
*Hosch, Dr. J. F.
Hughes, Col. J. W.
Hyde, G. F.
Johnson, W. A.

Johnson, William, Jr.
Jones, Ronald E.
Kirkpatrick, E. W.
Knight, William W.
Krier, Roscoe
Latourette, Howard
Leach, Charles H.
Lynch, Paul
Magruder, Grace Kent
Martin, Mrs. H. K.
McCloskey, J. H.
Merriam, Howard S.
Munyan, T. W.
Nelson, Victor J.
Norblad, Walter

Norton, Delbert A.
Oleen, O. Henry
Osborne, W. R.
Rankin, William C.
Rennie, A.
Riddle, Glenn N.
Rodman, Millard D.
Ross, E. L.
Scott, James H. E.
Semon, Henry
Smurthwaite, J. R., Jr.
Snider, W. B.
Staples, V. B.
Thomas, Lyle D.
Wallace, Lew

COMMONWEALTH OF PENNSYLVANIA

Senate

Aron, Max
Batchelor, Alonzo S.
*Baumer, Herman E.
Bennett, Edward B.
Boyd, James S.
Buckman, Clarence J.
Cavalcante, Anthony
Chapman, Leroy E.
Clark, William H.
Coyne, James J.
Ealy, Charles H.
Frey, Edward R.
Gelder, Frederick T.

Graff, Peter, III
*Harris, Frank J.
Harvey, Laning
Homsher, John G.
Howell, John W.
*Huffman, Harvey
Hunsicker, William C.
Kahle, I. Dana
Lanius, Henry E.
Law, Glen R.
Mallery, Charles R.
McClure, John J.

McCreesh, John J.
McGinnis, Bernard B.
Miller, Charles E.
Norton, James E.
Owlett, G. Mason
Pierson, Henry J.
**Prince, Leon C.
Pytko, Walter S.
Rankin, George, Jr.
Reed, George L.
Reed, J. Albert
Rice, John S.

Roberts, Warren R.
Rodgers, William B.
Rupp, George A.
Salus, Samuel W.
Shapiro, Harry
Sones, Charles W.
Sordoni, Andrew J.
*Staudenmeier, C. W.
Thompson, Benj. H.
Thompson, Edward J.
Trainer, Joseph C.
Woodward, George
Ziesenheim, Joseph R.

House of Representatives

Achterman, Leo A.
Alexander, Lowell H.
Allen, Charles W.
Altenburg, Floyd G.
Andrews, Hiram G.
Arnold, J. Harold
Atkins, Frank J.
Aukerman, Wm. M.

Baine, Joseph B.
Baker, Francis T.
Baker, John J.
Baldi, Chas. C. A., Jr.
Barber, Thomas W.
Barnhardt, Walter L.
Bernhard, Frank
Blumberg, Arnold M.

Boose, Ellis C.
Boyd, Harry N.
Boyd, Robert
Boyer, Samuel P.
Brancato, Anna M.
Bradley, Joseph P.
Brennan, Harry H.
Brown, Homer S.

Brown, John E.
Brownfield, Harry J.
Brumbaugh, Burt B.
Burke, Joseph David
Cannon, Andrew A.
Caputo, Eugene A.
Carr, John J.
Carson, Walter

House of Representatives—continued

Castor, Lewis F., Jr.	Hart, Samuel B.	Muir, W. W.	Sinwell, William
Chervenak, M. C., Jr.	Hartman, H. M., MD.	Munley, William J.	Sloan, J. Clair
Coakley, Charles B.	Hefferon, John J.	Murrin, J. Brady	Smith, John A.
Cochran, Harry	Hermansen, John C.	Nagel, Reuben A.	Smith, William G.
*Cohen, Herbert B.	Hetrick, D. Murray	Nothnagle, Edward	Snyder, Frank E.
Coleman, Edward J.	Hindman, A. O.	O'Keefe, John J.	Snyder, James L.
*Condon, Wm. Patrick	Hirsch, J. Noble	Ominsky, Joseph	Sowers, Clinton A.
Conner, Patrick	Hoffner, Henry M., Jr.	O'Neill, Harry P.	Spangler, Edwin R.
Coolahan, Frank A.	Holland, Elmer J.	Panton, Allen H.	Sproul, Thomas J.
Cordier, Robert J.	Holstrom, George R.	Parks, Joseph W.	Stank, John F.
Davies, E. T.	Hoopes, Darlington	Patterson, Cliff	Stevens, Samuel P.
Decker, John W.	Horst, Miles	Patterson, James W.	Stewart, Joshua T.
Denning, Stephen G.	Jackson, Walker K.	Pearson, Howard	Stockham, Thomas B.
Dent, John H.	Jones, Benjamin	Perry, John J.	Stone, John F.
Diehl, Harry E.	Kane, E. Kent	Peters, Frederick C.	Stott, Charles J.
Dilley, Lee Norman	Kelso, James	Pfaff, Albert L.	Sumney, Frank F.
Downey, George E.	Kilroy, Elmer	Phillips, Russell	Surface, Harvey A.
Downey, John J.	Kinney, William D.	Piole, Joseph F.	Tahl, Herman J.
Duffort, Harry L.	Klingler, William J.	Powers, John L.	Terry, Charles L.
Eberharter, H. P.	Kobelak, Frank J.	Reising, Peter P.	Tronzo, Al
*Ederer, Clarence L.	Labar, Edward B.	Reynolds, Hobson R.	Trout, Harry E.
Eroe, W. J., Jr.	Larue, Mahlon F.	Rhys, Benjamin H.	Tumelty, Leo V.
Falkenstein, Francis J.	Linderman, Daniel C.	Rinn, Albert E.	Turner, Ellwood J.
Ferko, Joseph A.	Long, Benjamin L.	Roan, William P.	Van Allsburg, John E.
Finnerty, John J.	Longaker, John H.	Robinson, Al K.	Van Sickle, Henry K.
Fitch, Frank J.	Lovett, James E.	Roohey, James P.	Walker, George E.
Flanagan, Edward	Lynch, Marshall	Rood, Morris J.	Wall, Arthur J.
Flinchbaugh, Jacob M.	Male, Henry A.	Ruffennach, Cyril F.	Wasserman, A. Alfred
Flynn, John M.	Mallen, George J.	*Ruth, Frank W.	Weidemann, Thomas
Forrest, E. Arnold	Mason, J. Gordon	**Sarig, Wilson G.	Weiss, Samuel A.
Furman, Roy E.	McCreary, Ralph S.	Sarra, George J.	Welliver, Lloyd W.
Gates, Herbert G.	McDermott, James J.	Scanlon, Joseph A.	Welsh, Matthew J.
Gerard, Anthony J.	*McDevitt, John J., 3rd	Schrock, Jacob B.	Westrick, Dennis L.
Gillette, Wilson D.	McElroy, John E.	Schrope, Edgar A.	Wheeler, Alexander R.
Green, Alexander C.	McHenry, Oliver S.	Schwab, John	White, Haines D.
Greenstein, L. Arthur	McKinney, John H.	Schwartz, Louis	Wickersham, T. R.
Habbyschaw, Wm. E.	Melchiorre, Charles	Shaw, William A.	Wilson, Mrs. Lilith M.
Haberlen, Roy C.	Mentzer, G. Fred	Shepard, Marshall L.	Witkin, Morton
Hagerty, Eugene J.	Merrell, A. F., MD.	Shortz, Willard G.	Wood, Norman
Haluska, John J.	Moomaw, P. C.	Shreiner, Roy W.	Woodside, R. E., Jr.
Hamilton, Frank P.	Mooney, Thomas P.	Shugarts, Blake B.	Yeakel, Wilson L.
Hamilton, Robert S.	Moore, Robert H.	Siegel, John H.	Yourishin, John
Harkins, L. Kenneth	Moran, J. P.	Simon, Joseph A.	Zappala, Frank J.
Harnfuth, Charles	Moul, Clayton E.	Simpson, Richard M.	Zimmerman, W. Ellis

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Senate

Algren, Charles T.	Campbell, Wallace	Flaherty, James H.	McLaughlin, Daniel F.
Anthony, B. Earl	Carpenter, Cleveland	Gardner, Z. Herbert	Paine, Frank E.
Beaucage, George	*Chaffee, Alfred G.	Gibbons, John H.	Pasquale, Luigi De
*Bodwell, Harry T.	Connelly, Joseph A.	Greenhalgh, George D.	Richard, Alfred
Broomhead, Fred C.	Cullen, Patrick P.	Handy, Russell H.	Roberts, Dennis J.
Brownell, Frederick R.	Dunn, Giles P., Jr.	Head, Alton	Sherman, I. Thornton
Browning, Elisha H.	Dwire, James F.	Kenyon, Archibald B.	Simmons, Lester P.
Bullock, George S.	Dwyer, Edward F.	Kiernan, Francis J.	Simpson, John, Jr.
Burgess, William J.	Fenelon, Ed. J., Jr.	Kirby, Joseph J.	Smith, Frank L.
Butler, James W.	Fish, Clyde S.	Lemay, Ronaldo-E.	Smith, John H.
Byrnes, Thomas H.			Troy, William G.

House of Representatives

Adamo, Angelo A.	Berarducci, Vincent J.	Brown, David A.	Clason, Hugo A.
Adams, Raymond E.	Blanc, Alphonso, G. Le	Brown, Linton L.	Coggeshall, Ernest
Asselin, Francis X.	Brayton, Robert M.	Brownell, P. W. S.	Corrigan, Chris. J.
**Ballou, Frank E.	Brown, Charles	Chisholm, William J.	Curry, Walter

House of Representatives—*continued*

Curvin, Harry F.	Lafond, Alice E.	McVay, Joseph F.	Scoliard, Elisha
Datson, John F.	Lanctot, Eugene	Meade, John E.	*Scott, Wilbur A.
Dodge, Linus E.	Lapan, Arthur	Ménard, Alfred U.	Scuncio, Joseph C.
Duphiney, Nelson F.	Lapan, Henry	Monahan, Gilbert J.	Searle, William E.
Duxbury, Harold A.	Lowe, Walter	Mowrey, Updike C.	Snerchia, Vincenzo R.
Eastwood, Richard H.	Lucarelli, Nicholas	Mulligan, Robert	Sepe, Walter
Ellison, Jonas	Lussier, Louis	Munroe, Ernest C.	Sherman, J. Fred
Flynn, Edmund W.	Lynch, James S.	Pagnano, Pasquale	Shunney, Francis X.
Forrest, William G.	Madonna, D. A.	Pastore, John O.	Sisson, C. Furneaux
Fowler, Henry E.	Magee, John R.	Perrin, Clifford E.	Soriero, Albert A.
Fox, William F.	Mailhot, Hormidas	Petrarca, Horace L.	St. Onge, Arthur W.
Garrity, Frederick W.	Mann, Everett A.	Potter, John H.	Sullivan, Laurence M.
Giard, Frank L.	Manning, J. Henry	Proctor, Howard S.	Testa, D. Thomas
Gillespie, Alfred C.	Martin, James J.	Ravenelle, A. W.	Turco, Domonic
Hall, Harry J.	Mathews, James H.	Reddy, William E.	Watts, Charles W.
Halliday, James D.	Maynard, Napoleon J.	Rivet, Wilfrid	Weicker, Paul Q.
Heffernan, Frank A.	McCaughy, P. B.	Rodman, Gilbert T.	Whitford, Edwin C.
Henry, William A.	McCormick, Matt. M.	Rollinson, Firth B.	Whitwam, George
Herrick, Richard	McElroy, Bernard I.	Sandager, Harry	Wilcox, Holder N.
Huey, Harold I.	McEntee, Edward M.	Scannevin, John H.	Windsor, Richard D.
*Kjerner, James H.	McHugh, Thomas P.	*Schroeder, Henry W.	Wrenn, John J.

STATE OF SOUTH CAROLINA

Senate

Bates, Jeff B.	Fairey, J. R.	Lightsey, W. H.	Pruitt, James B.
Brasington, S. F.	Folk, H. C.	Lyles, J. M.	Purdy, H. Klugh
Bridges, E. Coke	Griffith, Joe	Mars, J. Moore	Searson, R. P.
*Brown, Edgar A.	Hamer, J. W.	McCall, C. S.	Shuler, M. A.
Burnett, W. D.	Harley, J. E.	McEachin, P. H.	Sims, Henry R.
Chapman, B. V.	Harvey, W. Brantley	Means, Cotesworth P.	Sloan, C. E.
Cooke, H. Kemper	Hines, F. B.	Murray, M. M.	*Stukes, Taylor H.
Dennis, R. E.	Hughs, Harry R.	Nance, Carroll D.	Thurmond, J. Strom
Dorn, J. J.	**Jefferies, Richard M.	Nicholson, W. H.	Ward, S. M.
Dreher, Lucius E.	Lancaster, J. Boyd	Parler, J. D.	Williams, F. F.
Dunlap, Walter M.	Laney, George K.	Parris, Jeff D.	*Williams, John F.
Epps, R. D.	*Lide, Lanneau D.		Wise, John M.

House of Representatives

Abrams, Marvin E.	Coward, Nathan A.	Huff, Phil D.	Mims, M. Hansford
Adams, Ben E.	Cox, J. M.	Huger, D. E., Jr.	*Moorer, Joseph McQ.
Arrowsmith, P. Otis	Crenshaw, W. Martin	Hunt, Samuel J.	Mozingo, James P., III
Aycock, R. J.	Derrick, J. Kess	Hutto, Jim F.	Nalley, T. B.
Baker, D. Gordon	Donelan, William P.	Isenhower, J. P.	*Nelson, Pat H.
Baker, J. Gary	Dowtin, T. A.	Jackson, R. Tillman	Newton, Rufus M.
Beam, H. P.	Duncan, John W.	Jordan, J. G.	Norton, Lucian C.
Belk, James R.	Easterlin, Francis M.	Josey, C. W.	Ouzts, D. A. G.
Belser, R. Hugh	Elliott, William W.	Kearse, Faber W.	Page, P. S.
*Bennett, Neville	Etheredge, R. H.	Keller, L. W.	Pendarvis, D. C.
Blackburn, Rueben G.	Farr, H. M.	Keller, M. D.	Perry, Charles E., Jr.
Blatt, Solomon	Fishburne, E. L.	Kendrick, C. B.	Plyler, B. H.
Bridges, W. Marshall	George, P. A.	Knight, J. Arthur	Poag, James D.
Britton, J. B.	Gibson, B. M.	Koger, Ira McK., Jr.	Ponder, Wm. Fred
Brown, J. Wiley	Godfrey, H. C.	Lewis, Ellerbe C.	Porter, Jno. H.
Brown, Marvin M.	Graham, George M.	Lewis, J. Woodrow	Prince, Lewis G.
Bruce, Otis E.	Graham, W. Clyde	Lofton, J. A.	Rast, Lewis O.
Bush, M. F.	Grant, Wilbur G.	Love, Hugh J.	Rivers, John Robert
Carter, R. Leo	Griffin, J. Drufus	McAdams, R. H.	Rivers, L. Mendel
Causey, Lonnie D.	Gyles, Herbert Edgar	McCullough, James D.	Roddey, F. M.
Chapman, S. P.	Hall, Mims P.	McDaniel, John H.	Saint-Amand, C. E.
Chick, James B.	Harvey, E. C.	McDonald, R. D.	Salley, Thos. A.
Clinkscales, W. N.	Hatfield, A. J.	McDonald, Ralph N.	Sawyer, Dr. Olin
Coker, L. W.	Hendrix, T. J.	McKown, George W.	Seay, O. D.
Coleman, William Osce	Hildebrand, R. B.	McMillan, John B.	Senseney, H. G.
Connor, A. W.	Hill, Jake D.	Mellette, Miller H.	

House of Representatives—*continued*

Sinkler, Huger
Sloan, Arthur Gibson
Smith, W. C., Jr.
Snow, John J.
Stevens, E. W.

Suber, Z. H.
**Taylor, Claude A.
Taylor, T. Pou
*Thomas, Calhoun
Thornton, O. Frank

Truesdale, Neil E.
Walker, J. Frost, Jr.
Watkins, William L.
Wheeler, C. L.
Whitmire, Christie C.

Williams, T. Yancey
Winter, Marion F.
Witherspoon, J. D.
Wolfe, Julian S.
Zerbst, J. W. D.

STATE OF SOUTH DAKOTA

Senate

Abild, George
Ackerman, Wm. F. D.
Amundson, A. P.
Baldwin, E. H. B.
**Ballo, L. J.
Barton, C. M.
Beck, E. A.
Blum, Erwin
*Boland, John A.
Buche, G. F.
Bush, W. E.
Carpenter, M. M.

Casner, Dwight
*Chaussee, Wilfred
Christian, Christ
Eilers, Herman D.
Ernst, George C.
Fedderson, James
Feeney, Mike
Gardner, W. R.
Goldman, E. W.
Hale, Cabell
Hammer, J. H.

Hanson, Hans
Haven, F. G.
Helvig, Albert
Henderson, Stephen
Johnson, L. A.
McMurray, Charles A.
Mumford, E. M.
*Nelson, Roy B.
Nevin, W. A.
Nickisch, Nathaniel

Olson, O. T.
Peterson, Mancel W.
Schneider, Edward
Schroder, Frank R.
*Simons, L. M.
Sinkular, William
Slocum, E. C.
Sutton, E. D.
Trygstad, C. O.
Vaith, Joseph G.
Weir, Carl H.
Welch, Warren

House of Representatives

Allen, Mike
Alt, George
Amsden, C. S.
Anderson, Olaf
Anderson, Paul A.
Bangs, Frank D.
Berg, Bernard E.
Berry, J. M.
Bettleheim, B. F.
Bishop, W. K.
Brchan, Adolph
Brennan, Joe
Brown, J. W.
Byron, J. P.
Callan, S. V.
*Clark, Damon H.
Cook, Perry T.
Coyne, Robert
Crisman, J. H.
Culver, Burton
Curtis, Everett
Dannenbring, Otto
Davis, N. E.
DeBoer, William
Delaney, Thomas J.
Denhart, Cecil

Doheny, D. D.
Douglas, W. G.
**Eggert, W. J.
Ellefson, John
Ellis, Seth
Engel, Rudolph
Fonder, C. M.
Fosheim, Oscar
Fowler, Charles
Giereau, Henry J.
*Giving, Gerald Renaas
Glover, Roy S.
Goddard, R. S.
Gunderson, Ole M.
Hafner, Frank L.
Hafner, M. E.
Hahn, Edward
Hanson, Gordon A.
Haug, Alfred
Heintz, M. F.
Herreid, Arthur
Hertz, Gottlieb
Hesnard, Theodore
Hockett, Curtis
Jacobsen, E. L.

Johnson, Bennie
Johnson, John T.
Johnson, Oscar C.
Kistler, Jesse
Kobornusz, O. F.
Kuehn, William W.
Larson, A. D.
Levins, P. F.
Light, O. B.
Lunder, Paul M.
Mayo, J. B.
McConville, C. N.
McHugh, Frank
Mehlberg, W. H.
*Miller, A. C.
Monroe, C. D.
Motley, H. H.
Mundt, Harry E.
Nelson, C. C.
Nelson, Vance N.
Opsahl, Paul W.
*Painter, J. B.
Parkinson, O. E.
Pesicka, V. J.
Peterson, Otto

Peterson, P. F.
Pulford, David
*Rasmussen, Jas. M.
Reedy, Thomas E.
Reilly, J. E.
Samuelson, Martin
Sanders, Mrs. Jessie
Schultz, Jeppe
Schulz, Alvin F.
Sims, John L.
Smith, I. J.
Strand, Arne
*Stranne, J. O.
Swanson, R. A.
Swartout, C. C.
Thelin, A. L.
Thompson, Arthur S.
Thue, Peter
Tiede, Nathaniel S.
Wall, Carl F.
Wermuth, Oscar R.
Willard, W. B.
Woolworth, J. E.
Worrall, Charles
Wright, F. W.
Zahow, August

STATE OF TENNESSEE

Senate

Abernathy, W. K.
Ashley, R. A.
Atchley, J. Arthur
Boyd, Marion S.
Bramley, Adrian
Carden, W. A. W.
Carter, E. Bunyon
Cate, George H.
Chambers, Louis A.

Davies, Elmer D.
Dodson, Casto
Draper, Harvey
Elkins, Louis E.
Evins, J. E.
Ewell, Leighton
Fowler, Hammond
**Graves, Andrew J.

Hale, David
*Harris, P. D.
Howell, Sam R.
Jones, Clint
Loveless, C. D.
Lowe, W. D.
Maxwell, Blain

McCrary, Q.
*Morgan, Fletcher
Mosby, J. D.
*Moss, W. T.
Sprouse, John D.
Thompson, Ben L.
*Todd, John R., Jr.
Trotter, J. T.
Wright, Russell

House of Representatives

Allison, Dr. G. M.	Coffman, J. Dave	Havron, James	Murray, Robert M.
Anderson, A. E.	Coleman, D. M.	Hawkins, Fred	Nichols, Tom L.
Anderson, Cecil	Corn, James F.	*Haynes, Walter M.	*Patterson, N. R.
Anderson, John W.	Cornwell, D. B.	Henard, L. D.	*Peebles, Thos. H., Jr.
Atkins, Z. D.	Cothran, Sam A.	Hicks, Sue K.	Phillips, Harry
Austin, Lon S.	Crockerall, J. B.	Holladay, Richard G.	Pope, Byron
Bean, Joe S.	*Cummings, James H.	Humphreys, I. N.	Price, T. C.
Beare, Taylor	DeJarnett, John H.	Jamison, H. D.	Ray, Jeter S.
Beasley, T. D.	Duke, F. M., Jr.	Jeffers, O. E.	Ruffin, D. W.
Blanken, Hugh	Elliott, L. A.	Jones, B. E.	Sams, Brack R.
Britton, Ernest	Foster, W. K.	Justice, S. H.	Sanders, Charles
Browder, Perry	Freeman, George H.	Kelley, C. C.	Sidwell, W. Grady
Brown, Billoat	Fugate, Tillman L.	King, W. H.	Stratton, Gerald
Brown, Charles C.	Gaines, G. Townes	Lashlee, John Wylly	Stuart, Ray
Brown, Harvey	George, Dewey W.	Little, R. E.	Swann, Earl
Brown, Robert P.	Gilbert, Leon	Lynn, William H.	Tindall, Joseph E.
Buntin, Howell E.	Goddard, Paul	Lyons, Dr. W. C.	Traugber, J. Thomas
Burnett, D. H.	Goldston, M. H.	Magevny, Hugh, Jr.	Walker, Julian W.
Camp, Scott	Gore, C. C.	Martin, David	Warden, Clarence
Campbell, Sawyer	Graves, Dr. John W.	Martin, W. M., Jr.	Warren, Marshall
Candler, H. M.	Greer, John W.	Maupin, J. H.	Webb, H. J.
Carter, Lee	Griggs, Willis W.	McAdams, Ernest	White, T. J.
Clark, T. C.	Hall, John B.	Montgomery, Dr. B. B.	Whitelaw, Benjamin
Clark, W. C.	Hardin, William	Motlow, Lem	Williams, Oscar P.
*Cockrell, Arthur	Harvell, Wesley		Wilson, W. H.

STATE OF TEXAS

Senate

Beck, J. W. E. H.	Hill, Joe	*Oneal, Ben G.	Sanderford, Roy
Blackert, E. J.	Holbrook, T. J.	Pace, Will D.	Shivers, Allan
Collic, Wilbourne B.	Hopkins, W. K.	Patton, Nat	*Small, Clint C.
Cotten, Clay	Hornsby, John W.	*Poage, W. R.	Stone, Albert
Davis, E. M.	*Hughston, Wallace	Rawlings, Frank H.	Sulak, L. J.
*DeBerry, Thomas A.	Martin, Will Marvin	Redditt, John S.	Van Zandt, Olan R.
Duggan, Arthur P.	Moore, Weaver	Regan, K. M.	Westerfield, Claud C.
Fellbaum, Ernest	Neal, Jim		Woodruff, H. Grady

House of Representatives

Adamson, J. W.	Cooper, Tom P., Jr.	*Graves, H. N.	Jones, Hugh
Adkins, W. H.	Cowley, Dero D.	Gray, Courtney	Jones, Raglin
Aikin, A. M., Jr.	Craddock, W. M.	Greathouse, J. F.	Jones, Walter E.
Alexander, Bob	Crossley, Dr. A.	Hankamer, Harold M.	Keefe, Edgar S.
Alsup, Lon E.	Daniels, Albert K.	Hardin, Ross	King, W. W.
Ash, J. V.	Davidson, Geo. A., Jr.	Harris, D. M.	Knetsch, F. E.
Atchison, John A.	Davis, Dr. J. C.	Harris, Fred	Lange, Edward H.
Beck, E. Harold	Davison, Howard C.	Hartzog, Howard G.	Lanning, R. C.
Bergman, Carl	Dickison, P. E.	Head, J. Manley	*Latham, Sidney
Bourne, C. D., Jr.	Dunagan, Otis T.	Herzik, Gus	Leath, R. M.
Bradbury, J. Bryan	Dunlap, E. D.	Hill, Emmett C.	Lemens, Vernon
Bradford, Claude	Dunlap, Thomas J.	Hodges, W. E.	Leonard, Homer L.
Broyles, Wallace R.	Duvall, J. C.	Hofheinz, Roy	Lindsey, J. F.
Burns, Gordon M.	Dwyer, Pat	Holland, R. H.	Lotief, Cecil A.
Burton, Grover	England, Byron	Hoskins, Conde R.	Lucas, Jap
Butler, Geo. B.	Fain, John W.	Howard, George F.	Lucker, R. A.
Butler, Verner M.	Farmer, Clarence E.	Huddleston, Earl	Mauritz, Fred
Cagle, A. P.	Fisher, O. C.	*Hughes, Sarah T.	McCalla, Kenneth
Caldwell, Joe	Fitzwater, W. W.	Hunt, J. W., Jr.	McConnell, J. Carroll
*Calvert, Robert W.	Ford, J. B.	Hunter, Edgar	McFarland, C. M.
Canon, C. C.	Fox, Wilson	Hyder, Tom Bullock	McKee, H. L.
Celaya, Augustine	Frazier, Hollis	Jackson, H. P.	Moffett, George
Clayton, W. L.	Fuchs, R. A.	James, Jesse	Moore, Mrs. Helen
Collins, James J., Jr.	Gibson, Merritt H.	Jefferson, Pat	Morris, G. C.
Colquitt, Rawlins	Glass, W. W.	Jones, H. O.	Morrison, Harlee
Colson, Nall	Good, R. H.	Jones, Herman	Morse, R. Emmett

House of Representatives—*continued*

Newton, George Mayo	Reed, W. O.	Settles, J. Doyle	Thornton, E. H., Jr.
Nicholson, C. E.	Riddle, Arthur C.	Shofner, W. A.	Tillery, Edwin
Olsen, J. J.	Roach, J. T.	Smith, Lonnie	Venable, O. C.
Padgett, Jack	Roach, Jesse E.	Spears, J. Franklin	Waggoner, J. H.
Palmer, Gaston	Roane, George G.	Stanfield, H. K.	Walker, Albert G.
Patterson, John D.	Roark, A. W., Jr.	Stevenson, Coke R.	Wells, Joe Kelton
Payne, Stanford	Roberts, Morris	Steward, Hugh B.	Westfall, Leonard
Petsch, Alfred	Rogers, B. L.	Stinson, Jeff D.	Wood, Frank A.
Pope, W. E.	Russell, Traylor	Stovall, H. R.	Wood, Robert H.
Quinn, B. E.	Rutta, Charles D.	*Tarwater, Arthur B.	Worley, Eugene
Reader, R. L.	Scarborough, A. P., Jr.	Tennyson, Charles H.	Young, J. D.
Reed, Jasper N.			Youngblood, J. W.

STATE OF UTAH

Senate

*Bamberger, Julian M.	*Griffin, Wm. H., Jr.	*Huggins, Ira A.	Parratt, D. W.
Bowman, O. C.	Hammond, W. D.	**Maw, Herbert B.	Royle, Eldred M.
Calder, Hyrum B.	Holbrook, Ward C.	Miller, George M.	Stevens, Daniel
Day, Wilford	Holmgren, Albert E.	Musser, Mrs. B. W.	Stewart, Mrs. F. Page
Fennell, Patrick J.	Hopkin, Alonzo F.		Wallace, John M.
Frischknecht, Conrad			Woodward, Dr. H. M.

House of Representatives

Aird, Mrs. Emily D.	*Gammeter, Emil	Larsen, Elliot	Pectol, Ephraim P.
Allred, Birten	Gibson, Mrs. Rhoda	Lindstrom, G. G.	Peterson, J. R.
Andersen, Hyrum	**Granger, Walter K.	Low, Frank D.	Peterson, Paul M.
Arnovitz, Irwin	Hall, Jesse	Luke, William J.	Richards, Edward F.
Bennion, Heber, Jr.	Hendricks, George G.	Macfarlane, Grant	*Romney, Marion G.
Bletzacker, Clifford	*Holbrook, Moses L.	Maeser, Mrs. Sherwin	Selvin, Sol J.
Bosque, Mrs. Reva B.	Holdaway, Elmer	Marthakis, P. S.	Slaugh, George A.
Bowler, F. J.	Holley, John	Maw, Wilmer J.	Sorenson, O. G.
Boyle, Kenneth J.	Hummer, Dr. L. F.	Mitchell, Daniel F.	Spence, C. W.
Bryan, Bent R.	Jensen, Mrs. Albert	Monson, Dr. E. E.	Swapp, William J.
Child, Stanley N.	Jensen, Joseph W.	Murdoch, William	Taylor, Milton B.
Cook, Clarence	Jensen, T. W.	Nelson, Earnest L.	Thackeray, Mark
Cornwall, E. H.	Jones, Evin	Nicholes, Lyle B.	Theobald, Evan B.
Doty, Charles B.	Kiefer, Sam F.	Olsen, Joseph H.	Twitchell, Milton
Edman, Frank M.	*Lamoreaux, Warwick		Whiting, Wayne C.
Farr, Dexter			Winder, George

STATE OF VERMONT

Senate

Alapa, Louis	Comings, Herbert B.	Hunt, Leigh	Robbins, Harry E.
Aldrich, Ernest E.	Davis, George R.	Luce, Horatio E.	Shield, Waldron
**Batcheller, Birney C.	Ellis, Elmer E.	Magner, Thomas	Smith, Alexander J.
Beattie, John G.	Hazen, Oscar C.	McCullough, A. A.	Smith, Elsie C.
Beebe, Harry C.	*Heininger, Alfred H.	McGrath, John	Soule, Harmon B.
*Braley, Charles G.	Horsford, Earl F.	Pierce, Charles T.	Taylor, Henry E.
Branchaud, Henry H.	Hubbard, Richard S.	*Rice, Howard C.	Whitcomb, Erwin S.
Chaffee, George C.			*Wills, William H.

House of Representatives

Adams, Alice L.	*Barber, Herbert G.	Bowen, Fred S.	Campbell, C. C.
Adams, Authur B.	Barrett, Day T.	Brown, Frank	Canfield, John L.
Adams, Carrie T.	Barry, James R.	Brown, Mabel C.	Carlson, Robert E.
Adams, Charles B.	Beard, Harris J.	Buckley, Cornelius	Carpenter, Earl C.
Allen, Frank J.	*Beattie, R. F.	Burbank, Charlie	Carter, Jason L.
Allen, L. D.	Bemis, Grace E.	Burgin, Ray F.	Chamberlin, Walter E.
Allen, Robert H.	Bentley, Clark W.	Burke, William J.	Chapman, Henry L.
Amadon, Benjamin F.	Bingham, Maurice A.	Burns, Thomas H.	Chase, John B.
Andrews, Martin G.	Blood, Melvin R.	Buzzell, O. A.	Clapp, Mark L.
Andrus, J. Holmes	Borland, Clark M.	Cady, Willis N.	Clark, John B.

THE BOOK OF THE STATES

House of Representatives—*continued*

Cleveland, Clarence E.	Harrington, B. P.	McCullough, Jas. H.	Royce, Robert H.
Coburn, Homer B.	Hastings, G. B.	McDade, Neal H.	Ryan, Paul W.
Colby, John	Hatch, Roy A.	*McDevitt, Chas. P.	Sanborn, Arthur T.
Colvin, Fred D.	Hawkins, Chester R.	McFeeters, James F.	Sanford, Albert B.
Corbett, Ernest F.	Hawkins, Mary M.	McGrath, G. W.	Sargent, C. L.
Corey, Norman J.	Hayes, Leo A.	McMahon, Harold C.	Sargent, E. J.
Cormier, William	Hemenway, H. Lee	Millington, Sue H.	Shepard, Elmer M.
Corry, Frank C.	Higley, Carlos S.	Mills, Roy C.	Shepard, Oscar L.
Craig, Walter L.	Hinton, E. O.	Moore, Ernest E.	Sherwin, Harry S.
Cramton, Charles A.	Hoadley, Ives O.	Morrison, Paul K.	Shields, Charles A.
Cross, Hermon M.	Holland, Fred H.	Morse, Carlos R.	Sisco, Burton N.
Crowninshield, H. B.	Howland, Thomas E.	Munro, Arthur S.	Sisco, Smith J.
Daley, Edward P.	Hubbard, Earl A.	Murphy, John J.	Skinner, Roy P.
Davis, Fred W.	Hubbard, Henry W.	Nealy, E. G.	Smith, Fred P.
Davison, C. C.	Hudson, Wallace P.	Needham, Fred A.	Smith, Ralph H.
Dean, Lester C.	Hurley, Dan W.	Newton, Lenox G.	Spaulding, Merald
Delano, L. F.	Jackson, William C.	Noble, Fred B.	Spear, Ernest A.
Deming, Arthur W.	Jarvis, Arthur	Noble, Homer R.	Stanley, Leon K.
Denny, Joseph H.	Jeffords, Percy J.	Ogden, Samuel R.	Stevens, D. J.
Dodds, Glenford M.	Jewett, Charles L.	O'Heare, Michael H.	Stratton, Leslie E.
Dunbar, Charles W.	Johnson, C. U.	Olmstead, B. W.	Strong, Carroll F.
Dunklee, Ernest W.	Johnston, Allan R.	Osborne, Edward F.	Styles, Frank E.
Dutton, Fred G.	Jones, Richard T.	Parker, Homer M.	Sumner, Lewis A.
Dwyer, Martha Lang	Jones, Walter Bryant	Parker, Richard P.	Taylor, Katie E.
Dye, Clarence L.	Joslin, Ervin S.	Pattee, Fred O.	Thayer, Henry C.
Edwards, Ralph E.	Judd, Martin K.	Patterson, Frank W.	Thomas, Glenn E.
Ellis, Arthur W.	Kellogg, Frank W.	Pearl, A. S.	Thompson, R. C.
Evans, Charles H.	Kelly, Justin B.	Peet, Anson	Tinney, Harry
Evarts, Jeremiah M.	Kelton, Herbert L.	Perry, C. Harold	Tobin, Edward A.
Farman, Harold H.	Kezer, F. A.	Perry, Frederick A.	Towers, Robert J.
Finnegan, Dennis C.	Knapp, Edward N.	Phelps, Glenn C.	Vaile, Everett M.
Finnegan, Thomas P.	Knapp, George I.	Phelps, M. A.	Vanhorn, George A.
Fisk, William J.	Ladd, Henry C.	Pillsbury, Wilson W.	Varnum, John H.
Flint, Clarence W.	Lamphere, Archie L.	Pollard, Mrs. A. M.	Walter, Gertrude
Flint, DeWitt T.	Lancey, L. de, Jr.	Poole, Clarence A.	Ward, Herbert G.
Flint, George F.	Leland, Homer P.	Potter, James E.	Warner, B. Fay
Flynn, Harry J.	Lesure, Homer A.	Potter, Kenneth H.	Warren, Mabel R.
Ford, Lyle E.	Lewis, Edward J.	Preston, Ralph W.	Wellman, Guy A.
Furman, Barton B.	Lillicrap, Fred R.	*Proctor, Mortimer R.	Wells, Hubert
Gale, Ralph W.	Lindsey, Charles	Quinn, Edward J.	Whalen, John L.
Galvin, George S.	Lobdell, Solon J.	Raleigh, Maurice	Wheeler, Xenophon C.
Gibson, John W.	*Loiselle, J. Leo	Randall, Everett	Wheelock, C. H.
Giddings, J. Leslie	Lyon, John T.	Randall, T. A.	White, Ralph A.
Gilman, George A.	Martin, E. E.	Ranney, R. H.	Whitehill, L. J.
Gleason, R. Burr	Martin, Urban M.	Reilly, Thomas	Williams, Daisy
Graves, William V.	Martin, Walter H.	Remick, Harry E.	Wilson, J. Irwin
Greene, Orson L.	Marsh, William C.	Rice, Gordon R.	Wilson, William J.
Grow, Edgar T.	Mason, Edward H.	Robinson, Almon R.	Witherell, C. Leslie
Hale, Franklin D.	Mattison, Ira N.	Robinson, Melvin H.	Wright, Charles H.
Haley, Joseph A.	May, Charles H.	Bolcau, A. Langdon	Wright, Merton J.
Handly, Daniel T.	Maynard, Roy H.	Rowley, A. B.	Young, Maurice W.
Harding, John S.	McCuen, Robert W.		Young, Russell D.

COMMONWEALTH OF VIRGINIA

Senate

Apperson, Harvey B.	Fuller, Edward R.	Mosely, H. B.	Tuck, William M.
Battle, John S.	Garrett, W. A.	*Norris, Robert O., Jr.	Vaden, Robert C.
Burks, Charles E.	Gilliam, Robert, Jr.	Robinett, L. M.	Vaughan, Taylor G.
Cather, T. Russell	Hillard, Major M.	Rogers, W. O.	Walter, Jeff E.
Chase, Roland E.	Holland, E. E.	Rust, John W.	Watson, Hunter H.
Connor, Cecil	Holt, Saxon W.	Saunders, W. Conway	Weaver, Aubrey G.
Dickinson, Burt L.	Layman, George W.	Shumate, A. E.	Wicker, John J., Jr.
East, Wm. H.	*Lesner, John A.	Smith, W. Worth, Jr.	Wickham, Henry T.
Eggleston, John W.	*Miller, Hunter	*Staples, Abram P.	Woodson, J. Belmont
Ferguson, Samuel L.	*Montague, Hill	Thompson, S. J.	Wright, William A.

House of Delegates

Adams, Berkley D.
Adams, Howard H.
Adams, William H.
Ashworth, Chas. J.
Bandy, Henry M.
Barrow, Emory P.
Beard, J. Owen
Bennett, Hubert T.
Birrell, J. Fred
Boshen, Albert O.
Britt, John M.
Brown, J. Sinclair
Bustard, Maitland H.
Buxton, Samuel R.
Campbell, T. Elliott
Chitwood, S. M.
Coleman, Daniel
Coleman, I. Newton
Coleman, J. Tinsley
Collings, G. B.
Crowder, Chas. W.
Daniel, T. Franklin
Daughton, Ralph H.
Daughtrey, Floyd J.
Davis, Harry B.

Davis, Roy
DeJarnette, Edmund
*Dovell, Ashton
Duval, John T.
Eacho, Harrison
Early, Dr. J. B.
Embrey, A. W., Jr.
English, Edgar B.
Finney, L. Stanford
*Fishburn, Blair
Fleet, R. Hill
Frazier, Tyler, Jr.
George, T. J.
Grabeel, Charles E.
Hall, Wilbur C.
Harman, King E.
Harris, G. A.
Herring, George
Hobson, Haskins
Hodges, Y. M.
Hollerman, J. Howard
Humphries, E. T.
Hutcheson, Joseph C.
Irvine, Wm. H.
Jackson, H. M.

Jones, S. Bruce
King, A. Owen
Litton, Scott
Louderback, C. C.
Lyon, Dr. H. L.
Mackall, John
Massenburg, G. Alvin
McCue, E. O.
McMurrin, R. F.
Medley, Wm. D.
Miller, Burnette, Jr.
Moffat, Robt. W.
Moffett, W. Stuart
Moore, E. Blackburn
Moore, Frank
Morgan, M. R.
Morrison, John W.
Moss, Charles W.
Neff, W. N.
Oast, Edward L.
Oliver, John B.
Page, Vivian L.
Perry, W. H.
Quesenberry, C. G.

*Rhodes, John Q., Jr.
Richards, Paul C.
Rodgers, Samuel D.
Ruffin, R. W.
Sanford, E. W., Jr.
Scott, W. H.
Segar, Archer E.
Shelton, Samuel W.
Shrader, L. H.
Smith, H. T.
Spiers, John
*Stanley, Thomas B.
*Stephens, A. E. S.
Sterrett, Tate
Stuart, Charles E.
Sutherland, H. M.
Terrell, A. J.
Waldrop, C. M.
Walker, J. N.
White, L. Gordon
White, Roy D.
Wilkinson, I. T.
Williams, Robert E.
Wilson, Thomas J.
Witten, J. W.

STATE OF WASHINGTON

Senate

Barnes, Frank G.
Cox, Arthur E.
Dailey, James
Dawson, Wm. C.
Drumheller, Joseph
Duggan, Fred S.
Farquharson, Mary U.
Ferryman, John H.
Gannon, George H.
Garrett, C. (Nifty)
Keller, J. P.
Kerstetter, G. B.

Knutzen, W. J.
Kyle, H. I.
Lovejoy, George A.
*Malstrom, Kathryn E.
Maxwell, Earl
McAuley, George F.
McMillan, David E.
Mehner, Paul
Metcalf, Ralph
Miller, Edmund J.
Morrow, P. Frank

Murfin, A. M.
Murphy, James A.
Murphy, Kebl
Nelson, H. L.
Norman, Fred
Nugent, Dr. D. O.
Orndorff, W. R.
Peirce, Ed.
Reardon, Keiron W.
Roland, S. C.

*Ronald, Walter G.
Ryan, J. H.
Ryan, Scott M.
Shorrett, Judson W.
*Smith, Horace E.
**Steele, E. N.
Stinson, Charles F.
Tewksbury, L. E.
Thein, J. W.
Thomas, Paul G.
Todd, Chas. H.
*Worum, John F.

House of Representatives

Adams, George N.
Austin, Harry D.
Bell, John M.
Bice, Dr. D. F.
Boede, Violet P.
Bohlke, H. C.
Bowden, Richard W.
Boyle, Clemens M.
Brown, Harry H.
Brunton, Edwin L.
Cannon, James
Carty, W. E.
Christianson, Harry E.
Clark, A. W.
Cohen, A. Lou
Cowen, Dr. David C.
Devenish, Carl E.
DeWolfe, Emory
Dixon, Gerald G.
Donohoe, Paul
Drew, George E.
Easterday, Martin V.

Eddy, John W.
Edlund, Linca L.
Edwards, A. E.
Ford, U. S. (M.D.)
Freese, L. C.
Gardner, Joseph
Gehlen, Frank
Gessell, Charles
Gifford, David E.
Haddon, Lulu D.
Hales, Willis M.
Hall, H. D.
Halleran, Martin P.
Herren, Hugh
Holt, Alfred E.
Huetter, Paul J.
Hurley, J. R.
Johnson, Hans
Johnson, W. A.
*Jones, John R.
Karr, Arthur
Keen, Marie Florence

Keith, Lyle D.
Kelly, Raymond F.
Kemp, Fred D.
Klemgard, Gordon
*Leber, Ernest R.
Ledgerwood, J. T.
Lindgren, Lloyd
Luck, Carl J.
Lynch, Bert
Mackie, A. A.
Martin, Fred J.
Martin, John R.
McCarty, Bertel J.
McCauley, W. F.
*McDonald, Donald A.
McDonald, James D.
McDonald, Robert T.
McDonnell, Stephen J.
Morgan, Leslie V.
Murray, Robert
Myers, Florence W.

Neal, M. T.
Neff, Nelson B.
Nelsen, Marcus O.
Ott, Richard B.
Parker, Adele
*Reeves, Belle
Reilly, Edward J.
Richmond, C. Leland
Richmond, W. A.
Robbins, W. W.
Ryan, Russell J.
Sandegren, Ray
Sawyer, Ben S.
Schroeder, Ted F.
Schultz, Frank
**Skinner, Vic.
Smith, B. L.
Smith, Julie B.
Smith, Michael B.
Smith, Thomas E.
Strickland, Rex
Sullivan, Corbin

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Titus, Myron H.
Todd, Dorian E.
Twidwell, George

Van Dyk, Ralph
Voyce, Thomas
Waldron, Robert F.

Wanamaker, Pearl A.
Wentworth, Will W.
Wilson, John N.

Wingrove, Dr. A. C.
Wiswall, Dr. R. D.
Yantis, Geo. F.

STATE OF WEST VIRGINIA

Senate

Barnhart, Alvin J.
Beacom, J. Patrick
Belknap, G. C.
Canterbury, O. C.
Curtis, L. O.
Elbin, Harry
Fleming, Dan B.
Garrett, J. T.

Greene, John H.
*Helmick, A. L.
Helsley, J. E.
Henderson, Louis A.
**Hodges, Charles E.
Howard, Clinton L.
*Jones, Luther R.

*Mathews, Albert G.
Millender, C. Frank
Mitchell, Grover C.
*Paull, James, Jr.
Randolph, Byron B.
Reynolds, E. Bunker
Ritchie, Ray E.

Rouss, M. O.
Sandridge, Lee J.
Smith, Earl H.
Spillers, C. Lee
Tuckwiller, F. W.
Wiseman, Perry N.
Young, Frank A.
Young, G. O.

House of Delegates

Adams, Jack R.
Adkins, Watson
Amos, John E.
Anderson, J. R.
Bailey, J. A. Douglas
Bayer, Harry W.
Beall, Ben L.
Beard, Rev. Charles
Beeler, H. D.
Bibb, T. E.
Bishoff, Clarence D.
Breedlove, Arnold G.
Brotherton, W. T.
Butcher, Ben H.
Butler, Stanley C.
Calvert, Carl C.
Chiple, J. D.
Clifford, John H.
Cottrill, E. E.
Crow, Will F.
Davis, J. Horner, II
Dickerson, A. C.
Doringer, Fred L.
*Dotson, B. A.

Edhart, Lloyd
Fite, Louis K.
Gaylord, James L.
Gentry, Joe G.
Gilmore, J. R.
Gum, W. H.
Hall, Harvey A.
Haythe, W. C.
Hertnick, John W.
Hiehle, Forbes R.
*Hiner, Ralph M.
Holswade, Harry
Inscore, R. H.
James, Ernest K.
Janes, William
Jimson, Roy F.
Johnston, W. B.
Jones, Fleming A., Jr.
Jones, Howard H.
Keister, W. D.
Kuhn, Howard
LaFon, William M.
Lantz, Lewis E.

Lawson, A. H.
Lester, Rufus
Linger, Claude
Long, Charles F.
Martin, A. M.
Martin, U. S.
McCoy, Robert L.
Morford, Dr. J. A.
Morris, Charles B.
Neal, J. A.
O'Brien, J. J. P.
Oldham, George W.
Parrish, George F.
Paul, T. Hugh
**Pelter, John J.
Perry, Ed. V.
Phillips, Hiram
Preston, A. D.
Price, Mrs. S. W.
Proctor, C. N.
*Rairden, George A.
Reed, E. Ray
Rexrode, Stanloy J.

Righter, Edgar E.
Roberts, William W.
Russek, Steven J.
Russell, Mark, Jr.
Saville, J. Burr
Shahan, J. Buhl
Shedan, George
Simmons, Allen
*Strouss, Junius M.
Thomas, James Kay
Underwood, I. M.
Vandall, J. Wamsley
VanSickler, H. L.
Vickers, Arnold M.
Wade, Glenn B.
Watts, Oscar
Welton, Arch J.
Winters, Paul C.
Wiseman, Emmette O.
Wolf, Dallas
Woodward, H. E.
Wright, H. Dennis
Wylie, Dr. Ward
Wysong, W. S.

STATE OF WISCONSIN

Senate

Anderson, John A.
**Bolens, Harry W.
Brunette, E. F.
Callan, James L.
Carroll, William D.
Cashman, John E.
Clancy, Joseph
*Coakley, Maurice

Dempsey, Chester E.
Engebretson, George
Galasinski, Max J.
Gehrmann, B. J.
*Griswold, H. W.
Hunt, Walter H.
Ingram, G. Erle
Kannenberg, R. E.

Kelly, Morley G.
Leverich, Earl
Mack, Mike
Morris, Oscar H.
Morrisey, Pierce A.
Nelson, Philip E.
*Panzer, Frank E.

Phillips, Charles H.
Rush, Walter J.
Schoenecker, H. V.
Severson, Herman J.
Shearer, Conrad
Shenners, Wm. H., Jr.
*Wade, Sherman
Zimny, Arthur L.

Assembly

**Alfonsi, Paul R.
Baker, Albert J.
Barber, Joseph L.
Barnes, William H.
Bay, William
Beggs, Charles A.
Bergren, Harry B.
Bichler, Nic J.

Blomquist, Edwin W.
Erandt, B. E.
Busby, Allen J.
Caffrey, Thomas H.
Carow, J. W.
Cavanaugh, James T.
Clemens, Bert
Daug, Palmer F.

Douglass, Lyle
Dueholm, Marius
Fitzsimmons, M. J., Jr.
Foley, James L., Jr.
Franzkowiak, Martin
Fuhrman, Paul
Garvens, Joseph L.
Genzmer, Elmer L.

Graass, Frank N.
Grassman, Edward
Grimes William P.
Grobschmidt, John W.
Grosvenor, Alfred C.
Groves, William F.
Hall, Earl D.
Hall, Michael H.

Assembly—continued

Halvorsen, H. S.
Hamata, Joseph C.
Handrich, Alvin W.
Hanson, James C.
Harper, Hugh A.
Hemmy, Peter A.
Hipke, George H.
Hitt, Arthur
Hoesly, Ernst J.
Howard, Martin F.
Innian, Ira
Jackson, John S.
Johnson, John E.
Kaiser, John N.
Kelly, Arthur D.
Kiefer, Edward H.
Koegel, Arthur

Kostuck, John T.
Kretlow, Clarence
Kroenke, Bernard B.
Kronschnabl, H. L.
Krueger, Henry E.
Kryszak, Mary O.
Laabs, W. H.
Laack, Charles
LaBar, Daniel E.
Lomsdahl, Tom
Ludvigsen, Alfred R.
Lynch, Robert E.
Meisner, Rudolph A.
Michalski, Clemens F.
Millar, James D.
Mulder, John
*Murray, Milton T.

Nebs, Victor
Nelson, Carl M.
*Novotny, Ray
Olson, Clarence V.
O'Malley, John
Peterson, Elmer C.
Peterson, Reuben W.
Peterson, T. A.
*Poltl, Adam F.
Pritchard, John
Rakow, Edward F.
Robinson, Joe S.
Ryan, Donald P.
Schenk, Herbert C.
Schilling, Harry E.
Shimek, Albert D.

Short, John
Sibbald, J. C.
Sieb, John L.
Siebert, Matt
Sigman, David
Stone, Frank
Swanson, Theodore
Sweeney, William
Theisen, Joseph M.
Thomson, Vernon W.
Trego, Reno W.
Vaughan, Byrde M.
Vogel, Otto A.
Wegner, Herman B.
Weissleder, Geo. H.
Woerth, George J.
*Young, Cornelius T.

STATE OF WYOMING

Senate

Barrett, Frank
Beck, Oscar
Binney, John J.
Black, S. H.
Bream, Rev. Chas. S.
Cross, William H.
*Dinsmore, I. W.

*Deloney, W. C.
Graham, James M.
Horton, H. H.
Hunter, Thomas
Keenan, R. A.
*Lazear, Edward T.
Manning, S.

Pearson, N. A.
*Raymond, E. C.
Rumsey, B. C.
Sanders, R. H.
Saunders, W. B.
*Schwartz, H. H.

Spencer, Edwin W.
Thain, Thomas
Trenary, Charles
Wilson, Platt
Winzenried, Fritz
Wright, Earl
Zimmerman, A. R.

House of Representatives

Allen, R. V.
Anderson, Paul F.
Anderson, Reuben
*Armstrong, J. R.
Baehr, Wm. E.
Barker, John A.
Beck, George T., Jr.
Burwell, Earle G.
Chassell, Harry J.
Connaghan, Lucille
Cordiner, A. H.
Cornell, Lyle L.
Dallam, Carl A.
Davis, Raymond M.

Despain, Earl
Farlow, E. J.
Farthing, Chas. T.
Fowler, Herbert B.
*Frison, Paul
Garetson, Worth
Gray, Fred S.
Hammond, Oscar
Hancock, Coleman
Johnson, Harold M.
Keith, J. K.
*Krueger, Herman F.
Kunkle, John A.
Lewis, Craig

Linn, P. T.
Logan, John S.
Low, Osborne
Lynn, Will M.
McClelland, C. P.
Messick, George W.
Mills, A. B.
Mitchell, George
Moore, John S.
Morgan, C. M.
Nance, John F.
Nelson, Albert E.
Norris, W. A.
Pence, Alfred M.

Replogle, Dr. J. F.
Robinson, Carl
Rochelle, Mrs. Albert
Sanders, Walter L.
Schleicher, Harry C.
Scott, Charles P.
*Smith, Clyde A.
Smith, H. W.
Terhune, E. M.
Virgin, W. F.
**Watenpaugh, H. D.,
Wicks, J. L.
*Wilson, Riley H.
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Manual of Legislative Services

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MANUAL
OF
LEGISLATIVE REFERENCE
SERVICES

Material Prepared By
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Preface

THE Interstate Reference Bureau, jointly operated by the American Legislators' Association and the Council of State Governments, and working in close cooperation with legislative reference bureaus of the state, has long realized the need for a handbook on such bureaus. It now presents the first edition of a Legislative Reference Manual.

Legislatures, legislation, and legislators have been the object of much public opprobrium. Among the most serious defects in the legislative process—defects which have admittedly handicapped the progress of law-making in the United States—are the following: lack of experienced legislators; lack of individual responsibility for defective bills introduced; insufficient time for consideration of legislative measures; and need of expert advice both on content and on the legal form of proposed legislation.

The growing complexity of our society has made government increasingly important. Never has the process of law making stood more in need of scientific aids. Over 50 per cent of the lawmakers at each session are inexperienced. They are eager to learn but they must learn quickly if they are to serve the state successfully. To meet this situation two things are necessary: (1) a good and efficient source to which legislators may turn for data on the social and economic aspects of legislation; (2) an instrument for the preparation of laws which are technically correct, and free from contradictions, excess verbiage and ambiguous language. The answer to these needs is an adequately staffed and equipped legislative reference bureau where the experience of other governmental units may be studied

and where proposed legislation may be correctly phrased.

The first modern type of legislative reference bureau was established in Wisconsin early in 1901. At the same time New York was developing a valuable type of library service. State after state, anxious to find means of improving legislation, established bureaus—usually of the Wisconsin type. Congress, after considering for several years the feasibility of a national legislative reference bureau, established the Legislative Reference Division of the Library of Congress in 1914. The American Bar Association appointed special committees to study the movement and has issued several favorable reports recommending the further development of the movement, while a similar committee of the American Political Science Association likewise went on record in favor of legislative reference bureaus.

Thirty-four of the states now have legislative reference bureaus or libraries and nine others may lay claim to some variety of legislative reference work. It is true that reduction of governmental expenditures has curtailed their growth, but there are indications that new bureaus may be formed and several reorganized during the 1935 sessions of the legislatures.

Neither a reform agency nor a lobby for vested interests, the bureau exerts absolutely no political influence. Its function is specialized and its purpose specific. By adhering to a representative system the states have shown that they do not wish government by experts, but they do wish, and can have, government with the aid of experts. Legislative reference service is a most valuable type of expert aid.

Plan of the Manual

THIS Legislative Reference Manual is not a theoretical study. It is an actual survey made by practical experts in the legislative field. Prepared for the general purpose of promoting better state legislation it is specifically designed to supply practical information on legislative reference service to the existing legislative reference bureaus, legislators of the several states, and educational institutions interested in the subject.

In lieu of an introduction there is a reprint of a radio broadcast by two state legislative reference bureau directors and the director of the Interstate Reference Bureau.

In the second chapter the most important information on the legislative reference bureaus is summarized and tabulated. Columnar analyses show general trends in organization, services rendered, personnel, and finances. The chapter is primarily intended to give the reader a general overview of the fifty-two legislative services operating in forty-three states, but a concise picture of each individual bureau may be secured from a study of the tabulated material.

The detailed synopsis of the legislative reference bureaus, which comprises the third chapter, was made possible by the cordial cooperation of the bureau heads. The description of each bureau contains sections on history, statutory bases, organization, legislative reference services performed, personnel, library facilities and finances.

There has been no attempt to evaluate the work of the bureaus in comparative terms, since the standards of measurement are too variable to permit such a procedure. However it is to be hoped that a study of the experiences and facilities and services of the other bureaus may prove valuable both to the director and to the legislators in each state.

The fourth chapter submits a model act creating a legislative reference bureau and providing for its activities, operation, and maintenance. This act, drafted according to the recommendations of a conference of the leading legislative reference bureau directors will probably be submitted to several of the state legislatures during the current sessions.

The Interstate Reference Bureau, operated by the American Legislator's Association, and by the Council of State Governments, acts as a clearing house of information for state legislatures, administrative departments, and particularly the legislative reference bureaus. Activities of this Bureau are described in chapter five of the *BOOK OF THE STATES*.

The Interstate Reference Bureau wishes to acknowledge the assistance in gathering material on legislative reference bureaus which was given by the American Political Science Association's Sub-committee on Research of the Committee on Policy. Mr. W. F. Willoughby was Chairman of the Sub-committee.

CHAPTER I

Aids to Legislation

RADIO Lecture No. 19 of the You and Your Government Series III was delivered May 9, 1933, over a nation-wide network of the National Broadcasting Company under the sponsorship of the National Advisory Council on Radio Education. The lecture was given by Doctor Edwin E. Witte, then Director of the Wisconsin Legislative Reference Library, Mr. DeWitt Billman, Director of the Illinois Legislative Reference Bureau, and Senator Henry W. Toll, in a round table discussion entitled "Aids to Legislation." Their discussion is submitted as an introduction to this Legislative Reference Manual.

MR. TOLL: Eccentric incidents always excite interest, no matter how trivial they are. They intrigue not only simple-minded children, but intelligent adults as well. If a hundred men are standing on their feet while one man stands on his head, we have no eyes for anyone except the man who is standing on his head. If each of a hundred bankers is faithful to his trust, involving the care of millions, while one embezzles seventeen thousand dollars to supply a platinum blonde with flossy furs and with bubbling beverages, he is the one that we read about. By the same token, if a thousand reasonable proposals for laws are contained in a thousand bills introduced in a legislature, and along with them, ten wild-eyed ideas are introduced, the public will remember the ten ridiculous measures long after it has forgotten the thousand meritorious measures. Consequently it is not surprising that there is a popular appetite for distorted magazine articles about "the clowns who make our laws" and about the freak laws that they make. These articles are especially relished by citizens who are blind to everyone in the legislature except the cut-up who is turning cartwheels—and most of us have that sort of blindness.

MR. BILLMAN: Yes. And also by the same token, there is a constant hue and cry concerning the large number of laws which

are enacted by our legislatures. This protest is made by people who do not realize that most of our laws relate to minor readjustments of technical matters, and who are oblivious of the fact that the typical legislative session passes only eight or ten laws of major significance.

MR. TOLL: The man on the street never gives any thought to the practical ways in which a legislature can improve its work, Mr. Billman. He simply finds fault with the laws that are passed. He complains about their substance. He complains about their form. He complains about their quantity. A visitor from Mars might get the impression that it is a crime to pass a law in this country.

MR. BILLMAN: In fact, Senator Toll, some American citizens would apparently like to return to the ancient custom of the Greeks. When a man proposed a new law, he stood with a cord around his neck. If his proposal was rejected, he was instantly strangled.

MR. TOLL: Fine idea! But that was punishment—not cure. And no sore thumb was ever cured by simply finding fault with it. It is high time that the criticisms of our legislatures and of their enactments were given a constructive turn. It is time that more people were asking this question: "If we really want to improve the output of our forty-eight law-making bodies, what can we *do* about it?" What would your answer be, Mr. Billman?

MR. BILLMAN: Well, there are four main features which determine the efficiency of a legislature: first, its personnel; second, its organization; third, its procedure; and fourth, its expert technical staff.

MR. TOLL: Yes, I would agree with you as to that, also. Now, to take the last matter first: Mr. Witte, How many people work in the Wisconsin Legislative Reference Bureau now?

MR. WITTE: Well, throughout the year we have a research staff of six in addition to four clerical assistants. Of course, during

the sessions we have a larger staff, with four lawyers drafting laws, and six or eight additional stenographers. Every member of the legislature uses the service either for research, or for bill-drafting. And for a quarter of a century there has never been any question as to the continued maintenance of this service in Wisconsin.

MR. TOLL: Well, now, Mr. Witte, to get down to cases, what sort of questions does the individual legislator ask you? I wish that you and Mr. Billman would swap examples of some of the specific questions that legislators have presented during the past ninety days.

MR. WITTE: Well, Senator Toll, during the present session of the Wisconsin legislature, our office has answered over a thousand questions, and they related to every imaginable phase of the government of the state.

MR. TOLL: Well, what was one of them?

MR. WITTE: Can the marketing of milk be treated as a public utility?

MR. TOLL: All right, now Mr. Billman, what is one specific question that a legislator has recently asked you?

MR. BILLMAN: Well, how do the several states handle delinquent taxes?

MR. WITTE: What have the forty-seven other states done about controlling the sale of beer, and about repealing the Eighteenth Amendment?

MR. BILLMAN: What position do leading economists take on farm mortgage moratorium proposals?

MR. TOLL: And so you could go on from now until midnight. What other types of requests do the Wisconsin legislators make of you, Mr. Witte?

MR. WITTE: We are often asked to make a summary of a bill, boiling its legal provisions down to concise terms, in convenient form. Often we are asked to report on the present status of a pending measure. We check up points of legislative procedure; we draft proclamations and departmental orders; we help members with speeches; sometimes a legislator asks us to write a letter for him. In fact, once we were called on to make arrangements for an operation which a member needed.

MR. TOLL: Mr. Witte, how does your research service differ from ordinary library service? It is of little value to pile up a

stack of books in front of a legislator and tell him that somewhere in that ore body is to be found the pay vein that he is prospecting for.

MR. WITTE: Yes, the average legislator has little time for research in the hurly-burly of the session. He will not, and he should not be expected to, fan through a lot of material in order to winnow the grain from the chaff. The legislative reference service—in other words, the legislature's research staff—must do the searching; and it must compile the data in concise, understandable form. Our experience has shown that even when we compile a *digest* of the laws of the various states concerning a single subject, we have not made our material as useful as it can be made until we prepare a summary with which to precede it.

Of course, we have to maintain a substantial library, primarily for the use of our own research staff, for we can't make up the answers to questions that we are asked, out of our heads.

MR. TOLL: Mr. Witte, to many people the term "research" means the sort of exhaustive study and analysis to which a college professor devotes months or years of work when he is writing an article or a book. Of course, in the legislative reference field, we mean a somewhat different kind of research, don't we?

MR. WITTE: Yes, Senator. In the first place, our so-called research work usually consists in getting out the kernels from one or more exhaustive studies that have already been made by somebody else. And besides, what the legislator wants us to do for him is what he would call "every-day, practical research"—work which makes it possible for him to reach an immediate decision on a pending problem. He doesn't want to write a book; often all that he wants is to decide whether to say "yes" or "no."

MR. TOLL: Well, Mr. Witte, here is a question which naturally arises: We have 48 state legislatures. Forty-two of them have regular meetings only once during every two years. When the session is over, do the members of your technical staff pack their suitcases and go home, leaving you with the task of organizing a new and relatively inexperienced staff when the regular session convenes in Wisconsin two years later?

MR. WITTE: No, far from it. Our Wisconsin experience is that there is almost as much reference work to do between sessions as during sessions. The law under which we are organized provides that all of the departments of the state shall have the same right to use our research service as the legislators—although we draft proposed laws only for legislators. Some of our most extensive research is done for various departments of the state government between sessions, when we have time for more profound studies than are possible during the session. During the session, when a legislator may rush into our office at a quarter of two to get information with which to bolster up an argument that he is going to make at two o'clock, it is not easy to carry on a systematic study concerning some long and involved subject, such, for instance, as the possibility of consolidating counties and cities, and reducing the complexity and cost of local government.

MR. TOLL: And then of course, Mr. Witte, another factor which enters into the picture is the fact that most of the effective legislatures organize interim committees to work between the sessions.

MR. WITTE: That's true, Senator Toll. For instance, a legislature may establish an interim committee of seven, and instruct it to study (after the session adjourns) what changes should be made in the laws of the state concerning the licensing, taxation, and regulation of motor vehicles. Such a committee is usually instructed to prepare appropriate bills to be introduced in accordance with its recommendations at the next legislative session, two years later. In many states these interim committees set up their own research organizations. In a state which has a legislative reference bureau, it is logical for this bureau to do all of the research work for each interim committee, and, if desired, to handle the committee's correspondence. The work which a legislative reference department does for these committees which are at work between the sessions may be as important as any of its functions.

MR. TOLL: Well, Mr. Witte, I think that you have given a very fair picture of the research work of a legislative reference bureau. Now, I want to ask Mr. Billman to say something concerning the expert counsel

which such a bureau can give in connection with the writing or drafting of proposed laws. Perhaps at this point I should explain that both the Illinois and the Wisconsin legislative reference services draft bills and also conduct research work. Mr. Billman, what is the necessity for technical aid in the writing of laws?

MR. BILLMAN: Well, Senator Toll, there is certainly ground for the complaint that state laws are being enacted which are ambiguous, unreadable, and poorly drafted. In fact, many a law is a cross-word puzzle until the Supreme Court of the state has either solved it, or thrown it into the wastebasket.

MR. TOLL: Well, it is no simple matter to phrase a law which is above criticism.

MR. BILLMAN: No, an eminent writer on jurisprudence once said that legislative drafting is "one of the most difficult achievements of legal skill." So long as words must be used to communicate ideas, and so long as the same word has different meanings and various shades of meaning, there can be no perfect laws. The more that one knows about statutes, the more he appreciates how many excellent legislative plans are fumbled through badly drawn laws. Wouldn't you subscribe to that idea, Senator Toll?

MR. TOLL: If I understand you, Mr. Billman, you mean that when a legislature comes to bat, its batting average is likely to be unnecessarily lowered on account of poorly written bills.

MR. BILLMAN: Yes, draftsmanship is the bat with which the legislature swings at the idea. A legislature which doesn't prepare its laws expertly, and which doesn't phrase them accurately, is using a cracked bat—and it is no wonder if it fans out. When the inning is over, you can look for the idea lost in the weeds—somewhere back of the catcher.

MR. TOLL: Check! However, much is being done by trained draftsmen to improve the form of the laws. This fact must not be overlooked: In any state, there is only one way to make sure that every law on the statute books is properly written, and that is to make sure that every proposed law which is introduced into the legislature is properly written. But the average citizen expects too much of legislators. He

forgets that few of them have had technical training as law-makers.

MR. BILLMAN: Yes, the public should recognize the fact that legislators are elected to decide policies, and that they are *not* elected as technical experts. If the *government* doesn't provide the legislator with an experienced, unprejudiced draftsman, the *lobby* will supply him with a partisan draftsman, whose workmanship may be very inferior.

MR. TOLL: When a legislator who is not a lawyer undertakes to write a law, he especially needs a lawyer to help him. And the American Legislators' Association has collected statistics which show that of the 7,500 legislators in the United States, only one-fourth are lawyers—and that there are as many farmers as lawyers.

MR. WITTE: But, of course, legal training alone does not make a competent draftsman. The bill-drafter should pray for that sort of ingenuity and imagination which will enable him to visualize how a paper scheme will work out in practice. In fact, there is more than a suspicion that one of the difficulties with many of our laws is that they are couched in the archaic, redundant style employed in legal documents.

MR. TOLL: Now, Mr. Billman, tell us something about the writing of bills.

MR. BILLMAN: Well, if the legislator has arrived at a fairly definite idea of how he wants his plan to operate, it is one thing. But it is another matter if he merely realizes that a certain situation ought to be corrected, but does not know exactly how it should be done. For instance, he may come into our office in the Capitol at Springfield and say, "People have lost money through buying mortgage bonds. What shall we do to give them protection?" Now, between that general idea and a finished law, there is a long road to travel.

Somebody has said that all statutes are grumbles. In other words all laws are passed to remedy imperfect conditions. Now, there are certain logical, distinct steps in preparing a law. The first step is to understand exactly what the trouble is which you are trying to remedy. The second step is to understand the legal situation which produces the trouble, or which relates to it. After we know what the situation is which must be corrected, we have to

decide accurately what is to be done to accomplish the cure.

The importance of this step in the operation cannot be emphasized too strongly. No one can write a plain, understandable law, if he has only a hazy idea himself of what he is trying to do. Sad to say, this is the mental state of the author of many a statute.

MR. WITTE: At this point, too, Mr. Billman, you may have an opportunity to render another invaluable service to the legislator. For it may be that in some respects his proposal violates the provisions of the state constitution or the federal constitution. In many cases the author of a proposed law would not be conscious of this fact, if it were not called to his attention by the draftsman.

MR. BILLMAN: Yes, Mr. Witte, and every unconstitutional law means litigation, uncertainty, and expense to the persons whose rights are affected by it.

MR. TOLL: Of course, Mr. Billman, there is a direct connection between the original drafting of statutes, and the subsequent revision of statutes.

MR. BILLMAN: Yes, even if every law that was passed were correct in substance, and correct in form, there is another problem which confronts every legislature—and that is a problem which a great majority of our legislatures neglect woefully—the revision of their laws.

MR. TOLL: Yes, in every state, the compiled statutes—in other words, the accumulated laws which have been enacted by the legislature, session after session—are a jig-saw puzzle. This puzzle is composed of several thousand pieces. Each piece is a single statute which has been passed by the legislature at some time during the state's history. For in each state, every constitutional statute which the legislature has ever passed is still law today, unless the legislature has since revised it, or repealed it.

MR. BILLMAN: When you examine the statutes of a state you may find—side by side—laws that were passed in 1800, 1850, 1900, and 1930.

MR. TOLL: Yes, and the sad part about this jig-saw puzzle—and it is a somewhat discouraging feature—is this: the pieces do not fit together. Some of them are dupli-

cates, some of them overlap, once or twice or three times; some of them are too large; some of them are too small; and there are gaps for which there are no pieces at all.

MR. BILLMAN: In each state, it should be somebody's job to work over the entire irregular jig-saw collection of statutes, and to make them all fit together. It is every legislator's job to get good laws passed; but when they have been passed, in many states it is nobody's especial responsibility to keep them revised, and to keep them weeded out.

MR. TOLL: That responsibility of revising the statutes is certainly one of the three principal functions of a legislative reference staff.

MR. BILLMAN: Yes. *During* the session the drafting experts should be giving their attention to putting the *new* laws into correct shape. *Between* sessions, they should be giving attention to putting the *old* laws into shape. By the way, Senator, I think that something should be said as to the number of states that have legislative reference departments.

MR. TOLL: Well, there are not more than half a dozen states which have adequate expert counsel for their legislators in all three of the legislative reference functions—first, in research concerning the substance of laws; second, in drafting (or writing) the proposed laws in proper form; and third, in revising the compiled laws between the sessions. Legislative reference services are to be found scattered through the states from Pacific to Atlantic, but few of them have adequate staffs—and usually only some one phase of legislative reference work is stressed in a state.

MR. TOLL: There are about half a dozen states in which the legislature has an expert staff of at least six or eight people who work the year round; and each of those states finds that it is good economy to do so. For our state governments are spending two billion dollars every year, and they are making laws which affect every man, woman and child in the country. Consequently, it is worth while for them to have adequate expert advice for their legislatures. But in about fifteen states there is no adequate agency for legislative reference service. In other words, in a vast majority of the states the legislative reference service either does not exist, or else it is operating with an in-

adequate staff. And many of these states are paying the price of this inadequacy through the enactment of unscientific and badly drafted laws. This has been particularly costly this year, when all states have had to work out so many new measures to meet the economic emergency.

MR. BILLMAN: Senator Toll, the picture would not be complete unless you said something about the Interstate Reference Bureau.

MR. TOLL: Well, all of the legislative reference bureaus which are functioning in the separate states are operating in the same general field. For instance, at this year's sessions, the legislatures in practically all agricultural states have considered the advisability of moratoria on farm mortgages. At this year's sessions, too, a majority of the legislatures have had proposals for tobacco taxes, for the revision of banking codes, and for the consolidation of bureaus. But it would be a wicked waste of effort if the legislative reference bureau in each of the affected states made a survey of the situation in all of the other states, every time that such a question arose.

Consequently, three and a half years ago the American Legislators' Association established in Chicago the Interstate Reference Bureau. This Bureau serves as a clearing house between all of the state legislative reference bureaus. On its staff there have at all times been at least ten or twelve college graduates, and it has become a recognized pivotal point for legislative information.

MR. WITTE: In other words, the Interstate Reference Bureau functions more or less as a telephone switchboard?

MR. TOLL: Yes, exactly. Any legislator, or the director of any legislative reference bureau, can simply plug in and ask to be connected with the best source of information concerning any legislative topic. It is then the duty of the Interstate Reference Bureau to secure the exact information or advice which he desires from the best impartial source of information in the country. This source of information may be some legislative reference bureau, or some other department of one of the state governments, or it may be some department of the federal government, or the political science department of some university, or it may be a

national organization, such as the American Bar Association, the American Public Welfare Association, the National Conference of Social Work, the National Education Association, the National Tax Association, and so on and so forth. The usefulness of this Interstate Reference Bureau has been greatly increased through the wholehearted assistance of every legislative reference bureau which is functioning today in any of the states.

MR. BILLMAN: Yes, and the usefulness of the state bureaus has been increased through the services of the Interstate Reference Bureau.

MR. TOLL: Yes, it is a work of mutual cooperation, in an effort to integrate all of the work that is being done anywhere in the United States in the cause of the improvement of state legislation. This bureau of the American Legislators' Association sends bulletins every week to each state legislative reference bureau. It also issues a sort of trade journal for legislators—a monthly magazine, known as "State Government." During the legislative sessions, this magazine goes to every one of the 7,500 state legislators in the United States.

MR. BILLMAN: I think that it would be of general interest to know how it has been possible to get this work started.

MR. TOLL: It has been financed primarily by two of the larger foundations, but several of the states have also contributed toward its support. This project has received formal endorsement in the legislatures of no less than forty-six states.

MR. BILLMAN: The service of the Interstate Reference Bureau is not confined to legislators, is it?

MR. TOLL: No, this bureau is working in conjunction with the Interstate Assembly which was recently organized by the American Legislators' Association, with the assistance of President Roosevelt and with the personal participation of former President Hoover. The Interstate Assembly is a biennial meeting, composed of three delegates from each state: one sent by the Senate, one by the House of Representatives, and one by the Governor. Just as

the services of the Wisconsin Legislative Reference Library are available to executive and other departments of the Wisconsin state government, so the services of the Interstate Reference Bureau are available to the executive and other departments of the various state governments.

MR. WITTE: There is still a great field for the development of adequate legislative reference services throughout the states.

MR. TOLL: Yes, we have only scratched the surface. The present need for better government is sure to result in a popular demand for more adequate expert counsel for our state legislators. I anticipate that the next five years will witness a great development of legislative reference service in the various states—as well as a substantial development of the Interstate Reference Bureau.

MR. BILLMAN: At any rate, this is a problem which merits the concentrated attention of every man and woman who is conscious of the necessity for improving legislation in the states.

MR. TOLL: Yes, it is actually a matter of direct personal concern to each citizen of this country that the relatively inexperienced men who are making the laws of the states should have adequate expert counsel ready to assist them at all times in legislative research, in drawing up proposed laws, and in revising the statutes. Nor can the legislative reference service in any one of the 48 states fulfill its possibilities until it has been placed in closer communication with the similar bureaus in other states.

MR. WITTE: In other words, as a nation we should not be satisfied until we have developed an adequate legislative reference service in each of the 48 states.

MR. TOLL: No, nor should we be satisfied until we have made the research work of each of these state services readily available for each of the others. Only by the development of an adequate clearing house can wasteful duplication of effort be avoided. And only by such integration can we save each state from the necessity of working from the ground up, and enable it to build upon the knowledge and the experience of its fellow states.

CHAPTER II

Texts and Tables

Information Concerning State Legislative Reference Services

THE AMERICAN BAR ASSOCIATION COMMENTS

A COMMITTEE of the American Bar Association appointed to study the scientific and expert framing of legislation reported the following opinions and resolution. This report, drafted in 1913, indicates the potential functions of legislative reference service as envisioned by a professional organization interested in improved lawmaking. The remainder of this chapter and chapter III contain data on the extent to which these functions are now being performed.

Committee Report

"The most important existing permanent public agencies for furnishing information and rendering expert assistance in the preparation of legislative enactments are the state legislative reference bureaus and drafting departments.

"Assistance in the framing of legislation given by existing agencies falls under two heads, legislative reference service, or the work of collecting material throwing light on the subject matter of legislation, and drafting service.

"The legislative reference service, now actually carried on in the several states, demonstrates that it is entirely practicable to collect, classify, digest, and index, prior to a session of a legislature, all kinds of material bearing on practically all subjects likely to become subjects of actual legislation at the session. This material, where the bureau is well run, includes not only books and pamphlets, such as might be found in an ordinary library, but also copies of bills introduced into the various state legislatures and laws which have been enacted in this and foreign countries, and other printed materials relating to the operation of such laws or the conditions cre-

ating a need for them. Indeed, on most subjects of possible legislation, the difficulty is not to find material, but to arrange the large mass of available material so as to make its efficient use practical. That such service has great possibilities of usefulness is evident, especially where the service is directly contributory to the drafting service. The increasing complication of our industrial, social, and governmental administrative problems renders it necessary, if the discussion of matters pertaining to legislation is to proceed in a reasonably intelligent manner, that systematic effort be expended on the collection and arrangement of material bearing on current matters of public discussion likely to become the subject of legislative enactment. A central state agency to furnish such service does not take the place of special commissions or committees created to investigate particular subjects and recommend legislation. The object of the central reference service should be to assist such bodies, as well as individual members of the legislature and others desiring information pertaining to subjects of legislation.

"Existing agencies also demonstrate that it is possible to provide expert drafting service for the more important measures and some assistance in the drafting of all bills introduced. The number of bills, for which expert drafting assistance can be furnished, would appear to be merely a question of the size of the force and the amount of the appropriation for its support. Your committee, therefore, believes that it is entirely practical to establish, in connection with any legislature, a permanent agency capable of giving expert drafting assistance for all bills introduced, and they urge the American Bar Association to place itself on record as favoring such an agency as the most practical means of bringing about scientific methods of legislation, that is to say,

methods of drafting statutes which will secure:

1. Conformity to constitutional requirements.
2. Adequacy of the provisions of the law to its purpose.
3. Coordination with the existing law.
4. The utmost simplicity of form consistent with certainty.

"The technical shortcomings of our statutes are chiefly due to the fact that they come from so many hands working without supervision and without a concerted plan. Each statute is apt to create, to some extent, an administrative machinery of its own, to have its own peculiar provisions for sanction and enforcement, and to frame new rules and principles applicable to already existing acts in *pari materia*. The multiplicity of separate provisions for separate statutes produces confusion, and unnecessarily encumbers our law.

"A distinct drafting service will produce the one thing indispensable to scientific legislation: a professional attitude of mind, which means training for the work, devotion to it, and a reputation at stake in its proper execution, without which a high quality of workmanship is as unlikely in legislation as in any other work."

Resolution

"Resolved, That in the opinion of the Association, an official legislative drafting and reference service, when properly organized and directed, forms an efficient agency tending to prevent the enactment of unconstitutional, obscure and otherwise defective statutes and to secure the utmost brevity and simplicity consistent with accuracy in the language of statutes, and we hereby recommend the establishment and generous support of such service at Washington and in those states not now having such service."

The American Bar Association made this report in 1913, twelve years after the founding of the first widely recognized bureau in 1901. When the report was made there were only twenty-five legislative reference and drafting agencies existent. During the intervening twenty-two years more than twenty-five new agencies have been formed.

NO EVALUATION

It is the purpose of this chapter to give a general picture of all official state legislative reference services. At the outset of this discussion it should be stated that there is *no method* of applying a measuring stick either to the organization of the legislative bureaus or to their work. It is possible to tell how many original researches they conduct, how many bills they draft, and how many legislators they serve. But it is quite impossible to tell how much the legislative reference bureaus have improved the statute law in individual states. This difficulty is greater with the research branch of the service than with the drafting.

It is equally impossible to compare the bureaus of the several states. So different are local problems, legislative practices, and financial conditions, that a type of bureau operating effectively in one state would be largely unsuited to another.

GROWTH OF LEGISLATIVE REFERENCE SERVICE

The official agencies providing legislative reference, research, bill drafting, statutory revision or any combination of these services are listed by states in Table I. The modern legislative bureau idea was inaugurated in 1901. By 1907 only five bureaus were in existence; exclusive of specialized bill drafting or statutory revision agencies which originated as early as 1787 in Massachusetts and South Carolina. However from 1907 to 1914 legislative reference work was undertaken by twenty-three new agencies. In 1907 alone seven states inaugurated the service. Six more bureaus were installed in the biennium 1909-1910; six in 1913; and four in 1914. The number of agencies continued to increase and only one was discontinued. At present there are fifty-two agencies in forty-four states but more than fifteen states still lack adequate legislative reference service.

Thirty-six legislative bureaus have been authorized by statutory provision in thirty-one states. Many others have been set up as divisions of the State Libraries without a specific enabling act of the legislature. The California Legislative Reference Section, Kansas Legislative Reference Department, and the New York Legislative Refer-

ence Section have been organized in the latter way.

Nine or more of the states have two legislative agencies. One of these usually specialized in reference and research and the other in bill drafting and statutory revision. In some cases the functions overlap so that both do research or drafting.

To summarize the situation at present, fifty-two legislative reference and bill drafting agencies operate in forty-four of the states. These agencies range from a bureau which provides library service, research, drafting, and revision to a single lawyer hired by a legislature during session to draft its bills. Thirty-six of the fifty-two are at least fairly well equipped bureaus. The others are makeshift arrangements.

It is interesting to note that of all the legislative reference bureaus organized, only one has been completely discontinued.

ORGANIZATION OF SERVICES

Supervising Agencies

Legislative reference agencies are set up in many different ways. Twenty-one different types of sponsoring offices are empowered to supervise the agency which does the work. Table II shows that twenty-one agencies are under libraries or library boards, while eleven operate directly under the legislature of the state. Six other bureaus are supervised by executive departments and four by offices of attorneys-general. State supreme courts direct three bureaus. The other supervisory bodies range from a historical society to a board of university regents.

Heads of these directing departments include thirteen state librarians, ten chairmen of boards or commissions, nine governors and four attorneys-general. It is interesting to note that during the last five years the departments in Indiana, Ohio, and Virginia have been organized or reorganized under the governor.

Titles of Bureau Administrators

The administrators of the bureaus actually providing the legislative reference services are known by sixteen different names. The majority are called "librarians." "Director" is the next most popular title and "legislative librarian" is a close

third. "Legislative counsel," "revisor," and "chief" are also frequently used.

DIRECTORS

Education of Directors

The administrative officers, or directors, as they will be called in this study, are academically trained as well as experienced. Fourteen directors have the degree of Bachelor of Laws and one is a Doctor of Jurisprudence. Three directors are Doctors of Philosophy; four have master's degrees. Fourteen others have bachelor of arts degrees. Six directors are graduates of private and trade schools, with extra training in law or library science.

Appointment and Terms of Directors

Ten legislative reference bureau directors are appointed by boards of various types, while another ten are appointed by state librarians. In six cases the Governors appoint the directors, and in ten cases the Legislatures or legislative boards or committees fill the vacancies. Once in office, the director may stay indefinitely in thirty-one out of fifty cases—in thirty-four if directors under civil service are included. Six of the fifteen definite terms are two years long and six of them are for four years. Directorships in California, Massachusetts, and New York, come under state civil service regulations.

Time Devoted to Work

Twenty-eight of the directors of legislative reference divisions, departments, bureaus, or agencies devote full time to legislative reference work. Six devote half time to these duties and sixteen work only during legislative sessions. The majority of those listed as sessional directors are state librarians in states which do not have a full time bureau.

Experience of Directors

One of the most interesting facts revealed by this study was the amount of experience which most bureau directors have had. Forty-four directors have had legislative or library experience for an average of more than 14 years. The Statutory Revision Commissioner of Connecticut, Mr. Frederick A. Scott, has had most legislative

experience—thirty years. Directors in Connecticut, Maryland, Rhode Island and New York have all served twenty-eight years or more, while those in Nebraska, Iowa, Arkansas and Oregon each have twenty-four or more years of experience. California, Georgia, Indiana, Massachusetts, Pennsylvania and South Carolina have directors with more than twenty years experience.

STAFF

Full Time Employees

In addition to the fifty directors there are almost a hundred full time employees. The New York Legislative Bill Drafting Commission which maintains twenty-four employees throughout the year has the largest regular full time staff. The Pennsylvania bureau is next with twelve members. The Wisconsin Legislative Reference Bureau has nine full time employees, and the New York Legislative Reference Section has eight. Comparatively large permanent staffs are also maintained by the Maryland, Iowa, and Illinois bureaus.

Terms of Full Time Employees

The full time employees of most of the states are chosen for indefinite terms, but in one state they serve for four year terms and in one state for two year terms. In seven states—namely California, Colorado, Maryland, Massachusetts, New Jersey, New York and Wisconsin—employees are under Civil Service regulations.

Part Time Employees

A number of bureaus employ part time workers for reference service. These are the bureaus in which some legislative reference service is carried on as a library function by the library personnel and under the direction of the state librarian. The Alabama Department of Archives and History and the New Hampshire State Library are the best examples of this arrangement.

Temporary Employees

About two hundred temporary staff members range from expert bill drafters with law degrees to political appointee clerks. Sev-

eral of the smaller states hire lawyers on a per diem basis to serve as bill drafters during legislative sessions. The great majority of sessional employees are stenographers, clerks and employees transferred from other departments, usually the state library or attorney-general's office. The Wisconsin Legislative Reference Bureau averages from twenty to twenty-five temporary employees per session; Connecticut has twenty; to give only two examples. The Massachusetts Senate and House Counsels employ many temporary assistants during sessions and when working on a revision or major compilation of laws.

Appointment of Employees

Full time, part time, and temporary staff members are usually appointed by the director in charge of the agency. In one instance the governor appoints all of the staff, while in two states the entire bureau staffs are appointed by the legislatures. When the legislative reference bureau is a division of the state library the state librarian ordinarily appoints both director and staff.

SERVICES PERFORMED

Legislative reference services have been divided into four sections; library service, legislative research, drafting, and statutory revision.

Library Service

Library service consists of ascertaining—and acquiring information on—subjects that will be considered during the coming sessions of the legislature. The material is reserved for, and lent to, the legislators upon application. Forty-two of the fifty-two agencies render this type of service. In fifteen cases where legislative reference activities amount to little more than a complete library service for legislators, the service is performed either by an officially designated division of the state library, or by a general department of the state library.

Legislative Research Service

Legislative research is generally defined as the locating, compiling, and digesting—in response to specific requests—of information on legislation pending or enacted in one or more states. Thirty-nine of the

bureaus conduct some form of legislative research in addition to library service. Only twenty-two undertake what is known as complete research service. They work on the compilation of material throughout the year and make every effort either to compile or to find all available material which may be needed by their legislatures. Over a dozen bureaus undertake as much research as is permitted by the size of the staff and the time allotted to legislative reference work. Several are handicapped because of reduced budgets and try to continue a formerly effective service with totally inadequate financial support.

Bill Drafting Service

Bill drafting involves the actual drafting of bills, memorials, resolutions, and amendments for introduction in the legislature. This service is usually restricted to members of the legislature and state department heads, and written instructions are customarily required. Twenty-six of the fifty-two agencies do bill drafting, and of these, eighteen carry on bill drafting in the same department as the library service and legislative research. Although the attorney-general's office very rarely carries on the other types of legislative reference service, in twenty-two states it does all or part of the bill drafting. Private lawyers are hired to act as bill drafters in three states: Delaware, Nevada and Wyoming. Five states have created separate departments to do bill drafting or bill drafting and statutory revision. Connecticut has a Statutory Revision Commissioner who also does bill drafting. His work and that of the Legislative Reference Bureau are complementary, and close coordination and cooperation is maintained between the two agencies. The Massachusetts House and Senate Counsels, the New York Legislative Bill Drafting Commissioners and the Rhode Island Law Revision Commissioner are similar examples. In Vermont the Board of Legislative Draftsmen is solely a bill drafting agency and legislative research and statutory revision are done by two other distinct agencies.

Statutory Revision Service

Statutory revision is the consolidation, reconciliation, and clarification of all sec-

tions of the statutes and the repealing of dead material by "revision" bills presented at legislative sessions. Only five legislative reference bureaus undertake statutory revision functions in addition to library service, legislative research, and drafting. They are the California Legislative Counsel Bureau, Colorado Legislative Reference Office, Kansas Revisor of Statutes, Pennsylvania Legislative Reference Bureau and the Virginia Division of Statutory Research and Drafting. Some states—Connecticut, Iowa, Maine, Massachusetts, and Rhode Island—have separate statutory revision agencies which sometimes do bill drafting. Four of the states have code commissioners. Vermont and Rhode Island have law revision commissioners and Maine and Wisconsin have revisors of statutes. In most states a "complete statutory revision," periodically ordered by the state legislative body, is made. A legislative committee is usually established, and it either employs counsel or contracts with a large private agency for the completed revision.

FACILITIES

Location of Bureau Offices

Naturally, the State Capitol is the most usual location for the legislative reference bureau. In thirteen cases the bureau is in the State Library which, in turn, is in the capitol. In twenty-five other cases the legislative reference bureaus occupy separate offices in the capitols. Separate library buildings house three bureaus and supreme court buildings, four bureaus. The Pennsylvania bureau is in a museum and Nebraska's is in the University Library. The Maryland Bureau is located in Baltimore's City Hall.

Size of Bureau Offices

The offices of the individual bureaus vary from individual small rooms to extensive suites. Since it would be extremely difficult to work out a method for comparing the relative advantages of these offices it was felt that the results would not be worth the effort. Each office is briefly described in the various sections of Chapter III of the Manual. The amount of descriptive material depends on the information which is available.

Library Facilities of the Bureaus

Twenty of the legislative reference bureaus maintain separate legislative reference libraries. Twenty-three bureaus use the state library material or its equivalent. Others use law libraries, or in some cases, private legal libraries. It is even more difficult to measure the legislative reference material than to appraise bureau quarters. Some bureaus measure their material by lineal feet of shelf space. Others keep the material in filing cases. Still other bureaus measure their equipment by the number of documents under each classification—books, pamphlets, bills, etc. Many had no count of the material on hand. Such results as were available have been included in the next chapter but it should be remembered that these descriptions do not form a just basis of comparison between the different agencies.

Supplementary Material Used by the Bureaus

Supplementary material is often supplied by some library other than the one maintained by, or primarily used by, the legislative reference bureau. The names of these supplementary sources are listed in

the last column of Table VI and in the descriptions of individual bureaus found in the next chapter.

FINANCES

Difficult to Determine

The cost of legislative reference work in many states is impossible to determine. In twenty-four states the expense is carried by the supervising department; no separate appropriations are made; and no separate account kept. In cases where two agencies are operating in a state it was often possible to obtain the expenditures of one and not of the other. In certain instances the total annual expenditures of the supervisory department were available for the fiscal year 1933-34, but no intimation was made as to the percentage spent for the legislative reference work.

Legislative Reference Costs in the States

The 1933-34 expenditures were available in the larger legislative reference bureaus. The total expenditures for the several forms of legislative services are listed by states in order of greatest expenditure for the fiscal year.

State	Number of Agencies	Total Expenditure
1. New York	2	Approx. \$85,600.00
2. Wisconsin	2	36,991.52
3. Massachusetts	2	Approx. 35,525.00
4. Pennsylvania	1	35,306.63
5. California	2	Est. 35,041.34
6. Illinois	1	25,476.00
7. Connecticut	2	21,519.61
8. Maryland	1	19,995.00
9. Iowa	1	Approx. 18,000.00
10. Rhode Island	2	Est. 13,474.58
11. Indiana	1	9,321.75
12. Virginia	1	9,098.20
13. Nebraska	1	Approx. 8,250.00
14. Kansas	1	5,255.46
15. Colorado	1	Approx. 5,250.00
16. North Carolina	1	Est. 3,687.50

Origin of the Legislative Reference Services of the States

	<i>Agency Providing Legislative Ref. Service</i>	<i>Service Founded</i>	<i>Act Providing Present Statutory Basis for Legis. Ref. Work</i>
Alabama.....	Dept. of Archives & History	1907	Acts, 1907, No. 255, p. 318
Arizona.....	Law & Legis. Ref. Library	1915	Acts, 1917, Sec. 3036
Arkansas.....	Legislative Ref. Library	1917	Acts, 1917
California.....	Legislative Counsel Bureau	1913	Acts, 1913, Ch. 322, p. 626
Colorado.....	Law & Legis. Ref. Section	1904	None
Connecticut.....	Legislative Ref. Office	1930	Acts, 1927, Ch. 124
	Legislative Ref. Department	1907	Appropriation Acts, 1907
	Stat. Revision Commission	1882	Acts, 1882, Ch. 137, p. 215
Delaware.....	Private Lawyers		None
Florida.....	State Library		None
Georgia.....	Legislative Ref. Department	1914	Acts, 1914, p. 13
Idaho.....			
Illinois.....	Legislative Reference Bureau	1913	Acts, 1913, p. 391
Indiana.....	Legislative Bureau	1906	Acts, 1933, Ch. 4, p. 7
Iowa.....	Law and Legis. Ref. Department	1908	Laws, 1911, Ch. 147
Kansas.....	Revisor of Statutes	1929	Laws, 1929, Ch. 279
	Legislative Ref. Department	1913	None
Kentucky.....	State Library		None
Louisiana.....	Library Commission		None
Maine.....	Legislative Ref. Bureau	1917	Acts, 1917, p. 97
Maryland.....	Dept. of Legis. Reference	1906	Acts, 1916, Ch. 474
Massachusetts.....	House & Senate Counsels	1920	Acts, 1920, Ch. 640
	Legislative Ref. Division	1910	Acts, 1910, Ch. 75
Michigan.....	Legislative Ref. Bureau	1907	Acts, 1921, No. 71
Minnesota.....	State Library		None
Mississippi.....	State Library		None
Missouri.....	Library Commission		None
Montana.....	Legislative Ref. Bureau	1909	Acts, 1921
Nebraska.....	Legislative Ref. Bureau	1907	Acts, 1911, Ch. 72, p. 310
Nevada.....	Private Lawyers	1932	None
New Hampshire.....	State Library	1913	Acts, 1913, p. 761
New Jersey.....	Legislative Ref. Bureau	1914	Acts, 1914, Ch. 29, p. 44
New Mexico.....	Off. of Attorney General	1921	Acts, 1921
New York.....	Legislative Ref. Section	1890	None
	Legis. Bill Drafting Commission	1893	Acts, 1901, Ch. 88
North Carolina.....	Legislative Ref. Library	1915	Acts, 1933
North Dakota.....	Legislative Ref. Bureau	*1907-1920	Acts, 1907
Ohio.....	Legislative Ref. Bureau	1910	Acts, 1933, Sec. 798
Oklahoma.....			
Oregon.....	State Library	1913	Acts, 1913, Ch. 149, p. 264
Pennsylvania.....	Legislative Ref. Bureau	1909	Laws, 1923, p. 158
	Legislative Ref. Bureau	1907	Acts, 1907, Ch. 1471
Rhode Island.....	Law Revision Commissioner	1926	Acts, 1926, Ch. 790
South Carolina.....	State Library	1914	None
South Dakota.....	Legislative Ref. Bureau	1907	Code, 1919, Sect. 9922
Tennessee.....			
Texas.....	Legislative Ref. Section	1909	Acts, 1909, Ch. 70, p. 120
Utah.....			
Vermont.....	Legislative Ref. Bureau	1911	Acts, 1910, No. 9, p. 7
	Bd. of Legis. Draftsmen	1915	Acts, 1915, No. 10, p. 74
Virginia.....	Div. Stat. Research & Drafting	1914	Acts, 1930, Ch. 254, p. 674
Washington.....	State Library		None
	State Law Library		None
West Virginia.....	Dept. of Archives and History	1913	None
Wisconsin.....	Legislative Ref. Bureau	1901	Acts, 1901, Ch. 168, p. 213
	Revisor of Statutes	1909	Revised Stats., Sects. 35, 43
Wyoming.....	State Library		None

*Discontinued by a State Administrative Reorganization.

Supervision of State Legislative Reference Services

	<i>Supervision of Legis. Reference Agencies</i>	<i>Supervising Officer</i>	<i>Name of Super- vising Officer</i>	<i>Agency Providing Leg. Ref. Service</i>	<i>Service Head</i>
Alabama.....	Bd. of Trustees	Chairman		Dept. of Archives & History	Director
Arizona.....	Bd. of Curators, Lib.	Chairman		Law & Legis. Ref. Library	Librarian
Arkansas.....	History Commission	Chairman		Legislative Ref. Library	Director
	Legislature			Legis. Counsel Bureau	Legis. Counsel
California.....	State Library	Librarian	M. R. Gillis	Law & Legis. Ref. Section	Leg. Librn.
Colorado.....	Att. General's Office	Att. Gen.	P. P. Prosser	Legislative Ref. Office	Director
Connecticut....	State Library	Librarian	G. S. Godard	Legislative Ref. Dept.	Chief
	Executive Department	Governor	W. L. Cross	Stat. Rev. Commission	Com'n'r
Delaware.....	General Assembly			Private Lawyers	Bill Drafters
Florida.....	Library Board	Chairman		State Library	Librarian
Georgia.....	State Library	Librarian	Ella Thornton	Legislative Ref. Dept.	Leg. Librn.
Idaho.....					
Illinois.....	Legis. Ref. Bureau	Governor	Henry Horner	Legislative Ref. Bureau	Exec. Sec.
Indiana.....	Department of Law	Governor	P. V. McNutt	Legislative Bureau	Director
Iowa.....	State Library	Librarian	J. Brigham	Law and Legis. Ref. Dept.	Librarian
	Supreme Court	Judges		Revisor of Statutes	Revisor
Kansas.....	State Library	Librarian	Louise McNeal	Legislative Ref. Dept.	Leg. Asst.
Kentucky.....	General Assembly			State Library	Librarian
Louisiana.....	Library Commission	Chairman		Library Commission	Exec. Sec.
Maine.....	State Library	Librarian	H. E. Dunnack	Legislative Ref. Bureau	Leg. Librn.
Maryland.....	Ex-Officio Board	Chairman		Dept. of Legis. Reference	Director
	Sen. & House Rules Com.	Chairman		House, Senate Counsels	Counsels.
Massachusetts..	State Library	Librarian	E. H. Redstone	Legislative Ref. Division	Leg. Asst.
Michigan.....	Sen. Sec., House Clk.			Legislative Ref. Bureau	Director
Minnesota.....	State Library	Librarian	Paul Dansing- berg	State Library	Librarian
Mississippi....	Legislature			State Library	Librarian
Missouri.....	Library Commission	Chairman		Library Commission	Secretary
Montana.....	State Law Library	Law Libn.	A. K. Barbour	Legislative Ref. Bureau	Asst. Lib.
Nebraska.....	University Regents	President		Legislative Ref. Bureau	Director
Nevada.....	Legislature			Private Lawyers	Bill Drafters
New Hampshire	Bd. of Lib. Trustees	Chairman		State Library	Librarian
New Jersey....	State Library	Librarian	Haddon Ivins	Legislative Ref. Bureau	Asst. Librn.
New Mexico....	Attorney General's Office	Att. Gen.	F. H. Patton	Off. of Att. General	Att. Gen.
	State Library	Director	W. I. Wyer	Legislative Ref. Section	Leg. Libn.
New York.....	Officers of Legislature			Legis. Bill Drafting Com.	Com'n'rs
North Carolina.	Att. General's Office	Att. Gen.	A. A. Sea- well	Legislative Ref. Library	Librarian
North Dakota..					
Ohio.....	Legis. Ref. Board	Governor	M. L. Davey	Legislative Ref. Bureau	Chief
Oklahoma.....					
Oregon.....	Bd. of Lib. Trustees	Governor	Chas. Martin	State Library	Librarian
Pennsylvania..	General Assembly			Legislative Ref. Bureau	Director
	State Library	Librarian	H. O. Brigham	Legislative Ref. Bureau	Director
Rhode Island..	Executive Department	Governor	T. F. Green	Law Revision Com'n'r.	Com'n'r
South Carolina	General Assembly			State Library	Librarian
South Dakota..	Historical Society	Supt.	L. K. Fox	Legislative Ref. Bureau	Librarian
Tennessee.....					
Texas.....	Library & Hist. Com.	Librarian	Fannie Wilcox	Legislative Ref. Section	Legis. Lib.
Utah.....					
	State Library	Librarian	H. J. Conant	Legislative Ref. Bureau	Librarian
Vermont.....	General Assembly			Bd. of Legis. Draftsmen	Draftsmen
Virginia.....	Executive Department	Governor	G. C. Peery	Div. Stat. Res. & Drafting	Director
	Dept. of Pub. Instrtn.	Supt.		State Library	Librarian
Washington....	Supreme Court	Judges		State Law Library	Law Librn.
West Virginia	Executive Department	Governor	H. G. Kump	Dept. of Archives & History	Historian
	Free Library Comm.	Chairman		Legislative Ref. Bureau	Chief
Wisconsin.....	Att. Gen. & Sup. Ct.			Revisor of Statutes	Revisor
Wyoming.....	Executive Department	Governor	L. A. Miller	State Library	Librarian

Directors of State Legislative Reference Services

	Name of Service Head	Education	Appointed By:	Term	Time Devoted to Leg. Ref. Work	Yrs. of Legis. or Lib. Exp.
Alabama	Marie Owen	Priv. School	Bd. of Trustees	6 yrs.	Half Time	15
Arizona	M. Winsor	Trade School	Bd. of Curators	Indef.	Half Time	18
Arkansas	D. T. Herndon	A.B., M.S., Ph.D.	Commission	Indef.	During Sessions	24
California	R. B. Wood	A.B., J.D.	Legislature	2 yrs.	Full Time	21
	H. V. Clayton	LL.B.	Librarian	Civ. Ser.	Full Time	13
Colorado	Charles Queary	A.B., LL.B.	Att. General	Indef.	Full Time	3
Connecticut	Hellen Coffin	A.B., B.L.S.	Librarian	Indef.	Full Time	28
	F. A. Scott	A.B., LL.B.	Governor	4 yrs.	Full Time	30
Delaware						
Florida	W. T. Cash	A.B.	Board	Indef.	During Sessions	7
Georgia	Margaret Gibbs	A.B.	Librarian	Indef.	Full Time	22
Idaho						
Illinois	De Witt Billman	LL.B.	Legis. Bureau	Indef.	Full Time	17
Indiana	C. Kettleborough	A.B., Ph.D.	Governor	4 yrs.	Full Time	22
Iowa	A. J. Small	LL.B.	Board	6 yrs.	Full Time	24
Kansas	F. Corrick	LL.B.	J. of Sup. Ct.	Indef.	Full Time	5
	Edna Rienbach	A.B.	Librarian	Indef.	Full Time	5
Kentucky	Ethel Cantrill	A.B.	Gen. Assembly	4 yrs.	During Sessions	11
Louisiana	Essae Culver	B.Lit.	Commission	Indef.	During Sessions	10
Maine	Rebecca Friedman	A.B.	Librarian	Indef.	Full Time	4
Maryland	H. E. Flack	Ph.D., LL.D.	Ex. Of. Board	Indef.	Full Time	28
	Counsels Door- man & Wigan		House & Senate	2 yrs.	Full Time	Av. 21
Massachusetts	Ethel Turner	B.L.	Librarian	Civ. Ser.	Full Time	12
Michigan	Alice Warner	Bus. College	Senate	Indef.	Half Time	14
Minnesota	Josephine Norval		Librarian	Indef.	During Sessions	
Mississippi	Rena Humphreys	Priv. School	Legislature	4 yrs.	During Sessions	3
Missouri	Ruth O'Malley	A.B.	Commission	Indef.	During Sessions	4
Montana	Adeline Clarke	A.B.	Librarian	Indef.	Full Time	14
Nebraska	Edna Bullock	B.L.	Bd. of Regents	Indef.	Full Time	24
Nevada						
New Hampshire	Thelma Brackett	A.B.	Board	3 yrs.	During Sessions	2
New Jersey	J. P. Dullard	Priv. School	Librarian	Indef.	Half Time	20
New Mexico						
New York	W. E. Hannan	A.B.	Director	Civ. Ser.	Full Time	28
	Rude & Conroy	Law Degrees	Pres. & Speaker	Indef.	During Sessions	
North Carolina	H. M. London	A.B., LL.B.	Att. General	Indef.	Full Time	16
North Dakota						
Ohio	A. A. Schwartz	A.B., A.M.	Legis. Board	Indef.	Full Time	19
Oklahoma						
Oregon	Harriet Long	A.B., M.L.S.	Bd. of Trustees	Indef.	Half Time	25
Pennsylvania	J. H. Fertig		Gen. Assembly	2 yrs.	Full Time	23
	Grace Sherwood	A.B.	Librarian	Indef.	Full Time	28
Rhode Island	J. G. Connolly		Governor	Indef.	Full Time	
South Carolina	Virginia Moody	A.B.	Gen. Assembly	4 yrs.	During Sessions	20
South Dakota	L. K. Fox	A.B.	Exec. Com.	Indef.	During Sessions	12
Tennessee						
Texas	Doris Connerly	LL.B.	Commission	2 yrs.	Full Time	10
Utah						
	H. J. Conant	LL.B.	Bd. of Trustees	Indef.	Half Time	9
Vermont	Keys and Gra- ham, Draftsmen	Legal	Pres. & Speaker	2 yrs.	During Sessions	
Virginia	W. R. Shands	LL.B.	Governor	Indef.	Full Time	4
Washington	Mildred Pope	A.B.	Supt. Pub. Instr.	Indef.	During Sessions	
	M. H. Wight	A.B.	Sup. Ct. Judges	Indef.	During Sessions	12
West Virginia	C. R. Myers	A.B., M.A.	Governor	4 yrs.	During Sessions	16
Wisconsin	H. F. Ohm	LL.B.	Commission	Indef.	Full Time	16
	E. F. Brossard	LL.B.	Sup. Ct. & Att. Gen.	Indef.	Full Time	-13
Wyoming	Alice Lyman	Prof. Ed.	Governor	2 yrs.	During Sessions	2

Legislative Reference Service Staffs EXCLUSIVE OF DIRECTORS

	Agency Providing Legislative Ref. Service	Staff Appointed By	Legislative Reference Service Staff			Terms of Full Time Staff
			Full Time	Part Time	Sessional	
Alabama	Dep't of Archives and Hist.	Director	0	5	0	
Arizona	Law and Legis. Ref. Library	Librarian	0	2	*	
Arkansas	Legislative Ref. Library	Director	0	*	0	
California	Legis. Counsel Bureau	Counsel	3	0	6-15	Indef.
	Law and Legis. Ref. Section	Librarian	2	0	0	Civ. Ser.
Colorado	Legislative Ref. Office	Director	1	0	4	Civ. Ser.
Connecticut	Legislative Ref. Department	Librarian	0	*	20	
	Stat. Revision Commissioner	Com'n'r	1	0	5	Indef.
Delaware	Private Lawyers	Gen. Assem.	0	0	4	
Florida	State Library	Librarian	0	1	0	
Georgia	Legislative Ref. Department	Librarian	0	1	1	
Idaho						
Illinois	Legislative Ref. Bureau	Exec. Sec.	5	0	*	Indef.
Indiana	Legislative Bureau	Governor	2	0	*	4 years
Iowa	Law and Legis. Ref. Department	Librarian	6	0	6	Indef.
Kansas	Revisor of Statutes	Revisor	1	0	*	Indef.
	Legislative Ref. Department	Librarian	0	0	*	
Kentucky	State Library	Librarian	0	4	0	
Louisiana	Library Commission	Commission	0	2	0	
Maine	Legislative Ref. Bureau	Librarian	0	0	0	
Maryland	Dep't of Legislative Reference	Director	6	0	6	Civ. Ser.
Massachusetts	House and Sen. Counsels	Counsels	4	0	*	Civ. Ser.
	Legislative Ref. Division	Librarian	1	0	*	Civ. Ser.
Michigan	Legislative Ref. Bureau	Secty. of Sen.	0	0	3	
Minnesota	State Library	Librarian	0	0	5	
Mississippi	State Library	Librarian	0	1	0	
Missouri	Library Commission	Secretary	0	0	0	
Montana	Legislative Ref. Bureau	State Lib'n	0	0	1	
Nebraska	Legislative Ref. Bureau	Director (a)	1	0	10-15	Indef.
Nevada	Private Lawyers	Legislature	0	0	2	
New Hampshire	State Library	Librarian	0	4	0	
New Jersey	Legislative Ref. Bureau	Librarian	0	*	0	Civ. Ser.
New Mexico	Off. of Attorney General	Att. Gen.	0	0	*	
New York	Legislative Ref. Section	Director	8	0	0	Civ. Ser.
	Legis. Bill Drafting Commission	Com'n'rs	24	0	*	Indef.
North Carolina	Legislative Ref. Library	Att. Gen.	1	0	1	Indef.
North Dakota						
Ohio	Legislative Ref. Bureau	Chief	2	0	(b) 4	Indef.
Oklahoma						
Oregon	State Library	Librarian	0	1	*	
Pennsylvania	Legislative Ref. Bureau	Director	12	0	7	2 years
	Legislative Ref. Bureau	Librarian	3	0	*	Indef.
Rhode Island	Law Revision Commissioner	Com'n'r	1	0	*	Indef.
South Carolina	State Library	Librarian	0	0	0	
South Dakota	Legislative Ref. Bureau	Librarian	0	0	*	
Tennessee						
Texas	Legislative Ref. Section	Librarian	0	*	*	
Utah						
Vermont	Legislative Ref. Bureau	Librarian	1	0	0	Indef.
	Bd. of Legis. Draftsmen	Draftsmen	0	0	3	
Virginia	Div. Stat. Research and Drafting	Director	1	0	2	Indef.
Washington	State Library	Librarian	0	*	2	
	State Law Library	Law Lib'n	0	1	2	
West Virginia	Dep't of Archives and History	Historian	0	3	0	
Wisconsin	Legislative Ref. Bureau	Chief	9	1	20-25	Civ. Ser.
	Revisor of Statutes	Revisor	5	0	0	Civ. Ser.
Wyoming	State Library	Librarian	0	1	0	

(a) Assistant Director is Appointed by Bd. of Regents.

(b) A variable number of law students from Ohio State University.

*Exact information not available.

Services Performed by State Legislative Reference Agencies

	State Agency Providing Legislative Ref. Service	Legislative Reference Services Rendered			
		Library Service	Research	Bill-Drafting * and Att. Gen.	Statutory Revision
Alabama	Dept. of Archives and History	*	#	*	
Arizona	Law and Legis. Ref. Library	*	#	*	
Arkansas	Legislative Ref. Library	*	#	Att. Gen.	
California	Legislative Counsel Bureau	#	*	*	*
	Law and Legis. Ref. Section	*	*		
Colorado	Leg. Ref. Office	*	*	*	*
Connecticut	Legis. Ref. Department	*	*		*
	Stat. Rev. Commissioner			*	
Delaware	Private Lawyers			*	Code Com.
Florida	State Library	*		Att. Gen.	
Georgia	Legis. Ref. Department	*	*	Att. Gen.	Code Com.
Idaho					
Illinois	Legislative Ref. Bureau	*	*	*	
Indiana	Legislative Bureau	*	*	*	
Iowa	Law and Legis. Ref. Dept.	*	*	(a)*, A.G., C.E.	Code Editor
	Revisor of Statutes	*	*	*	*
Kansas	Legis. Ref. Department	*	*		
Kentucky	State Library	*			
Louisiana	Library Commission	*		Att. Gen.	
Maine	Legislative Ref. Bureau	*	#	Rev. of Stats.	Rev. of Stats.
Maryland	Dept. of Legis. Reference	*	*	*	
Massachusetts	House and Senate Counsels			*	*
	Legislative Ref. Division	*	*		
Michigan	Legislative Ref. Bureau	*	#	* and Att. Gen.	
Minnesota	State Library	*		Att. Gen.	Legislature
Mississippi	State Library	*	#	Att. Gen.	
Missouri	Library Commission	*		Att. Gen.	Gen. Assem. each 10 yrs.
Montana	Legislative Ref. Bureau	*	#	Att. Gen.	Code Com.
Nebraska	Legislative Ref. Bureau	*	*	*	
Nevada	Private Lawyers			*	
New Hampshire	State Library	*	#	Att. Gen.	
New Jersey	Legislative Ref. Bureau	*	#	Att. Gen.	
New Mexico	Attorney General			*	
New York	Legislative Ref. Section	*	*		
	Legis. Bill-Drafting Commission			*	*
North Carolina	Legis. Ref. Library	*	*	*	
North Dakota					
Ohio	Legislative Ref. Bureau	*	*	*	
Oklahoma					
Oregon	State Library	*	*	Att. Gen.	
Pennsylvania	Legislative Ref. Bureau	*	*	* and Att. Gen.	*
Rhode Island	Legislative Ref. Bureau	*	*	*	*
	Law Revision Commissioner			*	*
South Carolina	State Library	*		Att. Gen.	Code Com.
South Dakota	Legislative Ref. Bureau	*	#	* and Att. Gen.	
Tennessee					
Texas	Legislative Ref. Section	*	*	Att. Gen.	
Utah					
Vermont	Legislative Ref. Bureau	*	*		
	Bd. of Legis. Draftsmen			*	Rev. Com.
Virginia	Div. Stat. Res. and Drafting	*	*	*	*
	State Library	*	#	Att. Gen.	
Washington	State Law Library	*	#	Att. Gen.	
West Virginia	Dept. of Archives and History	*	#		
Wisconsin	Legislative Ref. Bureau	*	*	*	
	Revisor of Statutes				*
Wyoming	State Library	*		Priv. Lawyers	

*Complete facilities for service specified in heading.

#Limited facilities for service specified in heading. This classification is based on correspondence with reference bureau directors and legislators.

(a) Bill Drafting is done by the Librarian, Attorney General and Code Editor.

Facilities of State Legislative Reference Services

	State Agency Providing Legislative Ref. Service	Location of Bureau Offices	Library Material Used	Other Libraries Used
Alabama.....	Dept. of Archives and Hist.	State House	Archives & History	Sup. Ct. Library
Arizona.....	Law and Legis. Ref. Library	State Library*	State Library	None
Arkansas.....	Legislative Ref. Library	State Capitol	Hist. and Arch.	None
California.....	Legislative Counsel Bureau	State Capitol	Law & Legis. Libr.	State Library
	Law & Legis. Ref. Section	Library Bldg.	State Library	None
Colorado.....	Legislative Ref. Office	State Capitol	Legis. Ref. Library	St. Law & State Libr.
Connecticut.....	Legislative Ref. Dept.	Library Bldg.	State Library	None
	Stat. Rev. Commissioner	State Capitol	Legal Library	State Library
Delaware.....	Private Lawyers	State Library*	State Library	None
Florida.....	State Library	State Capitol	State Library	Sup. Ct. Library
Georgia.....	Legislative Ref. Dept.	State Library*	Legis. Ref. Library	State Lib. Arch. & Hist.
Idaho.....				
Illinois.....	Legislative Ref. Bureau	State Capitol	Legis. Ref. Library	State & Sup. Ct. Libr.
Indiana.....	Legislative Bureau	State House	Legis. Ref. Library	State Law & State Libr.
Iowa.....	Law and Legis. Ref. Dept.	State Library*	Law & Leg. Ref. Libr.	State Library
Kansas.....	Revisor of Statutes	State Library*	Legis. Ref. Library	State Library
	Legislative Ref. Dept.	State Library*	State Library	Historical Soc. Libr.
Kentucky.....	State Library	State Capitol	State Library	None
Louisiana.....	Library Commission	State Capitol	Commission Library	Priv. Libr. of Lawyers
Maine.....	Legislative Ref. Bureau	State Library*	State Library	None
Maryland.....	Dept. of Legis. Reference	Balt. City Hall	Legis. Ref. Library	State Library
Massachusetts.....	House & Senate Counsels	State House	Legal Library	State Library
	Legislative Reference Div.	State Library*	State Library	Harvard Library
Michigan.....	Legislative Ref. Bureau	State Capitol	Legis. Ref. Library	St. Law Lib. & St. Lib.
Minnesota.....	State Library	State Capitol	State Library	State Law Library
Mississippi.....	State Library	State Capitol	State Library	None
Missouri.....	Library Commission	State Capitol	State Library	None
Montana.....	Legislative Ref. Bureau	State Capitol	Legis. Ref. Library	State Library
Nebraska.....	Legislative Ref. Bureau	University Library	Legis. Ref. Library	University Library
Nevada.....	Private Lawyers	State House	State Law Library	None
New Hampshire.....	State Library	Library Building	State Library	None
New Jersey.....	Legislative Ref. Bureau	State Library*	State Library	None
New Mexico.....	Office of Attorney General	State Capitol	State Law Library	None
New York.....	Legislative Ref. Section	Education Bldg.	Legis. Ref. Library	State Library
	Legis. Bill Drafting Com.	State Capitol	Legal Library	State Library
North Carolina.....	Legislative Ref. Library	Sup. Ct. Bldg.	Legis. Ref. Library	State Library
North Dakota.....				
Ohio.....	Legislative Ref. Bureau	State Capitol	Legis. Ref. Library	Sup. Ct. & State Lib.
Oklahoma.....				
Oregon.....	State Library	Sup. Ct. Bldg.	State Library	Sup. Ct. Library
Pennsylvania.....	Legislative Ref. Bureau	Museum Bldg.	Legis. Ref. Library	State & State Law Lib.
	Legislative Ref. Bureau	State Library*	State Library	Brown, U. Hist. Soc.
Rhode Island.....	Law Revision Commissioner	State House	State Library	Brown, U. Hist. Soc.
South Carolina.....	State Library	State Capitol	State Library	None
South Dakota.....	Legislative Ref. Bureau	State Library*	State Library	Sup. Ct. Library
Tennessee.....				
Texas.....	Legislative Ref. Section	State Library*	Legis. Ref. Library	State Lib., U. of Tex.
Utah.....				
Vermont.....	Legislative Ref. Bureau	State Capitol	Legis. Ref. Library	State Library
	Bd. of Legis. Draftsmen	State Capitol		State Library
Virginia.....	Div. of Stat. Res. & Draft.	State Capitol	Legis. Ref. Library	State & State Law Lib.
	State Library	Sup. Ct. Bldg.	State Library	State Law Library
Washington.....	State Law Library	Sup. Ct. Bldg.	State Law Library	State Library
West Virginia.....	Dept. of Archives and Hist.	State Cap. Unit II.	Archives & History	None
Wisconsin.....	Legislative Ref. Bureau	State Capitol	Legis. Ref. Library	State Lib. U. of Wis. Lib.
	Revisor of Statutes	State Capitol	Legal Library	Legis. Ref. Library
Wyoming.....	State Librarian	State Capitol	State Library	Laramie County Lib.

*Capitol Building.

Finances of State Legislative Reference Services

	State Agency Providing Legislative Ref. Service	Cost of Service for Fiscal Year 1933-1934			Cost of Dept. Providing Service Fiscal Yr. 1933-34
		Salaries	Other Costs	Total	
Alabama	Dept. of Arch. and Hist.	No Separate Appropriation			\$16,495.00
Arizona	Law and Legis. Ref. Lib.	No Separate Appropriation			12,706.00
Arkansas	Legislative Ref. Library	No Separate Appropriation			3,185.00
California	Legis. Counsel Bureau	Est. \$21,635.12	Est. \$ 2,031.50	Est. \$23,666.62	
	Law and Legis. Ref. Sect.	5,700.00	5,674.72	11,374.72	
Colorado	Legislative Ref. Office	Approx. 4,500.00	750.00	Approx. 5,250.00	
Connecticut	Legislative Ref. Dept.	5,223.50	7,944.25	13,167.75	
	Stat. Revision Comnr.	8,203.38	148.48	8,351.86	
Delaware	Private Lawyers	Approx. \$750 per Lawyer, per Session			
Florida	State Library	No Separate Appropriation			
Georgia	Legislative Ref. Dept.	No Separate Appropriation			
Idaho					
Illinois	Legislative Ref. Bureau	24,130.00	1,346.00	25,476.00	
Indiana	Legislative Bureau	8,478.93	842.82	9,321.75	
Iowa	Law and Leg. Ref. Dept.	Est. *12,000.00	*6,000.00	Est. *18,000.00	
	Revisor of Statutes	Est. 5,032.05	Est. 223.42	Est. 5,255.46	
Kansas	Legislative Ref. Dept.	No Separate Appropriation			
Kentucky	State Library	No Separate Appropriation			†34,000.00
Louisiana	Library Commission	No Separate Appropriation			
Maine	Legislative Ref. Bureau	No Separate Appropriation			†50,000.00
Maryland	Dept. of Legis. Ref.	17,345.00	2,650.00	19,995.00	
Massachusetts	House and Senate Coun.	29,141.69	3,580.85	32,722.54	
	Legislative Ref. Division	Approx. 3,500.00		Approx. 3,500.00	†53,600.00
Michigan	Legislative Ref. Bureau	No Separate Appropriation			
Minnesota	State Library	No Separate Appropriation			
Mississippi	State Library	No Separate Appropriation			
Missouri	Library Commission	No Separate Appropriation			
Montana	Legislative Ref. Bureau	No Separate Appropriation			
Nebraska	Legislative Ref. Bureau			8,230.00	
Nevada	Private Lawyers	Per Diem from Business Fund of Legislature			
New Hampshire	State Library	No Separate Appropriation			†20,000.00
New Jersey	Legislative Ref. Bureau	No Separate Appropriation			29,340.00
New Mexico	Office of Att. General	No Separate Appropriation			
New York	Legislative Ref. Section			Est. 14,000.00	
	Leg. Bill Drafting Com.	69,400.00	2,200.00	71,600.00	
North Carolina	Legislative Ref. Library	Approx. 3,370.00	Approx. 317.00	Approx. 3,687.00	
North Dakota					
Ohio	Legislative Ref. Bureau	First Fiscal Year Incomplete			
Oklahoma					
Oregon	State Library	No Separate Appropriation			†87,000.00
Pennsylvania	Legislative Ref. Bureau	34,528.00	778.63	35,306.63	
	Legislative Ref. Library	5,341.67	332.91	5,674.58	
Rhode Island	Law Revision Comnr.	Approx. 7,500.00	Approx. 300.00	Approx. 7,800.00	
South Carolina	State Library	No Separate Appropriation			** 3,761.50
South Dakota	Legislative Ref. Bureau	No Separate Appropriation			
Tennessee					
Texas	Legislative Ref. Section	2,020.00	State Lib. Fund		
Utah					
Vermont	Legislative Ref. Bureau	No Separate Appropriation			†15,000.00
	Board of Leg. Draftsmen	\$7.50 per day			
Virginia	Div. of Stat. Res. and Draft.	8,370.05	728.15	9,098.20	
Washington	State Library	No Separate Appropriation			†10,000.00
	State Law Library	No Separate Appropriation			
West Virginia	Dept. of Arch. and Hist.	No Separate Appropriation			
Wisconsin	Legislative Ref. Bureau	Est. 22,921.86	Est. 2,069.66	Est. 24,991.52	
	Revisor of Statutes			12,000.00	
Wyoming	State Library	No Separate Appropriation			†16,000.00

In case of "No Separate Appropriation" expenses are paid out of appropriation of Dept. in Charge. See Table I.

*See Chapter III Iowa, Section on Finances.

†Approximate cost.

**Fiscal year 1934.

CHAPTER III

Legislative Reference Services of the States

STATE OF ALABAMA

HISTORY

The Alabama Department of Archives and History has existed since February 27, 1901 as an agency for centralization of official records and organization of historical material. It has always been active as a reference agency for state legislators and public officials, but it was not until March 5, 1907 that the Department was officially given the additional function of legislative reference work. The Alabama legislature has not made any provision for the organization of a legislative reference bureau nor has it made any special appropriation for the maintenance of such an organization.

LAWS AND AMENDMENTS

Legislative reference service was set up as a function of the Department of Archives and History by the Alabama Acts of 1907, Number 255, page 318, which provided that the department "shall bring together and arrange for ready consultation a reference collection of materials for the use of the members of the legislature, state officers, and others on all subjects which from time to time may be deemed of public interest and importance to the people of the state."

ORGANIZATION

Legislative reference service is a function of the Department of Archives and History. The director of the Department is appointed for a six year term—the present one ending March 1, 1937—by a Board of Trustees composed of nine members, one from each of nine congressional districts in the state. The members of the staff are appointed for indefinite terms by the director with the approval of the Board of Trustees. None of the six members of

the staff devotes full time to legislative reference service and no temporary staff members are employed.

LEGISLATIVE SERVICES RENDERED

Department of Archives and History

The Department undertakes reference service and supplies material for the members of the legislature or state officials but very little actual legislative research work is carried on. Should a legislator become interested in a certain subject the department would attempt to secure all the information possible both by searching the indexes of the material on hand and by writing to other sources of information. The department drafts bills on request of legislators. It publishes quadrennially the Alabama Official and Statistical Register which is considered an outstanding work of its kind. The book contains biographical data on all of the Alabama legislators and much interesting statistical material pertaining to the state.

Attorney-general's Office

The attorney-general and his assistants engage in bill drafting during legislative sessions upon the request of members of the legislature and other state officials.

Supreme Court Library

The Law Librarian renders library service to legislators. No legislative reference staff is employed.

PERSONNEL

Director, Department of Archives and History, MARIE B. OWEN

Education: Graduate, Ward's Seminary, Nashville, Tennessee.

Offices: Editor, Women's Section, Montgomery Advertiser, 1910-17. Director, State Department of Archives and History since 1920.

Author: *Yvonne of Braithwaite*, 1927. *Our State—Alabama*, 1927. Editor, Alabama Historical Quarterly.

Member: Press and Authors. Pilot. Business and Professional Women's Club. Daughters of the American Revolution. United Daughters of the Confederacy.

Married: Thomas M. Owen (deceased).

Residence: 1201 South MacDonough Street, Montgomery.

Office: State House, Montgomery.

Archives and History. All such material has its place in the general library, which is catalogued according to the Dewey Decimal System. The Department has collected approximately 200,000 volumes, including a large number of state and federal documents, reports, pamphlets and circulars. The material is filed by subject.

Other Available Library Collections

The Department has immediate access to the Supreme Court Library which contains a fairly complete collection of state reports and statutes and a complete set of Alabama Acts, together with the Alabama Supreme Court Reports. There are also copies of legal texts and indexes.

LIBRARY FACILITIES

Office Facilities

Legislative reference service is an integral part of the Alabama Department of Archives and History which is located in the State House. The location of the Department is convenient to both houses of the Legislature, and adequate for all present requirements.

Library Material

There is no separate accumulation of legislative material in the Department of

FINANCES

The annual appropriation for the Alabama Department of Archives and History for the fiscal year 1933-1934 was \$16,495. The fact that no segregation of expenditures within the Department is available makes it impossible to estimate what part of this was chargeable to the legislative reference work. For similar reasons it is impossible to break down the expenditures into salaries and other costs of legislative reference work.

STATE OF ARIZONA

HISTORY

Arizona began its legislative reference work in 1915 as a result of an act concerning the organization of the state library approved on March 24 of that year. The director of the State Library is known as the State Law and Legislative Reference Librarian. The Librarian is not only required to render legislative reference services but also upon request, to "aid and assist the members of the legislature, the governor and the heads of departments as to bills and resolutions and drafting the same into proper form." Although statutory authorization is ample, no funds have ever been provided for the special development of the Reference Bureau. It has functioned merely as an incidental feature of the Library's activities.

LAW AND AMENDMENTS

The State Library was established by Arizona, Acts, 1915, Chapter 62, page 132.

The duties of the legislative reference bureau were set forth by an Act of the 1917 Legislature, Section 3036.

"Section 3036. Legislative reference bureau. There shall be maintained in the state library a legislative reference bureau for the use and information of the members of the legislature, the heads of departments of state, and citizens of the state. The librarian shall prepare, . . . checklists and catalogues of Arizona law, and all the current legislation of Arizona and other states; lists of bills and resolutions presented in either branch of the legislature, and of the public documents of the state, including all reports issued

by the departments, boards and commission; digests of the public laws of this and other states, catalogues, files and clippings of newspapers, and other printed matter; and when requested by the governor, heads of departments, or members of the legislature, procure information relating to pending legislation and aid the members of the legislature and state officers in the drafting of bills and resolutions for the legislature. . . . He shall establish with the federal government, the other states and foreign countries a system of exchange of official state publications, law, statutes, journals, supreme court reports and digests thereof."

ORGANIZATION

The Law and Legislative Reference Librarian is appointed for an indefinite term by the Board of Curators of the State Library. This board consists of three members appointed by the Governor, and the Law and Legislative Reference Librarian acts as secretary, ex-officio. Members of the library staff are appointed by the Librarian for indefinite terms. None of them devotes full time to legislative reference work. Additional clerical help is employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The Arizona Bureau has undertaken no intensive research work and has issued no publications. It attempts to answer all legislative inquiries and to supply to legislators upon request such information on legislative subjects as the Library affords. Even in the absence of special funds for regular service the accumulation of the essential material for an effective legislative reference library has been started. Much of the material purchased primarily for legislative work is allowed to circulate. Assistance is also rendered to students of legislative subjects and to individuals collecting data for the preparation of legislative measures. Bills are prepared for members of the Legislature upon request. The present Law and Legislative Reference Librarian is making an attempt to re-interest the members of the Legislature in this work.

PERSONNEL

Law and Legislative Reference Librarian,
MULFORD WINSOR

Education: High School; Specialized in newspaper trade education.

Offices: Editorial writer, 1896-1912. Member, Arizona Senate, 1917-29, President of the Senate, 1923-29. Member,



MULFORD
WINSOR

*Law &
Legislative
Reference
Librarian*

Arizona Constitutional Convention, 1910. Chairman, Committee on Rules; Chairman Committee on Legislative Distribution of Powers and Apportionment. Secretary to Governor George W. P. Hunt of Arizona, 1912. Secretary of Arizona Land Commission, 1912-15. Secretary of Colorado River Commission, 1927-29. Librarian, State Library since 1932.

Residence: 1522 W. Washington Street, Phoenix.

Office: State Library, State House, Phoenix.

Assistant Librarian, MARJORIE A. BAKER
Secretary, ALICE B. GOOD

LIBRARY FACILITIES

Office Facilities

The Legislative Reference Division is housed in the State Library which occupies part of the State House. Facilities are adequate at present but there is no room for expansion. Nearly \$3,000 has been spent on office equipment, furniture and fixtures during the last three years. The Library is convenient to both the House and Senate chambers.

Library Material

The Legislative Reference Division files contain 6 reference services, 15 periodicals, 177 books, 50 scrap book collections and

930 current pamphlets, all of which are distinctively legislative reference material and used chiefly for that purpose. This material is all a part of the State Library and classified under the Dewey Decimal System, but is, of course, especially accessible for legislative reference purposes.

Other Available Library Collections

The other materials of the State Library including the general material and a well equipped collection of legal materials of various kinds are all immediately available to the Legislative Reference Department.

FINANCES

The total expenditures for the State Library of Arizona for the last five years—July 1 to June, 30—are given below:

Expenditures for the legislative reference service cannot be segregated except for certain limited amounts which can be easily identified. During the fiscal year 1933-34 approximately ten per cent of the expenditure for books, subscriptions, pamphlets, etc. went for material that would not have been purchased were a legislative reference service not maintained. That expenditure would amount to \$309.54.

	1929-30	1930-31	1931-32	1932-33	1933-34
Salaries	\$7,200.00	\$7,200.00	\$7,461.32	\$8,105.14*	\$7,518.90
Operation	395.37	450.00	1,236.17	562.52	1,060.43
Travel	479.11	470.00	193.81		
Repairs & Replacements		250.00	20.02	598.18**	150.23
Books, Subscp. & Binding	5,837.44	5,981.00	4,601.47	5,912.07***	3,651.55
Furn. & Fix.			2,467.54	251.95	325.45
Total	\$13,911.92	\$14,351.00	\$15,980.33	\$15,429.86	\$12,706.56

* \$605.14 out of a special appropriation for legislative work.

** 70.00 out of a special appropriation for legislative work.

*** 374.86 out of a special appropriation for legislative work.

\$1,050.00

STATE OF ARKANSAS

HISTORY

The Arkansas Legislative Reference Library was first organized as a bureau of the Arkansas History Commission by an act approved March 21, 1917. An act of 1921 slightly altered the status but left the Bureau working under the supervision of the History Commission. The Arkansas Legislative Reference Library did good work until the constant curtailment of funds made it largely inactive.

LAWS AND AMENDMENTS

The Arkansas Legislative Reference Library was created as a bureau of the Arkansas History Commission by the Arkansas Laws of March 17, 1917. The only amendment was made in 1921.

ORGANIZATION

The Arkansas History Commission is composed of nine members, six of whom are appointed by the Governor for terms of 12 years; three members are ex-officio (the Chief Justice of Supreme Court, President of State University and President of the Teacher's College). The Commission has under its supervision both the Arkansas Department of Archives and History and the Legislative Reference Library. The executive officer of the Commission is the Secretary and he is appointed by it for an indefinite term. He acts as director of both departments and devotes some of his time to legislative reference work. No temporary staff members are employed during sessions of the legislature.

LEGISLATIVE SERVICES RENDERED

Considerable information on subjects of legislative interest has been gathered by the Legislative Library and has been so arranged as to make it readily accessible to members of the General Assembly and other state officials. A real attempt is made to furnish legislators with information concerning legislation in other states. The library maintains a file of all the bills introduced in the General Assembly.

Bill drafting is not performed by the Legislative Reference Library but by the Attorney General upon the request of the individual legislators.

PERSONNEL

Secretary, DR. DALLAS T. HERNDON

Education: A. B., Alabama Polytechnic Institute, Auburn, 1902. M. S., Alabama Polytechnic Institute, 1903. Ph.D., University of Chicago, 1911.

Offices: Secretary, Arkansas History

DR. DALLAS T.
HERNDON

*Secretary—Dept.
of Archives and
History*



Commission and Director, Department of Public Archives and History since 1911.

Member: American Library Association.

Author: Centennial History of Arkan-

sas; High Lights of Arkansas History; Why Little Rock was Born; Legislative and Executive Outline, and so forth.

Married: 1923.

Residence: Little Rock, Arkansas.

Office: State Capitol, Little Rock, Arkansas.

LIBRARY FACILITIES

Office Facilities

The Legislative Reference Library together with the Department of History and Archives is located on the third and fourth floors of the Capitol building. The library has sufficient space and adequate facilities and is very convenient to both the Senate and House chambers.

Library Material

The material making up the legislative reference library is not separate from that of the Department of History and Archives. Together they contain all the official publications of the state departments and such departmental reports, documents, etc., of other states as may be acquired. In addition to the state documents and reports the usual pamphlets, periodicals, articles and circulars on governmental subjects are collected and indexed by the Dewey Decimal System.

FINANCES

It is not possible to estimate the expenditure for legislative reference services as the accounts are not kept separately. The biennial expenditures of the Department of History and Archives together with the Legislative Reference Library for 1931-32 and 1933-34 were as follows:

	1931-32	1933-34
Salaries	\$9,600.00	\$5,160.00
Books, etc., miscellaneous	1,400.00	1,210.00
Total	\$11,000.00	\$6,370.00

STATE OF CALIFORNIA

HISTORY

Legislative Counsel Bureau

The California Legislative Counsel Bu-

reau was established by an act approved May 26, 1913. This act was amended in 1913, 1915, 1917 and 1931 to provide for a bureau which is entirely different from

that in any of the states with the possible exception of Massachusetts. It is primarily a bill drafting agency yet undertakes legislative research and revision services as well. In fact since 1913 it has grown steadily until it is now one of the foremost of the legislative reference bureaus in the United States. The Bureau operates in close cooperation with the Legislative Reference Section of the State Library, which has also become a very active legislative research agency.

Law and Legislative Reference Section of the State Library

The Law and Legislative Reference Section of the State Library was created in 1904. It was not established by any specific provision of the law, but under general powers given the State Library to create subordinate departments. No attempt is made to duplicate or rival the work of the Legislative Counsel Bureau.

LAWS AND AMENDMENTS

Legislative Counsel Bureau

The Counsel Bureau was established by a California Act of 1913, Chapter 322, page 626. By amendments the Legislative Counsel Bureau was required to do legislative research and otherwise to expand its functions. (California, Acts, 1917, Chapter 727, p. 1398.) The California Statutes of 1931 amended Section 1 of the original act of 1913, to provide that the Legislative Counsel shall be appointed by the Legislature rather than the Governor.

ORGANIZATION

Legislative Counsel Bureau

The Legislative Counsel Bureau is a separate agency set up directly under the Legislature. The Legislative Counsel is appointed by the Legislature for a two year term which begins shortly after January first of odd numbered years and the members of the staff are appointed by him and serve during his pleasure. The Legislative Counsel and three assistants devote full time to the service. From six to fifteen temporary staff members are employed during legislative sessions.

Law and Legislative Reference Section of the State Library

The Law and Legislative Reference Section is a part of the California State Library. It is directly under the supervision of a department librarian who is appointed by the State Librarian from civil service lists for an indefinite term. The members of the departmental staff are similarly chosen. Two librarians devote full time to legislative reference service. No temporary staff members are employed.

LEGISLATIVE SERVICES RENDERED

By the Bureau

The Counsel Bureau is primarily a bill drafting agency though it engages in legislative research as a necessary adjunct. The Bureau assists in the preparation of all types of proposed legislation upon the request of members of the legislature, the Governor, or the various administrative state departments, and advises them on the constitutionality and the legal effect of pending legislation and of legislation that has been enacted. At the end of the first half of each legislative session, the Bureau prepares a digest of all bills introduced at that part of the session. The need for statutory revision, and amendment or repeal of obsolete laws is brought to the attention of the Legislature by the Bureau. It also cooperates with proponents of all initiative measures by preparing bills upon the written request of twenty-five or more qualified electors. Bills are prepared or amended by the Bureau at the suggestion of any judge of the Supreme Court, of the District Courts of Appeals, of the Superior Court of the State, or of any committee of either the Senate or the Assembly of the Legislature. The Legislative Counsel is required to be in attendance during legislative sessions. At the request of the Governor, it assists him during the thirty day period allowed for the disposal of all bills. The Counsel Bureau usually digests the bills so that the Governor may more easily consider them. From time to time the Bureau prepares for the various departments pamphlets containing the compiled laws relating to that department. The Legislative Counsel has completed a report on methods for compiling state laws. It also publishes an an-

nual report of activities performed, in addition to editing and indexing the biennial statutes.

By the Reference Section

As before stated, the Law and Legislative Reference Section of the State Library and the Legislative Counsel Bureau are very closely coordinated so that duplication is reduced to a minimum. The Reference Section collects, catalogues and arranges all procurable material upon legislative subjects. The Section is not only an invaluable aid to the Legislative Counsel in matters of legislative research; it also conducts researches for legislators and department heads, procuring all information that is not immediately available. A file of all bills introduced into the legislature is indexed by subject and kept up to date so that their legislative travel may be followed easily. Digests and compilations of state and foreign laws on certain subjects are made for the use of members of the legislature. The Section issues few publications—it does publish a legislative handbook—and does no bill drafting, the latter being entirely within the province of the Legislative Counsel Bureau.

PERSONNEL

Legislative Counsel Bureau

Legislative Counsel, FRED B. WOOD

Education: A.B., Leland Stanford University, 1910. J.D., Leland Stanford University, 1912.

Offices: Active law practice, 1912-14. Assistant Legislative Counsel, State of California, 1914-22. Legislative Counsel since 1927.

Member: Secretary, California Home Rule Commission, 1930. Secretary, California Constitutional Revision Commission, 1930. Secretary, California Code Commission since 1930.

Married: Alice L. Satterthwaite.

Residence: 2209 Vine Street, Berkeley, California.

Office: State Capitol, Sacramento.

Chief Deputy Counsel, J. J. HAMLYN, JR.

Deputy Counsel, ROBERT E. REED

Research Assistant, THOMAS S. DABAGH

Law and Legislative Reference Section
Law and Legislative Reference Librarian,
HERBERT V. CLAYTON

Education: LL.B., Washburn College School of Law, Topeka, Kansas.

Offices: Various positions with the Kansas State Library, 1900-20. Police Judge, Oakland, Kansas, 1908-09. Assistant Librarian, Camp Funston, Kansas, 1917-18. Librarian, Camp Sherman, Ohio, 1920-21. Librarian, Kern County Law Library and Assistant Librarian, Kern County Free Library, Bakersfield, California, 1921-22. Law and Legislative Reference Librarian, California State Library 1922-.



HERBERT V.
CLAYTON

*Law &
Legislative
Reference
Librarian*

Member: California State Bar. American Library Association. American Association of Law Libraries. California Library Association.

Clubs and Organizations: Masons, Odd Fellows. Council of Sacramento Federation of Churches. California State Employees Association. Sacramento Mountaineers.

Married: Ella Foley.

Residence: 3140 Second Avenue, Sacramento.

Office: State Library, Sacramento.
Assistant Law and Legislative Reference Librarian, ZILLA A. GRANT

LIBRARY FACILITIES

Legislative Counsel Bureau

Office Facilities

The headquarters of the counsel bureau are located on the second floor of the State Capitol at the extreme south end of the

building immediately next to the Senate chambers and across the building from the Assembly chambers. The quarters consist of two rooms approximately 30 by 15 feet each; one room houses the Legislative Counsel and two assistants; the other, the stenographic and clerical staff. During the legislative sessions three rooms on the fourth floor are available for temporary staff members. The assistant counsels are located in one large non-partitioned room while the stenographers use two small rooms. The space is not adequate for efficient work and the location of the staff on two different floors during legislative sessions is particularly inconvenient.

Library Material

The Legislative Counsel Bureau does not accumulate nor maintain a reference library but such materials as the California Reports, current decisions, California Jurisprudence, and miscellaneous periodicals and pamphlets are to be found in the offices. Legal and legislative opinions, the results of research studies, all correspondence since 1927, as well as all unbound materials, are classified and indexed.

Other Available Collections

The Law and Legislative Reference Section of the State Library is housed in the Library Building across the street from the state Capitol Building. The service and the material of this Section of the State Library as well as that of all other sections are at all times immediately available for the use of the Legislative Counsel Bureau.

Law and Legislative Reference Section of the State Library

Office Facilities

The Law and Legislative Reference Section is located in a room occupying a large

part of the third floor of the State Library Building. It is entirely adequate as to floor space and equipment. The building is modern and satisfactorily lighted and ventilated. Since the State Library Building is across the street from the State Capitol, the Law and Legislative Section is not in close proximity to the Assembly and Senate Chambers. This arrangement is inconvenient both for the legislators and for the Legislative Counsel Bureau which frequently has occasion to use State Library materials.

Library Materials

There are approximately 65,000 volumes in the Law and Legislative Reference Section of the State Library. The periodicals, research reports, and pamphlets are included in the general library count. In the cataloging of its material the law subject headings used are in the main those used and recommended by the Law Library of Congress.

Other Available Collections

The Law and Legislative Reference Section is next to the General Reference Section and on the same floor with the Government Documents Section. The Legislative Section draws upon the entire State Library collection which includes books in all classes except fiction. Through a very complete inter-library loan system in the state, it also has access to material in other libraries and it borrows frequently from the large universities.

FINANCES

Legislative Counsel Bureau

The total expenditures of the California Legislative Counsel Bureau for the last two biennia are as follows:

	1931-32	1933-34
Salary & Wages	\$46,561.03	\$43,270.24
Material & Supplies	1,403.94	1,175.00
Service & Expense	3,640.11	2,538.00
Equipment	528.67	350.00
Total	\$52,133.75	\$47,333.24

*Law and Legislative Reference Section
of the State Library*

The total expenditures of the Law and

Legislative Reference Section of the State Library for the last fiscal year are separated by two classifications only. They are as follows:

	1929-30	1931-32	1933-34
Salaries	\$10,998.37	\$11,385.00	\$5,700.00
Books & Continuations	12,010.74	10,775.12	5,674.72
Total	\$23,009.11	\$22,160.12	\$11,374.72

STATE OF COLORADO

HISTORY

In 1913, the University of Colorado, on the invitation of the Colorado General Assembly, sent a man, trained in law, to the capital to carry on legislative reference service during legislative sessions only. The arrangement was continued through the sessions of 1915 and 1917. Both library and drafting services were maintained during the three biennial sessions. This service died out after 1917 and several attempts to revive it failed. In 1923, Governor Sweet recommended that an official legislative reference bureau be set up but no action was taken on the recommendation. Agitation continued until 1927 when the present Colorado Legislative Reference Office was created as a division of the Office of the Attorney General by an act of the General Assembly. A director was not appointed nor funds provided until June, 1930, and the Office inaugurated its service with the convening of the 1931 General Assembly. With the experience of only two legislative sessions behind it, the Colorado Office is rapidly making a place for itself among the foremost bureaus of the country. The excellent start was due largely to the ability of its former director, Mr. Allen Moore, who was appointed in September, 1930. Mr. Moore left the Bureau July 1, 1934 to accept an appointment with the National Recovery Administration. The office of Director is now ably filled by Charles H. Queary, who was appointed November 15, 1934.

LAWS AND AMENDMENTS

The Colorado Legislative Reference Office was created "in order to provide an

agency which will reduce the present number of laws by recommending repeals in suitable cases, which reduces the bulk of the remaining statutes by recommending condensations and codifications, which will improve the statement of laws by assisting in the skillful drafting of acts, which will bring about the more scientific preparation of laws by rendering the best technical advice and information more readily available to legislators . . . and is hereby established as a part of the Attorney General's Department." Colorado Session Laws, 1927, Chapter 124.

ORGANIZATION

The Legislative Reference Office is an integral part of the Attorney General's Department and was, in fact, partially designed to relieve the Attorney General's staff of the bill drafting functions, and partially designed to supply other legislative reference services not previously available. The Director is appointed for an indefinite time by the Attorney General subject to the approval of the Governor. The staff of the Legislative Reference Office is appointed by the Director for indefinite terms from civil service lists. The director and secretary devote full time to legislative reference service and are assisted by temporary staff members during legislative sessions. The Attorney General furnishes two assistants to aid in bill drafting during sessions.

LEGISLATIVE SERVICES RENDERED

The Legislative Office collects books, pamphlets, periodicals, documents, and other literature relating to prospective or pending legislation. It keeps on file useful

records concerning the proceedings of the General Assembly. Data is accumulated on and study is made of the practical operation of statutes in Colorado and in other states. A systematic study is made of the Colorado statutes in order to recommend the repeal of obsolete statutes and to codify, reconcile, and condense the others. The office maintains an inquiry service and cooperates with other legislative reference bureaus and organizations. Upon written request of the Governor or any member of the General Assembly the office drafts bills, resolutions and amendments thereto; advises as to the constitutionality or probable effect of proposed legislation; prepares summaries of existing laws affected by proposed legislation and advises the Governor, if he so requests, in respect to any bill which is before him for signature. A subject index of all bills introduced into the Colorado General Assembly and a progress card on each bill is maintained in order that anyone may know exactly where a particular bill is at a particular time. Between sessions of the General Assembly the Office is occupied in answering inquiries and making compilations and researches on subjects likely to be of interest during the forthcoming session. The various special committees appointed by the Governor, Attorney General and General Assembly have been granted the facilities of the Legislative Office.

PERSONNEL

Attorney General, PAUL P. PROSSER.
Director, Legislative Reference Office,
CHARLES H. QUEARY

Education: A.B., University of Denver, Denver, Colorado, 1917. LL.B., Westminster Law School, Denver, Colorado, 1929.

Offices: Clerk of Justice Court, City & County of Denver, 1929-1932. Practice of Law, Denver, 1932. Assistant Attorney General, State of Colorado, 1933-1934. Director, Legislative Reference Office, 1934.

Member: Beta Theta Pi, National Social Fraternity; Sigma Delta Chi, National Journalistic Fraternity; Sigma Delta Kappa, National Legal Fraternity; A.F. & A.M.; American Legion; U.S.A., Base Hospital, Twenty-ninth Division,

First Lieutenant, Chemical Warfare Reserve.

Married: Melba Meller.

Residence: 2675 Elm Street, Denver.

Office: 251 State Capitol, Denver.

Secretary, CLAIR T. SIPPEL

LIBRARY FACILITIES

Office Facilities

The Colorado Legislative Reference Office occupies one small room on the second floor of the Capitol Building. It is midway between the House and Senate chambers and directly across the areaway from the State Law Library. Its location is perfect but the office is far too small. It is possible that the office will be transferred across the hall to a much larger room now occupied by the Supreme Court Reporter and immediately adjoining the Law Library. Both offices are inadequately provided with office furniture and filing cases. The lighting and heating facilities are excellent.

Library Materials

It is impossible to estimate how much material the Office has collected during its four years in operation. None has been indexed or filed because the necessary funds have been lacking. No attempt is made to duplicate materials which are to be found in the State Library. It is expected that a considerable reference library will be built up.

Other Library Collections Available

The Colorado Office has immediate access to the State Law Library which is across the hall from it and to the State Library which is one floor above it. The Law Library has the finest collection of legal documents in the state and is a great aid to the Legislative Office, but the State Library is not particularly useful for legislative reference work. The library of the City and County of Denver is available but rarely used.

FINANCES

Since a director has not served for the last full fiscal year, it is difficult to do more than generalize as to the total expenditures of the Colorado Legislative Reference Office. The director was paid a salary of \$3,600

per year in 1931-32. The secretary was paid \$1,500 annually and \$750 was allowed for the contingent and incidental expenses

of the office. Normally the total expenditure would be approximately \$10,000 per biennium.

STATE OF CONNECTICUT

HISTORY

Legislative Reference Department

The legislative reference work of the Connecticut State Library is one of the many functions of the state librarian. This service was started by George S. Godard, state librarian, and a number of trained assistants prior to 1907. It has gradually increased in scope of activity and amount of service rendered until at present it is one of the outstanding state legislative reference departments.

Bill Drafting and Statute Revision Commissioner

In 1882 a law was enacted in the State of Connecticut which established an office where all bills must go after passing both houses of the General Assembly. The office was that of the Commissioner on the Revision of Bills. A clerk to act as Commissioner was to be appointed jointly by the President of the Senate, the Secretary of the Senate, and the Speaker of the House of Representatives, and was to be paid a salary of \$500 per year.

The Clerk's duties were enlarged in 1895, his salary increased to \$2500, and the power of appointment vested in the Joint Standing Committees of the Judiciary and of Engrossed Bills. The law was amended January 22, 1901, to specify in greater detail the functions of the Clerk and to assign to him the actual drafting of bills.

It is also necessary according to the law of Connecticut to have the endorsement of the Engrossing Clerk on bills before their presentation to the Governor.

LAWS AND AMENDMENTS

Legislative Reference Department

There has been no special act creating a legislative reference department, but since

1907—at which time the state library legislative service work was increased—the General Assembly of the State of Connecticut has made a special appropriation biennially.

Bill Drafting and Statute Revision Commissioner

"It shall be the duty of the clerk of bills to examine all bills for public acts or resolutions, in respect to their form, before the same are reported favorably by the committee to which they have been referred, and under the direction of such committee to prepare such amendments or substitute bills or resolutions as may be deemed necessary or advisable."

Established, Connecticut, Public Acts 1882, Chapter 137, pp. 215.

Duties and Salary, Connecticut, Public Acts, 1895, Chapter 297.

Bill Drafting, Connecticut, Public Acts, 1901, Chapter 1 Section 2, 3, 4.

Revised Duties, Connecticut, Public Acts, Revision of 1902.

ORGANIZATION

Legislative Reference Department

The State Librarian is appointed for an indefinite term by the State Library Committee which is composed of the Governor, the Secretary of State, and a Judge of the Supreme Court, and two other members elected by the General Assembly. The members of the library staff are appointed by the Librarian for an indefinite number of years.

One assistant librarian devotes full time to the legislative reference department. During legislative session, more than twenty persons from other departments as well as other assistants are added to the legislative reference staff.

Bill Drafting and Statute Revision Commissioner

The Commissioner is appointed by the Governor with the approval of the Senate for a four year term. The Commissioner appoints his staff for an indefinite term which often ends when he resigns or is replaced. At present the staff consists of the Commissioner and one member who devotes full time to statutory revision. Five assistants are engaged in bill drafting during legislative sessions.

SERVICES RENDERED

Legislative Reference Department

The Connecticut State Library acts as a reference library not only for legislators but also for the Supreme Court, state officers and several state departments.

There have been assembled and conveniently arranged the laws, journals, printed bills, special and departmental reports of Connecticut, and also the special reports, literature, laws and proposed laws on the principal questions which will probably be presented at the general assemblies of several states. The Department maintains a file of printed bills which makes it possible to keep in touch with much of the proposed legislation in more than a score of states.

A complete card catalogue is kept arranged by subject and alphabetically by states. All material is classified by a modification of the Dewey Decimal System.

There is also made and retained a photostatic copy of every bill, resolution and petition introduced into the Connecticut General Assembly, and a series of record cards covering each bill, etc., showing its number, when and by whom introduced, to what committee referred, when hearings were advertised, what report was made upon it, and when it was made, action taken in each house, and—if passed—when signed by the Governor, and its position and number in the Public or Special Laws.

The official typewritten copies of stenographers' notes taken at the hearings before the several committees are also kept in this department. They are on file during the sessions and indexed and bound between sessions for use of legislators, judges, and others interested.

Special reference lists are prepared and special information on many topics is compiled upon request. The Department receives requests for, and delivers photostat copies of bills.

Perhaps one of the most interesting functions of the Connecticut State Library is the reception for the General Assembly and State Governmental officials at which the entire staff gives a demonstration of the work being done.

Bill Drafting and Statute Revision Commissioner

The Clerk of Bills or Commissioner directly supervises all bills and passes on their form, accuracy, clearness, consistency and constitutionality before they are officially reported to the General Assembly or communicated to the Engrossing Clerk for approval. He prepares and publishes the public acts passed since the last revision of the general statutes in the form of a cumulative supplement. A current revision of the general statutes is kept on cards, so that a complete revision can be published whenever the General Assembly so orders. The card file contains (1) the statutes in force at the time of the last revision; (2) all new statutes; (3) all amended or repealed statutes; (4) annotations concerning any Supreme Court decisions.

PERSONNEL

State Librarian, GEORGE S. GODARD



GEORGE S.
GODARD

State Librarian

Education: A.B., Wesleyan University 1892. B.D., Yale University 1895. M.S. Honorary, Wesleyan University 1916.

M.A. Honorary, Trinity, 1919. Phi Beta Kappa.

Offices: Assistant Connecticut State Librarian, 1898-1900. State Librarian since 1900.

Member: American Law Institute; American Association of Law Librarians (Pres. 1909-11); National Association of State Libraries (Pres. 1904-5); Chairman, Joint Committee on a National Information Service 1900-1928. Public Affairs Information Service (Publications Board since 1913); Index to Legal Periodicals and Law Library Journal (Publications Board since 1907); American Library Association (Exec. Com., Com. on Public Archives 1925-30); Custodian, Connecticut State Library and Supreme Courts Building and Grounds since 1910. Bd. of Trustees, Wesleyan University since 1919; Connecticut Historical Society.

Clubs and Organizations: Knight Templars, Masons (32nd degree); Delta Kappa-Epsilon; Hartford City, Rotary and University Clubs.

Married: Kate Estelle Dewey.

Residence: 320 Blue Hills Avenue, Hartford.

Office: State Library, Hartford.

Chief, Legislative Reference Department,
HELEN COFFIN.

Education: A.B., Cornell University

1907-1912. Chief, Legislative Reference Department, Connecticut State Library since 1912.

Member: American Library Association, Connecticut Library Association. Hartford Librarians' Club. College Club of Hartford.

Clubs and Organizations: Delta Gamma.

Residence: 49 Lorwood Street, Hartford.

Office: State Library, Hartford.

Statute Revision Commissioner, FREDERICK A. SCOTT

Education: A.B., Yale University 1889.

LL.B., Yale University Law School 1891.

Offices: Assistant Clerk, Connecticut House of Representatives 1895; Clerk 1897; Clerk of Senate 1899; Clerk of Bills, Connecticut General Assembly 1901, 1927, 1929; Engrossing Clerk 1903, 1907, 1925; Representative, Connecticut House of Representatives 1905, 1909, 1911; Speaker of House 1911; United States Attorney, Connecticut 1912-1915; Appointed Statute Revision Commissioner 1929 for four years. Reappointed 1933.

Member: Chairman, Statute Revision Committee.

Clubs and Organizations: Mason; Hartford City Club.

Residence: Terryville, Connecticut.

Office: State Capitol.

LIBRARY FACILITIES

Office Facilities

The offices of the Legislative Reference Department are maintained in the State Library Building which has very adequate physical facilities. It is central in its location and convenient in its arrangement. The Legislative Reference Department is located immediately adjoining the statute law digests, law reports, legal text books and special legislative material. It maintains study rooms for those desiring to do research.

Library Material

Since the Legislative Reference Department is actually a department in a very centralized library system, its material is naturally a part of the general library material but it is readily rendered available by

HELEN COFFIN

*Chief, Legislative
Reference
Department*



1906. B.L.S., New York State Library School 1910.

Offices: First Assistant, Legislative Reference Section, New York State Library

use of a minute indexing and cataloging system. The library uses the Wisconsin Expansion of the Dewey Decimal System. Material useful to legislators may also be found in the departments devoted to Archives, Supreme Court Library, Probate, Photostat, Periodical, and Exchange.

FINANCES

Legislative Reference Department

The total expenditures of the Legislative Reference Department of the Connecticut State Library for the two biennia—July 1, 1930 to July 1, 1932 and July 1, 1932 to July 1, 1934—are as follows:

	1930-32	1932-34
Salaries	\$11,064.00	\$10,447.00
Books, pamphlets, etc.	10,357.96	9,305.23
Photostating of bills		
Photostat paper	2,888.10	4,962.80
Chemicals	420.00	519.00
Extra assistants	926.18	1,101.47
TOTAL	\$25,656.24	\$26,335.50

Commission on the Revision of Statutes

	1933-34
Salaries	\$ 8,203.38
Maintenance	148.48
TOTAL	\$ 8,351.86

STATE OF DELAWARE

ORGANIZATION

No permanent legislative reference service exists in the State of Delaware. During the sessions the Senate and the House of Representatives employ two attorneys each to serve as bill drafters. The attorneys are elected by the members of each chamber. A legislative code commission has been appointed to work on a revised code.

LEGISLATIVE SERVICES RENDERED

The four attorneys employed by the General Assembly of Delaware undertake a complete bill drafting service and a small amount of research and library service for the legislators. The Office of the Code Commission is engaged in compiling a revised code.

LIBRARY FACILITIES

Office Facilities

Space is provided in the State Library at the Capitol building for the Senate and

House attorneys to work during legislative sessions. The room is adequate in all respects. It is close to both House and Senate chambers, thus making it easy for legislators to use the services of the attorneys. At the same time, it gives the attorneys ready access to library materials.

Library Materials

The Delaware State Library is almost entirely a law library and contains more than 21,000 volumes of legal texts and state reports. The bill drafters use the library facilities extensively.

FINANCE

The attorneys are paid on a session basis from a fund set aside by the General Assembly for business purposes. The fees, over a six-year period, have averaged approximately \$750 per attorney per session.

STATE OF FLORIDA

ORGANIZATION

The Florida State Library is controlled by a State Library Board composed of three

unpaid members appointed by the Governor. The librarian is appointed by the Board for an indefinite term and acts as

its executive secretary. Members of the library staff are appointed by the librarian and their terms are likewise indefinite. None of the staff devotes full time to legislative reference work and no temporary workers are employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The service rendered by the Florida State Library is one of legislative reference rather than legislative research. The librarian undertakes to give information of a general nature to all inquirers. More specific inquiries are referred to the administrative department heads best qualified to answer the questions. The librarian upon occasion does draft bills for legislators but many more are drafted by the Attorney General's Office. A file of bills presented to the Legislature is maintained by the Secretary of State. This file is accessible to, and used by, the State Library.

PERSONNEL

Secretary (Ex officio, Librarian) State Library Board, W. T. CASH

Offices: School teacher 1897-1920. Representative in Florida Legislature 1909, 1915-17. County Superintendent of Public Instruction of Taylor County, Florida, 1920-24. Associate Editor, and Editor, *Perry Herald*, Perry, Florida, 1925-27. Secretary of the State Library Board and State Librarian since 1927.

Author: "The Bookworm," in "Contemporary American Poets."

Clubs and Organizations: Tallahassee Rotary Club.

Married: Gracie Wentworth.

Residence: Tallahassee, Florida.

Office: State Capitol, Tallahassee.

LIBRARY FACILITIES

Office Facilities

The State Library is located in the State Capitol building and is accessible to both House and Senate Chambers. The library has sufficient floor space at present, but more will be needed for future expansion.

Library Material

The Florida State Library maintains the usual set of state documents and departmental reports. Although the Florida Supreme Court Library is the official law library, the state library keeps the session laws of Florida, the revised statutes, and pamphlet copies of laws of other states and a collection of Federal documents and reports.

FINANCES

Since the few legislative reference services rendered are performed as activities of the State Library they are covered in the biennial appropriation to that department. It would be impossible to estimate what portion of the expenses would be chargeable against legislative reference work.

STATE OF GEORGIA

HISTORY

Legislative Reference Department

A Legislative Reference Department in connection with the Georgia State Library was created by an act approved August 12, 1914. In spite of the decrease in funds in recent years, all established services have been maintained.

Georgia Code Commission

A joint resolution of the Georgia General Assembly created in 1929 the Georgia

Code Commission to examine such suggestions for a Revised Code as were submitted and to make recommendations to the General Assembly. The Commission reported in 1933. This resulted in the state contracting for the publication of a private code to be completed in 1935.

LAW AND AMENDMENTS

Legislative Reference Department

The act of establishment reads as follows: "There shall be established and con-

ducted in connection with the State Library under the direction of the State Librarian, a Legislative Reference Department. The object of said department shall be to gather and to make available such information as shall aid the members of the Legislature and the several state departments in the discharge of their duties and to serve such other citizens as may desire to consult same. Said department shall collect, arrange, classify and index books, pamphlets and other material relating to legislation, shall prepare abstracts of laws of other states and countries, and shall make such indexes of the legislative and administrative records of this state, both current and past, as to make access and reference thereto easy and sure." Georgia, Acts, 1914, p. 137-8.

Georgia Code Commission

The Code Commission was created by acts of the 1929 General Assembly, page 1487, and continued by an act of the 1933 General Assembly.

ORGANIZATION

Legislative Reference Department

The Georgia Legislative Reference Department is under the general direction of the State Librarian, who has power to name the Second Assistant Librarian as Legislative Reference Librarian. The present incumbent is so designated. The State Librarian is appointed by the Governor with the approval of the Senate for a four year term—the present one expiring January 1, 1938. The library staff is appointed by the State Librarian for indefinite terms. At present, none of the members of the library staff devotes full time to legislative reference work. One temporary staff member is employed to engage in bill indexing during the sessions.

LEGISLATIVE SERVICES RENDERED

The Georgia Legislative Reference Department does considerable legislative research and summarizing of legislation. The department also keeps a card index of legislation by subject on which is posted from day to day the status of bills introduced into the legislature. At the close of each session of the General Assembly a syllabus of legislation is issued which serves as a

guide to laws passed until the acts are published in book form. A card catalogue is also kept on material of interest to legislators. The daily indexing by the Legislative Reference Librarian of a leading newspaper issued at the capital makes accessible much important legislative, economic and political information. The library uses the Dewey Decimal System in classifying its material. Biennially, a revised edition of the State Constitution is compiled by the Librarian and published in pamphlet form. The department does not undertake bill drafting or revision. The office of the Attorney-General performs these functions upon the request of the legislators.

PERSONNEL

State Librarian, ELLA MAY THORNTON

Education: Graduate, Carnegie Library School, Atlanta, 1909.

Offices: Second Assistant Librarian, Georgia State Library, 1909-14. Legislative Reference Librarian, 1914-18. Librarian, Ivy Lee Library, New York City, 1918-19. Assistant Librarian, Georgia



ELLA MAY
THORNTON

State Librarian

State Library, 1919-25. State Librarian, Georgia State Library since 1925.

Author: Finding List of Books and Pamphlets Relating to Georgia and Georgians. A Simple Story. *Editor*, Georgia Constitution (1932), Georgia Election Laws, 1926. She has also edited and written many addresses, papers, and memorials in various Georgia Bar Association Proceedings, Georgia Reports, and Law Library Journals.

Member: American Library Association. National Association of State Libraries (Secretary and Treasurer, 1932-33), (2nd Vice President, 1933-34). American Association of Law Libraries. Southeastern Library Association (Secretary and Treasurer, 1926-1928). Georgia Library Commission, 1926(—). Honorary member, Georgia Bar Association.
Residence: 749 Peachtree Street, N.E., Atlanta.

Office: State Capitol, Atlanta.

Legislative Reference Librarian, MARGARET M. GIBBS

Education: Graduate, Cox College, College Park, Georgia, 1906. Carnegie Library School, Atlanta, 1911.

Offices: Assistant Librarian, Georgia State Teachers' College, Athens, 1911-18. War Loan Department and Accounting Department of Federal Reserve Bank, Atlanta, 1918-20. Assistant, Georgia State Library, Atlanta, 1920-25. Legislative Reference Librarian since 1926.

Member: American Library Association, Georgia Library Association, Daughters of the American Revolution, United Daughters of the Confederacy.

Residence: 62 Park Lane, N.E., Ansley Park, Ga.

Office: State Capitol, Atlanta.

Georgia Code Commission

President of Senate, Hamilton McWhorter.

Speaker of House of Representatives, E. D. Rivers.

Associate Justice of Supreme Court, S. P. Gilbert.

Chief Judge of Court of Appeals, Nash R. Broyles.

Supreme Court Reporter, George W. Stevens.

Code Editor, Orville A. Park.

Code Editor, Harry S. Strozier.

LIBRARY FACILITIES

Office Facilities

The Legislative Reference Department is an integral part of the Georgia State Library which is located in the Capitol Building close to both chambers of the General Assembly. The library has adequate floor space and equipment.

Library Material

The Legislative Reference Library, the Law Library and the Georgia Library together make up what is known as the Georgia State Library. A special corner of shelves has always been maintained for legislative reference. Very few books are specifically purchased for the Legislative Reference Library; the majority are withdrawn for varying periods from other sections of the State Library and placed in the Legislative Reference Section. Classes of material not in this Section, such as statutes, state documents, reports, pamphlets and clippings are readily accessible and extensively used.

Other Available Collections

The Georgia State Library has access to books and material kept at the Atlanta Carnegie Library, the Emory University Library, the Georgia Library Commission in the State Capitol and the Georgia Department of Archives and History in Rhodes Memorial Hall. Frequent use is made of the valuable statistical and archival material which is found in the latter.

FINANCES

Until 1932, the Legislative Reference Department was maintained by a special appropriation of the General Assembly. Separate appropriations were then discontinued and the Reference Department was administered as a part of the State Library. Since then, not only have the State Library appropriations been cut drastically but each year has seen a percentage reduction of the funds appropriated to each department. Eleven and one half per cent was withheld from the actual appropriations to state departments in 1932, twenty-nine per cent in 1933, and twenty-five per cent in 1934.

The printing of a separate and detailed annual report was discontinued; publication of the Official and Statistical Register was suspended with the 1931 issue; and the entire work of the office greatly hampered by lack of sufficient means of support. It has become necessary to reduce acquisitions of needed material and to employ all other possible economies.

STATE OF IDAHO

NO LEGISLATIVE REFERENCE BUREAU

STATE OF ILLINOIS

HISTORY

The Illinois Legislative Reference Bureau, was set up under a special Commission by an act of June 26, 1913. This Commission appoints a secretary who devotes his full time to the duties of the office.

The Illinois bureau has developed greatly in the twenty-one years of its existence. It undertakes all of the legislative reference functions including bill drafting.

Revision of Illinois statutes by the Legislative Reference Bureau was ordered by the General Assembly of 1927 and considerable progress has been made in spite of the enormous amount of extra work necessitated by the twelve special sessions held since that date. A legislative commission attempted a revision in 1893 and definitely failed.

LAWS AND AMENDMENTS

The Bureau was established by Illinois, Acts, 1913, p. 391.

ORGANIZATION

The governing body of the Illinois Legislative Reference Bureau consists of the Governor and the chairmen of the committees on appropriation and on judiciary in the Senate and the House of Representatives. The Governor is the ex-officio chairman of the Commission, and the director of the Bureau, who is appointed for an indefinite term, acts as secretary of the Commission. Members of the Bureau staff are appointed by the director. Five of these devote full time to legislative reference work and temporary members are employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The Bureau is required to collect and make available the usual legislative reference materials. It does considerable legis-

lative research but this work has suffered of late because of the great number of special sessions of the Illinois General Assembly and the statutory revision project which has been carried on. The Illinois Bureau specializes in bill drafting. It provides upon request of members of the General Assembly or administrative departments legal assistance in the preparation of bills, memorials, resolutions, orders, amendments, alterations, revisions and substitutions.

Preparatory to starting work on a revision of the Illinois statutes, a task assigned by the 55th General Assembly, the Bureau made a careful survey of all revision methods used in the various states, particularly those used in New York. The method finally devised was relatively inexpensive. The Bureau now carries on a system of continuous revision.

Prior to this an annotated constitution of the State of Illinois and some notes on bill drafting as done by the Bureau were published.

During each regular and special session of the General Assembly the Bureau publishes a weekly cumulative Legislative Synopsis and Digest containing a record of all bills and resolutions introduced, a digest of the contents and their legislative progress. It also publishes a periodical digest of legislation by bill number.

The Reference Bureau collected and compiled material for the constitutional convention of 1919-20. It annually prepares a section of the Illinois Blue Book which is published by the Secretary of State.

PERSONNEL

Executive Secretary—Legislative Reference Bureau, DE WITT BILLMAN

Education: LL.B., University of Illinois, 1912.

Offices: Law Practice, East St. Louis, Ill.

1912-18. Bill drafter, Illinois Legislative Reference Bureau, 1918-25. Executive Secretary, Illinois Legislative Reference Bureau since 1925.

Clubs and Organizations: Order of the Coif (Honorary law fraternity); Phi Alpha Delta (Law fraternity); Pi Kappa Alpha.

Residence: Springfield, Illinois.

Office: State Capitol, Springfield.

Librarian, GLADYS H. PETERSON

LIBRARY FACILITIES

Office Facilities

The Legislative Reference Bureau has nearly 3,000 square feet of floor space on the third floor of the State Capitol building—the floor, incidentally, upon which the House and Senate chambers are located. The general office of the Bureau, equipped for reference work with tables and catalogue cases, contains approximately 400 square feet. The bill drafting room equipped with desks for the staff, law indexes, etc., is almost as large. The library, containing well over 1,000 square feet of floor space and equipped with steel shelving and aisle tables, immediately adjoins the general office and bill drafting room. The bill room, approximately twenty feet square, is next to the bill drafting room. It contains files of bills indexed by number and subject. There is also a room for stenographers containing approximately 325 square feet, which is equipped with desks, etc., and used by temporary employees during legislative sessions.

Library Material

The Illinois Bureau contains over 20,000 pamphlets and books on legal, economic, and legislative subjects. In addition thirty-one periodicals are received. All of the material is classified according to an expanded Dewey Decimal System. In general the library may be divided into two sections: legal and legislative. The legal division contains Illinois laws from territorial times, compilations of old and new annotated statutes, Illinois Digests of Cases, Illinois Supreme Court and Appellate reports, opinions of the Attorney General, journals and debates of the General

Assembly and constitutional conventions, statutes of every state in the United States in complete compilations. The non-legal portion of the library contains reports, records and documents of state departments, commissions, committees and agencies both governmental and non-governmental; compilations and material from other reference bureaus on economic, legal and legislative problems and on all subjects likely to be of legislative interest.

Other Available Library Collection

The Illinois State Library is found in an adjoining building and all of its material is available for the use of the bureau.

The Supreme Court Library is less than a half block from the Legislative Reference Bureau and maintains a very exceptional collection of legal reports and other material.

The Archives Division of the State Historical Library is also of value to the bureau. Its collection is extremely useful for some types of legislative research.

FINANCES

The total expenditures of the Illinois Legislative Reference Bureau for the fiscal years 1932-33, 1933-34, were as follows:

Year ending June 30, 1933

Salaries and Wages	\$32,836
Office expenses	733
Travel	252
Repairs and equipment	1,153
Total	\$34,974

Year ending June 30, 1934

Salaries and wages	\$24,130
Office expenses	658
Travel	181
Repairs and equipment	507
Total	\$25,476

This expenditure of more than twenty-five thousand dollars places Illinois sixth in rank among the states on the basis of money spent for legislative reference services of all sorts in the state. The ranking would be somewhat higher on the basis of money spent for individual agencies.

STATE OF INDIANA

HISTORY

The Indiana Legislative Bureau was originally established on August 1, 1906, as a division of the Indiana State Library by an order of the State Library Board, but it was not formally established by act of the General Assembly until March 7, 1907. The Bureau continued as a division of the State Library until April 1, 1913, at which time the General Assembly made it a separate department of the state government and placed it under the control of a board of five members. The General Assembly of 1917 inserted a provision in the annual appropriation act abolishing the Bureau, but at the same time, by another act, this department was authorized to prepare the Indiana Year Book. As a result, from October, 1917, till April 1, 1919, the Bureau operated directly under the Governor who financed it from an emergency fund. In 1919, the General Assembly enacted a law which again placed the Bureau on a definite legal basis under the control of a board of three members. The General Assembly of 1925 created the State Library and Historical Department to be controlled by a board of five members and to be composed of three divisions, namely: the State Library, the Historical Bureau and the Legislative Bureau. This law became effective April 25, 1925 and the bureau operated under that law until the passage of the state reorganization act of 1933.

LAWS AND AMENDMENTS

Library Bureau established, State Library Board, Minutes, Aug. 1, 1906.

State Bureau established, Indiana, Acts, 1907, Ch. 147, p. 236.

Bureau became a department, Indiana, Acts, 1913, Ch. 225, p. 694.

Bureau abolished, Indiana, Acts, 1917, Ch. 79, Sec. 2.

Bureau re-established, Indiana, Acts, 1919, Ch. 82, p. 82.

Bureau reorganized, Indiana, Acts, 1925, Ch. 58, p. 190.

State re-organization, Indiana, Acts, 1933, Ch. 4, p. 7.

ORGANIZATION

Under the act of 1933 and the executive order issued thereunder, the office of the Attorney-General and the legislative bureau constitute the Department of Law which is in charge of an ex-officio board consisting of the Attorney-General, who is the chief administrative officer, the governor and the auditor of state. The director and staff of the Legislative Bureau are appointed by the Governor for terms not to exceed four years. The personnel of the Legislative Bureau was reduced to the director and two assistants by the reorganization. At the present time the director devotes full time to legislative reference service. Such temporary staff members as may be necessary are employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The Indiana Legislative Bureau maintains a special library on legislative and other public questions and a complete file of all bills introduced into the Indiana General Assembly and all bills of other states that might be of interest. A periodical digest of all Indiana legislation is made by chapter and bill number. A card catalogue showing the daily action on all bills is kept up to date during sessions of the General Assembly. At the conclusion of the General Assembly the Bureau edits, publishes and distributes the House and Senate Journals. The Legislative Bureau is very active in the preparation and drafting of bills, resolutions, amendments, memorials, motions, reports and other measures and it prepares or examines approximately 850 bills for introduction at each session of the General Assembly. The Bureau works with special commissions of the General Assembly on codifications of laws and the redraftings of the state constitution and also serves as a bureau of municipal research for the cities of the state. Probably the most unique of all legislative services is performed by the Indiana Bureau: keeping the House and Senate Plat and seating the members of the General Assembly.

PERSONNEL

Director, Legislative Bureau, DR. CHARLES KETTLEBOROUGH

Education: A.B., University of Indiana, Bloomington, 1907. Ph.D., University of Indiana, 1916.

Offices: Bill draftsman, Indiana Legislative Bureau, 1913-18. Director of the Indiana Legislative Reference Bureau since 1918.

Member: American Political Science Association. American Historical Association. Tax Research Foundation.

Residence: Spink-Arms Hotel, Indianapolis.

Office: State House, Indianapolis.

Librarian, MRS. PRUDENCE W. DOUGLAS

Secretary to Director, MRS. MARJORIE M. PEBWORTH

LIBRARY FACILITIES

Office Facilities

The Legislative Bureau is conveniently located in the Indiana State House near both the House and the Senate chambers. Although floor space is not sufficient during sessions of the General Assembly, set-up is otherwise satisfactory. Since the State Law Library is located on the same floor and very close to the Legislative Bureau, its facilities are constantly available.

Library Material

The Bureau has in its own library 2,251 books, 15,365 pamphlets, clippings, etc., and files of 44 periodicals, all dealing with questions which are or may become subjects of legislation. Included are the codes and session laws of other states, the laws of Indiana and the reports of the Indiana Supreme Court. The pamphlet and clipping files were formerly catalogued by the Dewey Decimal classification. The system was discarded a few years ago as being too cumbersome and a system was inaugurated which is substantially similar to an index in a book. All material is arranged under given subjects.

Other Library Collections Available

As stated above, the Indiana Legislative Bureau makes constant use of the State Law Library which adjoins it in the State House. The State Library was formerly on the same floor of the State House but has now been moved to another building where it is not so accessible. These libraries are used for general treatises on law and other cognate subjects.

FINANCES

The total expenditures of the Indiana Legislative Bureau for the fiscal years 1932-33 and 1933-34 are as follows:

<i>Subject</i>	<i>1932-33</i>	<i>1933-34</i>
Regular Salaries	\$ 7,371.35	\$8,462.18
Special Salaries	1,795.66	16.75
Operating Expenses	637.46	347.19
Equipment	318.09	495.63
Total	\$10,122.56	\$9,321.75

STATE OF IOWA

HISTORY

The legislative reference department of the Iowa State Library began its existence as a part of the law library about 1908, and was known as the Law and Legislative Reference Department. Since that time it has grown steadily and is now a well established bureau, adequately equipped for ex-

tensive reference work. The departments coordinate their efforts and are thereby able to give greater service.

LEGISLATION

The laws of 1911, Ch. 147 first recognized and established a legislative reference bureau by providing that "there shall

be annually appropriated the sum of \$6,000 for the use of the law department and legislative reference bureau."

ORGANIZATION

The Law and Legislative Reference Department is one of the four departments of the State Library. The Library is administered under a Board of Trustees composed of the Governor, the Secretary of State, the Superintendent of Public Instruction and the Judges of the Supreme Court. This Board appoints the State Librarian and the Law and Legislative Reference Librarian for six year terms—the present terms ending May 1, 1938. The department staff is appointed by the Law and Legislative Reference Librarian for indefinite periods. The six regular staff members devote the greater part of their time to the legislative reference service. Six temporary staff members are allowed by the General Assembly, to assist in this work during legislative sessions.

LEGISLATIVE SERVICES RENDERED

Law and Legislative Reference Department

The Law and Legislative Reference Department undertakes research and library service for legislators, state officials and the public. Subject indexes of bills and other legislative material, and digests of bills pending and statutes operating in Iowa and in various other states are prepared. The department also compiles typewritten bibliographies and maintains an inquiry service for all persons requiring legislative information. Preceding the sessions letters are sent to legislators inquiring as to the information in which they will be interested. Although the department does considerable bill drafting when requested by individual members of the General Assembly, official bill draftsmen are not employed as regular staff members. The Attorney-General and his staff also assist in bill drafting when specifically requested by the member desiring service.

The Department of the Code Editor

The Iowa Code is compiled and edited every four years by the Code Editor who is also Supreme Court Reporter. Annotations

to the Iowa statutes are prepared and published every two years. The Code Editor advises the General Assembly upon the revision of laws and also does some bill drafting although there is no statute assigning this function to him.

PERSONNEL

State Librarian, JOHNSON BRIGHAM
Law and Legislative Reference Librarian, ARTHUR J. SMALL

Education: Studied law and business in Maine.

Offices: Assistant, Law Department of State Library, 1896-1911. Law and Leg-



ARTHUR J.
SMALL

*Law and
Legislative
Reference
Librarian*

islative Reference Librarian since 1911.

Member: National Association of State Libraries, American Association of Law Libraries (first president).

Clubs and Organizations: Mason, Knights Templar, Consistory, Order of the Eastern Star.

Office: State Library, Des Moines.

Research Associate, BERTHA L. HESS

Research Associate, MARION L. CASSADAY

Research Associate, HOPE HULL

Secretary, VIRGINIA D. ALLEN

Clerk and custodian, JAMES S. JONES

Attorney-General, EDWARD L. O'CONNOR

Code Editor, U. G. WHITNEY

Assistant Code Editor, NANCY M. CONLEE

Secretary, WAYNE A. FAUPEL

LIBRARY FACILITIES

Office Facilities

The Law and Legislative Reference Department of the Iowa State Library is

housed on the second floor of the Capitol in close proximity to the House and Senate chambers which are on the same floor. The library room is 108 feet long, 52 feet wide and 45 feet high. The main floor contains 5,616 square feet and the four balconies total 139,848 square feet. There are about two and one half miles of shelving and many steel filing cases and cabinets. The library is excellently lighted having approximately 3,500 square feet of window space.

Library Materials.

The Law and Legislative Reference Department contains approximately 95,000 bound volumes and 12,000 pieces of reference material.

All law textbooks, reference volumes and reports are arranged on the shelves by subject in alphabetical order. The legislative

reference collection composed largely of clippings, pamphlets and typed material, is placed in manila folders and vertical file pockets. It is labelled by subjects and filed alphabetically in legal size steel cases.

Other Library Collections Available

In addition to the 95,000 volumes in the Iowa Law and Legislative Reference Library there are also available for reference work about 150,000 volumes in the other departments of the State Library. The material of the Economics Division is kept in the same room with that of the Law and Legislative Reference Library.

FINANCES

The total expenditures of the Law and Legislative Reference Department for the last two fiscal biennia are as follows:

	1929-1931	1931-1933
Regular Salaries	\$22,240.00	\$22,240.00
Extra Help	1,475.00	1,881.90
Support	12,000.00	12,000.00
	<u>\$35,715.00</u>	<u>\$36,121.90</u>

STATE OF KANSAS

HISTORY

Office of the Revisor of Statutes

This department was created by an act of the 1929 Kansas Legislature and organized on July 1, 1929. It was designed to render complete legislative reference service—including legislative research, legislative bill drafting, and statutory revision—to the state legislators and officials, and to interested citizens. An act approved March 14, 1933, provided that the Revisor of Statutes shall act as Secretary to the newly created Legislative Council.

The extensive research work undertaken for the Council has given Kansas one of the best legislative reference services in the country. However, this work has been commenced so recently that it is impossible to describe it in this Manual.

Legislative Reference Department of the State Library

The Legislative Reference Department of the Kansas State Library was created in

1913 under the provisions delegating to the State Librarian the right to make coordinate departments within the State Library. The Library has been more active as a legislative reference bureau in the past than it is at the present time. From about 1909 until 1929 legislative reference work and bill drafting were performed by a member of the State Library staff known as the "Legislative Reference Clerk."

LAWS AND AMENDMENTS

The Office of the Revisor of Statutes was created by the Kansas Laws of 1929, chapter 279. This law may be found in the 1933 Supplement of the Revised Statutes of Kansas, 1923. The Revisor of Statutes became Secretary to the Kansas State Legislative Council by the provision of Kansas Laws, 1933, chapter 207, section 8, which reads as follows:

"That the Revisor of Statutes shall act as Secretary of said council, and the said council may require the serv-

ices of the legislative reference library, and the council may employ such assistants and engage the services of such research agencies as it may deem desirable and its appropriation permits, in the preparation of a program of legislation or in regard to any matters of statewide public importance within the jurisdiction of the legislative branch."

ORGANIZATION

Both the Kansas Revisor of Statutes and the State Librarian are appointed for indefinite terms by the judges of the Supreme Court. The staffs of the Office of the Revisor of Statutes and of the State Library are appointed for indefinite terms by the Revisor of Statutes and State Librarian respectively. The Revisor of Statutes and his assistant devote full time to legislative reference work, and two technical assistants are employed during legislative sessions. One of the members of the State Library staff devotes most of her time to legislative reference work. Extra clerical and stenographic assistants are furnished to both the Revisor of Statutes and the State Librarian during the legislative sessions.

LEGISLATIVE SERVICES RENDERED

The Office of the Revisor of Statutes

The Office collects all available information relating to any matter which may be the subject of proposed legislation and it is now accumulating data on the practical operation and effect of statutes in Kansas and in other states. A card index of all Kansas bills and resolutions is maintained and the legislative travel of each bill is noted daily. During sessions the Revisor and his staff assist legislators and commissions or committees in revising and compiling laws and in drafting and revising bills. At each regular session of the Legislature the Revisor also recommends to the judiciary committees of the House and Senate such bills as will tend to clarify the existing laws. The Revisor supervises and assists in all revisions or compilations of the general laws of the state by express authority of the Legislature. Upon the close of each regular session a cumulative supplement—completely indexed and arranged in the same order as the last re-

vision—is prepared. From time to time the office prepares compilations which are available in typewritten form. In addition, the Revisor of Statutes acts as Secretary to, and his Office as a research agency for, the Kansas State Legislative Council.

Legislative Reference Department of the State Library

The State Library has classified and arranged its economic and legislative material for the use of the members of the Legislature, state officers, and interested citizens. It undertakes some research but turns over the majority of it, as well as requests for bill drafting, to the Office of the Revisor of Statutes. The Department in close cooperation with the Revisor of Statutes is accumulating and filing for quick reference material on legislation. Individual copies and bound volumes of all bills and resolutions are kept on file. In the purchase of books for the State Library, the State Librarian gives careful consideration to the general importance of legislative reference material.

PERSONNEL

Office of the Revisor of Statutes

Revisor of Statutes, FRANKLIN CORRICK
Education: Graduate, Kansas Wesleyan

FRANKLIN

CORRICK

Revisor of
Statutes



College of Commerce, Salina, 1920. Student, Washburn College and University of Nebraska, 1923-25. LL.B. Washburn College, School of Law, 1928.

Offices: Lawyer in active practice, Topeka and Manhattan, 1928-29. As-

Assistant to Revisor of Statutes, Kansas, 1929-33. Revisor of Statutes since 1933. *Member:* Kansas State Bar Association. Topeka, Kansas Bar Association. Secretary, Kansas State Legislative Council since September, 1933.

Clubs and Organizations: American Legion, Masons, Delta Theta Phi (legal fraternity).

Residence: 927 Topeka Avenue, Topeka.

Office: State Capitol, Topeka.

Assistant to Revisor of Statutes, FRED E. GULICK

Legislative Reference Department of State Library

State Librarian, LOUISE McNEAL

Legislative Assistant, EDNA REINBACH

LIBRARY FACILITIES

Office Facilities

The Revisor of Statutes maintains his offices with those of the State Librarian in the Capitol Building. They are on the same floor as the House and Senate chambers. During sessions of the Legislature the Librarian's office which is close to the law section and the other library materials is turned over entirely to the Revisor of Statutes for bill drafting purposes. The light, ventilation, heat and floor space are all adequate for the needs of the service.

Library Material

There are now over 120,000 volumes in the Kansas State Library exclusive of what is known as the Stormont Medical Library.

This figure does not include a vast number of pamphlets, unbound periodicals, clippings and circulars. The law department of the State Library is recognized as the best one of its kind in the central southwest. The material on legislation is not segregated but is maintained as a part of the State Library. The research material of the Revisor of Statutes consists of only the most current pamphlets, etc. All permanent material and newspaper clippings are classified by the State Library and are used by the Revisor as required. The collection of material on tax matters made by the Kansas Tax Code Commission in 1929, has been preserved by the Revisor of Statutes, who is ex-officio a member of all such committees or commissions.

Other Library Collections Available

The materials of the Kansas State Historical Society which is located two blocks from the Capitol Building are also available. The City Library of Topeka, located on the State House Grounds, is used upon occasion.

FINANCES

The total expenditure of the Office of the Revisor of Statutes for July 1, 1932, until June 30, 1934, was \$10,510.93. This may be divided into: salary and wages, \$10,064.09; and miscellaneous expenditures, \$446.84. It is impossible to estimate the expenditures of the State Library for legislative reference purposes as no segregation is made.

COMMONWEALTH OF KENTUCKY

ORGANIZATION

The Kentucky State Library does not have a separate Legislative Reference Bureau but renders all possible assistance to the legislators as a regular function of the library. The librarian is appointed by the General Assembly for a four year term. The present librarian started her third term July 1, 1932. The library staff is appointed by the librarian for terms to run concurrently

with hers. None of the five staff members devotes full time to legislative reference services, nor are temporary staff members employed to engage in legislative reference work during sessions of the General Assembly.

LEGISLATIVE SERVICES RENDERED

The State Library renders assistance in finding material for the drafting of bills.

The library keeps a file of all bills introduced at any session of the General Assembly whether they were passed or not. These bills are all properly catalogued for easy reference. A file of the laws of other states is also kept. No legislative research work is done. The reference work is largely that of an efficient library service.

PERSONNEL

State Librarian, MRS. J. C. CANTRILL

Education: A.B., Kentucky State University, Lexington.

Offices: State Librarian since 1924.

Member: National Democratic Speakers Bureau, Vice Chairman, 1924. National Democratic Committeewoman for Kentucky, 1924-28, Delegate to the National Democratic Convention (at Large), 1928. Member of Executive Committee of the National Democratic Committee. Member of Executive Council, National Civic Federation. Advisory Committee, American Foundation. Woodrow Wilson Memorial Committee. Delegate, National Good Roads Association.

Clubs and Organizations: Daughters of the American Revolution, Daughters of the Confederacy, Women's Club, Frankfort.

Married: J. C. Cantrell, ex-congressman.

Residence: Frankfort, Kentucky.

Office: State Capitol, Frankfort.

Assistant Librarian, TOMMYE B. VEALE

Miscellaneous Librarian, PAULINE H. VAN METER

Bookkeeper, LINNIE LEWIS

LIBRARY FACILITIES

Office Facilities

The State Library is housed in the State Capitol Building at Frankfort, close to both House and Senate Chambers. However, the floor space is inadequate and many of the materials are stacked in the attic and basement and are, therefore, useless for reference work. Although Kentucky material is located where it may be used readily, other materials, of which there is a fine collection, are inadequately arranged and catalogued.

Library Materials

The library contains complete sets of the law reports of all the states and other reports with legal indexes and a file of bills catalogued by subject and year. This material is supplemented by state documents, periodicals, pamphlets, and exchange material of various kinds.

FINANCES

The total expenditure of the State Library since 1929 has averaged very close to \$34,000 per year, after the receipts are subtracted. Less than \$10,000 of this yearly average was paid for salaries. It is not possible to approximate what portion of this expenditure could be charged against legislative reference service.

STATE OF LOUISIANA

HISTORY

It is unfortunate for the Louisiana Legislature that its State Library is located in New Orleans while the Capitol is in Baton Rouge. This arrangement has been adopted because the State Library serves as a law library for the Supreme Court of Louisiana which holds its sessions in New Orleans. For this reason the new quarters provided for the Library in the Capitol have not been occupied.

Naturally under these circumstances, the Louisiana Library Commission secretariat

which is located at Baton Rouge receives many requests for legislative reference bureau work which it is not adequately equipped to perform. However, an attempt is made to provide certain services, particularly during the sessions of the Legislature.

In 1921, the Louisiana Legislature adopted a constitutional requirement that all matter intended to become law should, prior to the third reading, be submitted by the house where it did not originate to a Legislative Reference Bureau. The Bureau

is made up of the Attorney-General or his assistant and two members of the Legislature, one chosen by each house. The proposed law is to be examined for construction, consistency with existing law, legality, constitutionality, etc. The report of the Bureau on any bill is purely advisory.

The only other available legislative service is that which may be purchased by legislators from a private organization known as the Louisiana Legislative Service. This is supplied by the Clerk of the House of Representatives and the Secretary of the State Senate.

ORGANIZATION

The official organization rendering legislative services is the Louisiana Library Commission. It is composed of five unpaid members who meet to appoint an executive secretary and a staff for indefinite terms and to pass the Commission's budget. The executive secretary of the Commission is ex officio librarian of the small library maintained at the Capitol. Neither the librarian nor any of the very limited staff devote full time to legislative reference work except during sessions. No temporary staff members are employed.

LEGISLATIVE SERVICES RENDERED

The secretariat and library of Louisiana Library Commission provide every service possible with the limited means at hand. No legislative research work is done but an attempt is made to locate reports and material from which legislators may find pertinent data. The fact that the library has no legal documents except a few session laws makes the work very difficult. Bill drafting is referred to the Attorney-General's office though the stenographer of the Commission types up laws, amendments to laws, and legal drafts for legislators.

The privately operated Louisiana Legislative Service is prepared to furnish to corporations or individuals the following services at a cost of \$100 for the entire session.

1. Official roster giving names and addresses of all members and officers of both the House and the Senate and the personnel of all standing committees of both houses together with a schedule of the time and place of their meetings.

2. Copies of the daily journal of the Senate giving in detail the day's proceedings.

3. Copies of the daily journal of the House of Representatives giving in detail the day's proceedings.

4. Weekly calendar of the Senate giving an official synopsis of the introduction and progress of each bill introduced.

5. Weekly calendar of the House of Representatives giving an official synopsis of the introduction and progress of each bill introduced.

6. The prompt response to all inquiries by mail or telegraph as requested.

7. Complete list of all bills finally enacted into law, giving number, author and date of approval. (This information to be furnished after adjournment of the Legislature.)

Copies of bills are furnished at fifty cents per page, with a minimum charge of \$1.00.

PERSONNEL

Executive Secretary, Louisiana Library Commission, ESSAE M. CULVER

Education: B.L., Pomona College, Claremont, Cal., 1907. New York State Library School, Albany, 1908.

Offices: Assistant Librarian, Pomona College, 1907. Librarian, Public Library, Salem, Oregon, 1909-12. County librarian successively in Glen, Butte, and Merced Counties, California, 1913-25. Library visitor, 1921-23. Executive secretary, Louisiana Library Commission since 1925.

Member: American Library Association, League of Library Commissioners, Phi Sigma Alpha (honorary library fraternity).

Residence: 111 Churst Street, Baton Rouge.

Office: State Capitol, Baton Rouge.

LIBRARY FACILITIES

Office Facilities

The Louisiana Library Commission has very adequate office facilities in the State Capitol at Baton Rouge and also in the State Library which is at present located in the New Orleans Court Building.

Library Facilities

Very few legal reports, session laws, digests or other library materials used in leg-

islative reference work are available for the use of the Library Commission and the legislators. The few that are available are in constant use.

Other Available Collections of Materials

The legislators are badly in need of an adequate law library. They find it necessary to use that of the University of Louisiana, more than a mile away, or those of the lawyers in Baton Rouge. Although the Louisiana Library Commission was able to pass a bill in the Legislature authorizing the

State Library at New Orleans to turn over to their library duplicate copies of the Supreme Court Reports and acts of the Legislature, the Governor vetoed the bill.

FINANCES

The Louisiana Library Commission receives a biennial appropriation which is spent for the maintenance and operation of their services. It is not possible to estimate with any accuracy how much is expended on the legislative reference service.

STATE OF MAINE

HISTORY

The Governor and Council of Maine, at a meeting held early in 1916, authorized the State Librarian to employ a legislative reference clerk. No special appropriation was made for this new office and function. On March 29, one year later, an act authorized the establishment of a Legislative Reference Bureau in the State Library. The Librarian was given the authority to employ necessary assistance for the proper administration of the Bureau. Since that time the Bureau has slowly accumulated a legislative library.

LAWS AND AMENDMENTS

The State Librarian is authorized "to establish in the State Library a legislative reference bureau which shall collect, arrange and place on file books, pamphlets and other material relating to legislation, and shall prepare abstracts of laws in other states and present such other information as may be useful and necessary to the Legislature." Maine, Acts, 1917, page 97.

ORGANIZATION

The Librarian and the staff of the Legislative Reference Bureau are appointed for indefinite terms by the State Librarian. At the present time the Bureau Librarian devotes full time to legislative reference service. No temporary staff is employed.

LEGISLATIVE SERVICES RENDERED

Past and pending legislation is indexed and digested for the benefit of legislators and others interested in public questions. Most of the Bureau Librarian's time is spent in arranging and filing information for the use of the legislators. No bill drafting is done and none of the compilations that are made are published.

The legislative reference work of the State Library is in some measure the complement of that done in the office of the Revisor of Statutes. The Revisor upon request assists members of the Legislature, the Governor and other officials in drafting bills and also maintains a continuous system of statutory revision.

PERSONNEL

Legislative Reference Bureau Librarian,
REBECCA FRIEDMAN

Education: A.B., University of Maine. Summer session, Simmon's College, Boston, 1929.

Offices: Librarian, Legislative Reference Bureau of the Maine State Library since 1930.

Residence: 69 Cony Street, Augusta.

Office: State House, Augusta.

Revisor of Statutes, L. SMITH DUNNACK

LIBRARY FACILITIES

Office Facilities

The Legislative Reference Bureau forms an integral part of the Maine State Library

and the offices are identical. The State Library is located in the State House near to both chambers of the Legislature. The State Library has some fine facilities. In 1930 new catalogue cases were installed that will adequately handle material for fifteen or twenty years. The greatest handicap is the lack of shelf space for bound volumes. There is a project extant for the enlargement of that wing of the State House in which the Library is located.

Library Material

The Maine State Library has over 200,000 volumes in its general reference section. There are separate files within this section on sociology, statistics, political science, political economy, law, administration, education and commerce, which are appropriate

for legislative reference use. A special collection of material pertaining to Maine includes census records, family histories, official publications of the state, legislative reports, town reports, bound files of newspapers, etc. The latest legal textbooks, encyclopedias, and dictionaries and 60,000 volumes of the reports of United States, Great Britain and Canada form a large part of the collection. An innumerable number of documents and clippings are filed by subject.

FINANCES

The average total expenditure of the Maine State Library is \$50,000 annually. This includes all departments and activities. A departmental analysis of expenditures is not made.

STATE OF MARYLAND

HISTORY

The Maryland Department of Legislative Reference is both a state service for Maryland and a municipal service for the City of Baltimore. When the Department was created in 1906 as a unit in the administration of Baltimore, it constituted the first attempt on the part of a city to establish a bureau for this type of work—though many maintained bureaus of statistics. From the beginning the Department rendered service to the state legislators. In 1916 an act was approved which imposed the additional duty of officially providing a complete legislative reference and bill drafting service for the General Assembly and administrative officials of the State of Maryland. Since 1916 the Department has maintained a branch office at Annapolis, the state capitol, during legislative sessions. The permanent office remains in Baltimore. In 1924 the Maryland General Assembly passed an act providing for examination by the Department of Legislative Reference of all bills introduced or to be introduced. This was vetoed by the Governor.

The unique feature of this Department of Legislative Reference is its joint service to city and state. This set-up has proven

both efficient and economical and has furthered coordination and cooperation between the state and the major city which contains one-half of the state's population.

LAWS AND AMENDMENTS

The duties of the Department, as a municipal bureau, are very clearly set forth in the acts of establishment and are as follows: Established as a Municipal Bureau, Maryland, Acts, 1906, Ch. 565. Given State Functions, Maryland, Acts, 1916, Ch. 474.

ORGANIZATION

When the Department in Baltimore was established, it was considered desirable to remove it from partisan political control and to give the employees a permanent status. Accordingly those who were active in securing the creation of the Department placed it under an ex officio board consisting of the President of Johns Hopkins University, President of the Municipal Art Society, the Mayor, the City Solicitor, and the President of the Merchants' and Manufacturers' Association. The director holds office during good behavior and may be removed by a majority vote only for incompetency or

neglect of duty. Two of the three original employees are still in the Department and other appointments are made by the director from the civil service lists of Baltimore and of the state. There are six full time employees with the Department at the present time. Six more are employed during the regular sessions of the General Assembly.

SERVICES RENDERED

Department of Legislative Reference

The Department maintains an inquiry service for all city, state, and other officials and for associations concerned or connected with government. Information is compiled, published and sent to those interested. After each election, letters are sent to the members of the General Assembly, calling attention to the work of the Department and offering its facilities, either in gathering information or in drafting bills.

A careful index has been made of each bill introduced into the General Assembly and of each ordinance introduced into the City Council since 1908. There has been maintained a numerical index which shows the number, name of the member introducing and the title of each bill and ordinance. It also shows the committee reference, report of committees, the several readings and the final chapter or ordinance number, with the date of approval or veto by the Governor or the Mayor as the case may be. The Department makes a sessional digest of bills by subject matter to facilitate reference. Full sets of the codes and laws of the states have been maintained to date.

The Department has always used the Dewey Decimal system of classification, with modifications necessary for the specialized class of material it handles. There is also maintained a very comprehensive card index to all of the material in the Department in addition to the special indexes of bills and ordinances mentioned above.

Approximately 90% of all ordinances and 70 to 75% of all the bills are prepared by the drafting department within the Department. This is an important service since over 400 ordinances and 1000 bills are introduced every year into the City Council and General Assembly respectively.

The latest function undertaken by the

Department of Legislative Reference is the custodianship of the official records, documents and archives of the City of Baltimore. The director is generally called upon to act as secretary to any committees or commissions whose purpose is research and revision.

The Attorney General's Office

The Attorney General of the State of Maryland drafts purely administrative measures.

PERSONNEL

Director of Department of Legislative Reference, DR. HORACE E. FLACK

Education: A.B., and A.M., Wake Forest College, Wake Forest, North Carolina, 1901. Ph.D., Johns Hopkins University, Baltimore, 1906. LL.D., University of Maryland, Baltimore, 1912. LL.D., Wake Forest College, 1933.

Offices: Director, Department of Legislative Reference since 1907. Secretary of the following: New Charter Revision Commission of Baltimore, 1909-10. City-



DR. HORACE E.
FLACK

*Director of the
Department of
Legislative
Reference*

wide Congress of Baltimore, 1910-13. Charter Board of Baltimore, 1917-18. Baltimore Special Tax Commission, 1923. Baltimore Retirement Commission, 1924-25. Charter Revision Commission of Baltimore, 1925-27. Tax Survey Commission of Maryland, 1931-33.

Author: Spanish American Diplomatic Relation Preceding the War of 1898 (1906). The Adoption of the Fourteenth

Amendment (1908). Notes on Current Legislation in American Political Science Review (1910-14). Taft Papers on the League of Nations (Co-editor) (1920). Baltimore City Charter (1927). Baltimore City Code (1927 Edition). Code of Public Laws of Maryland (1930). Contributor to Cyclopedia of American Government.

Member: Phi Beta Kappa, American Political Science Association, National Municipal League, University Club, Chesapeake Club.

Married: Edith Henning.

Residence: 1808 Dixon Road, Mt. Washington.

Office: City Hall, Baltimore.

Research Associate, ELLA S. HITCHCOCK

Research Associate, MARGARET E. COONAN

Research Associate, NELLIE M. WEBSTER

Custodian of Archives and Records, FRANK J. SEBALD

Assistant Reference Librarian, HELEN M. QUINN

Attorney-General, HERBERT R. O'CONNOR

Office Facilities

The Department has, at present, ample floor space. An old Council Chamber was turned over to the Department and steel shelves installed. The present City Council Chamber and the Department offices are on the same floor of the City Hall.

During the sessions of the General Assembly, the Department has a room which is in close proximity to both the House and Senate Chambers. The space is somewhat crowded but as the work at the Capitol lasts only three months in every two years it is adequate. The Department takes very little of its material to the Capitol but relies on the Maryland State Library and on a rapid communication system with Baltimore. The only material taken from Baltimore is a set of the Department's own codes of other states and pamphlet material on current legislative subjects. All routine work is done in Baltimore and duplicate copy of the index to all House and Senate bills then forwarded to the Capitol office.

Department Material

The Department's library collection includes: (1) books dealing with municipal,

economic and social problems, (2) the charters and ordinances of other cities, (3) periodicals dealing with municipal and other public questions, (4) state laws, (5) state and municipal reports, (6) files of bills and ordinances which have been kept up to date. The Department has added to its collection each year until, at the present time, there are more than 25,000 books, approximately 40,000 pamphlets, numerous magazines, thousands of clippings, leaflets, circulars, and seventeen four-drawer units of vertical files containing valuable compilations, reports, etc. In addition to a valuable set of Baltimore City documents, the Department has a very good collection of Maryland documents.

After the consolidation of the Baltimore City Library with the Department of Legislative Reference on January 1, 1932, the latter took over all of the documents, records and archives of the City and thereby has added materially to the information available in the Department.

Other Available Library Collections

In Baltimore the Department of Legislative Reference has access to the Enoch Pratt Free Library and the City Bar Library. It is not often necessary for the Department to use either of these libraries as its own material is generally adequate.

In Annapolis during legislative sessions the branch office of the Department depends on the Maryland State Library for the Codes and State Laws of Maryland. The State Library is just across the street from the Capitol and there is no difficulty in borrowing material as it is needed.

FINANCES

The total appropriations to the Department of Legislative Reference for the last two biennial periods, showing the amounts appropriated by the State of Maryland and the City of Baltimore, are as shown on the opposite page.

The increased amount appropriated by the State of Maryland in 1931 and 1933 is due entirely to special work made necessary during the actual sessions of the General Assembly.

The increased appropriations by the City of Baltimore during the years 1932 and

1933 is due to the fact that the Department took over the functions of a \$9,000 a year City Library Department which was

actually a department of archives. This consolidation resulted in an annual saving of over \$4,000 to the City of Baltimore.

	1930	1931	1932	1933
<i>Salaries</i>				
State	\$ 4,300	\$ 7,800	\$ 4,800	\$ 8,300
City	7,050	7,050	9,350	9,045
Total	\$11,350	\$14,850	\$14,150	\$17,345
<i>Expenses</i>				
State	\$ 725	\$ 1,150	\$ 750	\$ 1,150
City	900	900	2,000	1,500
Total	\$ 1,625	\$ 2,050	\$ 2,750	\$ 2,650
Grand Total	\$12,975	\$16,900	\$16,900	\$19,995

COMMONWEALTH OF MASSACHUSETTS

HISTORY

Offices of the Senate Counsel and the House Counsel

The General Court of Massachusetts maintains a legislative counsel for each of its two chambers. The Counsel to the House of Representatives and the Counsel to the Senate play very important roles in Massachusetts law making. The present system was inaugurated in 1920 when Governor Calvin Coolidge approved an act providing a legal counsel and staff for each branch.

For over forty years prior to that time, the Rules Committees of the two branches had provided expert assistance in bill drafting, correction and revision. This assistance included the services of Ashton Willard, author of a well known handbook on legislation, of John E. Abbott and of Henry C. Merwin. Mr. Abbott was succeeded in 1915 by William E. Dorman, and Mr. Merwin, in 1920, by Henry D. Wiggin.

From 1916 to 1920 Massachusetts spent a half million dollars on a general revision of its statutes. Since then a system of continuous revision and consolidation has been carried on by the Senate and House Counsels. Bill drafting services are also rendered by the counsels.

Legislative Reference Division, Massachusetts State Library

The Massachusetts State Library has

long referred to itself as primarily a Legislative Reference Library. Provision was made in an appropriation act of 1910 for \$6,000 to prepare a card index of comparative legislation. While no specific act has been passed creating an official legislative reference department, yet by this provision and through the initiative of the State Librarian such an agency has come into existence.

LAWS AND AMENDMENTS

Offices of the Senate Counsel and House Counsel

The Massachusetts Acts of 1920, Chapter 640, provide for permanent House and Senate counsels which shall "annually prepare a table of changes in the general statutes, an index to the acts and resolves and shall from time to time . . . consolidate and incorporate in the General Laws all new general statutes . . . and shall so far as possible draft all bills proposed for legislation as general statutes in the form of amendments of or corrections in the General Laws . . . and may from time to time submit to the General Court such proposed changes or corrections in the general statutes as may be necessary."

Legislative Reference Division, State Library

The Legislative Reference Division of the Massachusetts State Library was estab-

lished by executive order of the State Librarian.

ORGANIZATION

Offices of the Senate Counsel and the House Counsel

The Senate and House Counsels are elected for two-year terms by the members of the Senate and House Committees on Rules respectively. Each counsel has an assistant and a secretary. The latter acts in each case as Clerk of the Committee on Bills in the Third Reading during sessions of the General Court. Both counsels employ temporary staffs which vary greatly in size. They are largest when a compilation or revision of statutes is being made.

Legislative Reference Division of the State Library

The legislative reference division is under the supervision of a legislative reference assistant appointed for an indefinite term by the State Librarian. Staff appointments are also made for an indefinite term by the State Librarian. All clerical assistants are recruited from civil service lists. . . . Only the legislative-reference assistant devotes full time to legislative reference service. The twenty-five members of the State Library staff have occasionally done legislative research work during the sessions of the General Court.

LEGISLATIVE SERVICES RENDERED

Offices of the Senate Counsel and the House Counsel

The functions of the Counsel to the Senate and the Counsel to the House are identical. They are primarily statutory revision agencies and bill drafting agencies. The Counsels virtually constitute the respective Committees on Bills in the Third Reading for they check on the form, language, constitutionality, etc., of all bills submitted to said committees, making redrafts of such bills when specific amendments would not be adequate. They assist members and the committees of the House and Senate in drafting bills. The Counsels also submit to the General Court such proposed changes and corrections in the general statutes as they deem necessary and

advisable, including recommendations for the repeal of such statutory provisions as have become obsolete. They recommend legislation to obviate the necessity for special legislation and from time to time they are particularly directed by law to re-edit and republish the General Laws. Accordingly, they have recently published the Tercentenary Edition of the General Laws in two volumes. The volumes contain an aggregate of 3,279 pages together with a separate Index of 1,525 pages. The counsels also index the Acts and Resolves and prepare the annual cumulative table of changes in the general statutes. In addition, all state officers and boards submitting legislation to the General Court are required first to submit it to the respective counsels.

Legislative Reference Division of the State Library

The department maintains a current periodical card index and a current events index for newspapers, both filed by subject. An index is made of the Governor's messages and a card catalogue of the Massachusetts legislators is kept. The Reference Division exchanges statutes and bills, past, present and future, in an attempt to build up the bill file, which is indexed by subject. The Library has an exceptionally good collection of statutes and bills. Legislative researches as to the existence and operation of laws on any subjects in any or all states are made upon the request of legislators and department heads. An index of bills introduced into the Massachusetts General Court and their legislative travel is recorded daily. The library material is very completely and carefully catalogued. The Bureau has never engaged in bill drafting or statutory revision. This important function is performed entirely by the House and Senate Counsels though the Library will cooperate in the furnishing of material in any way desired.

PERSONNEL

Counsel to the Senate, WILLIAM E. DORMAN

Education: A.B., Harvard, 1898. LL.B., Harvard, 1901.

Offices: Assistant instructor in history

and government, Harvard University, 1898-1903; Member of House of Representatives, 1907-1909; Draftsman and Counsel to Senate Committees, 1915-1920; Counsel to the Senate, 1920-; Professor of Constitutional Law, Northeastern University, 1904-; Trustee, First Universalist Church, Lynn, Mass.; Trustee, Walnut Hill School, Natick, Mass. *Editor:* Tercentenary Edition of General Laws of Mass., jointly with Counsel to House of Representatives. Contributor to Commonwealth History of Massachusetts, edited by Albert Bushnell Hart; to legal periodicals. *Member:* Phi Beta Kappa, Harvard; Delta Upsilon; Massachusetts Bar Association; Boston City Club.



WILLIAM E.
DORMAN

*Counsel to the
Senate*

Counsel to the House, HENRY D. WIGGIN
Education: A.B., Harvard University, 1900. LL.B., Harvard, 1902.

Offices: Counsel to the House of Representatives, 1920 to date.

Editor: Engaged in the preparation and editing of the General Laws of Massachusetts (1921). Edited the Tercentenary Edition of the General Laws of Massachusetts (1932), jointly with the Counsel to the Senate.

Member: Massachusetts Bar Association; Bar Association of the City of Boston.

Clubs and Organizations: Harvard Club of Boston. Braeburn Country Club (of Newton, Mass.). The Boston City Club. Newton Chamber of Commerce. Neighborhood Club (of West Newton). Sigma

Alpha Epsilon Chapter at Harvard University.

Residence: 279 Chestnut St., West Newton, Mass.

Office: State House, Boston, Mass.



HENRY D.
WIGGIN

*Counsel to the
House*

Assistant Counsel to the Senate,
FERNALD HUTCHINS

LL.B., Northeastern University School of Law, 1907.

Assistant Counsel to the House,
LOUIS K. McNALLY

A.B., Holy Cross, 1911; LL.B., Suffolk Law School, 1917.

**Secretary to Senate Counsel,*
JAMES F. DELANEY

LL.B., Suffolk Law School, 1926.

**Secretary to House Counsel,*
RUBIE G. HERSEY

Colby College for Women, 1914.

**The secretaries also serve as executive clerks to the Committee on Bills in the Third Reading.*

Librarian, Massachusetts State Library,
EDWARD H. REDSTONE

Education: Student, Methodist College, St. Johns, Newfoundland. Young Men's Christian Association of Boston.

Offices: Assistant, Harvard Law Library, 1900-06. Assistant Librarian, Social Law Library, Boston, 1908-13, Librarian, 1913-19. Librarian, Massachusetts State Library since 1919.

Editor: Massachusetts Citations Table of English Cases, 1916.

Member: American Association of Law Libraries (Former President). Special Libraries Association (Former Presi-

dent). Massachusetts Library Club (Former President). American Library Association.

Clubs and Organizations: Boston City Club.



EDWARD H.
REDSTONE

State Librarian

Married: Alice Eaton Hitchcock.

Residence: 46 Mount Vernon Street, Cambridge.

Office: State House, Boston.



ETHEL M.
TURNER

*Legislative
Reference
Assistant*

Legislative Reference Assistant, ETHEL M. TURNER

Education: Simmons College, School of Library Science, Boston, 1903-05.

Offices: Assistant, Free Public Library, Worcester, 1905-10. Assistant, Massachusetts Agricultural College Library, Boston, 1915-18. Assistant, Massachusetts State Library, Boston, 1918-23. Legislative Reference Assistant, Massachusetts State Library since 1923.

Member: American Library Association. American Association of Law Libraries. Special Libraries Association.

Residence: Kingston, Massachusetts.

Office: State House, Boston.

LIBRARY FACILITIES

Offices of the Counsels

The offices of the Counsels to the Senate and to the House are located immediately adjoining the Senate and House chambers respectively. The offices are very well equipped and conveniently located. Extra room is available for temporary staff members during legislative sessions or while the Counsels are working on large statutory revision projects.

The office of the Counsel to the House contains well over a thousand volumes of court reports, early statutes, Massachusetts Revisions, digests, legal texts and many other books which make up an adequate working library. The Counsel to the Senate has a similar library in his office. The Massachusetts State Library is on the same floor of the State House and the counsels also have ready access to the materials of the other great Massachusetts libraries.

Legislative Reference Division of the State Library

Office Facilities

The Legislative Reference Bureau forms an integral part of the Massachusetts State Library which is located on the same floor of the State House as the House and Senate Chambers. The office of the State Librarian is connected by a direct passage with the lobby of the House of Representatives. The stacks of the Library are tiered one above the other on mezzanine floors, all of which open out onto the main floor. The Library is growing more crowded every year. It is entirely possible that a separate building will be built to house the ever increasing collection.

Library Material

The State Library is maintained primarily for the use of Governor, Lieutenant Governor, Council, General Court and the

administrative officers. It contains approximately 500,000 volumes, pamphlets and documents of various kinds and has one of the most complete collections of foreign laws in the world. It has 6,000 congressional documents; complete reports of 355 cities and towns in the Commonwealth; 1,400 volumes on federal and state constitutions, constitutional history, politics, government and political parties. A complete floor is devoted to material on sociology and another to one of the finest legal collections in the country. It is impossible to estimate the amount of periodicals, clippings and smaller material. All material is meticulously catalogued and readily available.

Other Available Collections

The Harvard College Library and the departmental libraries connected with it constitute a very valuable source for immediate information and material. The material collected by the Boston Public Library, Boston Athenaeum, and the Social Law Library are also available to the Massachusetts State Library.

FINANCES

Offices of the Senate Counsel and of the House Counsel

The aggregate expenditures of the Counsel to the Senate and the Counsel to the House for the last two fiscal years are as follows:

	1932-33	1933-34
Regular Salaries	\$30,234.44	\$29,141.69
Extra Help	2,360.00	2,869.50
Other Expenses	1,014.12	711.35
Total	\$33,608.56	\$32,722.54

Legislative Reference Division of the State Library

The amount expended for the services of the Legislative Reference Division is not segregated from the total expenditures of the State Library. In 1933-34 the State Library expenditures amounted to nearly \$53,600. Of this amount, approximately \$42,000 was for personal services, \$1,500 for contingent expenses and \$9,000 for books and binding. The two assistants in the Legislative Reference Division received only \$3,420 of the \$42,000 spent for personal services.

STATE OF MICHIGAN

HISTORY

The Michigan Legislative Reference Department was first established on June 28, 1907, as a department of the State Library. The original act made no provision for bill drafting but such a provision was inserted in an amendment of April 25, 1917. In 1921 an act of the Michigan Legislature transferred the Legislative Reference Bureau from the State Library to the Legislature, and Joint Rule No. 16 placed it under the joint supervision of the Secretary of the Senate and the Clerk of the House and authorized the employment of a bill drafter and necessary clerks during the regular sessions of the Legislature. From 1921 the work of the bureau was carried on, between sessions, through the offices of the Secretary of the Senate and the Clerk of the House. In 1929 the Assistant Secretary of the Senate maintained the bureau

during the period when the legislature is not in session. A resolution was adopted by the Senate in the session of 1931, and again in the session of 1933, authorizing this officer to maintain the bureau. The staff is augmented during the regular sessions of the Legislature by the employment of an official bill drafter and such clerks as are deemed necessary.

LAWS AND AMENDMENTS

The Legislative Reference Bureau was established as a department of the Michigan State Library by the Michigan Acts of 1907, Number 306, page 405.

The above act was amended to include bill drafting by the Michigan Acts of 1917, Number 120, page 196.

Both the above acts were repealed by the Michigan Acts of 1921, Number 71, page 107.

The supervision of the Legislative Reference Bureau was transferred to the Legislature by Act Number 71 of 1921, and Joint Rule No. 16, of the Joint Rules of the House and Senate, placed the bureau under the joint supervision of the Secretary of the Senate and the Clerk of the House.

By resolution adopted in the Senate for two interims preceding the regular session of 1933, the Assistant Secretary of the Senate maintained and now maintains the bureau during the interims between sessions.

ORGANIZATION

The Legislative Reference Bureau is directly under the supervision of the Secretary of the Senate and the Clerk of the House. The director of the Bureau is appointed by the Senate and devotes part time to legislative reference service. The remainder of her time is spent in her regular capacity as Assistant Secretary of the Senate. There is no full time staff. A bill drafter, and such clerks as are deemed necessary, are employed during legislative sessions. The staff of the Attorney-General's Office is also available during that period for bill drafting.

LEGISLATIVE SERVICES RENDERED

The Michigan Legislative Reference Bureau undertakes some legislative research and bill drafting work. A collection of bills introduced into the Michigan and other state legislatures is maintained and filed by subject and a reference library of legislative material is continually being augmented. A bill drafter is employed during legislative sessions to draft bills, resolutions, and amendments upon the request of the Legislative Council, members of the Legislature, and other state officials. The Attorney-General assists in this service when the work is too heavy for the regular draftsman. Research on proposed and pending legislation in other states as well as on the effect and operation of existing statutes is carried on. The director of the Bureau (Assistant Secretary of the Senate) gives full time to legislative reference work during the interims between sessions. The Bureau does not publish any studies or reports. It does, however, maintain an inquiry service.

PERSONNEL

Bureau Librarian, ALICE V. WARNER

Education: High School Education, and Grand Rapids Business College.

Offices: Michigan Senate Bill Clerk,



ALICE V.
WARNER

Bureau Librarian

1920-28. Assistant Secretary and Financial Clerk of the Michigan Senate since 1928. Served as Legislative Reference Bureau Librarian since 1921.

Residence: 114 Rumsey Avenue, Lansing.

Office: Legislative Reference Bureau, Senate Chamber, Lansing.

LIBRARY FACILITIES

Office Facilities

The Michigan Legislative Reference Bureau occupies two large rooms midway between the Senate and House Chambers on the second floor of the State Capitol Building. The Michigan Law Library is immediately adjoining and the Michigan State Library is situated close to the Bureau offices. The offices are very convenient and contain adequate floor space for present needs.

Library Material

The Bureau maintains files containing copies of bills introduced into the Legislature. These extend back over many years. The journals of both houses are also kept in the Bureau offices, as are the Michigan Reports, reports of Michigan commissions, annual reports of state departments, and a scattering of the reports of other states.

Other Library Collections Available

The Michigan State Law Library is very close to the Legislative Reference Bureau and keeps on file complete sets of the reports of all the states together with numerous indexes, law texts, and United States reports. The Michigan State Library materials are also immediately available for the use of the Bureau. The excellent co-operation between the three departments operates to their mutual advantage.

FINANCES

No direct appropriation is made for legislative reference service in Michigan. The director draws her salary as Assistant Secretary of the Senate and whatever operating expenses are incurred between sessions are allowed by the Secretary of the Senate. One-half of the operating expenses of the bureau during the legislative sessions are paid by the Senate and one-half by the House of Representatives.

STATE OF MINNESOTA

HISTORY

No formal department or division of a department has been officially designated to render legislative reference services in Minnesota. Partial services are performed by several official and unofficial agencies.

LEGISLATIVE SERVICES RENDERED

Bill drafting is done largely by the members of the Legislature, the Attorney-General and four of his assistants, by members of the Law Faculty of the University of Minnesota, and by attorneys hired by the Legislature itself. Bills are drafted only upon specific request of the member desiring the service. During legislative sessions five men devote their entire time to bill drafting.

Legislative reference and research work is done by the State Library, which is housed in the State Capitol.

The last revision of the Minnesota statutes was made by a Commission which published "The Minnesota Revised Statutes of 1905." Since that time various compilations, made by lawyers employed for the purpose or authorized to do so as a private venture, have been ordered by the legislature. The last private compilation—one which is regarded as authoritative—was

published by the Citer-Digest Company and is known as "Mason's Minnesota Statutes of 1927."

PERSONNEL

State Librarian, PAUL DANSINGBERG.

Asst. State Librarian, JOSEPHINE NORVAL.

Attorney-General, HARRY H. PETERSON.

The Attorney-General of the State of Minnesota is very anxious that an official legislative reference bureau be set up, as may be judged by the following quotation from a recent letter:

"I have come to the conclusion that it would be to the public interest to establish a Legislative Reference and Bill Drafting Bureau. This should be under the supervision of the Legislature, and I believe it could do much constructive work. The Attorney-General's office has a large volume of business to attend to, and we find that the work which we do for the Legislature is an additional heavy burden. Other business is delayed and consequently suffers to some extent, and we would welcome the establishment of an agency which would take over this legislative service. I believe that money spent for a Legislative Reference and Bill Drafting Bureau would be well spent."—Harry H. Peterson, Attorney-General.

THE BOOK OF THE STATES

STATE OF MISSISSIPPI

HISTORY

A legislative reference department or bureau has never been officially set up in Mississippi. However since one of the primary aims and purposes of the State Library has been to render services to the Legislature, many legislative reference functions have been assumed by the State Librarian.

ORGANIZATION

The State Librarian is elected for a four year term by a joint session of the Mississippi Senate and House of Representatives. The Library is governed by a Board of Trustees, composed of the Governor, the Attorney-General, and the six Judges of the Supreme Court. The Governor as Chairman of the Board approves the staff appointments of the Librarian. No definite appropriation has ever been made for legislative reference work nor has legislative action been taken to set up a legislative reference division, but some legislative reference service is rendered by the State Librarian and the Assistant Librarian during sessions of the Legislature.

REFERENCE SERVICES RENDERED

State Library

The Library was created in 1838 as a general state library, with no limitations as to its scope or service. Through general usage and under the supervision of the trustees, it has developed into an extensive legal and general reference library, serving primarily the state officials, members of the Supreme Court, legislators, and lawyers. While the Legislature is in session all routine and general office work is postponed and legislative reference service is given first consideration. The Librarian has arranged a comprehensive file of material on current legislative problems, which is available for instant reference. In addition, there is a source bibliography of all available information. The bibliography is alphabetically arranged and is constantly revised and kept up to date. Before each legislative session, such material as is deemed immediately important is secured and filed.

Attorney-General's Office

The Attorney-General drafts bills upon the request of the legislators.

PERSONNEL

State Librarian, RENA LLOYD HUMPHREYS
Education: Port Gibson Female College, Port Gibson, Mississippi.
Offices: Librarian, Greenwood Public



RENA LLOYD
HUMPHREYS

State Librarian

Library, Greenwood, Mississippi. State Librarian since 1932.

Member: State Chairman, Social Science Research; State Chairman, American Library Association Membership Committee; Member of State Committee for the Education of the Civilian Conservation Corps; Mississippi Poetry Society.

Residence: Jackson, Mississippi.

Office: State Capitol, Jackson, Miss.

Assistant Librarian, MAMIE OWEN

Attorney-General, GREEK-L. RICE

LIBRARY FACILITIES

Offices

The State Library is located in the new State Capitol and is readily accessible to the House and Senate Chambers. The facilities are adequate as the Library was remodeled in 1926.

Library

The Library contains the following material: State reports, session acts, statutes

and codes; United States reports, session acts, statutes and codes; English and Canadian reports, session acts, statutes and codes; National reporter systems, with digests and Shepard's citations; miscellaneous reports; text books covering all legal subjects; and legal and literary periodicals.

In addition to this legal material, there is a well selected reference department.

FINANCES

The only appropriation made to the Library by the Legislature is for general library purposes.

STATE OF MISSOURI

HISTORY

A regular legislative reference or bill drafting service has never been created in Missouri. In 1909, an act was approved which provided for the establishment of a library for the exclusive use of the members of the General Assembly to be located at the Capitol. This library was to be under the control of the House or Senate during sessions and under the secretary of the Missouri Library Commission at other times.

At present the Missouri Legislative Reference Library is of no value and is locked between sessions. Several bills have been introduced providing for a real reference service modeled on those of successful bureaus, but all have failed.

The Secretary of the State Library Commission does as much legislative reference work and research for legislators as her time and facilities permit.

LAWS AND AMENDMENTS

The establishment of the library of the General Assembly was provided for in Missouri, Acts, 1909, p. 653.

The Missouri Library Commission was established by the Acts of the Forty-fourth General Assembly, 1907.

ORGANIZATION

The library commission is composed of five members, three regular and two ex officio, appointed by the governor for a six year term. The Superintendent of Public Schools and the President of the State University are the ex officio members.

A secretary appointed by the Commissioners to serve at their pleasure devotes part time to legislative reference. No

temporary help is employed during sessions of the General Assembly.

LEGISLATIVE SERVICES RENDERED

The General Assembly employs clerks after each session to index the bills enacted.

All of the reference work is done by the Secretary of the Commission. The service is confined to making materials available for use by the legislators.

Bill drafting is done by the Attorney-General upon request. Legislative revision is done every ten years by a committee of members appointed by the General Assembly.

PERSONNEL

Secretary to Missouri Library Commission,
RUTH O'MALLEY

Education: A.B., St. Mary's College, South Bend, Indiana, 1919. Graduate, New York State Library School, Albany, 1924.

Offices: Librarian, Branch Library, St. Joseph, Missouri, 1924-31. Reference Librarian, Missouri Library Commission, 1931-33. Secretary, Library Commission since 1933.

Member: American Library Association, Missouri Library Association.

Residence: Wymore Apts., Jefferson City.

Office: State Capitol, Jefferson City.

LIBRARY FACILITIES

Offices

The library of the General Assembly, and the offices of the Library Commission are in the Capitol Building. The Capitol Building, erected in 1912, is modern in its facilities.

Library Material

The Library of the General Assembly contains only a few old bills and law reports. However the State Library from which legislators are entitled to take books—contains, 42,900 volumes of law; 11,000 United States Government documents; 18,500 state documents and 4,000 volumes of legal text books. There are numerous laws of foreign nations, files of newspapers and

periodicals. This Library is housed in the Supreme Court Building which is adjacent to the capitol.

FINANCES

No special appropriation has ever been made for the Library of the General Assembly. The legislative reference work is so small that no part of the expenditures of the Library Commission or State Library could be charged against it.

STATE OF MONTANA

HISTORY

A Legislative Reference Bureau was established in connection with the Historical and Miscellaneous Department of the Montana State Library by an act of the Legislature approved March 4, 1909. The State Librarian was authorized to delegate the assistant State Librarian to carry on the functions designated in this act. \$300 was appropriated annually for the purchase of legislative materials. The law of 1909 was repealed in 1921 and a legislative reference bureau was established in connection with the Law Department of the State Library. The bureau was placed in the charge of an assistant who received \$1,500 per year. This salary was increased to \$1,800 per year by an amendment in 1929.

LAWS AND AMENDMENTS

The bureau was originally established by Montana, Acts of 1909, Chapter 65, page 79. This law was repealed and the bureau transferred to the Law Department of the State Library by an act passed in 1921 which provided, "That there shall be established and conducted in connection with the Law Department of the State Library a Legislative Reference Bureau. The object of said Bureau, in charge of the Librarian of the State Library, shall be to gather and make available such information as shall aid the members of the Legislature in the discharge of their duties, and to collect information as to what legislation has been enacted upon important subjects in other states, and legal data as to the

constitutionality and interpretation of laws."

ORGANIZATION

The Legislative Reference Bureau is organized as a division of the State Law Library which is a Department of the State Library. The assistant law librarian who is in charge of the Bureau and who devotes full time to legislative reference service is appointed for an indefinite term by the State Librarian. There is no other staff and no temporary staff members are employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The Montana Legislative Reference Bureau undertakes library service and some legislative research for members of the Legislative Assembly and other state officials. Files of all bills introduced into the Legislative Assembly are kept for ready reference and an index to all bills introduced is prepared at the end of each session for permanent reference. All special requests for legislative research are handled as facilities permit. The Law Librarian assists by conducting research in statutory law and court decisions.

The legislative bill drafting is carried on largely by the office of the Attorney-General, and during sessions an assistant Attorney-General is detailed to the Reference Bureau for this purpose. The Bureau helps him with the necessary research. The demand for this service is so great during sessions that little care can be used in the compilation of material. The Law Libra-

rian also drafts bills for members when his many other duties permit.

Statutory revision is done in the office of the Code Commissioner. One man devotes full time to this work.

PERSONNEL

State Law Librarian, ASHBURN K. BARBOUR
Assistant to Law Librarian and Legislative Reference Bureau Librarian,

ADELINE J. CLARKE

Education: A.B., University of Chicago, 1919.

Offices: Assistant to Law Librarian and Legislative Reference Librarian since 1921.

Clubs and Organizations: Helena City and County Golf Club.

Married: Mr. A. J. Clarke

Office: State Capitol, Helena.

Attorney-General, RAYMOND T. NAGLE

Code Commissioner, CARL MCFARLAND

LIBRARY FACILITIES

Office Facilities

The Legislative Reference Bureau is situated in a room adjoining the State Law Library on the third floor of the Capitol Building. The House and Senate chambers are on the same floor. The Historical and Miscellaneous Library is lo-

cated on the first floor—a very inconvenient arrangement during legislative sessions as all Departmental Reports and the House and Senate Journals of the various states, United States Documents, and the State newspapers are housed there.

Library Material

The room used by the Legislative Reference Bureau contains pamphlet laws, clippings and books on subjects of current interest to the legislators. The Bureau subscribes to a number of periodicals which deal with governmental and legal subjects. It has current indexes to works upon subjects of legislation and public information. Care is taken to avoid duplicating material regularly kept in other sections of the library. Materials greatly in demand are ordered by wire.

FINANCES

The Legislative Assembly has never made sufficient appropriation for the proper growth of the Bureau. Funds from the State Law Library have been used sparingly to buy some of the most necessary material. In 1933 the Legislative Assembly appropriated \$150 for the biennium 1933-35 but there have been periods when no appropriations were made at all.

STATE OF NEBRASKA

HISTORY

Legislative reference service was inaugurated in Nebraska under an appropriation act of 1907 which contained an item in the State Historical Society appropriation, "for labor and supplies in legislative reference department." An act specifically creating a Legislative Reference Bureau was approved April 7, 1911. This prescribed the usual duties and in addition provided that the Bureau shall "maintain a special service upon municipal subjects for the use of city and village officials." The Bureau is affiliated with the Department of Political Science and Sociology and with the College of Law in the State University. Ne-

braska has a unique and effective Bureau which is very ably directed and judiciously advised.

LAWS AND AMENDMENTS

The original appropriation act providing funds for legislative reference service was passed as Nebraska Acts, 1907, Chapter 168, page 552.

The Bureau was formally set up under Nebraska Acts, 1911, Chapter 72, page 310.

ORGANIZATION

The act provides that the director and assistant director shall be appointed by the board of regents of the University of Ne-

braska for an indefinite term. The staff is appointed by the director for temporary terms. At the present time the director and assistant director devote full time to legislative reference service. From ten to fifteen temporary staff members are employed during legislative sessions.

LEGISLATIVE SERVICE RENDERED

The Nebraska Legislative Reference Bureau not only answers all inquiries coming in from the citizenry at large but encourage and advertises its services by preparing and distributing pamphlets and manuals and by disseminating information through governmental and educational institutions. The permanent staff of the Bureau devotes its full time to collecting, cataloguing, editing, and publishing material on governmental subjects in general and particularly on Nebraska affairs. Much of this material has been distributed to legislators, to other public officers, and to public school and college libraries in Nebraska and in other states and countries. The Bureau also publishes the state *Blue Book*. During the sessions of the legislature information on topics under consideration is gathered by all means available and digests, charts and statistics are prepared upon request. The Bureau renders assistance in drafting bills, motions, briefs, resolutions, and committee reports. It also makes an index of bills classified by subject. It has worked with numerous special commissions, and it acts as a municipal research agency for Nebraska cities and villages. In order to perform this unusual service adequately the Bureau maintains a special file of material on matters of municipal interest.

Formerly the Bureau trained students of the University in legislative reference work and bill drafting. This service has been discontinued, but a limited number of students are still taken on as apprentices to receive instruction and gain experience in library service.

PERSONNEL

Director, Legislative Reference Bureau,
EDNA D. BULLOCK

Education: B.L.S., New York State Library School, Albany, 1885. B.L., University of Nebraska, Lincoln, 1889.

Offices: Secretary, Nebraska Public Library Commission, 1901-06. Acting Librarian, Nebraska State Normal School, Peru, 1909. Editor and Indexer, H. W. Wilson Company, Minneapolis, 1909-11. Librarian, Nebraska Legislative Reference Bureau, 1911-17, 1918-21. With North Carolina Legislative Reference Library, Raleigh, 1916. Indexer with Red Cross, Washington, D. C., 1917-18. Director, Nebraska Legislative Reference Bureau since 1921.

Member: American Library Association, Nebraska League of Women Voters.

Clubs and Organizations: University Club, Lincoln.

Residence: 1100 North 37th Street, Lincoln.

Office: Rooms 108-11 Library Hall, University of Nebraska, Lincoln.

Assistant Director, LOUISE A. NIXON

LIBRARY FACILITIES

Office Facilities

The Nebraska Legislative Reference Library has four rooms for its office and library in the University library building. It also has some storage space in another building. Since only the most useable material is kept in the Bureau's own library the floor space is considered adequate.

At present three rooms in the Capitol are used by the Bureau during legislative sessions but the House of Representatives upon request of the Bureau set up a committee to secure and equip permanent quarters for the legislative service. Since the Bureau decided that it can work to better advantage when it is not too accessible to lobbyists and the general public, these new offices will not be on the main floor with the legislative chambers.

Library Material

The Nebraska Bureau contains approximately 40,000 pieces of material classified by a modified Dewey Decimal system originally worked out by the Wisconsin Bureau. The library consists largely of clippings, pamphlets, reports, digests, bulletins, periodicals and a few books. Located, as it is, in the University library building, duplication of the contents of the state's largest library is avoided, but close coopera-

tion is maintained with the larger library and its contents freely drawn upon. Every other year the legislative library eliminates material which is obsolete for its purposes and turns it over to the University Library. It is the policy of the Bureau to refrain from acquiring or cataloguing material which is duplicated in several other libraries.

The Bureau library is also used as a reference library by the whole state. Mail service is constantly increasing. The only cost to borrowers is the postage.

Other Library Collections Available

As stated above, the Nebraska Bureau

has access to the University Library which is located in the same building and which contains over 275,000 volumes.

The State Library—located in the Capitol—contains over 100,000 volumes. It is a particularly excellent law library. Bureau members may take books to their offices in the Capitol and keep them as long as they desire.

FINANCES

The total appropriations and expenditures for the Nebraska Legislative Reference Bureau for the two bienniums 1929 and 1931 are as follows:

	<i>Appropriation</i>		
	1929-30	1931-32	1933
General	\$19,000	\$15,000	\$12,500
Bluebook Manual, etc.	3,000	4,000	4,000
Special Sessions		1,500	
Total	\$22,000	\$20,500	\$16,500

	<i>Expenditures</i>		
	1929-30	1931-32	1933
Salaries	\$10,000	\$ 9,000 Est.	
Wages during Sessions	7,000 Est.	6,000 Est.	
All Other	2,000 Est.	1,500	
Bluebook, etc.	3,000	4,000	
Total	\$22,000	\$20,500	

STATE OF NEVADA

HISTORY

In 1914 the Nevada Bar Association made an appropriation to create an unofficial and voluntary legislative reference and bill drafting bureau to aid the legislature. It was felt that such service should be immediately available without waiting for the legislature to inaugurate it. The Bar Association also believed that a demonstration of the value of the service would perhaps convince the Nevada Legislature of the need for such a bureau. Although the service created a good impression no official bureau was formed. Since the 1932 session the Legislature has employed two lawyers from Reno to serve the Senate and Assembly during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The attorneys are employed by the Legislature to draft and revise bills upon the request of legislators. The state printing office compiles the session laws after each session.

PERSONNEL

Senate Bill Drafter, A. J. MAESTRETTI, 1933.

Assembly Bill Drafter, JAMES D. FINCH, 1933.

FINANCES

The attorneys' fees are paid from a business fund set up for the use of the Legislature.

STATE OF NEW HAMPSHIRE

HISTORY

The Legislative Reference Bureau of the New Hampshire State Library was created by an act approved May 21, 1913. The State Librarian under whose control the Bureau was placed, was directed to supply the usual legislative reference services, to prepare abstracts of laws in other states, to supply desired information and to draft bills. Because State Library appropriations were insufficient and no separate financial provision was made, the service has never been adequately performed. At the present time the trustees are making an effort to establish an efficient and permanent legislative reference service.

LAWS, AND AMENDMENTS

Bureau established, New Hampshire, Acts, 1913, p. 761.

Service increased, New Hampshire, Acts, 1917, p. 511.

ORGANIZATION

The Librarian is appointed by the Board of Trustees of the State Library for three years. The staff is appointed by the Librarian subject to the approval of the Board. None of the five staff members devote full time to legislative reference service and no temporary staff members are employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The New Hampshire State Library at the present time is organizing a legislative reference service with the help of Emergency Relief Administration workers. Information is being gathered and compilations made on subjects to come before the current legislature. No drafting and revision services are performed except by the staff of the Attorney-General's office.

PERSONNEL

Librarian, THELMA BRACKETT

Education: A.B., University of California, Berkeley, 1919. California State Library School, Sacramento, 1920.

Offices: Assistant Librarian, San Luis Obispo County Free Library, 1921. Librarian, Siskiyou County, California, 1922-25. Librarian, Newark Museum, Newark, New Jersey, 1925-30. Librarian, New Hampshire State Library since March, 1933.

Residence: 33 Franklin Street, Concord.

Office: State Library, Concord, New Hampshire.

LIBRARY FACILITIES

Office Facilities

The State Library is located in the New Hampshire State Library Building adjacent to the State House. The Library Building is fairly modern, but is totally unsuitable for library work.

Library Material

The State Library contains approximately 190,000 pieces of material. The pieces in each classification—books, pamphlets, periodicals, etc.—have not been counted. A large part of the entire collection consists of legal publications and state reports which are of value to legislative reference service.

FINANCES

There has been no special appropriation made for the Legislative Reference Division. The services were to be provided as a regular function of the State Library but appropriations have always been so meager that adequate service has never been possible. The total annual expenditure of the New Hampshire State Library is less than \$20,000.

STATE OF NEW JERSEY

HISTORY

By an act approved March 18, 1914, a legislative reference bureau designed to

serve legislators and other state officials was created within the State Library. Another act of 1914 created the office of

Legislative Advisor and Bill Examiner at \$1,500 a year. This official acted during the session of 1915 but not in 1916 as no appropriation was made. The law was repealed in 1917.

LAWS AND AMENDMENTS

New Jersey, Acts, 1914, Chapter 29, page 44 provides that: "It shall be the duty of the State Librarian to collect and keep constantly up to date . . . such information and material as will furnish the fullest information practicable upon all matters pertaining to current or proposed legislation or any legislative or administrative problems, and to prepare to submit digests of such information and material upon request of any legislative committee or any member of the Legislature."

ORGANIZATION

The legislative service is under the general supervision of the State Librarian who is appointed for a five year term by the State Library Commission. The present term ends May 28, 1939. The commission is headed by the Governor. The library staff is appointed by the Librarian for indefinite terms and all but the Assistant Librarian are recruited from civil service lists. The Assistant Librarian is directly in charge of the legislative reference service. None of the library staff devote full time to this service nor are any temporary staff members employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The Department makes no extended research studies. When information along particular lines is sought, all available material is gathered and placed at the disposal of the inquirer. Copies of all bills and amendments to them introduced in the legislature together with a daily corrected record of the status of each are kept. At the close of the session a "Descriptive List" of all laws enacted is compiled and printed. This list is in very great demand and approximately 5,000 copies are distributed annually. No bill drafting service is rendered by the Library. This work is done in the office of the Attorney-General who has a regular staff of capable lawyers.

PERSONNEL

State Librarian, HADDON IVINS

Assistant Librarian, JOHN P. DULLARD

Education: Educated in private schools.

Offices: Railway Mail Service, 1885-89.

Trenton Correspondent of the Associ-



JOHN P.

DULLARD

Assistant

Librarian

ated Press, 1894-1918. Trenton Board of Assessors, 1899-1914. State Librarian, Trenton, New Jersey, 1914-19, 1924-29. Assistant Librarian, 1919-24, 1929 to present time.

Member: Trenton Board of Education since 1921. Board of Trustees of State Employees' Retirement System since 1921. American Library Association, American Association of Law Libraries, National Association of State Libraries.

Clubs and Organizations: Elks, Knights of Columbus, Ancient Order of Hibernians.

Married: Widower.

Office: State Library, Trenton.

LIBRARY FACILITIES

Office Facilities

The State Library—located on the ground floor of the State House Annex—consists of four large rooms. The reading room is a single room, one end of which is devoted to the General Library and the other end to the Law Library. This room has approximately 7,500 square feet of floor space, and over 6,000 lineal feet of shelving. The offices contain about 3,500 square feet and are equipped with the usual office furniture. The two stack rooms have about 30,000

lineal feet of shelf space. In the reading room there are six shelves to a stack; in the stack room, there are seven. The library estimates that it has shelf space for the next ten years.

Library Materials

The State Library has nearly 160,000 volumes divided about equally between the General Library and the Law Library. The material used in legislative reference work is not separately classified, arranged, or catalogued but is placed in the library as the character of the material dictates.

The Dewey Classification System is used in the General Library while the Law Library uses an original system of call numbers and the Library of Congress cards.

FINANCES

The annual appropriation to the State Library for the fiscal year, 1933-34 was \$29,340 and for the present fiscal year, 1934-35 is \$29,740. The appropriations are made annually. It is not possible to estimate how much of this money is expended on the legislative reference service phase of the work of the Library.

STATE OF NEW MEXICO

HISTORY

In 1921 the Legislature of New Mexico enacted a law creating a Legislative Revision Committee, to be composed of the Assistant Attorney-General and the Law Clerks of the Supreme Court. The purpose of this commission was to present better bills to the state legislature. Since 1921 the position of Law Clerk of the Supreme Court has been abolished. The work is now carried on by the Attorney-General and his assistants.

LEGISLATIVE SERVICES RENDERED

Bills are written or revised at the request

of the members of the legislature. The bill drafting service is available only during or immediately prior to sessions of the legislature.

PERSONNEL

Attorney-General, Frank H. Patton.

FINANCES

Bill drafting is carried on as a regular function of the Attorney-General's Office. No special or separate appropriations are made for this work.

STATE OF NEW YORK

HISTORY

Legislative Reference Section of New York State Library

A legislative reference section of the New York State Library was established in 1890 by order of the Director of the State Library, and is, therefore, the oldest legislative reference service in America. However, the service was not created in the State Library as a legislative reference bureau but rather as the Sociology Division organized by Dr. Melvil Dewey in 1890. Under the leadership of A. B. Shaw and

Dr. R. H. Whitten, the Sociology Division worked out an annual digest of and index to the current legislation of all of the states in the union and also gathered material in the field of the social sciences for the use of the legislators. Gradually the duties of this department were enlarged until it grew into the present Legislative Reference Section of the State Library. The original intention of keeping an index of all state legislation from 1890 survived until 1911, when a fire destroyed the indexes which had been completed through 1908. The partially completed indexes of 1909 and

1910 were reconstructed and those for 1911 and 1912 completed but lack of funds prevented their publication. The entire service has been discontinued since 1912, to the disadvantage of several states which used this material regularly, though its place is now filled by the biennial State Law Index of the Library of Congress. The New York Legislative Reference Section rapidly developed into one of the finest state legislative research organizations in the United States. The bill drafting service is rendered by a separate agency.

Legislative Bill Drafting Commission

Expert bill drafting was considered in New York as early as May, 1691, when the Assembly requested the Governor to appoint a person or agency for that purpose. The problem was forgotten for nearly 200 years, until in 1885 the Governor pointed out, in his annual message, that 45 bills had to be recalled for amendments or corrections in 1883 and in 1884 fifty more bills were equally poor as to form and content. He also said that a great amount of valuable legislation was lost because he was not able to approve poorly drafted bills. It was impossible to return poor legislation to an adjourned legislature. In 1893 a law was passed requiring a Statutory Revision Committee to draft or revise bills, or render opinions as to constitutional defects upon request. This Committee was little used and was abolished in 1900. The following year a new act was passed providing for a commission of three appointed by the President pro tempore of the Senate and the Speaker of the Assembly. The three commissioners were to provide expert aid in bill drafting. These men became known as the Legislative Bill Drafting Commission. Their duties were outlined by an act approved February 17, 1909 and amended by acts approved December 12, 1913 and March 9, 1916. An act of May 3, 1917, provided for preparation by the Bill Drafting Commission, of an index of statutes and made an appropriation for this purpose.

LAWS AND AMENDMENTS

Statutory Revision Committee, New York, Acts, 1893, Chap. 4.

Revision Committee Abolished, New York, Acts, 1900, Chap. 664.
Legislative Bill Drafting Commission, New York, Acts, 1901, Chap. 88.
Duties of the Commission, New York, Con. Laws, 1909, Chap. 37.
Duties of the Commission, New York, Acts, 1913, Chap. 812.
Duties of the Commission, New York, Acts, 1916, Chap. 32.
Index of Statutes, New York, Acts, 1917, Chap. 332.

ORGANIZATION

Legislative Reference Section of the State Library

The New York State Library is a part of the State Department of Education and is under the supervision of the Board of Regents of the University of the State of New York and the Commissioner of Education. The Director of the State Library is appointed for an indefinite term by the Board of Regents under the State Civil Service Law. The librarian and staff of the Legislative Reference Section are appointed for indefinite terms from civil service lists by the Board of Regents upon the recommendations of the Director of the State Library. A staff of eight devotes full time to legislative reference service. No temporary staff members are employed during legislative sessions.

Legislative Bill Drafting Commission

The two commissioners are appointed by the President pro tem of the Senate and the Speaker of the Assembly and serve during their pleasure. The Deputy Commissioner and Counsel to the Commission are appointed by the Commissioners, as are the clerical and secretarial staff. The staff consists of twenty-two full time employees in addition to the Commissioners and counsel. Several temporary clerks are employed during legislature sessions.

LEGISLATIVE SERVICES RENDERED

Legislative Reference Section of the State Library

The Legislative Reference Section is primarily an agency for research. It renders excellent service to legislators, state officials

and to countless agencies, associations, organizations and individuals. Among its many functions are the receiving, collecting, checking, cataloguing and arranging of foreign, federal, state and municipal documents and other materials on subjects of legislative interest. A complete file of bills arranged by subject is kept. The Reference Section operates a very fine inquiry service. In addition to answering countless inquiries and supplying innumerable references and reference materials, the Section completes every year several intensive factual studies on questions vital to the social and industrial well-being of the state. Such subjects as water supply; pollution of waters; transmission of power; bovine tuberculosis; banks and investment trusts; unemployment; administration of justice; and taxation and retrenchment are studied and reported to the various committees, commissions or officials requesting the information. Extensive bibliographies are furnished and reports are digested or loaned. Since 1916 the Section has made over 625 typewritten, original research studies. The Legislative Reference Section prepares periodical legislative bulletins during legislative sessions. It keeps a travel index of all bills introduced into the Legislature and maintains a bill delivery service to legislators and some state officials. Letters are sent to all of the members of the New York State Legislature inquiring as to subjects which will be of interest at the coming sessions. Every effort is made to obtain and reserve material on these subjects for legislative use. Most of the major studies are typewritten and listed with Public Affairs Information Service. A vast number of exchanges are kept up in addition to this. The Section issues a very detailed activity report every year.

Legislative Bill Drafting Commission

The Legislative Bill Drafting Commission maintains an office in the State Capitol, which is open from September first until the close of the legislative session, to aid legislators, committees of the Legislature, state departments, boards or officials in drafting bills, resolutions, and amendments thereto, upon specific request. The Commissioners advise as to constitution-

ality, consistency or effect of proposed legislation and recommend changes in wording and form. The Commission examines the general laws and reports to the Legislature such amendments as it deems advisable to bring the consolidated laws up to date. An index of the New York statutes was made and is supplemented after each session of the Legislature. The Commission may, upon the request of either house or committees of the Legislature conduct research on any subjects of proposed legislation. The close cooperation which exists between the Bill Drafting Commission and the Legislative Reference Section, reduces overlapping and duplication of activities.

PERSONNEL

Legislative Reference Section Librarian,
WILLIAM E. HANNAN

Education: A.B., University of Nebraska, 1907. Graduate work, University of Nebraska, 1908 and 1912-13.

Offices: Assistant Director, Nebraska Legislative Reference Bureau, 1907-15. Librarian, Legislative Reference Section, New York State Library, since 1915.

Member: Phi Beta Kappa. American Library Association.

Married: Janet MacClymont.

Residence: 74 Glendale Avenue, Albany.

Office: State Library, Albany.

Research Associate, MRS. ELIZABETH M. HENNING

Research Associate, MRS. JUNE LAMBERT

Research Associate, ANTOINETTE WAGNER

Research Associate, HELEN M. WURTHMAN

Secretary, MRS. HELEN P. POWERS

Secretary, ELIZABETH M. DOOLEY

Clerical Assistant, PETER LARSON

Legislative Bill Drafting Commission

Commissioner, BENTON S. RUDE

Commissioner, JOHN H. CONROY

Deputy Commissioner, ROBERT E. CONGDON

Counsel, ROBERT H. MCCORMIC

LIBRARY FACILITIES

Office Facilities

The quarters of the legislative reference section are in the State Education Building just across the street from the State

Capitol. They are part of the State Library and in close proximity to all other state offices. Floor space is ample; equipment, lighting, ventilation, heating and other arrangements are very satisfactory as to quantity and quality. Immediately adjacent to the legislative reference quarters is book space for about 125,000 volumes. The quick files furnish abundant space for pamphlet materials and have never been overcrowded. They are weeded out carefully every year. The overflow of the documents collection is placed in the general library stacks in which there now is—and for many years will be—abundant space.

Library Material

The Legislative Reference Section contains a special collection on subjects of legislation, and on social, economic and governmental questions, and is organized to be of particular assistance to legislators, state departments and institutions, and students of public questions. The collection is principally made up of special bibliographies, selected matter clipped from all classes of periodicals and newspapers and pamphlet material of both official and private origin. It also includes legislative bills and similar ephemeral but extremely useful and valuable publications, as well as original compilations and digests on numerous subjects of comparative legislation. The collection is well classified, and it is kept in a vertical filing system in the western end of the legislative library. Practically complete sets of New York legislative journals, documents, and bills are shelved in the same part of this room.

The section also contains the Library's collections of American legislative journals, and documents, national, state and local. The eastern end of the legislative library and the adjacent stacks are mainly devoted to this class of material. This collection is rich in the official publications of the United States Government. Similar sets for every state in the Union, the documents of every American city of more than 25,000 population, and of all counties, cities, and incorporated villages in New York State are also collected. Selections from the official publications of foreign countries are made with a view to their importance

in the study of comparative legislation.

The materials now in the legislative reference section are approximately as follows: 200,000 federal, state and city documents of which 80,000 are bound volumes and 120,000 unbound; 35,000 items of current pamphlets, mimeographed, newspaper and other materials of which approximately 10,000 are newspaper clippings.

The federal documents are classified by the Superintendent of Documents Office classification. The current material, 35,000 items, is classified by the Dewey Decimal classification.

Other Library Collections Available

The entire collection of the New York State Library which totals at present about 700,000 volumes, is available for the work of the Legislative Reference Section. The Library has acquired extensive collections on social, economic and political science, industrial history, and statistics. Those political and economic questions which are subjects of legislation and of state control are adequately covered. Materials on such topics as elections, suffrage, labor, taxation, banking and finance, municipal government, conservation, public utilities, insurance, charities, etc., are compiled. Particularly effective is the arrangement which brings the Law Library, with close to 100,000 volumes, adjacent to the Legislative Reference Section. The same stack, with a capacity of close to 200,000 volumes is used jointly by both sections.

The law library has practically complete collections of all American, English, Irish, Scotch and Canadian court reports, together with the leading digests, tables of cases, citation books and other legal bibliographic apparatus necessary to the convenient and exhaustive study of this material. It also has an unusually extensive collection of American statute law, including the laws of the colonial period. Much of this material is important not only as legal material but also as exceedingly rare early Americana, some volumes of which form important examples of the history of printing in this country. The statute law of the Dominion of Canada, the several Canadian provinces, England, Ireland and Scotland is represented by excellent working collections.

The Library has a complete set of the records and briefs in the Supreme Court of the United States since 1874. There are also complete sets of the records in the New York Court of Appeals, the four Appellate Divisions of the New York Supreme Court, and in many of the cases reported in the New York Miscellaneous Reports, since 1911. Extensive though incomplete collections of the records and briefs of cases in the Court of Appeals and Appellate Division prior to that time are also available. There is an extensive collection of American legal textbooks, cyclopedias, and dictionaries. So far as possible all legal periodicals in the English language, with a selection from those in other languages, have been acquired. The Library has a very extensive collection of the reports of bar associations and legal societies.

Much success has been achieved in securing a notable collection of the journals, debates and documents of American constitutional conventions. Considerable progress has also been made in collections of legal history and biography, literature of the law, international law, constitutional law, and trials.

FINANCES

Legislative Reference Section of the State Library

It is not possible to segregate annual or biennial expenditures for the Legislative Reference Section of the New York State Library. The items of salary, maintenance and operation, supplies, and other designations used in the analysis of the appropriations are included in the appropriations for the State Department of Education.

However the annual expenditures of the Legislative Reference Section have been estimated at \$14,000.00.

Legislative Bill Drafting Commission

The following are the 1933-34 expenditures of the Legislative Bill Drafting Commission classified as to personal service and maintenance and operation.

Commissioner	\$7,500.00
Commissioner	6,000.00
Deputy commissioner	5,000.00
Counsel	5,000.00
Assistant counsel, 2 at \$2,750..	5,500.00
Secretary	2,400.00
Assistant bill drafter, 2 at \$2,000.	4,000.00
Chief examiner	2,400.00
Examiner, 3 at \$2,400.	7,200.00
Legal assistant	2,000.00
Legal assistant	1,800.00
General clerk, 2 at \$1,800.	3,600.00
Comparer	1,600.00
Comparer, 2 at \$1,400.	2,800.00
Stenographer	1,800.00
Stenographer	1,600.00
Stenographer, 2 at \$1,500.	3,000.00
Stenographer, 2 at \$1,200.	2,400.00
Temporary service	675.00
For editing and indexing session laws, to be paid on the approval of the president pro-tem of the senate and the speaker of the assembly	6,000.00
Total of schedule	\$72,275.00
Less savings and salary reductions	2,875.00
Amount appropriated	<u>\$69,400.00</u>

Maintenance and Operation

For the expenses of maintenance and operation other than personal service

\$2,200.00

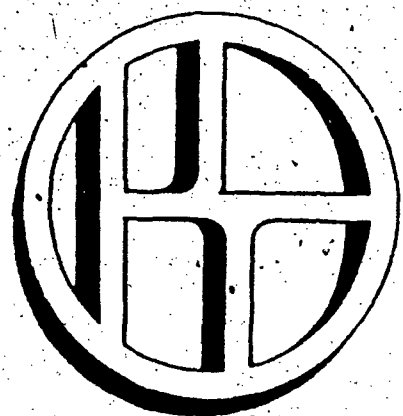
STATE OF NORTH CAROLINA

HISTORY

Bills providing for the office of Legislative Reference Librarian were defeated in the North Carolina General Assembly in 1911 and 1913 prior to the approval of an act on March 9, 1915. This act created

a legislative reference service under the North Carolina Historical Commission. The act was amended April 1, 1933, to make the Legislative Library a division of the Department of the Attorney-General.

The Legislative Reference Library is



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State Governments**

very active and is responsible for the publication of numerous worth-while studies. Although the act establishing the service does not require that a bill drafting service be maintained, the staff is actively engaged in rendering this service during legislative sessions.

LAWS AND AMENDMENTS

The act authorizes and requires the North Carolina Historical Commission "to appoint a properly qualified person to be known as a Legislative Reference Librarian, whose duty it shall be to collect, tabulate, annotate and digest information for the use of the members and committees of the General Assembly and other officials of the state, and of the various counties and cities therein, upon all questions of state, county and municipal legislation." North Carolina, Acts, 1915, Chapter 202, page 277.

The Legislative Reference Library was placed under the Department of the Attorney-General by a North Carolina Act of 1933.

ORGANIZATION

The Legislative Reference Librarian and the staff of the Legislative Reference Library are appointed by the Attorney-General of the State of North Carolina for an indefinite period. A staff of two devotes full time to legislative reference service and a secretary is employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The North Carolina Legislative Reference Library undertakes a complete legislative reference service including analytical comparisons of the legislation on various problems in other states and nations. A very good library is maintained, containing the laws of other states and nations, and as much other legislative material as is practically available. All bills obtained are classified by subject and filed for ready reference. A complete inquiry service is maintained and information not on hand is procured as quickly as possible. The Legislative Library has been very active in compiling and publishing material valuable to all of the state officials. These

publications include a booklet containing official votes for all officers by counties and a list of the members of the General Assembly, a Directory of State and County Officials, a bulletin containing amendments to the Consolidated Statutes, and a Court Calendar. Other material is compiled for municipalities and for persons throughout the state. After each November election a list of the newly-elected members of the General Assembly is printed. The North Carolina Manual is compiled and published biennially and a report of the Library's activities is made annually. The Library is also active as a bill drafting agency. Over six hundred bills are drafted for the legislators and other officials each year.

PERSONNEL

Librarian, Legislative Reference Library,
HENRY M. LONDON

Education's A.B., University of North Carolina, 1899. Studied Law, George Washington University, 1900-02. University of North Carolina Law School, 1903.



HENRY M.
LONDON

*Librarian,
Legislative
Reference
Library*

Offices: Mayor, Pittsboro, North Carolina, 1903-05. Member, North Carolina House of Representatives, 1907-08. Member, North Carolina Senate, 1911-13. Presidential Elector, 1913. In active law practice, Pittsboro, 1903-13. Chief Deputy Collector, Department of Internal Revenue, United States Treasury, 1913-19. Librarian, North Carolina Legislative Reference Library since 1919.

Member: North Carolina State Bar Association (Sec. and Treas. since 1921). Secretary, Board of Trustees, University of North Carolina since 1921. Member, Board of Managers, American Legislators' Association, 1929-31. American Bar Association.

Clubs and Organizations: Sons of the American Revolution. Raleigh Rotary Club, Raleigh Chamber of Commerce. Phi Delta Phi (legal fraternity), Sigma Alpha Epsilon (social fraternity).

Married: Mary Elliot.

Residence: 615 Hillsboro Street, Raleigh.

Office: Supreme Court Building, Raleigh.

Research Associate, MRS. W. J. PEELE

LIBRARY FACILITIES

Office Facilities

The North Carolina Legislative Reference Library is located on the second floor of the Supreme Court Building, which is adjacent to the State Capitol. The quarters allocated to the Library are inadequate, consisting of only two office-size rooms. While the location in the Supreme Court Building is inconvenient to the legislators who wish to make use of the service, it is convenient for the Legislative Refer-

ence Library since the State Library is on the first floor and the Law Library is on the fourth floor of the same building.

Library Materials

The Legislative Reference Library contains approximately 12,000 pieces of material catalogued according to the Dewey Decimal Classification System. The material is not separated into bound volumes, pamphlets, or periodicals, so there is no way of knowing the count for these individual classes. Care is taken to avoid duplicating material regularly kept in the State and Law Libraries.

Other Library Collections Available

As above stated, the North Carolina State Library is on the first floor and the State Law Library is on the fourth floor of the Supreme Court Building. This arrangement renders their collections immediately available to the Legislative Reference Library.

FINANCES

The total expenditures of the North Carolina Legislative Reference Library for the last two biennia are as follows:

EXPENDITURE	1931-33	1933-35
Salary of Librarian	\$5,960.00	\$5,000.00
Other Salaries and Wages	2,250.00	1,740.00
Postage	47.00	50.00
Telephone and Telegraph		10.00
Stationery and Forms	17.00	15.00
Publications	884.00	560.00
Subscriptions and Dues	18.00	
Total	\$9,176.00	\$7,375.00

STATE OF NORTH DAKOTA

HISTORY

Both legislative reference and bill drafting services were rendered by the Legislative Reference Bureau of North Dakota. This bureau was one of the divisions of the Public Library Commission created by an act approved March 2, 1907 and amended on March 3, 1909. Among the purposes of this Commission was the establishment of a Legislative Bureau.

In 1919 the duties of the Legislative

Reference Bureau were transferred to the Law Librarian since the position of the Library Commission as an independent organization was terminated in 1917. The work eventually came under the Board of Administration. Since the State Law Librarian was also ex officio Supreme Court Reporter the added work was too much. The service quickly diminished and finally terminated during a general state reorganization.

STATE OF OHIO

HISTORY

The Legislative Reference Department of Ohio was organized in 1910 as a part of the State Library in accordance with an act approved May 13, 1910.

Under the provisions of this act, the Board of Library Commissioners was to appoint an assistant to be known as the Legislative Reference Librarian. In 1913 an act was passed, amending the original act and setting up the Legislative Reference Bureau as a department separate from the State Library though still under the direction and supervision of the State Board of Library Commissioners.

An act of 1914 provided that ten qualified voters might, by written communication, submit any proposal, law or amendment to the Legislative Reference Department for examination. If that Department found it constitutional it should so certify and the certification should be printed under the proposition on the ballot. This law was repealed, as of January 1, 1930.

From 1915 to 1921 the State Librarian acted as Director of the Legislative Reference Department. In 1921, under the administrative code, the position of Director was abolished, the head of the department being designated as Chief of the Legislative Reference Division and appointed by the State Librarian. This organization remained until 1933 when the Ohio Legislative Reference Bureau again became a separate department. At present the Chief of the Legislative Reference Bureau comes under the Legislative Reference Board, composed of the Governor, Clerk of the Senate, and Clerk of the House of Representatives.

LAWS AND AMENDMENTS

"To provide for a legislative reference and information department in connection with the Ohio State Library." 101 Ohio Laws, p. 221.

The Bureau became a separate department under the State Board of Library Commissioners. 103 Ohio Laws, p. 8.

Ten qualified voters may send a proposition to the Legislative Reference Department for certification according to Ohio

General Code, Sec. 5175-29e (104 Ohio Laws, page 120). The above was repealed by 113 Ohio Laws, page 412.

The Director of the Legislative Reference Department became Chief of the Legislative Division and appointed by the State Librarian under the Ohio Administrative Code of 1921. General Code, Sec. 154-54 (109 Ohio Laws, p. 123).

The Legislative Reference Division became a separate department under the Legislative Reference Board by the Ohio Acts of 1933. General Code, Sec. 798-1 (115 pt. II, Ohio Laws).

ORGANIZATION

The Chief of the Ohio Legislative Reference Bureau is appointed for an indefinite term by the Ohio Legislative Reference Board which is composed of the Governor, the Clerk of the Senate and the Clerk of the House of Representatives. The Board likewise appoints the secretary of the bureau. The other members of the staff of the Legislative Reference Bureau are appointed for indefinite terms by the Chief with the approval of the Legislative Reference Board. A staff of two devotes full time to legislative reference service. Graduate students in law from Ohio State University are employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The chief function of the Ohio Legislative Reference Bureau is the drafting of bills for members of the Ohio General Assembly and other state officials. Between 75 and 80 per cent of all bills introduced into the General Assembly are drafted by the Bureau. Committee reports and briefs on the constitutionality of proposed legislation are also prepared. Material relative to pending legislation is accumulated. Research work is conducted on subjects of interest to the General Assembly. The Ohio Bureau prepares several major compilations and digests of laws every year. It also prepares the Ohio pages for the Statesman's Yearbook and Moody's Investors Service. Many minor studies are made and a substantial inquiry service is rendered. A ref-

erence file of bills is kept and an exchange of bills is maintained with several other states. Approximately 750 bills are added to the Ohio files each year from California, Connecticut, Iowa, New York, Pennsylvania and Wisconsin. A subject index of all bills is kept and record made of their legislative travel. During the sessions of the 1933 Ohio General Assembly the Bureau drafted 1042 of the 1125 bills introduced and served, in some capacity, 150 of the 167 members.

PERSONNEL

Chief of Legislative Reference Bureau,
ARTHUR A. SCHWARTZ

Education: A.B., Ohio State University, 1914. A.M., Ohio State University, 1915.

ARTHUR A.
SCHWARTZ

*Chief of the
Legislative
Reference
Bureau*



Offices: Research assistant, Legislative Reference Division of State Library, 1916-27. Chief, Legislative Reference Division of State Library, 1927-33. Chief, Ohio Legislative Reference Bureau since 1933.

Member: Phi Beta Kappa.

Compiler and Annotator: Ohio School

Laws, 1928 and 1934; Ohio Constitution, 1930.

Residence: 958 South Ohio Avenue.

LIBRARY FACILITIES

Office Facilities

At the present time the Ohio Legislative Reference Bureau occupies a room on the first floor of the Capitol Building. Now that the Bureau has been set up as a separate department, quarters on the second floor of the Capitol Building which are more accessible to the Senate and House chambers will be taken over. The new location has not been definitely selected as yet.

Library Material

The Legislative Reference Bureau has approximately 40,000 books and pamphlets catalogued by the Library of Congress classification system. In addition there are numerous sets of clippings and much typewritten material classified by nearly 300 different subjects and filed in several filing cases. It is impossible to estimate the amount of this material.

Other Available Library Collections

There is available to the Legislative Reference Bureau the Ohio Supreme Court Library, located in the State House Annex. The State Library occupies a part of the New State Office Building about a block from the Capitol Building. Both of these libraries are well equipped with material and with reference facilities.

FINANCES

It is impossible to tell just what the expenditures of the Bureau were during the time it was a division of the State Library, since expenditures were not segregated by divisions or services. Information on expenditures since establishment as a separate department are also not available.

STATE OF OKLAHOMA

NO LEGISLATIVE REFERENCE BUREAU

STATE OF OREGON

HISTORY

No specific provision has ever been made by the Oregon Legislative Assembly for the establishment of a legislative reference bureau but the State Librarian is required by law to render such services. The Oregon State Library was quick to see the need of a legislative reference bureau and acted in that capacity without authorization from 1905 to 1913. An act approved February 25, 1913, provided that among his other duties the state librarian should render legislative reference service. No special appropriation has ever been made to carry on this work.

LAW AND AMENDMENTS

"The state librarian . . . shall also collect and index those public documents which shall be of service to state boards, officials, and commissioners, and for reference work for the members of the Legislative Assembly for investigation of public questions." Oregon, General Laws, 1913, Chapter 149, page 264.

ORGANIZATION

Oregon State Library

The State Librarian is appointed for an indefinite term by the Board of Trustees of the State Library which is composed of the Governor, the State Superintendent of Schools, the Chancellor of the Oregon State System of Higher Education, the Librarian of the Portland Library, and three members appointed by the Governor. The library staff is appointed by the State Librarian for indefinite terms with the approval of the Board. The librarian and one member of the staff devote such time as is needed to the legislative reference work, and call freely upon other staff members for additional services. No temporary staff members are employed during legislative sessions. The State Library is not departmentalized but very elastic as to organization, personnel, material, and finances.

*Legislative Service and Reference
Bureau of the State of Oregon*

The Legislative Service and Reference Bureau is a semi-official bureau directed

by the heads of five departments of the University of Oregon, namely, political science, law, economics, history, and business administration. The members serve without compensation and no funds are appropriated for the Bureau. The Governor officially appoints the members of the Bureau for a two year term. The present term ends June 1, 1935. The Bureau may draw upon other members of the faculty and upon students for assistance.

LEGISLATIVE SERVICES RENDERED
Oregon State Library

The State Library provides legislative reference material to members of the Legislative Assembly and other state officials. It is not working on any large compilations or research problems but keeps close check of digests made elsewhere that might be of service. All comparative legislative material found in the Library has been carefully indexed. There is also an index to all bills introduced into the Legislative Assembly from 1907 to 1917. Since 1917 the bills have been adequately indexed in the Journals of House and Senate. An official file of bills of the House from 1885 to date and of the Senate from 1887 to date has been preserved. The Library maintains three complete files of every Oregon document and exchanges documents with other states when possible. The staff assembles from documents, pamphlets, and books, material on all public questions of interest to the legislators. Immediately after the November election, a personal letter is sent to each senator and representative telling him of the facilities available, and offering to do any necessary research on problems of particular interest to him. All such work done for individuals is of course held in strict confidence. The Library publishes a biennial report on all its activities and occasional bibliographies on timely subjects such as sales tax, and city planning.

*Legislative Service and Reference
Bureau*

This Bureau, upon request of legislators or other state officials, makes investiga-

tions and prepares reports for their use. It also drafts bills upon occasion.

The Office of the Attorney-General

The Attorney-General and his staff draft bills, resolutions and amendments thereto, upon the request of the legislators and officers and committees of the several houses. The Attorney-General also advises legislators and government officers upon questions of law and especially upon the validity of proposed legislation with respect to its conformance to the state and Federal constitutions.

The State Supreme Court Library

The State Law Librarian renders some research and library service on legal matters to legislators and other public officials. This consists largely of looking up and comparing the laws of several states upon certain subjects.

PERSONNEL

State Librarian, HARRIET C. LONG

Education: A.B., University of Nebraska, 1908. B.L.S., New York State Library School, Albany, 1910. M.L.S., New York State Library School, 1925.



HARRIET C. LONG

State Librarian

Offices: Assistant in Free Public Library, Santa Barbara, Cal., 1910-13. Librarian, Kern County Library, Cal., 1913-15. Librarian, Brumback Library, Van Wert County, Ohio, 1916-18. War work with American Library Association on Mexican Border in 1918 and in Germany and France in 1919. Chief, Traveling

Library Department, Wisconsin Free Library Commission, Madison, 1920-30. Librarian, Oregon State Library since 1930.

Author: *County Library Service 1925*. Contributor to professional publications.

Member: American Library Association, Pacific Northwestern Library Association, American Association of University Women. Phi Beta Kappa.

Clubs and Organizations: Salem Women's Club.

Residence: 173 South Cottage Street, Salem.

Office: State Library, Salem.

Research Associate—State Library, MIRPAH BLAIR

Legislative Service and Reference Bureau of the State of Oregon

University of Oregon

Political Science Department, Prof. J. D. Barnett.

Law Department, Prof. R. C. Clark.

Economics Department, Prof. Wayne L. Morse.

History Department, Prof. H. V. Hoyt.

Department of Business Administration, Prof. James H. Gilbert.

Attorney-General, I. H. VAN WINKLE

State Law Librarian, E. N. GILLINGHAM

LIBRARY FACILITIES

Office Facilities

The State Library is inadequately housed in the Supreme Court Building. It occupies space in various parts of four floors and is crowded into every available corner. Segregation of legislative reference material is practically impossible because of these conditions. Inadequate ventilation, light, and space are handicaps to efficient clerical work. A new \$350,000 State Library building very close to the State House has been planned as a P. W. A. project and is awaiting action. In the new building there is to be a separate room for legislative service. The present housing is very convenient to the House and Senate chambers, and to the Supreme Court Library.

Library Material

The State Library has a collection of over 342,000 books and pamphlets, with un-

counted thousands of periodicals and clippings. The only part of the collection which is specially designated as legislative reference is a file of more than 1,800 pieces of comparative legislation. The crowded condition of the library prohibits further segregation. Most of the material is on the general shelves and is catalogued according to the Dewey Decimal System. The majority of the legislative inquiries are handled by one person trained in legislative and governmental research and familiar with the location of pertinent material. During legislative sessions needed materials are withdrawn from circulation and reserved for the use of the legislators. Much valuable material has been collected by the Library during its quarter century of legislative reference service and the collection of such material is undoubtedly the best in the Northwest. A slight additional appropriation for more skilled service and for more space would make it of much greater value to the Legislative Assembly.

Other Library Collections Available

The materials in the State Supreme Court Library are immediately available to the State Library. The University of Oregon Library and that of the Oregon State Agricultural College are farther removed, but both are very willing to lend their materials. The resources of the Portland Library are also available.

The Legislative Service and Reference Bureau of the State of Oregon is located at, and uses the facilities of, the University of Oregon at Eugene.

FINANCES

The total expenditure of the Oregon State Library for the biennium 1929-30 was \$84,560; for 1931-32, \$93,475; and for 1933-34, approximately \$87,000. It is impossible to tell how much of this went into legislative reference service. The budget is kept flexible so that the money may be used where needed.

COMMONWEALTH OF PENNSYLVANIA

HISTORY

The Legislative Reference Bureau of Pennsylvania was organized as a division of the State Library by an act approved April 27, 1909. The duties of the Bureau were expanded in 1911 and 1915. The act approved by the General Assembly in 1913 directed the Bureau to examine and compile the statute law of Pennsylvania and subsequent acts of 1915 and 1917 authorized it to continue this work. The Legislative Reference Bureau was reorganized as a legislative agency by an act approved May 7, 1923. The director of the Bureau, instead of being appointed by the Governor, is now elected by the Senate and House of Representatives in joint session. One of the leading legislative agencies in the United States at the present time, the Pennsylvania Legislative Reference Bureau publishes many of its digests and compilations and operates with the whole-hearted support and confidence of the General Assembly and the Administration.

LAWS AND AMENDMENTS

Bureau Established, Penn., Public Laws, 1909 p. 208.
Duties Enlarged, Penn., Public Laws, 1911 p. 76.
Statutory Revision Ordered, Penn., Public Laws, 1913 p. 250.
Statutory Revision Continued, Penn., Public Laws, 1915 p. 194.
Duties Enlarged, Penn., Public Laws, 1915 p. 474.
Statutory Revision Continued, Penn., Public Laws, 1917 p. 87.
Bureaus Reorganized, Penn., Public Laws, 1923 p. 158.
Salary Amendment, Penn., Public Laws, 1927 p. 876.
Salary Amendment, Penn., Public Laws, 1929 p. 1803.
Salary Amendment, Penn., Public Laws, 1931 p. 95.

ORGANIZATION

The Director of the Pennsylvania Legislative Reference Bureau is appointed by a

joint session of the Senate and House of Representatives for a two-year term, beginning the third Tuesday in January in odd numbered years. The Bureau staff is appointed by the Director. A staff of twelve devotes full time to legislative reference service and bill drafting and seven temporary staff members are employed during regular legislative sessions.

LEGISLATIVE SERVICES RENDERED

Legislative Reference Bureau

The Pennsylvania Bureau furnishes reference service to the members of the General Assembly, the Governors, the heads of the several departments and to any citizens of the Commonwealth who desire to use it.

The Bureau prepares indexes of Pennsylvania laws, digests the laws of other states, and keeps a complete collection of Pennsylvania bills filed by bill number. A file of reports of departments, boards and commissions and of other public documents of the Commonwealth is also maintained. The Bureau furnishes a complete inquiry service. It has by ready coöperation built up good will with the bureaus of other states, thus making it possible to secure information in a short time. A periodical indexed history of legislation is kept both by bill number and by legislative sponsors and the travel of all bills introduced is recorded. From time to time topical codifications of the existing general statutes, arranged by chapter and section, are presented to the General Assembly for adoption or rejection. Lists of obsolete laws to be repealed are added thereto. The Bureau upon request advises the legislators, Governor, and heads of departments on bills and resolutions and drafts the bills into the proper form. Three thousand and fifteen bills were drafted during the session of the 1933 General Assembly. The Director acts as ex-officio advisor to the General Assembly in legal matters and on parliamentary law. The Bureau prepares and publishes bulletins, pamphlets, and circulars containing information collected by the Bureau. Copies of some of these publications are distributed upon request to any citizen desiring them. Others are sold at the cost of publication by the Division of Documents.

DEPARTMENT OF JUSTICE

The Attorney-General of Pennsylvania assists in bill drafting and statutory revision upon request of the members of the General Assembly, Governor, or department heads.

DEPARTMENT OF REVENUE

The Executive Assistant to the Secretary of the Bureau of Administration and Accounts assists in the drafting of revenue measures. The Executive Assistant to the Commissioner of the Bureau of Motor Vehicles renders a similar service in the drafting of motor vehicle legislation.

DEPARTMENT OF HIGHWAYS

The attorney of the Bureau of General Engineering Headquarters, Department of Highways, is of great assistance in the drafting of highway legislation.

PERSONNEL

Director, Legislative Reference Bureau,
JOHN H. FERTIG

Education: High school and one year of post-graduate work for teaching profession.



JOHN H. FERTIG

*Director,
Legislative
Reference
Bureau*

Offices: Teacher in public schools, 1901-04. Admitted to bar by Pennsylvania Supreme Court, 1906. Active Law practice, 1906-12. Assistant Clerk, Orphans' Court, Schuylkill County, 1911, 1912. Bill drafter, Pennsylvania Legislative Reference Bureau, 1912-17. Assistant Director, Pennsylvania Legisla-

tive Reference Bureau, 1917-31. Director since 1931.

Member: American Law Institute (Charter Member), American Bar Association, Pennsylvania Bar Association. State Employees' Retirement Board.

Clubs and Organizations: Director, Izaak Walton League. Director, Zoological Society of Harrisburg. Harrisburg Club.

Married: E. Edith Wunder.

Residence: 108 North Second Street, Harrisburg.

Office: State Museum Building, Harrisburg.

Assistant Director, ROBERT S. FREY

Bill Drafter and Compiler, S. EDWARD HAN-NESTAD

Bill Drafter and Compiler, BURT R. GLID-DEN

Bill Drafter and Compiler, HERBERT S. SCHAFFNER

Research Associate, PAUL W. ORTH

Reference Librarian, IRMA A. WATTS

Secretary, ANNA M. AIKEN

LIBRARY FACILITIES

Office Facilities

The office of the Pennsylvania Legislative Reference Bureau covers approximately 2,185 square feet of floor space and is equipped with the usual files, desks, chairs, tables and office machinery. The bill filing room is equipped with metal filing cases and occupies 1,180 square feet of floor space. The space is adequate for office purposes but not for library purposes since there is insufficient room for shelves. The lighting facilities are excellent but the

heating and ventilation are very poor. The quarters are not arranged conveniently. They occupy a part of the Museum Building which is next door to the Capitol Building and is connected to it by a short underground passage.

Library Material

The Legislative Reference Library has approximately 3,050 volumes, of which 1,500 volumes are devoted to law. This is considered a very adequate working library. The files include 5,450 pamphlets, over 1,500 clippings and about 6,000 separate pieces of typewritten material. The material is catalogued by a special classification system developed in the Bureau. Originally 6,000 numbers were assigned to the system. Where expansion becomes necessary and unused numbers are not available, a decimal point is used.

Other Library Collections Available

The Pennsylvania Bureau makes frequent use of the State General Library and the State Law Library; especially of the public documents section of the latter. These libraries are housed in the Education Building, which is about two city blocks from the Bureau offices.

FINANCES

The actual expenditures of the Pennsylvania Legislative Reference Bureau for the biennium 1931-33; for the fiscal year 1933-34; estimated for the fiscal year 1934-35; and the estimated total for the biennium 1933-35 are as follows:

<i>Purpose</i>	<i>Total 1931-33</i>	<i>Total 1933-34</i>	<i>Est. Total 1934-35</i>	<i>Est. Total 1933-35</i>
Salary of Director	\$15,000.00	\$ 6,000.00	\$ 6,000.00	\$12,000.00
Other Salaries	68,856.50	28,528.00	28,531.00	57,059.00*
Temporary Wages	6,252.70		3,502.00	3,502.00
Subscriptions, etc.	810.39	261.45	300.00	561.45
Traveling Expenses	410.18	**		**
Express, Freight, etc.	1.54	2.73	5.00	7.73
Postage	1,050.00	436.00	448.00	884.00
Telegrams	20.09	5.89	12.00	17.89
Dues to Associations	50.00	30.00	35.00	65.00
Books and Reports	1,334.94	42.56	100.00	142.56
Total	\$93,786.34	\$35,306.63	\$38,933.00	\$74,239.00***

* Marked difference in two biennia is due to cut in appropriation.

** No allocation to this classification because of cut in appropriation.

*** Deficiency appropriation will be requested from the General Assembly for extra session help, approximately \$5,000.

In addition to the above amounts the Legislative Reference Bureau was allocated

certain amounts from the Department of Property and Supplies for printing, binding, stationery, telephone, telegraph, repairs, equipment, bottled water, insurance and other incidentals. This amounted to \$3,845.99 for the biennium 1931-33 and \$1,220.96 for the first fiscal year of the present biennium 1933-35. It is estimated that the total for the 1933-35 biennium will be \$2,315.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

HISTORY

The Legislative Reference Bureau was originally established as a division of the Rhode Island State Library by an act approved April 23, 1907. This act was amended April 30, 1908. The facilities of the State Library are at the disposal of the Bureau when the General Assembly is in session. No provision was made for the employment of draftsmen in the Reference Bureau, but the State Librarian and assistants render in an unofficial way such assistance as may be required in preparing bills for introduction. In 1925 the salary of each employee of the Legislative Reference Bureau was specified by law.

The office of State Law Revision Commissioner was created in 1926. The Commissioner codifies and revises existing statutes, drafts bills, and resolutions, and advises on bills before the Governor signs them.

LAWS AND AMENDMENTS

Bureau established, Rhode Island, Acts, 1907, Chapter 1471.

Duties broadened, Rhode Island, Acts, 1908, Chapter 1554.

Salaries specified, Rhode Island, Acts, 1925, Chapter 622.

Revision Commissioner, Rhode Island, Acts, 1926, Chapter 790.

Salary revisions, Rhode Island, Acts, 1930, Chapter 1600.

ORGANIZATION

The State Librarian, also ex officio State Record Commissioner, is appointed by the

Secretary of State with the advice and consent of the Senate, for a three year term—the present one ending January 31, 1937. The director and staff of the Legislative Reference Bureau are appointed for indefinite terms by the State Librarian with the approval of the Secretary of State. A staff of three devotes full time to legislative reference work. Temporary staff members are employed during legislative sessions, and the services of the Library staff are drawn upon as needed.

The State Law Revision Commissioner is appointed by the Governor, with the advice and consent of the Senate. He is required to be a practising attorney and experienced in legislative procedure.

LEGISLATIVE SERVICES RENDERED

Legislative Reference Bureau

The Rhode Island Legislative Reference Bureau undertakes to furnish complete legislative reference service for the legislators and other state officials—that is, to supply information on the laws of other states on a given subject; on legislation enacted at any time in Rhode Island; references to any books dealing with legislative questions; and to comments on legislation in current periodicals. The pending bills of Massachusetts, Connecticut, New York and other states are on file in the library. The pending bills of Rhode Island have a special filing room and duplicates are supplied upon application. For this purpose a dictionary card catalogue is kept as well as a file of serial cards upon which is entered

the travel of the bills. Entry is also made under the name of the introducer. The Bureau makes a sessional index of all legislation by bill number and keeps up to date a card list of all Rhode Island legislators since 1850. A cooperative arrangement was maintained between the Bureau and Brown University from 1908-1929 by which students were permitted to perform work in cooperative legislation under the direction of the Legislative Reference Bureau. Some of the material prepared by the students has been utilized in the legislative reference bulletins which the Bureau publishes. Other digests and important compilations and reports are also published by the Rhode Island Bureau and listed with the Public Affairs Information Service. While the Bureau is not officially required to draft bills, for many years it has drafted a large portion of the acts and resolutions presented to the General Assembly. Seven hundred and twelve bills were handled during the 1934 session of the General Assembly convening in January. Since Rhode Island is so small in area, municipalities and towns are also assisted in their research work by the Bureau.

The State Law Revision Commissioner

The Commissioner works on a consolidation of all the statutes and public laws of the state beginning with the general laws of 1923. He maintains the consolidations and revisions in up to date form. Upon written request of the Governor, the presiding officer of the Senate, the Speaker of the House of Representatives, or the chairman of any standing committee of either house, the Commissioner will prepare, draft, and redraft bills, acts, resolutions or amendments. He is also called upon to serve on or to assist many legislative commissions.

PERSONNEL

State Librarian, HERBERT O. BRIGHAM

Education: Student, Brown University, Providence, Rhode Island, 1895-96 and 1898-99.

Offices: Assistant Librarian, Brown University, 1900-03. Librarian, Rhode Island State Library since 1903. Record Commissioner since 1910. Associate in Comparative Legislation, Brown Univer-

sity, 1922-30. Associate in Bibliography, Brown University, 1931-date. Chairman, Public Document Clearing House. Secretary, American Library Institute. *Editor:* Special Libraries, 1924-31.



HERBERT O.
BRIGHAM

*State
Librarian*

Member: American Library Association, National Association of State Libraries, American Association of Law Libraries, Special Libraries Association, American Academy of Political and Social Science, American Economic Association, American Historical Association, National Fire Protection Association, New England Historical-Genealogical Society, and Brigham Family Association.

Married: Widower.

Residence: 11 Nisbet Street, Providence.

Office: State House, Providence.

Director of Legislative Reference Bureau,
GRACE M. SHERWOOD

Education: A.B., Women's College, Brown University, 1906.

Offices: Student Assistant, John Hay Library, Brown University, 1902-06. Assistant, John Carter Brown Library, Providence, 1904. Assistant, Rhode Island School of Design, 1905. Assistant, Legislative Reference Bureau, 1907-09. Director, Legislative Reference Bureau since 1909.

Author: Numerous articles, stories, plays, poems and songs. Served with Y.M.C.A. in France writing and directing plays for soldier productions.

Member: American Library Association, National Association of State Libraries (Vice President 1931-32), American

Museum of Natural History. Board of Directors, Federal Hill House.

Clubs and Organizations: Providence Players Club. Providence Plantations Club. Brown Alumni Association.

Residence: 123 Waterman Street, Providence.

Office: State House, Providence.

State Law Revision Commissioner, JAMES G. CONNOLLY

LIBRARY FACILITIES

Office Facilities

The Rhode Island Legislative Reference Bureau shares the State Library quarters which occupy the central point on the second floor of the State House midway between the Senate and the House chambers. The equipment and materials of the Bureau and the Library are not kept separate. A private office for the Librarian, an office for the State Record Commissioner, and numerous stack rooms throughout the building are maintained in addition to the main library.

Library Materials

The Bureau library is an integral part of the State Library and draws its materials from the Library files. The Dewey classification system is used in general. The library contains over 65,000 books and

80,000 pamphlets. This includes the Rhode Island Collection, state documents and journals, city documents, United States Government Depository Set, United States Departmental Collection, foreign documents and laws, classified pamphlet laws, legal references, pamphlets, periodicals, legal reports, bulletins, and circulars in addition to the official archives and records maintained by the State Record Commissioners and the Secretary of State.

Other Library Collections Available

The libraries of Brown University, Providence Public Library, Rhode Island Historical Society and other special collections in the city of Providence are available to the Legislative Reference Bureau. The close proximity to Boston gives opportunity for use of the facilities of the Massachusetts State Library and other Boston libraries.

FINANCES

Legislative Reference Bureau

The expenditures of the Rhode Island Legislative Reference Department for the four fiscal years (ending June 30) 1931, 1932, 1933 and 1934 together with the recommended appropriation for 1935 are as follows:

	1930-31	1931-32	1932-33	1933-34	1934-35
Personal Service	\$5,300.00	\$5,300.00	\$5,430.00	\$5,341.67	\$5,300.00
Office Expense	310.26	230.00	173.69	282.91	330.00
Other Expenses	67.10	150.00	48.54	50.00	50.00
Total	\$5,677.36	\$5,680.00	\$5,652.23	\$5,674.58	\$5,680.00

The annual expenditures for the State Law Revision Commissioner cover Personal

Service, \$7,500, Office Expense, \$200, and other expenses, \$100.

STATE OF SOUTH CAROLINA

HISTORY

It is interesting to note that South Carolina made an early official step in expert bill drafting. In 1868 the General Assembly

ordered its Attorney-General to aid in the preparation of legislative documents and bills on the request of either house. At the next session the Attorney-General was

authorized to require the State Solicitors in the eight judicial districts to aid in this function. The Attorney-General still drafts bills upon the request of members of the General Assembly. However, a law creating an official legislative reference bureau in South Carolina has never been enacted. In 1914, when the present State Librarian took office, she saw the need for such a service and as a result, legislative research work has been undertaken to a slight extent. No extra appropriation is given to the Library for this work and since the staff has been reduced to the librarian, legislative services are necessarily limited.

LAWS AND AMENDMENTS

Bill drafting was first officially established in South Carolina by the South Carolina Statutes at Large, XXII, Number 249.

ORGANIZATION

The State Librarian, the Attorney-General, and the Code Commission render all of the legislative services performed. The State Librarian is appointed by the General Assembly to serve a four year term. There is no staff. The Librarian devotes part time to legislative reference work.

LEGISLATIVE SERVICES RENDERED

At the present time, the Librarian maintains a file of the bills introduced into the General Assembly arranged by subject. A set of all of the reports and documents of the state is also maintained. Very little research is done. Material is secured upon request of the legislators for their own use.

The Attorney-General drafts bills during legislative sessions upon the request of the individual members of the General Assembly.

The Code Commissioner makes a continuous revision of the South Carolina Codes. He also indexes the statutes after each session of the General Assembly.

PERSONNEL

State Librarian, MRS. VIRGINIA G. MOODY
Education: Graduate, College for Women, Columbia, South Carolina.
Offices: Librarian, South Carolina State Library since 1914.

Office: State Capitol, Columbia.
Attorney-General, JOHN M. DANIEL

LIBRARY FACILITIES

Office Facilities

The South Carolina State Library is located in the Capitol Building midway between the House and Senate chambers. The Library is not large but there is adequate floor space and equipment. Both lighting and ventilation facilities are excellent.

Library Material

The State Library contains approximately 75,000 bound volumes and a considerable collection of pamphlets, periodicals and clippings. The material used for legislative reference work is not separate, but, with the legal collection, forms an integral part of the State Library.

FINANCES

The total expenditures for the South Carolina State Library for the fiscal year 1933 were \$5,343. In 1934 they dropped to \$3,761.50. It is not possible to estimate what portion of this expenditure is chargeable against legislative reference services.

STATE OF SOUTH DAKOTA

HISTORY

The South Dakota Legislative Reference Bureau was originally established as a division of the state library in 1907. Legislative reference research and some bill

drafting services were provided and a legislative reference library accumulated. Since 1927, however, the constant demands for retrenchment have greatly reduced the personnel and curtailed the services.

LAWS AND AMENDMENTS

The act of 1907 requires the State Librarian "to establish a division of legislative reference, in which he shall provide the reports of the various officers and boards of this state and as far as may be possible of other states and other such material upon economic and sociological subjects as he may be able to provide, and shall index and classify the same and make the information therein available for the use of the state legislature, and shall, as required, provide for the use of members of the legislature, such information and assist in drafting bills and in every reasonable way make the division useful in the preparation of legislation."

Established; South Dakota, Acts 1907, Chapter 185, p. 395.

Under Library Commission, South Dakota, Acts 1913, Chapter 217, p. 300.

Under State Librarians, South Dakota, Revised Code of 1919, Section 9922.

ORGANIZATION

The South Dakota State Historical Society administers the State Library, the Legislative Reference Library and the State Department of History. The Superintendent of the State Department of History is appointed for an indefinite term by the Executive Committee of the South Dakota State Historical Society and acts as its secretary. He is also ex officio State Librarian and as such becomes secretary of the South Dakota Free Library Commission. The superintendent devotes most of his time during sessions to legislative reference and bill drafting. He is assisted during this period by several untrained assistants appointed by the Legislature.

LEGISLATIVE SERVICES RENDERED

Until 1927 an assistant had been actively in charge of the legislative reference work. At present the legislative reference library in conjunction with the State Library is maintained by the Superintendent of the State Department of History and one assistant. The Superintendent gives advice on requested subjects and assists the legislators in analyzing state reports while the assistant catalogues all material and compiles digests on subjects of legislative in-

terest. An attempt is made to answer all inquiries sent to the Bureau. Bill drafting is occasionally done by the Superintendent in his capacity as director of the Legislative Reference Division. However, as a result of the many functions undertaken by the Department most of this service has been diverted to the Attorney-General's office.

PERSONNEL

Superintendent, Department of History,
LAWRENCE K. FOX

Education: A.B., University of South Dakota, 1922.

Offices: Assistant Superintendent, State Department of History, 1922-26. Superintendent since 1926.

Member: Secretary and member South Dakota State Historical Society. Secretary South Dakota Free Library Commission since 1926. Secretary, Soldiers and Sailors Memorial Commission since 1926. Ex officio State Librarian since 1926. Mississippi Valley Historical Society. Minnesota Historical Society.

Author: Who's Who Among South Dakotans (1924 and 1928).

Clubs and Organizations: Mason, 32nd degree, Knights of Pythias, American Legion, Lambda Chi Alpha.

Married: Jennie E. Lamkin.

Residence: 475 Central Ave., Pierre.

Office Address: Memorial Building, Pierre.

LIBRARY FACILITIES

Office Facilities

The Legislative Reference Division of the State Library is maintained in the State Capitol during the session of the legislature close to both Senate and House chambers. The Superintendent's office is across the street from the Capitol in the Soldiers' and Sailors' World War Memorial building which was completed in 1932.

Library Material

The Legislative Reference Library is a part of the State Library and the facilities and materials are merged since there is not sufficient personnel to care for them separately. The collection consists of the usual material, bills, departmental reports, state

documents, pamphlets, periodicals, compilations and collections of clippings.

Other Available Collections of Material

The Supreme Court Library makes all of its legal material available to the legislators and administrative officials.

The library of the Free Library Commis-

sion, located in the capitol-annex since 1933, is also available.

FINANCES

There are no special appropriations made to the Legislative Reference Division of the South Dakota Department of History. It is administered solely as a function of that department.

STATE OF TENNESSEE

No official organization or department of the state government of Tennessee furnishes legislative reference service. The State Department of Finance and Taxation by virtue of the Code of Tennessee 1923, Chapter 7, Section 19 has power . . . "to investigate the tax systems of other states, and to formulate and recommend such legislation as may be deemed expedient to prevent evasion of assessments and tax laws, and to secure a just and equal taxation and improvement in the system of taxation in the state." This provision limits the department to studies on taxation.

A private organization known as the Tennessee Legislative Service was established in 1923 and functions at the Capitol during legislative sessions. It issues daily reports of legislative transactions for the information of members of the General Assembly and state officials and will answer occasional inquiries requiring a small amount of legislative research. The service operated by Mr. Verner M. Jones and Mr. John D. Green is rendered upon contract with the General Assembly and has no official status.

STATE OF TEXAS

HISTORY

An act of March 19, 1909, creating the Texas Library and Historical Commission provided for a Legislative Reference Section which would engage in the collection, indexing and classification of materials for legislative use, and in bill drafting. In 1912-13 the University of Texas sent one of their law professors to carry on the work. The professor was paid his regular salary, exempted from nearly all of his university duties and furnished with a part time secretary. The legislative reference service was very satisfactory and some bill drafting was done. The University did not return the professor in 1915. That year, the State Library used a stenographer's salary to pay an assistant librarian to carry on legislative reference work. The legislature of

1915 made an appropriation for the operation of the Legislative Reference Section and also considered an amendment of its Joint Rules of Procedure to provide for the enforced submission of all bills to this section for revision. This amendment failed to pass. The Legislature of 1917 cut all appropriations to the reference section except the salary of the legislative reference librarian. But in 1921 an additional appropriation "for conducting the Legislative Reference Section" was added and has been continued to date.

LAWS AND AMENDMENTS

The Reference Section was established by Texas, Acts, 1909, Chapter 70, p. 120, 126.

ORGANIZATION

The Legislative Reference Section is governed as a part of the Texas State Library by the Texas Library and Historical Commission which is composed of five members appointed by the Governor, with the approval of the Senate, for six-year terms. The Commission appoints both a state librarian and a legislative reference librarian for two-year terms. The librarian appoints staff members. At present the legislative reference librarian devotes full time to the Section and two part time staff members are regularly employed. Other members of the State Library staff help during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The Legislative Section answers all special requests for research and compilations. During the sessions a daily history of bills and resolutions is kept, together with a card catalogue containing page references to the daily journals. After the sessions the Section prepares a list of all bills passed. These lists, together with a table which shows at a glance a history of legislative treatment of Texas law subsequent to 1925, are extremely valuable. The Section also keeps a card index of members of the Legislature from 1880 to the present. A card index of school district laws is kept up to date. The division also sends out legal texts and compilations upon request. The Legislative Reference Section has published certain of its more important research studies, has aided in the publication of the Statesman's Yearbook of Texas, and has contributed its section to the biennial report of the State Library. A reclassification of all the library material to a modified Dewey Decimal system has recently been completed.

The bill drafting service has never been emphasized by the Legislative Reference Section. Most of this work is done on request by the office of the Attorney-General.

The Supreme Court Library gives library service on legal matters and the Secretary of State's Office answers inquiries regarding legislation.

PERSONNEL

State Librarian, FANNIE M. WILCOX
Librarian, Legislative Reference Section,
DORIS H. CONNERLY

Education: LL.B., University of Texas, 1919.

Offices: Librarian, Law Firm, Houston, Texas, 1920-24; Law Librarian, University of Texas, 1924-26. Librarian, Legislative Reference Section, State Library since 1928.

Residence: 506 West 29½ Street, Austin.

Office: State Library, State Capitol, Austin.

Assistant Legislative Reference Librarian (Part Time), MARY KATE PARKER, B.A., LL.B., Univ. of Texas; FRITZ SORRELL.

LIBRARY FACILITIES

Office Facilities

The Legislative Reference Section is located with the State Library and the Supreme Court Library on the second floor of the Capitol building. It has a section of the main library for its own library which contains filings of pamphlets, clippings and typewritten compilations of laws. The planning arrangement is very convenient to the House and Senate chambers. The space is so small, however, that much of the material of the State Library is shelved in the basement. This is inconvenient as the basement material includes such valuable reference publications as the Texas Archives, non-current state documents, United States documents, periodicals, newspapers, etc.

Library Material

The Section has in its own library over 400 feet of separate filing cases in which pamphlets, clippings, compilations, reports, and other condensed material of legislative value are kept. The statutes and laws of Texas and of other states, are in the adjoining main library room under the supervision of the Legislative Reference Section. The state court and legislative journals are also kept here. The State Library contains many bound volumes dealing with legislative subjects. The Section has been allowed approximately \$500 for books, a sum which is nearly one fifth

of the total annual book appropriation of the State Library.

Other Library Collections Available

In addition to the vast amount of material in the State Library of which the Legislative Reference Division is a part, the entire resources of the University of Texas libraries are located only a few blocks away. The University has a greater amount of material than the State Library and since it is very interested in legislative reference service it is glad to supply not only material but research facilities as well.

FINANCES

For the biennium beginning September

1, 1931 and ending August 31, 1933, the salary of the legislative reference librarian was \$1,800 per annum. An annual amount of \$750 was allowed for "conducting legislative reference division." This was used for salaries for part-time student assistants. The cost of pamphlet material and textbooks is paid out of the general book appropriation of the State Library, and it is almost impossible to estimate the proportionate share of the legislative reference division.

For the present biennium, September 1, 1933-August 31, 1935, the annual salary of the legislative reference librarian is fixed at \$1,420 and the amount for conducting the legislative reference division (salaries of part-time assistants) is \$600 annually.

STATE OF UTAH

NO LEGISLATIVE REFERENCE BUREAU

STATE OF VERMONT

HISTORY

The Legislative Reference Bureau was originally established on January 12, 1911, under the supervision of the State Library. No provision was made for bill drafting services in the 1911 act but the rules of the General Assembly provided for a Revision Committee to which all bills were referred for correction previous to their introduction. An act of 1912 provided for two officers known as "revisers of bills," to be appointed by the Governor and confirmed by the Senate. A later amendment of 1915 changed their title to "Legislative Draftsmen" and placed the power of their appointment in the hands of the President of the Senate and Speaker of the House. It also provided that the "Legislative Draftsmen" should work in conjunction with and in the offices of the Legislative Reference Bureau. An addition to the duties of the Legislative Reference Bureau was made in 1917.

LAWS AND AMENDMENTS

Established Bureau, Vermont, Acts, 1910, No. 9, p. 7.
Revisers of Bills, Vermont, Acts, 1912, No. 14, p. 14.
Legislative Draftsmen, Vermont, Acts, 1915, No. 10, p. 74.
Publish Department Reports, Vermont, Acts, 1917, No. 32, p. 27.
Revision, Vermont, Acts, 1933, Sec. 367-371.

ORGANIZATION

The Legislative Reference Bureau is a part of the Vermont State Library which is governed by a board of ten trustees. The Governor, Chief Justice, Commissioner of Education and the President of the Vermont Historical Society are ex-officio trustees. The Board appoints the State Librarian, who is ex-officio a Secretary and Legislative Reference Librarian. The entire staff holds office for indefinite terms.

An assistant Librarian devotes full time and the State Librarian devotes part time to legislative reference work. No temporary staff members are employed during legislative sessions.

The legislative draftsmen are appointed for two-year terms by the President of the Senate and the Speaker of the House of Representatives. The deciding vote is cast by the Chief Justice if necessary. During the year 1933, there were two legislative draftsmen.

LEGISLATIVE SERVICES RENDERED

The Legislative Reference Bureau collects, arranges, indexes and places on file for the use of legislators and other state officers, books, pamphlets, clippings and exchanges. The Bureau maintains a complete index of bills, and prepares the House and Senate journals. It also prepares abstracts of the laws of other states and furnishes any available data regarding the results of laws in actual practice, together with references to judicial interpretations of such laws. The Legislative Reference Librarian drafts bills upon the request of the legislative draftsmen. The Bureau gives complete and condensed information upon any subject on short notice; it prepares briefs showing facts, opinions, and arguments on any question; it cites authorities and furnishes documents; and finally it carries on legislative research and publishes results of its studies. It also prepares a biennial "Preliminary Legislative Manual" which is a real help to members of the General Assembly. A cumulative Index of Laws and a Table of Changes in Laws which are contained in the Session Laws of each legislative session are also edited and published by the Legislative Reference Bureau.

The legislative draftsmen draft bills, resolutions and amendments upon request of the legislators. They perform all the functions of a committee on revision of bills. Their work is coordinated with that of the Legislative Reference Bureau and no duplication of effort occurs.

The temporary Statutory Revision Commission completed a revision of the statutes in 1934 known as "Vermont Public Laws, 1933." It worked jointly with the legislative draftsmen.

PERSONNEL

State Librarian, HARRISON J. CONANT

Education: A.B., Amherst College, 1904. A.M., Columbia University, 1906. LL.B., Columbia University Law School, 1907.

Offices: Executive Secretary to Governor Mead of Vermont, 1911. Town Grand Juror, East Montpelier, 1918-22. Librarian, Vermont State Library since 1925.

Member: National Association of State Libraries (President, 1926). Vermont Bar Association (secretary, 1933); Board of Legislative Draftsmen, Board of Public Documents, Board of Geographic Names. Curator, Vermont Historical Society. Custodian, Vermont Public Documents.

Married: Bess Butterfield (1909).

Residence: 3½ Winter Street, Montpelier.

Office: State House, Montpelier.

Assistant Librarian, Legislative Reference Library, BEATRICE LOWE HASKINS

Education: Student, Smith College, 1907-8.

Offices: First Assistant Librarian, Public Library, Athol, Massachusetts, 1917-21. Assistant Librarian, Legislative Reference Bureau of Vermont State Library since 1921.

Married: Clarence H. Haskins.

Residence: 24 Marvin Street, Montpelier.

Office: State House, Montpelier.

Board of Legislative Draftsmen

Legislative Draftsman, 1933 Wade Keys.
Legislative Draftsman, 1933 H. F. Graham.

LIBRARY FACILITIES

Office Facilities

The Legislative Reference Bureau occupies one of the large offices on the main floor of the State House, directly under the hall of the House of Representatives. The Bureau is well equipped with batteries of vertical files, wall cases, cabinets, catalogue files, newspaper racks, desks, and tables. The lighting is good and other physical facilities are adequate.

Library Material

It is impossible for the Bureau to estimate the number of pieces of material in its files. This material includes books on legislative subjects, law reports, files of bills, departmental reports, compilations, pamphlets, periodicals, collections of clippings and circulars. The Whitten system of classification is used, but has been expanded to meet present needs.

Other Library Collections Available

The entire collection of State Library material which includes a good law library is only a short distance from the State

House. Much of the state legal, historical, and statistical material is used.

The Bureau borrows material from the Vermont State Library Commission and the Montpelier Public Library when it is necessary.

FINANCES

The expenses of the Reference Bureau and the State Library are not separated. The State Librarian receives a salary of \$3,000 per year. The annual budget of the State Library is approximately \$15,000.

The legislative draftsmen receive \$7.50 per day, for actual time employed.

COMMONWEALTH OF VIRGINIA

HISTORY

The Division of Statutory Research and Drafting is an outgrowth of the Legislative Reference Bureau of Virginia which was created by an act approved March 21, 1914. The Bureau was an independent office in charge of a director who was appointed by the Governor with the approval of the Senate. The act made provision for the collection and classification of material, for the drafting of legislative bills and resolutions, and for the employment of the necessary personnel. The Reorganization Act of 1927 placed the Legislative Reference Bureau, then designated as the Division of Legislative Drafting, under the Department of the Attorney-General where it remained until 1930 when it was again separated and placed under the supervision of a director appointed by the Governor. The name of the Division was changed in 1930 to the Division of Statutory Research and Drafting.

LAWS AND AMENDMENTS

Original Establishment, Acts of Assembly, 1914, Chapter 194, p. 303.

Act of 1914 codified, Code 1919, Chapter 30, Sections 573-580.

Under Attorney-General, Acts of Assembly, 1927, Chapter 33, p. 119.

The Acts of Assembly of 1930, Chap-

ter 254, page 674, organized the Division of Statutory Research and Drafting again under the Governor.

ORGANIZATION

The Division of Statutory Research and Drafting is under the supervision of a director, who is appointed by the Governor, subject to the approval of the General Assembly. He holds office at the pleasure of the Governor. The Director, subject to the approval of the Governor, may employ—and fix the compensation of—the necessary staff. The Director and the Secretary of the Division devote full time to legislative reference work. Two temporary staff members are employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The Division undertakes a complete legislative reference service. It prepares indexes, lists, and digests of material relating to prospective or pending legislation. It keeps on file copies of all bills, resolutions, amendments, reports of committees and other documents. Facts regarding the practical operation and effect of statutes in other states are accumulated. The Director makes researches on any subject of proposed legislation at the request of the Governor or any member of the General

Assembly. Upon request, the Division will draft bills, resolutions and amendments; and give advice as to the constitutionality or probable legal effect of proposed legislation. It prepares summaries of existing laws affected by proposed legislation. Compilations of laws in other states or countries relating to the subject matter of such legislation are also made. Statements as to the operation and effect of such laws are sometimes required of the Division.

The Director examines statutory laws for defective and obsolete statutes and other irregularities and reports his findings to the Governor. Continuous statutory revision and codification is carried on between sessions.

PERSONNEL

Director, Division of Statutory Research and Drafting, WILLIAM R. SHANDS

WILLIAM R.
SHANDS

*Director,
Division of
Statutory
Research
and Drafting*



Education: Student, College of William and Mary, Williamsburg, Virginia, 1913-15. LL.B., University of Richmond, 1921.

Offices: Director, Securities Division, State Corporation Commission, 1921-26. Active law practice, Richmond, Virginia, 1926-30. Faculty Member, T. C. Williams School of Law, University of Richmond, 1925-31. Director, Division of Statutory Research and Drafting since 1930.

Member: Virginia Bar Association; Richmond Bar Association.

Married: Josephine Winston.

Residence: 4020 Chevy Chase Street, Richmond.

Office: State Capitol.

Secretary of Division, OCTAVIA C. LAMM

LIBRARY FACILITIES

Office Facilities

The physical equipment of the Division is excellent. The three offices maintained by the Division of Statutory Research and Drafting are located on the third floor of the Capitol Building, directly across the hall from the office of the Governor and very near the offices of the Secretary of the Commonwealth and the Director of the Budget. The chambers of the Senate and the House of Delegates are on the second floor while the Committee rooms are largely on the first floor. The entire arrangement is very convenient.

Library Material

The library keeps all state statutes, Virginia and United States Reports and Codes, and acts of the General Assembly.

The Library does not have a great volume of periodical literature except on particular matters in which the General Assembly is or will probably be interested. In such instances everything available is collected. When the General Assembly acts on the matter, the material is often turned over to the State Library for preservation. The Reference Library is thus kept free of material which, from the legislative viewpoint, is obsolete.

Other Available Library Collections

The Virginia State Library and State Law Library are located in the Library Building about 200 feet from the Capitol. The Division has access to the records and materials of each.

FINANCES

The total expenditures of the Division of Statutory Research and Drafting for each fiscal year (July 1 to June 30), from 1930-31 to the fiscal year 1933-34 are as follows:

LEGISLATIVE REFERENCE SERVICES

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	1930-31	1931-32	1932-33	1933-34
Director	\$4,166.60	\$5,000.00	\$4,216.08	\$4,158.72
Secretary	1,500.00	1,500.00	908.49	1,322.77
Draftsmen, etc.		3,244.90		2,888.56
Other Expenses	423.82	716.28	200.37	728.15
Total	\$6,090.42	\$10,461.18	\$5,324.94	\$9,098.20

STATE OF WASHINGTON

HISTORY

The Washington State Law Library and the Washington State Library have been rendering certain legislative reference services for many years. However, neither department has been officially established as an agency for this purpose by legislative act or departmental order, nor has any specific appropriation ever been made.

ORGANIZATION

State Law Library

The State Law Librarian is appointed for an indefinite term by the Judges of the Supreme Court. The Law Librarian appoints his staff on a similar basis. None of the staff devote full time to legislative reference work. No temporary staff members are employed to engage in this work during legislative sessions.

State Library

The State Librarian is appointed for an indefinite term by the State Superintendent of Public Instruction. The library staff is appointed for indefinite terms by the State Librarian. No member of the library staff devotes full time to legislative reference service. During legislative sessions one temporary staff member, trained in legislative reference service, and an extra clerk are employed.

LEGISLATIVE REFERENCE SERVICES RENDERED

Both the State Library and the State Law Library undertake library service and some legislative research for state legislators and other state officials. The research has consisted of studies on the constitu-

tionality of some proposed legislation and investigation of the economic phases of pending acts both within and outside of the state. A bill file is kept and the libraries attempt to secure information requested by legislators. The State Library and the Law Library cooperate effectively to avoid duplication. The Attorney-General employs two special assistants during the legislative sessions for bill drafting.

PERSONNEL

State Law Librarian, MARK H. WIGHT

Education: Studied at the University of Utah. A.B., Syracuse University, 1912.

Offices: In active law practice in Olympia, 1915-22; Assistant Attorney-General, Washington, 1922-28. State Law Librarian since 1928.

Member: Washington State Bar Association. Olympia Public School Board since 1931. Ex-officio Secretary Washington Judicial Council.

Clubs and Organizations: Olympia Rotary Club. American Legion. Masons.

Married: Maude Seneco.

Residence: 2501 Columbia Street, Olympia.

Office: Temple of Justice, Olympia.

Assistant Law Librarian, RALPH ROGERS

Secretary, GERTRUDE QUERY

State Librarian, MILDRED H. POPE

Assistant Librarian, ALTA GRIM

Attorney-General, G. W. HAMILTON

LIBRARY FACILITIES

Office Facilities

The State Library and State Law Library are both located in the Washington Temple of Justice, less than a block from

the Capitol. The building is very modern and all of the facilities are adequate.

Library Materials

The State Law Library contains 65,000 volumes which includes the laws and reports of every state, the United States, Canada and England. It also has reports from Australia, South Africa and India. In addition, it has the usual current legal publications including reports, digests, texts and periodicals.

The State Library contains approximately 55,000 bound volumes and a great number of pamphlets, periodicals, reports and clippings. A small appropriation is made for new books.

FINANCES

No specific appropriation is made by the Washington Legislature for legislative reference services. It is impossible to estimate the portion of the expenditures of either the State Library or the State Law Library which is chargeable against the legislative services rendered. The average biennial expenditure of the Washington State Library is close to \$20,000.

Owing to the very limited appropriation for the current biennium, the State Law Library has been compelled to discontinue the purchase of new legal publications and has also been required to discontinue some of the periodicals to which it previously subscribed.

STATE OF WEST VIRGINIA

HISTORY

No legislative reference and bill drafting service has been officially organized in West Virginia, and no specific appropriation has been made for the service. The Governor, in 1913, requested the State Historian and Archivist to organize a legislative reference section in the Department of Archives and History. Since then some research and tentative drafts of legislation have been made.

There has been an active movement to create an official Legislative Bureau in West Virginia for several years. The West Virginia University at Morgantown is planning a legislative reference service at the University for the use of the Governor and the Legislature.

ORGANIZATION

The State Historian and Archivist is appointed by the Governor for a four-year term and he in turn appoints staff members for an indefinite term subject to approval by the Governor. The department has a staff of four employees, none of whom devote full time to legislative reference service. No temporary staff members are employed during legislative sessions.

LEGISLATIVE SERVICES RENDERED

The Historian personally gives as much legislative reference service as time permits. He answers inquiries of legislators concerning matters of legislation and all pertinent and available legislative material is kept for the ready use of the members of the Legislature, administrative officers and other citizens. There is no opportunity for extended legislative research. The Department has undertaken, to a limited extent, the preparation of tentative drafts of legislative measures in accordance with specifications submitted by the legislators desiring a bill.

PERSONNEL

State Historian and Archivist, CLIFFORD R. MYERS

Education: A.B., West Virginia University, Morgantown, 1907. M.A., West Virginia University, 1909. Studied, University of Chicago, Summers of 1914 and 1915.

Offices: Assistant Superintendent, Public Schools, Ravenswood, West Virginia, 1910-13. Instructor, State Normal School, Concord, West Virginia, 1913-1914. Teacher, High School, Hibbing,

Minnesota, 1914-16. State Historian and Archivist since 1919.

Member: American Historical Association, Mississippi Valley Historical Association, Illinois Historical Association, Ohio Archeological and Historical Association, West Virginia Library Association, National Educational Association.

Clubs and Organizations: American Legion Masons; Elks; Odd Fellows; Kiwanis and Sigma Nu Fraternity.

Married: Evelyn D. Morton.

Residence: 708 Main Street, Charleston.

Office: State Capitol, Charleston.

Librarian, FLORENCE SCHUM

Cataloguer, EDNA LEWIS

Stenographer, OPAL NUCKOLS

LIBRARY FACILITIES

Office Facilities

The State Department of History and Archives is housed in the Capitol building, Unit Two. It has adequate facilities and is fairly close to both House and Senate Chambers.

Library Facilities

The Department of Archives and History gathers all material that is likely to be of use to the legislative and administrative branches of the state government and specially arranges it for legislative reference purposes. It is however, difficult to segregate the legislative reference material quantitatively as much of it makes up the regular library.

Other Available Collections

The University of West Virginia at Morgantown has a very fine library which is open to legislative and administrative officials although it is about one hundred miles away. The University contemplates setting up a legislative reference bureau at Charlestown during legislative sessions and at Morgantown in other times.

FINANCES

No separate appropriation is made by the Legislature of West Virginia for legislative reference or bill drafting services.

STATE OF WISCONSIN

HISTORY

While the State of New York actually started a Legislative Reference Bureau as a section of the State Library in 1890, it was Wisconsin that first attracted national interest in the field. The Legislative Reference Library of the Wisconsin Free Library Commission was established in 1901. It owes much of the success it has achieved to the late Dr. Charles McCarthy who was its chief from 1901 until his death in 1921. Its establishment is said to date from a time when several members of the legislature walked from the capitol to the historical library at the university to seek information on a subject in which they were interested. There they met a graduate student who assisted them in their research. They took him back to the capitol to start an information service for members of the state legislature. The first bureau consisted of McCarthy and a few borrowed books and

pamphlets. By the end of the session, legislation was passed placing the innovation under the Free Library Commission. Bill drafting was one of the functions of the department from the beginning, and in 1907, legislation was enacted authorizing the employment of bill draftsmen during and for sixty days prior to sessions. In 1909 the office of revisor of statutes was created and the plan of continuous statutory revision inaugurated.

The Wisconsin department was the first one which combined the two functions of reference service and bill-drafting under one control. Moreover, reference service as conceived in Wisconsin differed considerably from the activities which had been carried on under that name in New York and Massachusetts. The collecting and digesting of state laws is certainly an item of such work, but Wisconsin went much further, and attempted to collect and make

immediately available every sort of material. It was the aim of the department to be able to supply any legislator with material on any subject about which he might inquire, and to do so in the briefest possible time. The department was immediately popular with the legislature, and appropriations grew steadily. Statutory revision is carried on by an independent department, whose head, the Revisor of Statutes, is selected by the trustees of the state library consisting of the justices of the supreme court and the attorney-general, all ex-officio.

Since its organization the Legislative Reference Library has consistently increased in size and scope of activities and in popularity with the legislators.

LAWS AND AMENDMENTS

"The said commission, (Wisconsin Free Library Commission) is also authorized and directed to maintain in the state capitol, for the use and information of the legislature, the several state departments and such other citizens as may desire to consult the same, a working library . . . to cooperate with Historical Society . . . in the matter of books."

An original appropriation of \$1,500 was made for this purpose.

Establishment, Wis., Acts, 1901, Chapter 168, pp. 213.

Definition of Duties, Wis., Acts, 1903, Chapter 177, pp. 384.

Increased Appropriation, Wis., Acts, 1905, Chapter 177, pp. 263.

Increased Appropriation and Bill draftsmen, Wis., Acts, 1907, Chapter 508, pp. 70.

Increased Functions, Wis., Acts, 1913, Chapter 772, pp. 1269.

Emergency fund for Special Sessions, Wis., Acts, 1917, Chapter 425, pp. 690.

Memorial to McCarthy, Wis., Acts, 1921, pp. 1160.

To Edit Wisconsin Blue Book, Wis., Acts, 1929, Chapter 194.

Codify Wis. Labor Laws, Wis., Acts, 1929, Chapter 393.

ORGANIZATION

The Wisconsin Free Library Commission, which is the governing body, of the

Legislative Reference Library is a board of five members: three ex officio members—the President of the University of Wisconsin, the State Superintendent of Public Instruction, and the Secretary of the State Historical Society—and two citizens appointed by the Governor for five-year terms. All of the members of the Commission are removed from politics. It is an unpaid, part-time board, which meets only once or twice a year, but it has a permanent secretary. Its principal functions in relation to the Legislative Reference Library are the selection of its chief, the annual review of its work, and the approval of its budgets. Legally, the Commission controls the Legislative Reference Library in all respects, but, it has always pursued the policy of giving the chief a free hand and holding him responsible for results. This set-up has worked exceptionally well. It has kept the Legislative Reference Library out of the maelstrom of politics, and thereby has enabled it to render a strictly non-partisan service. There are some distinct advantages resulting from its connection with the other branches of the state library service—and no disadvantages.

The permanent staff of the Legislative Reference Library consists of eleven persons: the chief, five librarians and research assistants, four stenographers and clerks, and a part-time messenger. In addition, there are employed as bill draftsmen during legislative sessions several attorneys (five at the opening of the session, reduced to two at the end), and as many stenographers and clerks as are needed to type, proof read, and index bills. Some state employees may do extra work evenings in the bill-drafting department. The entire staff is selected and employed under the provisions of the state civil service law.

Eleven persons devote full time to the service and twenty to twenty-five temporary staff members are employed during legislative sessions.

As previously stated the Revisor of Statutes is selected by the trustees of the state library. The trustees include the justices of the state supreme court and the attorney-general, all ex officio. A staff of five devotes full time to continuous revision.

SERVICES—RENDERED

Legislative Reference Library

The department undertakes a complete legislative reference service—excepting only statutory revision—for legislators, state officials, public commissions, universities, public organizations, city and county officials, candidates and citizens.

Every effort is made to keep the library collection up-to-date in relation to changing legislative interests, and biennially between sessions much of the old material, which is no longer of current value, is given to the State Historical Library or otherwise disposed of. The Legislative Reference Library has never prided itself upon the size of its collection; rather, its aim has been to have the smallest possible working library of the best material on the legislative questions of immediate interest, so minutely classified and catalogued that the reference workers can locate all available information in a few minutes. The Dewey Decimal classification has been developed and extended to meet the needs of the library. The library collection is invaluable for the services rendered by the Legislative Reference Library. It is, however, conducted only as a means to the ends for which the Legislative Reference Library is maintained.

This library is rather a research organization than a library, as this term is usually understood. It has both readers and borrowers, but it does not measure its work in terms of circulation. While it is glad to have students and others who are engaged in research studies upon governmental problems make use of its collections, and while it freely loans its books and articles to all who have use for them, these are merely incidental services.

The major services of the Wisconsin Legislative Reference Library are two: legislative reference work and bill drafting. The former consists of locating, compiling, and digesting information on pending or past legislation, in response to specific requests. The latter involves the drafting of bills, resolutions, and amendments for introduction in the legislature. The former is a service extended to members of the legislature, state departments, local officials, private citizens, and, occasionally, even to

people outside of the state. The latter, with only minor exceptions to be noted hereafter, is done only for members of the legislature and upon their written instructions. Legislative reference work is carried on at all times, both during and between sessions; whereas bill drafting is done almost exclusively during sessions and for about a month before the opening of each session. The majority of the major studies and compilations are made by the Legislative Reference Library between sessions.

Wisconsin started the practice of sending out a circular letter between sessions to discover the subjects in which legislators were most interested. Information was then gathered on those subjects.

In addition, the Wisconsin Library publishes the state year book and renders a detailed annual report of its services.

Revisor of Statutes

As before stated, the department of the Revisor of Statutes is not connected with the Legislative Reference Library, though it is closely related to it in its functions. It is the work of the Revisor which makes it possible for Wisconsin to publish its compiled statutes biennially in one law book six months after the adjournment of the legislature. He consolidates, reconciles, and clarifies all sections of the statutes and repeals dead material by "revision" bills presented during each legislative session.

PERSONNEL

Chief, Legislative Reference Library,
HOWARD F. OHM

Education: LL.B. University of Wisconsin, 1913.

Offices: Draftsman during regular sessions of Wisconsin Legislature, Wisconsin Legislative Reference Library, 1911-1921; (1929-1933). Special legal assistant to Wisconsin State Board of Public Affairs, 1913-1915. General law practice, Madison, 1915-1927, 1931-1933. Counsel to Wisconsin Legislative Interim Committee on Marketing, 1919-1921. Examiner, Industrial Commission of Wisconsin, 1927-1931. Chief, Wisconsin Legislative Reference Library since 1933.

Clubs and Organizations: Delta Upsilon and Phi Delta Phi legal fraternity.
Married: Helene B. Dunfield.
Residence: 1811 Vilas Avenue, Madison.
Office: State Capitol, Madison.

Association: Wisconsin Bar Association. Dane County Bar Association. Wisconsin Historical Society. Madison Library Board.
Clubs and Organizations: Gamma Eta

HOWARD F.
OHM

*Chief, Legislative
Reference
Library*



EUGENE E.
BROSSARD

*Revisor of
Statutes*



Librarian, MRS. MARY M. KIRSCH
Research Associate, MRS. LUCILLE McCARTHY
Research Associate, ANN NEAL
Research Associate, LEONE G. BRYHAN
Assistant Librarian, IRENE APPUHN
Library Assistant, (to be appointed.)
Chief Clerk of Drafting Division, DELLA MEYERS
Secretary, AGNES CARR
Clerk, MINA NEVINS
Assistant Clerk, MRS. ANNA JOHNSON
Session Bill Drafter, JAMES J. MAC DONALD
Session Bill Drafter, LEON E. ISAACSON
Session Bill Drafter, (Three additional to be appointed.)

Revisor of Statutes, EUGENE E. BROSSARD
Education: B.L., University of Wisconsin, 1888. LL.B., University of Wisconsin, 1890.

Offices: Law Practice, Ashland and Columbus, Wisconsin, 1890-1915. City Attorney, Ashland, 1897-99. Teacher Public Schools Columbia County, Wisconsin two years. Mayor and member of Board of Education, Columbus, Wisconsin, 1902-1904. Assistant Attorney-General of Wisconsin, 1915-1922. Revisor of Statutes since 1922.

Member: Secretary and member Wisconsin Judicial Council. Commissioner on Uniform State Laws. American Bar

Gamma law fraternity, Catholic Community Association, Trustee St. Paul's University Chapel.

Married: Widower.

Residence: 1130 Erin Street, Madison, Wisconsin.

Office: State Capitol, Madison.

Statute Editor, J. H. BLIED

Statute Editor, LORRETTA F. DINNEEN

Secretary, DELMA COCORAN

Clerk, NELL PURCELL

LIBRARY FACILITIES

Physical Adequacy

The Legislative Reference Library is located on the second floor of the new north wing in the state capitol building. On the same floor in other wings, the senate and assembly chambers and supreme court are located. The quarters were planned by the late Dr. McCarthy and were then deemed adequate for normal expansion. Increased demand for services have required the use of the entire space before it was expected.

The building is a fire proof structure with both direct and indirect heating systems thermostatically controlled. A force draft ventilation system is used. All rooms with the exception of the stacks and vault

are on the outside and have five by ten foot windows.

The aggregate of working space is about six thousand square feet. This consists of: a main library room, the bill drafting room, a room adjoining the drafting room, wherein the drafting records of the current or last legislative session are kept and where some of the clipping work is done between sessions; adjoining the latter is a room of the same size, which, between sessions, is used as the chief's private office and during the legislative sessions as a work room for stenographers.

Adjoining the main library room are four floors of stacks, wherein most of the library material is kept.

A vault, equipped with forty-eight filing cases, provides storage space for supplies and drafting records. Additional space is available in the vault for forty-eight more cases sufficient to enable drafting records to be kept in the vault for ten years.

The main library room is equipped with wall shelving for the most used material, catalogue cases containing nearly 275,000 catalogue cards, four desks for staff members and three large tables for visitors.

The stacks have open steel shelving with ceiling lights. The main aisles are equipped with small tables. Electric fans are provided on each floor of the stacks for additional ventilation.

The drafting room has a large table and five desks for draftsmen during sessions. The chief clerk's office adjoining the drafting room contains twenty-six filing cases of drafting records and desks and tables for the staff.

Additional space will be available on the installation of permanent steel shelving in the near future.

Departmental Material

At the present time there are on the shelves of the Legislative Reference Library approximately 75,000 pieces of ma-

terial, exclusive of newspaper clippings. The number of newspaper clippings is also approximately 75,000.

Of the 75,000 pieces of material mentioned above, 20,000 pieces are known as "State Document Collection" and are the official reports of the various departments of the Wisconsin state government. They are equally divided between bound and unbound volumes.

There are not more than 10,000 other pieces of bound material on the regular shelves. These consist of valuable statistical material, such as: U. S. census reports, Bureau of Labor statistics, Monthly Labor Review, etc.

The remainder of the collection consists of unbound pamphlets, proceedings of conventions and organizations, political campaign material, manuscript studies, documents—all valuable in content but inexpensive to acquire.

Other Available Library Collections

The State Law Library: The law library is housed in the capitol building. It is used for session laws and statutes of the United States and the different states, laws of foreign countries, legal magazines, court decisions, etc.

The University of Wisconsin Library: The University library and the special libraries of this library are used for reference and research assignments as well as for the borrowing of books.

The State Historical Library: This library is used as a source of books and government documents, and as a base for compiling reference and research material.

The United States Forest Products Library: Valuable material on natural resources is available at this library.

FINANCES

The table on the next page gives a complete financial picture of the Wisconsin Legislative Reference Library since 1929-1930.

Years	Appropriation	EXPENDITURES				Total
		Salaries		Supplies Postage Miscl.	Books and Periodicals	
		General	Drafting			
1929-1930	\$26,250*	\$21,434.82	\$ 2,924.45	\$1,135.93	\$679.25	\$26,174.45
1930-1931	41,000	19,568.63	18,000.00	2,825.72	501.94	40,896.29
1931-1932	27,000	22,944.97	2,634.75	905.78	467.70	26,953.20
1932-1933	42,500†	20,388.70	13,939.14	2,174.55	298.91	36,801.30
1933-1934	25,000	20,127.43‡	2,794.43‡	1,598.85	470.81	24,991.52§

* Not including special appropriation of \$3,000 for compiling and publishing Wisconsin Labor Laws.

† Less emergency reduction of \$728.30.

‡ Waiver of about 10 per cent.

§ Estimated—Secretary of State's books not yet closed.

STATE OF WYOMING

HISTORY

The Wyoming State Library has taken over a few legislative reference activities, but no legislative reference division or department has been officially set up either within or outside of the Library.

A bill drafting committee was created as a result of an appropriation act approved February 24, 1917, which contained the item entitled "Compensation-Bill Drafting Committee." The amount of the appropriation was very small and has long since been discontinued. At the present time the Legislature usually employs two attorneys to draft bills which the members wish to present.

LAWS AND AMENDMENTS

The appropriation act creating the Bill Drafting Committee made appropriation "for services rendered to members of both branches of the Legislature, and its committees, during the session, in preparation of bills, resolutions, and amendments thereto, examining and revising proposed bills, advising as to the effect thereof on existing laws and pending measures." Wyoming, Acts, 1917, Chapter 125, Section 55, p. 232.

ORGANIZATION

The Wyoming State Librarian is appointed by the Governor for a two year term. The Librarian appoints the staff,

with the approval of the Governor, for a similar term. Neither the Librarian nor any member of her staff can give much time to legislative reference work and no temporary staff members are employed during sessions of the Legislature.

PERSONNEL

State Librarian, ALICE LYMAN

Offices: Secretary to U. S. Senator Ken-



ALICE LYMAN

State
Librarian

drick, 1917-33. State Librarian since 1933.

Residence: Plains Hotel, Cheyenne.

Office: State Capitol, Cheyenne.

LEGISLATIVE SERVICES RENDERED

Before each session of the Legislature

the State Librarian writes to each of the newly elected members inquiring as to the kind of legislation in which he is particularly interested. Material on these subjects is gathered and placed for reference use. The Librarian also attempts to obtain pamphlet bills and laws from all of the states to place on file in the document division for the use of the legislators. The lawyers employed by the Legislature are engaged entirely in bill drafting and do no reference work.

LIBRARY FACILITIES

Office Facilities

The State Library is located in the State Capitol Building close to both House and Senate Chambers. It has adequate facilities at present but there is little room for expansion.

Library Materials

The Wyoming State Library contains 125,000 pieces of material including books, pamphlets, periodicals, reports, documents, etc. No count is made of each separate class of material. The law library is included within the State Library.

Other Library Collections Available

The only other available library is the Laramie County Carnegie Public Library which contains approximately 33,000 volumes.

FINANCE

There is no separate appropriation for legislative services. The State Library receives a regular biennial appropriation of approximately \$32,000 to cover all of its activities. The session bill drafters are paid from a business fund set aside for the Legislature.

CHAPTER IV

A Model Legislative Reference Bureau Act

IN October, of 1933 the leading Legislative Reference Bureaus and State Libraries met at a conference sponsored jointly by the American Legislator's Association, the National Association of State Libraries, and the American Association of Law Libraries. This conference was held the same week as the general session of the American Library Association. The most significant event

of the conference was the adoption of the report of a committee assigned to the drafting of a model statute for the establishment of state legislative reference services. The proposed model act will undoubtedly be used to establish or to re-establish several legislative reference bureaus during the current sessions of the legislatures which convened in January of this year. The model statute follows:

A BILL FOR AN ACT TO CREATE A LEGISLATIVE REFERENCE BUREAU, AND TO PROVIDE FOR ITS OPERATION AND MAINTENANCE, AND FOR ITS COÖPERATION WITH OTHER AGENCIES

Be it enacted by the Legislature of the State of
(Insert the proper enacting clause for the state.)

SECTION 1. *Creation of Bureau.* There is hereby created a Legislative Reference Bureau [as an independent agency of the state government] for the use of the members of the Legislature, the Governor, and the various departments, institutions, and agencies of this state, as well as for a limited service for such citizens of this state as may desire to avail themselves of its reference facilities.

SECTION 2. *General Purposes.* The purpose of the said Legislative Reference Bureau shall be:

A. To assist the Legislature of this State in the proper performance of its constitutional functions by providing its members with impartial and accurate information and reports concerning the legislative problems which come before them; and by providing digests showing the practices of other states and of foreign nations in dealing with similar problems;

B. To secure information for the legis-

lators of this state by coöperating with the legislative reference services in other states, and with the Interstate Reference Bureau maintained by the American Legislators' Association and by the Council of State Governments;

C. To furnish to the members of the Legislature of this State the assistance of expert draftsmen, qualified to aid the legislators in the preparation of bills for introduction into this Legislature;

D. To prepare for the legislature measures which will improve the form and wording of and reduce the size of the statutes of this state, and clarify, reconcile, and codify their provisions;

E. To provide for this Legislature staff facilities which will be comparable in quality and adequacy to those which this Legislature provides for the other departments of the government of this State, and to provide the adequate expert assistance without which no legislature can properly perform its required functions.

SECTION 3. *Appointment of Director—Qualifications—Salary.* The Legislative Reference Bureau shall be in charge of a

director appointed by the Legislative Council.¹ He shall be chosen without reference to party affiliations, solely on the ground of fitness to perform the duties of the office. He shall be well versed in political science and law, and in the methods of research and bill drafting. He need not be a resident of the state. He shall hold his office for a term of ten years from the date of his appointment and may be chosen to succeed himself, but he may be removed at any time by a vote of the majority of the members elected to each house by the Legislature. He shall be paid a salary of \$0000² per annum and any necessary traveling expenses, payable monthly as the salaries and expenses of other state officers are paid.

SECTION 4. *Appointment of Regular and Temporary Employees.* The director shall appoint such technical, clerical, and stenographic assistants as may be necessary to carry out the provisions of this act, and shall fix the compensation of each within the appropriations made for the office. (Not essential: The regular employees of the office shall be employed subject to the civil service laws of this state.) For a period commencing one month prior to each session of the General Assembly, and ending one month thereafter, the Director may

¹ In several states Legislative Councils have been established. They are composed primarily of members representing each house of the Legislature. In some states, additional members are appointed by the Governor. This bill has been drawn to facilitate the coordination of the work of the legislative reference bureau with that of the Legislative Council.

If no legislative council exists, and if it is not thought desirable to establish one at the same time as the legislative reference service is established, it is suggested that the director of the legislative reference bureau be appointed by a committee of five, consisting of the President Pro Tem of the Senate, the Speaker of the House, the Governor, the Chief Justice of the State Supreme Court, and the President of the State University. (Or, if desired the director might be designated by a committee of five consisting of the President Pro Tem of the Senate, the Speaker of the House, the Chairman of the Senate Judiciary Committee, and the Chairman of the House Judiciary Committee, and one other state official.)

The Legislative Reference Section of the American Legislators' Association is agreed that the new legislative reference bureau should not be established as a division of the state library.

² Most of the annual salaries now paid range between \$3600 and \$10,000.

appoint and, within the appropriations provided therefor, may fix the compensation of such stenographic and emergency assistants as may be necessary to expedite the work of the bureau during the legislative session.³

SECTION 5. *Appropriations.* Adequate appropriations for carrying out the purposes of this act shall be made biennially by the Legislature in the general appropriation bill, but in the absence of any such appropriation the Director and regular employees of the bureau shall be paid their salaries and necessary expenses incurred in the performance of their duties as the executive officers of the state government are paid. The Auditor of the State is authorized and directed to draw warrants monthly in payment of the lawful salaries and expenditures of the office on vouchers signed by the director.⁴

SECTION 6. *Offices—Coöperation by and with Other Agencies.* The Legislative Reference Bureau shall be provided with adequate quarters in the State Capitol where the bureau will be conveniently accessible to the members of the Legislature and to other persons having official business with it. The bureau shall be kept open during the time provided by law for other state offices; and when the Legislature is in session, at such hours, day and night, as are most convenient to legislators. The facilities of the State Library, and of any other libraries maintained by the State, shall be available for the use of the bureau, subject to the rules of such libraries. Each State Department shall, to a reasonable extent and upon request, furnish to the Legislative Reference Bureau such documents, material, or information as may be requested by the members of the Legislature or by the director of the Legislative Ref-

³ The regular full-time staff should include the director with not less than two research assistants, two stenographers and a clerk. The authority to employ additional assistance when needed during the sessions, should extend to the employment of at least two temporary bill drafters and two temporary stenographers—unless other stenographers are definitely available.

⁴ In many states it will be advisable to insert an appropriation for the first biennium in this section. In other states the appropriation should be included in the general budget or appropriation bill.

erence Bureau. The Legislative Reference Bureau shall cooperate with the Legislative Reference Bureaus of the other states, and shall interchange information and research material with them through the Interstate Reference Bureau, and may, in the discretion of the Director, participate with other states in the maintenance of the Interstate Reference Bureau. Any service charges paid to the Interstate Reference Bureau or any reasonable expenditures for its maintenance shall be deemed a necessary expense of the Legislative Reference Bureau of this state.

SECTION 7. *Specific Functions.* The Legislative Reference Bureau shall endeavor to perform the following services:

A. Reference Service

- (1) Provide a comprehensive research and reference service on legislative problems;
- (2) Summarize and digest information relating to the legislation either of foreign countries, or of the federal government, or of the states of this country, or their political subdivisions.
- (3) Prepare reports setting forth the social and economic effects of statutes of the legislation enacted in this state or elsewhere;
- (4) Make such investigations into legislative and governmental institutions as will aid the Legislature;
- (5) Maintain a legislative reference room and a small working library, and purchase for such library any printed or written reference material relating to problems of the state or political subdivisions thereof, as may aid the members of the Legislature;
- (6) Keep and file copies of all bills, resolutions, amendments, memorials, reports of committees, journals, and other documents printed by order of either house of the Legislature unless readily available elsewhere; and collect, catalogue, and index, the same as soon as practicable after they have been printed; if appropriations are made therefor, keep an index of the action on each bill, resolution, memorial, amendment by each house

of the Legislature, by any committees of the Legislature, and by the Governor. Said digests and indexes shall be printed and distributed at such intervals as the Director may deem practicable.

- (7) Assist and cooperate with the Legislative Council and with any Interim Legislative Committee or Commission created by the Legislature or appointed by the Governor;
- (8) Cooperate with, and—as aforesaid—maintain an exchange service with, legislative reference bureaus and corresponding services of other states, when desirable, exchange information with the federal government, with foreign governments, and with local units of government in this state; cooperate as aforesaid with the Interstate Reference Bureau which is maintained jointly by the American Legislators' Association and by the Council of State Governments, and with other agencies which carry on research in governmental problems;
- (9) Advise the presiding officers or members of either house of the Legislature upon any question of parliamentary law or legislative procedure submitted by any of them;

B. Bill Drafting Service

- (10) Upon request, draft or aid in drafting bills, resolutions, memorials and amendments thereto, and render any other legal services in connection therewith, for any member of the Legislature or for the Governor.
- (11) Upon request advise members of the Legislature and the Governor as to the constitutionality, or as to the probable political, economic, or social effect, of any proposed legislation;

C. Statutory Revision Service

- (12) Conduct a systematic study of the statutes in effect in this state, in order to determine feasible ways for reducing their number and bulk, and for rendering them more consistent, and intelligible;

- (13) Upon request, assist any commission appointed to revise the statutes of this State, or any portion thereof; and, at the direction of such commission, draft appropriate bills to consolidate, revise, and clarify the statutes of this State;
- (14) Prepare and index for printing as promptly as possible after the adjournment of each session, the Session Laws therefor, which compilation shall include all acts, memorials, and resolutions, which the Legislature has adopted or passed during the session, and have received the approval of the Governor when such approval is necessary.

SECTION 8. *Written Requests Required for Bill Drafting Service—Unpublished Matters not to Be Revealed without Consent.* All requests for the drafting of bills or resolutions by the Legislative Reference Bureau and all requests for opinions on points of constitutional, administrative, or parliamentary law shall be submitted in writing. Requests for the drafting of bills or resolutions shall contain a general statement respecting the policies and purposes which the bill is designed to accomplish. Each such request and statement shall be signed by the person who submits it. The Bureau shall draft each requested bill to conform to the written instructions of the signer of the request.

SECTION 9. *Prohibitions.*

A. Neither the Director nor any em-

ployee of the Bureau shall reveal to any person outside of the Bureau the contents or nature of any request or statement for services, except with the consent of the person making such request or statement.

B. Neither the Director nor any employee of the Bureau shall urge or oppose any legislation, nor give to any member advice concerning the legal, economic or social effect of any bill or proposed bill except upon the request of such member.

C. Neither the Director nor any employee of the Bureau shall give any legal advice on any subject to any private individual or corporation.

D. Neither the Director nor any permanent employee of the Bureau shall, during his employment in this Bureau, be interested in the private practice of law in any manner, nor be personally engaged in any other business for profit.

A violation of any provision of this section by any member of the Bureau shall be sufficient cause for his or her immediate dismissal from public service.

SECTION 10. *Constitutionality Clause.* If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not effect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 11. *Effective Date.* This act shall take effect . . .

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Proceedings of the Second Interstate Assembly

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A SUMMARY OF THE
PROCEEDINGS
OF THE
SECOND INTERSTATE
ASSEMBLY

February 28, March 1 and 2, 1935.

Mayflower Hotel — Washington, D. C.

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CHICAGO, ILLINOIS

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The Roll Call

Appointees of governors and legislatures of 41 states, representatives of other official bodies, and members of the governing boards of the Association and the Council make up the list of 153 registered participants in the Assembly.

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 the House of Representatives

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* These resolutions and reports appear in this order in STATE GOVERNMENT for April, 1935, pp. 100-108.

Preface

FOR the purpose of publication in this edition of "The Book of the States" the transcript of the proceedings of the Second Interstate Assembly has been edited and somewhat abridged by Dr. George C. S. Benson and Mr. David W. Robinson of the Publications Division of the American Legislators' Association and the Council of State Governments.

This involved, in general, the elimination of debate on parliamentary questions and other material pertaining to the mechanics of the meeting. That portion of the proceedings having to do with the roll call by states for the purpose of introducing the individual members of state delegations has also been deleted. In an effort to reduce the costs of publication statements have

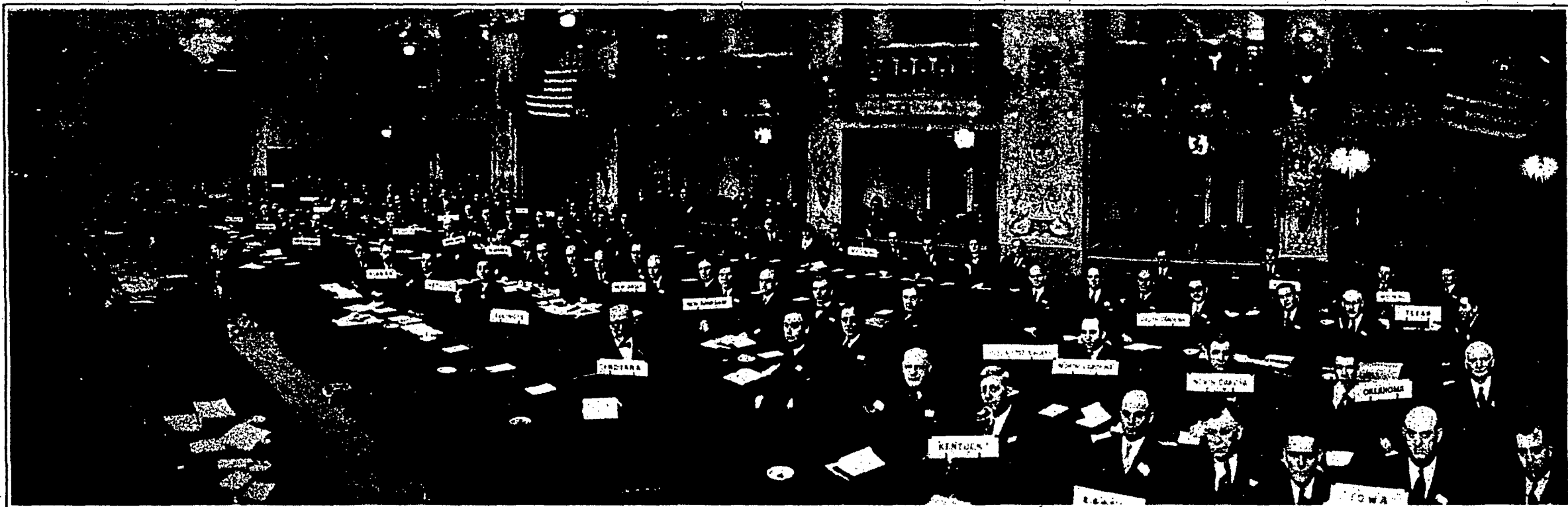
been condensed whenever feasible, and in some cases remarks dealing with situations in individual states have been omitted.

All substantial revisions in the form of extended remarks have been referred to the author for approval. The editors were extremely careful to avoid altering the thought expressed by any of the speakers.

The statements in the debates represent personal opinions. The actions taken were actions of the Second Interstate Assembly. The Assembly was *organized* by the American Legislators' Association and the Council of the State Governments, but *its* decisions are not *their* decisions. Neither the American Legislators' Association nor the Council of State Governments takes sides upon any controversial issue.

HENRY W. TOLL

*Executive Director,
The Interstate Assembly*



SOVEREIGN STATES

From forty-one states came outstanding legislators and officials interested in preserving the sovereign position of the states in the American scheme of government. Realizing that interstate coöperation is essential if more powers are not to be transferred from the forty-eight capitals to Washington, these delegates to the Second Interstate Assembly concerned themselves with methods of coördinating the activities of the various states—in taxation and other fields.

Thursday Morning Session

February 28, 1935.

THE opening session of the Second Interstate Assembly, was called to order at 9:40 a.m. by the Honorable William B. Belknap, President of the American Legislators' Association and ex-officio Speaker of the Interstate Assembly.

SPEAKER BELKNAP: Gentlemen, the first order of business is the organization of the Assembly. I am going to introduce Senator T. V. Smith of Illinois, who will act as Secretary of the Assembly. I will ask him to read the purpose and plan of the meeting.

PURPOSE AND PLAN OF THE ASSEMBLY

SENATOR SMITH: "The Interstate Assembly is designed to bring the forty-eight state governments into more intimate, direct, and systematic communication with each other, and to enable them to harmonize their activities. It is intended to be a convenient agency for consultation, negotiation, and agreement among the states. It is not designed to consider tax matters alone, in the long run, but all suitable subjects—such, for instance, as crime prevention, economic security, public health, and so on.

"However, the primary problem to be considered at the 1935 meeting of the Interstate Assembly is to be that of conflicting taxation.

"On the first morning a few of the leading students of taxation will develop a picture of the existing tax situation. After luncheon there will be presented the first report of the Interstate Commission on Conflicting Taxation, which was created by the Interstate Assembly in 1933.

"Thereupon the meeting is to be turned over to the forty-eight delegations, each of which will be called upon either Thursday afternoon or Friday morning, in alphabetical order. The interests of other levels

of government will then be emphasized: federal, county, and municipal.

"On Saturday morning, the Assembly will turn to a consideration of the means for improving communication and cooperation between the states.

"On Saturday afternoon, the Assembly will consider any specific proposals which the Resolutions Committee commends to its consideration.

"Because the President's Program of Economic Security contains implications which vitally affect the tax policies of state and local governments, Saturday evening will be given over to consideration of this program, and questions of state officials will be answered by the man under whose direction the proposed legislation was written.

"This Assembly is a pioneering venture on the part of far-seeing governmental officials, who realize the need for cooperation between the states, and the fact that the present type of organization is necessary in order to secure results. All of the delegates to this Assembly have a common interest and a common purpose. Their power is great, and if all of them should work together this year, and in years to come, it would alter the course of American history."

ORGANIZATION OF THE ASSEMBLY

SPEAKER BELKNAP: The Chair will now entertain a motion for the organization of the meeting.

HON. WALTER G. QUERY (South Carolina): I move the following resolution be adopted: "RESOLVED, That the procedure and form of organization for this Assembly will follow that of the first Interstate Assembly held in 1933, and that the following committees will be appointed by the Speaker:

1. Reception.
2. Credentials.

3. Resolutions and Procedure.
4. Finances.
5. Plans for the Interstate Assembly.
6. Agencies for Interstate Cooperation."

SPEAKER BELKNAP: You have heard the resolution. Is there any second?

HON. LARRY DOBELL (Montana): I second the resolution.

SPEAKER BELKNAP: It has been moved and seconded. All those in favor of this resolution will say "aye." Opposed "no." The resolution is carried. The Chair will appoint these committees at the earliest possible time so they can begin to do their work.

I am going to introduce to you a man who needs no introduction to anybody who has had anything to do with the American Legislators' Association, Senator Henry Toll.

ADDRESS BY HENRY W. TOLL

The American Legislators' Association and the Interstate Assembly are the product of the efforts of many men during a span of the last ten years. There will be present at this meeting, men who have been actively working on this project for ten full years. Mr. Belknap is one of them. There will be at least a score of men present at this meeting who have been working on this project for as many as five years. It is an undertaking which is a joint effort and we hope it will be more and more so as time goes on.

To this, the Second Interstate Assembly, there have been delegated official representatives from all of the state governments; the first conference of the forty-eight states since the adoption of the federal Constitution in 1789, a century and a half ago. You are gathered here from the four corners of the nation to discuss mutual problems. Without exception, every one of the forty-eight states has provided for a delegation to attend this Assembly; and in every case this delegation has been designated to represent the state either by the Legislature or by the Governor, or by both.

There can be no doubt that this hour marks the consummation of an effort to establish a nationwide contact among the states from which there will evolve an official mechanism without which the structure of our government is seriously defective.

Will you permit me to read to you the *Preamble of the Articles of Organization of the Council of State Governments*?¹

Technique of Cooperation

If we are *not* to be subjected to extreme federalization within a short time, it can only be because the states are on the verge of cooperating with each other as they have never cooperated before. And if we *are* at the beginning of such cooperation, it will be brought about through the Council of State Governments and through this Interstate Assembly. It is not too much to say that this assemblage is writing history, and that each of us will look back to this occasion with a sense of pride and of pleasure that we have participated in it.

I will not burden you at this time with a discussion of the precise organization which is under discussion in connection with this Council. Whatever machinery may be established in order to secure the results which we all desire will be a matter of study, of conference, and of group action.

On Saturday morning we will discuss together the actual technique of cooperation between the states, and after this Assembly adjourns, you will all be kept fully advised concerning the progress of our planning. It is to be hoped that each of you will continue to give this subject your careful consideration, and that month after month you will contribute your ideas and your suggestions, in order that the best thought of our state officials may be utilized in the development of an effective organization.

Organization and Machinery

When a corporation is formed to manufacture steel rails, everyone connected with it is interested in the *product*—no one is interested in the corporation's overhead structure, except to the extent that the overhead is necessary in order that the best rails may be produced. In other words, it may be said that everyone is interested

¹ Mr. Toll then read the material beginning on page 93 under the subhead, *New Needs in Government*—the Preamble of the Articles of Organization of the Council of State Governments—and added the subsequent material through the first complete paragraph in the second column on page 95.

in the product, and that no one is interested in the organization. On the other hand, we all know that without good organization, good rails cannot be produced.

The analogy is perfect in the case of government. We all know, in a general way, what results government seeks. It seeks for its citizens' safety, health, education, transportation, communication and economic security. The objectives of government do not include the organization of boards, and bureaus and departments and councils and conferences—nor even the levying of taxes. Those are only the overhead organization. But *without them*, government cannot produce the desired results. Is any one here interested in governmental organization and machinery? No! Not one of us is interested in governmental organization and machinery, *except* as an instrumentality for securing the results which our government is intended to produce. But *without* adequate and well-designed organization and machinery, the desired results of government are *impossible*.

Probably few of us are interested in the machinery of transportation. But if you were in New York City and you wanted to be in San Francisco, you would hardly say that you were interested in *results* but that you were not interested in railroad trains nor in airplanes. You cannot achieve your results unless you have the machinery which is essential to their achievement.

The failure of the states to harmonize their governmental activities, during the last century and a half, has been inevitable because the states have not had the machinery of government which was necessary for harmony. And so today you and I find ourselves thinking about governmental machinery—not because we are interested in the machinery, but because we are interested in the results which it may produce in terms of governmental harmony, cooperation and effectiveness.

But make no mistake. This is not a small task. It cannot be done by dropping letters into mail boxes. There must be conferences, and every conference is a junket to the unintelligent. There must be organization, and every organization is anathema to the narrow-minded isolationist. There

must be full-time workers, and every worker is a parasite to the unprogressive. There must be expenditure of money, and there are many who would have the government die of gangrene rather than pay a surgeon.

May I close with two sentences from the statement which President Roosevelt issued last week endorsing the purposes of this Assembly? He said:

"Both the Congress and the executive departments of the national government are constantly confronted with problems whose solution requires coördinated effort on the part of the States and the Federal government. It is apparent, I think, to all students of government that there is urgent need for better machinery of cooperation between Federal, State and local governments in many fields."

Shall we all work together during the months which are ahead of us in order to build that machinery? And shall we dedicate ourselves afresh to the idealism in government which is sometimes called patriotism?

SPEAKER BELKNAP: Gentlemen, we are very much honored in having with us Honorable T. Jefferson Coolidge, Under Secretary of the United States Treasury.

ADDRESS BY T. JEFFERSON COOLIDGE

I am glad to appear before this Second Interstate Assembly and to meet so many state senators, representatives and governors' delegates from the various states. You are here because of your special knowledge and keen interest in matters of taxation and administration, and because of your determination to bring the highest degree of cooperation to bear on interstate and national problems.

Both the President of the United States and the Secretary of the Treasury have publicly expressed their desire for coordination of federal and state taxation and have advocated and encouraged further study. The results of such meetings as this should furnish the basis for real progress.

The fiscal problems of governments are not likely to be either few or simple during the coming years. A well coördinated tax system would, however, materially simplify the task of raising the necessary revenues in the most efficient manner as well as being

a great help in meeting the expenses of government with less friction and hardship.

The people, through their representatives, determine the amount of public moneys that must be gathered, and we who work in the field of taxation must advise them as to the best methods of obtaining these funds without conflicting with each other's needs.

There are many hindrances to a realization of the most desirable program. Some of the difficulties are legal and constitutional; some are the less tangible but deeply rooted prejudices against innovation, no matter how beneficial, in the long run, we may expect it to be; and some are differences of opinion between thoughtful men. These difficulties cannot be swept aside but must be given the fullest and most sympathetic consideration.

It is at once the duty and the sensible course of the federal government to view its own and state and local fiscal systems as a broad unit. Unless I mistake the signs of the times, states are tending more and more to look beyond their boundaries and to view other states as good neighbors. In tax terms, this means that each tax proposal of the future should be considered by the several governments with this question in mind: "How does this proposal fit into the tax system viewed as a unit for the nation?" We encounter here, in national relationships, the problem which has already been met by the states within their own borders, that is, the relationship between the state and the many local governments within its borders. At present we play lone hands—one jurisdiction does not know what the other may do—and consequently we have competition where there should be cooperation.

I have not touched on the remedies that you seek. I simply wish to convey to every one of you that we, in the service of the federal government, are keenly aware of the important problems that you face, and that in your efforts you may rely upon the understanding and sympathetic cooperation of the administration.

SPEAKER BELKNAP: We are all pleased to have this friendly greeting from the United States Treasury.

Practically all of you know the man who

is going to start the regular program on harmonizing the tax systems of the nation, the states, the counties and the cities. It has been my good fortune to be associated, in one way or another, with the Honorable Mark Graves for a number of years. There are few in the nation who have had as much to do with the larger aspects of the tax situation as the Honorable Mark Graves of New York State.

ADDRESS BY MARK GRAVES

In a nation like ours—a federal nation—the complications of taxation are inherently great. That is so because we have a federal government and state governments with independent taxing powers. In the early history of the government that was not serious because sources of revenue were separated, except for a short time around the War of 1812, I believe, and the Mexican War. It was not until after the Civil War that the states and the federal government commenced to dip into the same reservoirs for the purpose of satisfying their tax needs. Since shortly after the Civil War that process has been gradually but perceptibly growing. The business depression of 1929 has made its effects ever so much more pronounced than they were before 1929. With a shrunken wealth and a rapidly falling national income, the impact of the tax blow is much heavier on the tax-paying public.

Debt

For several years the federal, state, and local units of government have been spending about fifteen and a half billion dollars a year, of which they were raising about ten billion by tax and borrowing the other five and a half billion. If the President's financial program is finally enacted, it is predicted that the national debt on June 30, 1936, will be thirty-four billion, and that the state and local debt will probably be another twenty-four, making a combined debt of approximately fifty-eight billion dollars. Not since the fiscal year commencing in 1930 has the federal government balanced its budget. It started out in that year with a deficit of about nine hundred and three million dollars. The President predicts, if his program is enacted, that the deficit this year will be around four billion eight hundred million, and for next year, as

I recall it, about four billion five hundred million, with the result that the debt of the national government will have increased since July 1, 1930, by eighteen billion dollars or more.

The business depression has had its effect on both federal and state finance. First, it has caused revenues to shrink, and second, it has required the governments to spend very substantial sums for unemployment relief and economic recovery, as evidenced by the fact that the federal government proposes to spend this year and expects to spend next year, if the President's advice is followed, approximately eight or nine billion more than the federal government's income.

The federal administration is so planning its finances that it will receive from ordinary revenue sources sufficient to balance the current operating budget, including debt service, and the deficits will be occasioned by investment in unemployment relief and recovery projects. I am in no sense criticizing the federal administration.

Seriousness of the Problem

Now this constant dipping, as I have alluded to it, into the tax reservoir by the federal government, the several states, and the cities, must indicate to you the very great seriousness of the problem. It is not only serious from the standpoint of the government and those who are trying to plan governmental finance, but it is just as serious, if not even more so, to the business man or to the corporation. Unnecessary and unjustified expense is involved in trying to comply with the requirements of the various units of government. Government is compelling industry and business to waste funds in keeping accounts and compiling data for a variety of reports.

The present chaotic condition must be eliminated or both government and business will be facing difficulties far more serious than those with which we are now confronted. These debts which we are negotiating for unemployment relief and recovery purposes are going to make our debt service charges higher in the future. Moreover, as soon as we emerge from this business depression, you will see government continue to expand its activities and enlarge its functions. The inevitable re-

sult will be higher taxes and more difficult problems for the taxpayer. Therefore it is desirable to take an inventory of our situation, see in what direction we are heading, where we are likely to land, and what we can do by way of corrective or precautionary measures in mitigating the problem of the present generation and of the generations to come.

Separation of Sources

There are still people who believe that the thing to do is to separate sources of revenue, though the number diminishes every year. Separation of sources worked, prior to Civil War times, but with the federal government needing six billion dollars yearly, with state and local governments needing nine billions, it is impossible to continue dividing the various sources of revenue so that each of these different layers of government will have adequate means of support. Within reasonable limitations, of course, separation is desirable. The states and local governments should retain, as they have, the general property tax, the most productive single tax in the United States today. The federal government should retain customs duties, and I would suggest that the states abandon the entire field of indirect taxation in sales and consumption taxes. Traditionally, the federal government has used those taxes and the federal government can administer them more effectively, at a lower cost, and with less burden on the taxpayer who is now forced to comply with the requirements of a great number of units of government.

Many of you will not agree with me entirely on this point. It would mean that the states would abandon such fields of taxation as the tobacco tax, the motor fuel tax, the beverage tax and other forms of sales taxation. I believe, however, that it is the correct theory. The federal government should not be permitted to retain all of the revenue, but it should be the collecting agency and some reasonable proportion of the revenue should be apportioned to the states and their localities in some acceptable form.

In the case of such taxes as the personal income tax and other taxes of a personal nature, low-rating tangibles, and poll taxes, the federal revenue act should be amended

to provide for a credit against the federal tax on account of taxes paid to the states or their local units of government. The ideal, of course, would be to have a central collecting agency for such taxes as the income tax, but quite frankly I do not believe that we have as yet progressed to the point where the states can afford to turn over their revenue systems to the federal government. We have not, to put it bluntly if not elegantly, sufficient faith in our federal government and in our Congress to wish to do that.

Methods of Integration

Therefore, although I dislike to see duplicate administration of such taxes, as personal income taxes, corporation income or excise or excess profit or corporate excess taxes, nevertheless I believe it is necessary to retain, at least for the time being, the duplicate administration of those laws, but with a system of credit against the federal tax on account of taxes paid to the states or their localities. That is not a new or original thought. A group of us (the distinguished Speaker of this assembly was in the group) succeeded in securing the 80 per cent credit provision in the federal estate tax some years ago. Almost without exception it will be granted that that device has worked exceptionally well.

There are other methods of securing a measure of coördination, or of relief which might obviate the necessity of trying to integrate the state and local taxing systems with the federal system. One would be a shift or reallocation of the functions of government. The present tendency is to centralize things in the national government, and this trend will probably become more pronounced as time goes on. But I believe it desirable for the states to retain, as far as possible, their present functions. It would be possible, of course, to turn over to the federal government some of the functions now performed by the states. Perhaps the obvious ones would be a portion of the highway system or a portion of the educational system, but I doubt if even a small number of the men here would say that such a program would be a sensible one.

A number of people advocate a plan of the division of fields of taxes. I have al-

luded to such a plan in a general way. Some think that it would be better to have the federal government collect such taxes as the personal income tax, the corporation tax, the liquor tax, sales taxes—in fact, any kind of a tax where it is desirable to have a uniform rate throughout the entire country. To me, that plan is objectionable because it places the states and their localities at the mercy of the federal government. The time may come when such a step is desirable and necessary, but I am convinced that the time has not yet arrived.

Still another method has been suggested, that of state supplements, which, put simply, would mean that the federal government would administer the personal income tax or the corporation tax, but at the request of a state it would add to the federal rate some additional rate which the state desired to have applied—the revenue received to be turned back to the state. I doubt if that would meet with the general approval of the American people today.

New Federal Revenues

It will occur to some of you immediately, and probably you have been wondering how I was going to get around it, that if the federal government should consent to credit against the personal income tax or the corporation tax, a substantial sum—on account of such taxes paid to the states—the federal government, already financially embarrassed, would have to find money somewhere else. Well, naturally, you want to know what I think about that and what program I would advocate. First, I believe that in America we have imperfectly developed our personal income tax and our inheritance tax. England, with a hundred years of experience, has made refinements in its system which I think are far superior to American provisions. Refinement of tax methods would make up much of the revenue which the federal government would lose under the plan I am proposing.

We exclude from the federal personal income tax, dividend income, for purposes of the normal tax. Dividend income could be taxed along with other income of the individual. If that were done it would very materially increase the yield of the federal tax, with no change in rates and

with no change in personal exemptions.

It is highly desirable to have the federal and state constitutions so amended that interest income from tax-exempt securities shall not escape taxation. If that were done, the productivity of the federal income tax would be greatly increased. So, too, with the official salaries of both federal and state and local employees. There is no particular reason why I, as a public official, should receive a salary from the state of New York which the federal government has no right to tax. I believe it is an unjust discrimination against a man like Professor Haig who works for Columbia University, and who must pay a federal income tax on his salary.

Even with the changes in the income tax laws of the federal government—which will be delayed by constitutional limitations, and perhaps affected by political consideration—it may not be possible to secure, immediately, an increase in federal revenue sufficient to overcome these credits which should be allowed to the taxpayers of the various states. Therefore, it is my reluctantly formed opinion that it is desirable for the federal government immediately to enact a general sales tax, which will operate uniformly over the country.

Experience with the New York sales tax leads me to believe that sales taxation is not suited to state use. It operates with varying degrees of success, depending upon the geographical location of the state and the rate of the tax. Any such tax law is undesirable from the state viewpoint. But if a sales tax should be laid upon all business and all commodities on a nation-wide scale, there could be no competition between the various states.

Some such plan as this is necessary in order to aid and to promote recovery from this business depression.

SPEAKER BELKNAP: We are now to be honored by a talk from a man who has been associated with the financial interests of the state of Massachusetts for a long time. I want to introduce Mr. Henry Long.

ADDRESS BY HENRY LONG

Harmony, it seems to me, cannot possibly be introduced into our tax system. The differences existing between the various

taxing units of government—which must necessarily continue to have the power to tax—cannot be made to harmonize.

It appears to me that, if we thought in terms of the taxpayer being like a cow, anxious to give up her accumulated milk, we could probably arrive at harmony. Though I am not a farmer, I assume that cows are grateful when they are relieved of their milk. If taxpayers were similarly situated and if a herd of taxpayers, like a herd of cows, could enjoy being relieved of the accumulated fluid, they would no doubt desire harmonious treatment and would not care particularly what distribution was to be made of the nutriment of which they had been relieved.

I do not assume, however, that taxpayers are of this character, and unfortunately our government is not based on the principle of getting the milk first and dividing it afterwards, but on the principle of distributing the benefits in anticipation of an abundant milk yield. If there is not a sufficient number of animals ready to be relieved of the milk which has been accumulated, or not enough milk has developed, we assist by separating them from the milk which they are about ready to give up,—and frequently finding that there is not sufficient to meet demands—seek to supply the deficit by using the cow herself in satisfaction of the benefit given or promised.

It does not seem to me that we should necessarily favor some particular unit of government because it has developed a glorified system of spending. After all, I cannot disassociate the individual from the governmental unit and must always think of our government as subsisting entirely upon what it gets from the people. Believing this, it seems to me that we must think in terms of the individual and not in terms of spending for the benefit of the individual.

I do not get the so-called federal viewpoint. It may be that I am sufficiently out of date to have been conveyed here in a stage coach instead of the modern methods of transportation. It is my assumption that money expended by government is not money borrowed with the security of what is happening or going to happen, but rather money derived from credit which has been built up over a long period of years.

I have heard no one suggest that present ability to borrow money has anything to do with the promise of additional revenues on the morrow. But I think all are in general accord that the credit upon which we have been able to borrow has been the growth of years. Our government has gained confidence by exemplifying in the governmental units the principles which establish a firm foundation for individual credit. It would seem, in consideration of these problems, that while the idea may be old-fashioned, a restoration of the New England thought of a town meeting, where everyone joins in the determination of what should be spent in a governmental way, deserves some attention. The town meeting attendants had full knowledge that in proportion to ability to contribute, the citizens would be able collectively to bear the cost of particular services.

If it is true that there need be no concern with respect to the sources of revenue, on the assumption that sources will take care of themselves, then we can think in terms of spending rather than in terms of revenue production. If, as I believe, we must give more thought to the development of our revenue sources, then it must follow that spending shall not come until after there is a definite determination about sources of funds.

We may be able to go back to the days when everyone was compelled to say just what was to be appropriated and thus indicate just what he should pay. In an adjustment of tax sources there surely should be some relation between the service that is rendered and the revenue source from which the funds are taken. It will be found that the bulk of governmental services must be expended in the immediate neighborhood of the person benefited. It would seem to follow that the community where the money is spent should determine the appropriations and pay for them.

If what we need to concern ourselves with is primarily the ease of tax collection, then unquestionably the centralization of such collections would be ideal, and the farther away we keep the paying and spending, the more free can be the spending. But bound up with our collection activities are the requirements of government which come from the individual to whom ultimate resort

must be had in order to maintain and carry forward the services, unless of course some other source than the individual is to be found with inexhaustible ability to furnish funds.

There are, it seems to me, direct connections between the tax money paid and the particular service that is performed. The people all over this country organize groups on the thought that, collectively, they can do much more for the individual than individual initiative itself can do, and do it much more cheaply. I am not surprised at the number of our various governmental bodies, because it is manifest that groups within groups are finding things which they can do to mutual advantage but are not willing to entrust to a larger central body to do. When one spends his own money he is ordinarily seeking real advantage.

Federal-State Distinction

It must always be borne in mind, as between the federal and state governments, that the state governments have absolute control over their own tax structures and those of their political sub-divisions. There are forty-eight constitutions. There are almost forty-eight different lines of thought; and, while the atmospheric lines do not separate our people as much as they did formerly, there are, nevertheless, distinct sections of this country which are far apart in thought and needs from other sections of the country. It probably is true that no state would desire publicly to express its inability to function as a state, nor to tell the world that its political sub-divisions could not operate along established lines because sufficient revenue was lacking. All want to appear capable of having the best government. That thought has led us into dangerous paths. We must not overemphasize the theory that services must be supplied irrespective of the ability to obtain revenue. We should, it seems to me, first emphasize the need of revenue, not by eating our seed corn but by so developing our sources as to have funds from all, but only in moderate individual amounts.

The states and their political sub-divisions can arrange for taxation in the particular territory in which the service is to be performed; whereas, the federal

government, having a distinct sphere, should only resort, for revenue, to those things which are strictly within federal control.

The states created the federal government. Wisely or unwisely they gave to the federal government the right to do certain things, including the raising of revenue. The states, however, retained the governmental powers which we regard as more personal in nature, but gave up a number of the sources upon which they could not hope to rely in the future for revenue. The individual ultimately must rely upon his own individual community just as that community must ultimately rely upon the individual for its maintenance.

The states and their sub-divisions can usually make clear to the taxpayer the form of service which he obtains from the tax dollar. There is a direct relationship between the power to furnish that service and the actual performance of it.

The federal government unquestionably has a definite field, but its relation to the individual must always be quite remote. It has the tariff as an exclusive source of revenue. It can lay a tax on interstate commerce. It can lay taxes, without injury, on nationwide commercial activities through sales or other taxes—such as one which might be levied upon a manufacturer or a wholesaler.

The states can not lay a tax burden on the manufacturer or the wholesaler, because that would place him at a disadvantage in the markets of another state. The federal government, by levying a tax on the manufacturer or the wholesaler which would be uniform throughout the country, could lay such a tax without creating any particular embarrassment.

The states, however, should exercise the right to lay a tax on their people so that all persons would know what they were contributing to the cost of government. So long as the people are protected by the knowledge that the federal government can tax where it is constitutionally or otherwise legally impossible for the states to impose a burden, definite harmony would come because the entire tax burden of the individual would be established.

It is clear that the states or their political sub-divisions could lay a tax on property by reason of jurisdictional control over

the property, and the domicile of the citizen owning the property would be sufficient to permit a compulsory tax contribution. It might be, in addition to a tax on real property, that a privilege tax or a retail sales tax would make it impossible for any individual to escape direct taxation. Being subject to direct taxation the citizens then would be certain to be conscious of expenditures, and could curtail them to bring them within the scope of ability to pay.

The harmony that I visualize in federal, state, city and county taxes is not that which would grow out of a central body collecting what could be more easily administered centrally, but rather a harmony expressed only in the spending of money in proportion to the ability of a taxpayer to contribute, and all with full and complete knowledge of the individual. The tax collection could be made so immediate and effective as to let everyone sense that the benefits he was receiving from government were coming out of his own pocket, or that, being incapable of supporting himself, his fellows were carrying their load and his as well.

If the responsibility of the individual to contribute his share of the tax burden can be restored, we are likely to get a restoration of the early thought of our people, and a consequent reduction in the cost of government or at least a readjustment to the capacity of the people to support it, without raiding the future.

We are very reluctant to spend governmental funds, if it is our money, without foreseeing and approving the services for which they were requested. The experience of the last few years has been that practically all of our attention was given to the matter of expenditure. Many of our citizens have been taught to expect much from government without at the same time being taught that government cannot exist without their support. If we can re-establish the responsibility of the individual, we can probably bring the costs of government within the abilities of our people to pay.

SPEAKER BELKNAP: There are few men in this country who know more about taxation than Professor Haig of Columbia, and very few who can put their thoughts into words as clearly as he can. Former

President of the National Tax Association, and an eminent authority in this field—I take great pleasure in introducing Professor Haig.

ADDRESS BY ROBERT MURRAY HAIG

Nearly forty years ago a few far-sighted economists, including Hadley, Adams and Seligman,¹ began to warn of the dangers implicit in the attitude of "stolid unconcern"² which, from the beginning of the Republic, had characterized the financial relations between our federal and state governments. However, it was not until 1932 that criticisms and complaints assumed impressive proportions. In that year, with rather dramatic suddenness, a vociferous but not entirely harmonious demand for change arose from many different sources; from financial officers, both state and federal, from governors and presidents, actual and potential, from legislators of every political complexion, from businessmen, large and small, and from self-appointed guardians of the public welfare, both academic and secular. Almost overnight the traditional attitude of "stolid unconcern" changed to one of alarmed solicitude.

Tax Reform and the States

It was at this juncture that the First Interstate Assembly devoted its session to a discussion of the relations of federal to state and local taxation and took the significant step of establishing the Interstate Commission on Conflicting Taxation. Two years have elapsed and the Second Interstate Assembly is now gathered to receive a report of that Commission. From the able memoranda prepared by its technical advisers, Professor Heer and Professor Martin, we already know that the Commission has attacked its task with vigor and intelligence. It has sought to analyze the practical implications of some of the more promising specific suggestions and to indicate, as

¹H. C. Adams, *Science of Finance*, p. 498 et seq.; Arthur T. Hadley, *Economics*, p. 463; Edwin R. A. Seligman, Testimony before the United States Industrial Commission, 1899.

²The phrase is that of B. P. Adarkar, cf. *The Principles of Federal Finance* (London, 1933), p. 67.

clearly as the available data will permit, the directions in which the material interests of the various states lie. Presumably its report will suggest some basis for harmonizing those interests. Only too obvious are the difficulties faced by the Commission as it attempts to formulate a positive and constructive program which will be acceptable to forty-eight individual states, each with its own particular set of special interests. Its report is eagerly awaited by every friend of our federal form of government in the hope that it will demonstrate that at last there has been evolved a mechanism adequate to the task of dealing with problems of common concern to all the individual states.

The Federal Government and Private Business

In national circles there have been significant developments also. Following the lead of the Congressional committees, the Federal Treasury has taken steps to study the problem from the point of view of the interests of the national government and to formulate a program of reform which will properly safeguard those interests. In a letter addressed to this Assembly, the President of the United States predicts that this Treasury study will presently "furnish the basis for discussion of the problems involved with representatives of the states."

Moreover certain of the associations of businessmen, instead of confining their activities to general protest and vague complaint, have undertaken to gather dependable evidence regarding the operation of the present federal and state taxes as they affect their interests. Symptomatic of this development is the recent decision of the American Management Association to secure from its members specific accounting data showing what it is actually costing the taxpayers of the country to comply with the existing tax statutes and what might be saved by the elimination of duplicate administration of the same types of tax.

Finally, the discussion of the problem has now advanced to a point where proposals are beginning to receive the advantage of serious attention from conservative critics. Assumptions are being challenged, evidence is being demanded and attention is being directed to factors which, it is

claimed, have been ignored or underemphasized. The recent reports of committees of the National Tax Association are examples of this type of criticism.

As the result of these developments of the last two years, the phrase "alarmed solicitude" is no longer truly descriptive of federal-state financial relations. Sober study and analysis of the problem is now the order of the day. More or less formal negotiations between the federal authorities and representatives of the states are apparently imminent, negotiations designed to substitute a régime of helpful coöperation and intelligent articulation of taxation for the discredited policy of mutual "stolid unconcern."

As the movement passes into this new stage of negotiation between representatives of the federal and state governments, it may be helpful to review briefly the general situation as it stands today with particular reference to the completeness of our knowledge of the facts regarding the faults of existing arrangement, the status of opinion regarding the character of possible modifications and the adequacy of existing facilities for arriving at wise decisions regarding the policies to be followed in seeking a solution.

The General Situation

Certainly the dissatisfaction with the existing arrangement is widespread and is still growing. Moreover if no positive action is taken, the dissatisfaction is not likely to decline perceptibly even with the return of more prosperous times. Heavier, rather than lighter taxation is in prospect for a long time to come. However, the complaints arise in large part because of the inability or unwillingness of the states, acting independently, to solve the problems of interstate apportionment of tax bases and of harmful interstate competition, resorted to with the purpose of attracting taxable subjects. Will the states, without federal action, continue their record of failure in dealing with these problems? It is true, of course, that some of the difficulties complained of cannot be met without positive federal action. The existing discrimination in favor of interstate commerce under retail sales taxes, and to some extent under other types of tax, is an il-

lustration. But much of the dissatisfaction would disappear if the states should develop a reasonable capacity to coöperate.

If intelligent decisions are to be reached regarding changes in the existing arrangement, it is very important to know how substantial the grounds for complaint really are. In some instances investigation would reveal at least the general order of the magnitudes involved. How great are the costs both to the public agencies and to the taxpayer of duplicate administration of the same types of tax? Is the sum involved fifty millions or five hundred millions? Studies already under way should supply an answer to this question but at present no one knows. What is the extent of the evasion and unjust double taxation caused by the failure of the states to adopt uniform rules for the allocation of tax bases? No one knows. How great is the avoidance of state taxation traceable to the commerce clause and how serious is the resulting discrimination against intrastate commerce? Again no one knows, but it should be possible to find out fairly definitely. Certain other questions regarding the grounds for criticism of the present arrangement cannot receive quantitative answers but it should be possible to gather evidence which would be very valuable in forming a judgment. Thus, are the states really seriously crippled and embarrassed in their attempts to plan their finances? Does the existing situation actually result in a maldistribution of industry? Are the combined federal and state rates upon a single base really oppressive in many cases? Who today has a really informed opinion on these points? Obviously the task of gathering facts and of sifting evidence must be carried much further before final judgment can be passed upon the validity of the complaints against the existing system.

Changes Proposed

Turning to the proposals for change, one is confronted with an even greater mass of unfinished business. During the last three years proposals have been advanced covering practically the entire range of possible courses of action. For the most part the discussion is still in a preliminary state, characterized by haphazard and immature suggestions. Only a feeble beginning has

been made with the task of analyzing the implications of the various suggestions for reform. As yet there has certainly been no crystallization of sentiment in support of any definite and comprehensive program of reform. Various groups are exercised regarding particular shortcomings in the existing arrangement and are making suggestions regarding steps to correct these particular abuses, but with little or no reference to the relationship of these proposed steps to each other or to any general plan. Many of those who are most active in the agitation for reform have not yet come to appreciate what fundamental changes in the American federal system may require consideration before a satisfactory solution of the problem can be evolved.

It is not sufficient to prepare tables showing how much money each state would gain or lose through the selection of one method as compared with another method of distributing the yield of a federal income or sales tax. Many factors other than immediate financial results are involved. Some of the most important factors are the least obvious. Thus there are those who call attention to the size of the country and to the wide variation in conditions from section to section and who contend that it is dangerous to impair in the slightest degree the power of the individual states to adapt financial policies to local conditions. What weight should be given to this contention? On the other hand, there are many who sympathize with the position of the Australian Royal Commission on Taxation, which in the course of its discussion of this question of invasion of states' rights declared: "The main consideration to which all other considerations should be adjusted is the sovereign right of the . . . taxpayers to have the mechanism of taxation designed and controlled so as to impose the minimum of inconvenience and involve the minimum of cost."¹ What weight is to be given to this view? There are those who claim that the alleged superior efficiency of centralized administration is a delusion and who assert that Congress is already so overburdened as to be practically impotent and the executive departments already so large as to be

slow and clumsy. What are the facts on these points? Many believe that politics will inevitably enter into the formulation of any plan of distributing federal tax revenues among the states, that such distributions inevitably develop into wasteful subsidies, accompanied by federal supervision and regimentation, and they contend that our form of representation in the Congress is not calculated to secure the adoption of sound distribution arrangements. Before turning over the administration of state taxes to the federal treasury, they insist, the basis of representation in the Senate must be changed. Who is to appraise this danger and decide whether the situation is so serious as to require the far-reaching changes in our governmental structure here suggested?

I speak as a friend, not as a foe of reform in federal-state tax relations. Such evidence as I have been able to gather raises a presumption in favor of the position that the complaints against the existing arrangements have a substantial foundation. Such analysis as I have been able to make of various possible alternative arrangements reveal several which appear to me to be definitely superior to that which now obtains. But I am convinced that the evidence already gathered and the analysis already made are insufficient to serve as a foundation for the formulation of a comprehensive new plan of federal and state taxation which can be recommended with confidence and defended with success. Let us not fall into the error of thinking that, because progress has been made, the task is finished. Let us see to it that, in carrying forward the task toward completion, the country be given the assistance of the judgment and advice of the most competent and promising agency which can be made available.

A National Commission

What the recommendations of the Interstate Commission on Conflicting Taxation are to be is not known to me, but I express the hope that there will be included a recommendation in favor of establishing an impartial, disinterested commission of the highest possible dignity and standing, to represent neither the states, nor the Treasury, nor the President, nor the Congress,

¹ Royal Commission on Taxation (Australia), 1920: quoted in II R. C. T. 2 (1932), p. 64.

but the people of the United States.

This proposed commission should address itself to the formulation of policies. It should not be a negotiating or administrative body. It should investigate and deliberate. It should be a very small body. Five members would be a desirable number. Personally I should prefer three. Australia in 1932 entrusted a similar task to a Royal Commission of two, the Chief Justice of one of the states, and a distinguished accountant. Disregarding all questions of availability, I would suggest as the three ideal members—Charles Evans Hughes, A. Lawrence Lowell, and Edwin R. A. Seligman. Certainly no active politician should be a member and no attempt should be made to apportion seats on the commission so as to secure representation of political, governmental, sectional, or economic interests. It should invite the submission of testimony from every competent source and should publish the evidence in full. It should also be provided with technical assistance for prosecuting independent studies on its own initiative.

The problem, then, despite its superficial appearance of simplicity is a very complicated one. Its legal, economic and political ramifications are numerous and important. It is a problem whose very nature demands and whose importance deserves the sustained and concentrated attention of a disinterested national commission made up of men whose intelligence and judgment commands the complete confidence of the public. The country should not be asked to give a series of decisions on specific proposals which are unrelated to any general plan. It has the right to request that it be furnished with a blue print of what such a commission, in the light of its analysis of all the factors, considers the wise general program. If we are to be asked to amend the Constitution with respect to the basis of representation in the Congress, with respect to restrictions on the taxation of interstate commerce or with respect to the scope of the functions of the national government, we should be asked to do so by such a commission and not by any group with a sectional or political interest at stake. Before such a commission all could lay their evidence and the results of their thought and analysis—Interstate Commission, the

Treasury, dissenters, and critics—and ask for a considered judgment and evaluation.

The next step in the reform of federal-state relations is the establishment of a national commission—a commission *in excelsis*, to represent no one in particular but all of us in general. "We, the people of the United States" stand in need of guidance and counsel which can apparently be supplied so well in no other way. May the event prove that our political leaders have the insight to appreciate the richness of the opportunity and the need for prompt action. May the event prove that we have among our national resources a few men worthy of the appointment as commissioners. May the event prove that we in America have the character and intelligence to utilize successfully this venerable Anglo-Saxon institution which we have in the past so often abused.

SPEAKER BELKNAP: I am now going to ask the secretary of the conference to call the roll by states.

There followed the roll call by states

SPEAKER BELKNAP: I should like to read to this Assembly, as I think it is only fitting we should, a letter from President Franklin Roosevelt pertaining to our meeting here. I suppose most of you have read it, but some of you may not have done so, and when the President deigns to write to us we should certainly give consideration to him. (*A facsimile appears on page 314*)

Introduction of Governor Miller

SPEAKER BELKNAP: I would appreciate it if Governor Miller of Wyoming would come forward in order that we may welcome him to our assembly. Governor Miller, it gives me great pleasure to introduce you to the members of this Second Interstate Assembly. Your problems as governor, and the problems of the other governors, usually filter through to us legislators, and our problems sometimes cause you considerable trouble. We would like a word from you.

HON. LESLIE A. MILLER: I have no particular message to convey at this time except that I am very glad to participate in this meeting. It is going to be very beneficial indeed for the members of this As-

THE WHITE HOUSE
WASHINGTON

February 18, 1935.

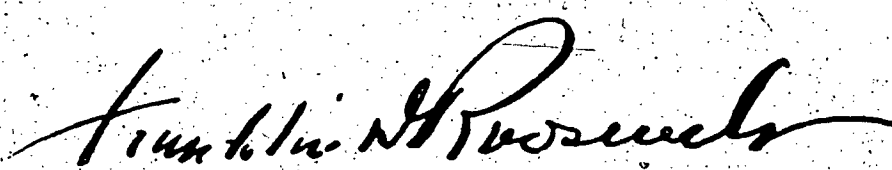
My dear Mr. Toll:

I write to express my own very earnest hope that the Second Interstate Assembly to be held in Washington February twenty-eighth to March second, will be successful in its approach to and solution of the important problems it meets to consider.

It is apparent, I think, to all students of government that there is urgent need for better machinery of cooperation between Federal, State and local governments in many fields. Both the Congress and the executive departments of the national government are constantly confronted with problems whose solution requires coordinated effort on the part of the States and the Federal government. Two notable instances are the coordination of law enforcement and the interrelation of fields of taxation. This latter question has long seemed to me one of prime importance. Only recently I directed the Secretary of the Treasury to undertake a study of sources of taxation, with particular reference to the matter of conflict or overlapping of Federal, State and local taxation. When this study is complete it should furnish the basis for discussion of the problems involved with representatives of the States.

I shall follow with the greatest interest the proceedings of the second Interstate Assembly, with the hope and expectation that many constructive ideas will be developed as to means for perfecting and strengthening the relations between the State governments and the national government in the disposition of the problems in which both States and nation are vitally concerned.

Very sincerely yours,



Mr. Henry W. Toll,
The Interstate Assembly,
Drexel Avenue and 58th Street,
Chicago, Illinois.

sembly to confer together. The states have many problems in common and it is certainly desirable that we come together in such a meeting as this, as frequently as possible.

I am glad the management of the Assembly has provided this opportunity and has so arranged things that the representation here is so generous. I hope to meet many of you personally during the period of the Assembly and, for the time being, I simply say that I wish the Assembly every possible success.

Remarks by the Speaker

SPEAKER BELKNAP: It may interest the Assembly to know that last summer there were held, in France, two different meetings of administrative officials of government. Those meetings were of international associations and there were at least two representatives from America there in addition to delegates from France, Germany, England, Italy and most of the other important nations of Europe. Now here is the interesting thing! Each nation went to that conference of administrative officials—one conference was of central or federal government officials, and the other was of local government officials—each thinking that their particular nation had a very peculiar problem. Our Americans thought that our conflict between federal, state and local governments in our tax systems, and in all the other fields, was peculiar to the American form of government, and that what might be called the breakdown, certainly the inadequacy, of

present governmental machinery was peculiar to America. When they got there they found every other nation had its own peculiar problems and all the peculiar problems were the same, whether they were under a Mussolini or a Hitler or under France or under England. They came to this very interesting conclusion, that the changes in modern life, principally the changes in transportation and communication, had so changed the whole set-up of government that all the nations are facing the same difficulties. They asked for the appointment of a committee composed of two factions, the central government and the local governments, to meet and see how they could work out these frictions that exist, apparently, in every nation.

I state that because every man who has spoken from this platform this morning has noted these changes in government and has expressed the feeling that ours is a peculiar problem, that there is something in our government that is wrong. But to my mind it is a change in the work, it is a change in the life of the nations. We have come to the point where we must overhaul the machinery to meet changes in the environment, and I think that is the problem we must discuss this afternoon, tomorrow and Saturday. I think if we get it in our heads that Providence hasn't visited any particular plague upon us in the United States but that the whole world is going through this same struggle to adapt governmental machinery to modern conditions, we may be able to work with more intelligence.

The meeting adjourned at 12:05 p.m.

Thursday Afternoon Session

February 28, 1935.

THE meeting was called to order at 1:50 p.m. by Speaker Belknap.

SPEAKER BELKNAP: Those of us who were at the First Interstate Assembly will remember that the conference was called for the primary purpose of tackling the tremendous job of conflicting taxation. You will recall that after considerable discussion, the Chair was asked to appoint an Interstate Commission on Conflicting Taxation. That commission has been working for two years.

We have been very, very fortunate in being able to get the services of Senator Seabury Mastick of New York as Chairman of the Commission. I don't suppose there is a man in the United States who has had more experience with state finance from the legislative point of view than Senator Mastick, nor will you find a better chairman of a committee or a commission.

This commission has served faithfully and I want to thank them personally for the work they have done.

Two men have served as the professional advisers of this Commission, Professor Heer of the University of North Carolina who started off the work and Professor Martin of the University of Kentucky who took up the work last summer. I think you all have before you the report that Professor Martin has helped to prepare, along with the Chairman of the Commission. These two men have worked hand in hand and have brought out data of which I think we should all be proud.

Before we hear the report of the Commission, I want to call on Mr. Morrissett, State Tax Commissioner of Virginia, who is to preside at this meeting. I take great pleasure in introducing to you, the presiding officer for this afternoon, Honorable C. H. Morrissett of Virginia.

Mr. Morrissett took the chair.

CHAIRMAN MORRISSETT: At this time it gives me great pleasure to present Senator Mastick, Chairman of the Interstate Commission on Conflicting Taxation, who will submit the first report of that Commission. Senator Mastick!

REPORT OF THE INTERSTATE COMMISSION ON CONFLICTING TAXATION

Presented by

SENATOR SEABURY C. MASTICK

The first part of this report to the Second Interstate Assembly summarizes the Commission's activities during the biennium since its appointment; the second concerns the recommendations dealing with possible immediate adjustments designed to alleviate tax conflicts; and the third develops a long-run program for improving the tax system in the direction of eliminating conflicts.

I. THE WORK OF THE COMMISSION SUMMARIZED

Since its appointment at the close of the First Interstate Assembly in February, 1933, the Commission has held a series of meetings, the last of which was on February 27, 1935. It has held several formal meetings, one in Chicago, one in Boston, and five in Washington. In addition, several members of the Commission have met informally with the Committee on Ways and Means of the United States House of Representatives. During January of this year, the Commission met jointly with the governing boards of the Council of State Governments and the American Legislators' Association. Usually the meetings have lasted two days, with sessions in the mornings, afternoons, and evenings of each day. At its meeting on February 27 the Commission met for only one day.

The meetings have been varied in character. In some instances the Commission has considered at length problems of organization and procedure and in others specific proposals for tax reform, generally in the light of research reports which had previously been placed in the hands of the Commission members. The members and the research staff, for the most part, have met privately; but occasionally certain other consultants have been invited.

Acting under the authority of the Interstate Assembly resolution, the Commission has conducted certain negotiations with members of Congress, particularly with the leaders of the House Committee on Ways and Means and the Senate Finance Committee. The chairman and the secretary of the Commission presented the Commission's viewpoint on gasoline and liquor taxation to the Committee on Ways and Means. On another occasion the Commission met jointly with members of the two congressional committees and with persons representing the administration to discuss the entire problem of conflicting taxation and to make known to the federal representatives its viewpoint on specific questions. Following the negotiations, Chairman Harrison of the Senate Finance Committee showed a cooperative viewpoint by appointing a subcommittee on Double Taxation. His Finance Committee also adopted the statement in a report of the Senate Finance Committee that, "This committee is of the opinion that the gasoline tax should be reserved for the states after June 30, 1934." (73rd Congress, First Session, Report No. 58, p. 1.)

The staff of the Commission has maintained contact continuously, but informally, with individuals responsible for federal and state tax policy. In the case of the federal government this includes the Joint Committee on Internal Revenue Taxation, the congressional subcommittees on double taxation, the personnel of the Treasury Department, and individuals in other branches of the administration concerned with taxation.

The Commission acknowledges the cordial cooperation of federal and state administrators and lawmakers. It is particularly indebted to the staff of the Joint Committee on Internal Revenue Taxation; to the

Chairmen of the Committee on Ways and Means and of its subcommittee on double taxation; and to President Roosevelt, who wrote a letter endorsing the objectives of the present Interstate Assembly.

Shortly after its appointment the Commission engaged Professor Clarence Heer of the University of North Carolina as its research director. Mr. Heer, together with the staff of the American Legislators' Association, carried on the office activities of the Commission until May, 1934. During the summer of 1934 the only staff activities were those of a secretarial character, conducted by the permanent staff of the American Legislators' Association.

Beginning September 1, 1934, a research staff directed by Professor James W. Martin of the University of Kentucky was organized. In addition to Mr. Martin and the permanent staff of the American Legislators' Association are Hershall L. Macon and John M. Akers, research associates; Mary Ada Honey, secretary to the research director; and Dorothy Diemer Thompson, stenographer. The staff has conducted the general secretarial work of the Commission and has also engaged in research activities, the general character of which is indicated by the following list of research reports and articles in STATE GOVERNMENT.

Research Reports

Is the Interstate Commission on Conflicting Taxation Worth Its Salt?

Elimination of Tax Conflicts

Fiscal Coordination through Intergovernmental Agreement

State-Shared Federal Sales Tax

Pertinent Statistical Data Relative to Various Proposals for Reducing Tax Conflicts

Coordination of Federal and State Tobacco Taxation

Problems Preliminary to a Study of Conflicting Income Taxes

Sales Taxation: State vs. Federal

The Corporation Income Tax and the Crediting Device

The Personal Income Tax and the Crediting Device

State Income Tax Policy in the Light of Experience

Articles in STATE GOVERNMENT

- "Conflicting Taxation," February, 1933.
- "Interstate Commission," May, 1933.
- "323 Conflicts," (table) May, 1933.
- "Recommendations Contained in First Report of I.C.C.T.," July, 1933
- "The Story of the I.C.C.T.," July, 1933
- "Friendly Negotiation Instead of Federal Coercion," July, 1933
- "Tax Mimicry," July, 1933
- Report on gasoline, tobacco, liquor and electric energy taxes, July, 1933
- Report concerning Recommendations for Taxation of Alcoholic Beverages, November, 1933
- "Splitting the Liquor Taxes," December, 1933
- "Federal-State Liaison," (Recommendations to Ways and Means Committee and Senate Finance Committee)
- "Conflicting Gasoline Taxation," January, 1934
- Report on the May 18-19 meeting of the I.C.C.T., July, 1934
- Report on the September 29-30 meeting of the I.C.C.T., November, 1934
- "Current Tendencies in State Taxation," January, 1935

Besides these formal reports and discussions, the staff has prepared approximately forty brief statements regarding the activities and recommendations of the Commission.

To develop interest among college teachers and to secure assistance from them, the staff of the Commission organized an Advisory Committee of college and university professors in the autumn of 1934. The members of this committee have aided by offering constructive criticisms and suggestions. Several of their suggestions have materially influenced the work of the staff, and some have been referred to the Commission membership.

II. RECOMMENDATIONS FOR IMMEDIATE ACTION

At the end of its first meeting, held on March 24 and 25, 1933, the Commission adopted a report summarizing provisional recommendations pending further investigation. In the first place, it recognized that conflicting taxes imposed by the federal

government and the various states result in distributing the tax load inequitably and, in the second, that overlapping and uncoordinated taxation places an unreasonable burden on business and industry and constitutes a problem calling for immediate action by federal and state legislative bodies.

On the basis of these findings and of research work carried on by the staff of the Commission, the following recommendations have been approved during the past two years. These proposals look to immediate action which can be taken in the interest of better coordination of state and local tax plans.

1. Gasoline Taxes

Since Congress has declared that the federal tax on gasoline was levied only as a temporary expedient on account of the emergency, the Commission urges the federal government to relinquish this source of revenue for the exclusive use of the states at the end of the next federal fiscal year, namely June 30, 1934.

2. Tobacco Taxes

Thirteen states now have taxes on tobacco, and many other states are seriously considering levying such taxes. If the states continue to impose additional levies on tobacco products, the return to the federal government from this source of revenue will be further diminished. Since any material increase in these taxes during a period of depression will decrease the amount of tobacco consumed, such increase will adversely affect the producer as well as the manufacturer. Accordingly this Commission recommends that no additional tobacco taxes be adopted by the states for revenue purposes.

3. Electrical Energy Taxes

Since the conditions of the manufacture and distribution of electricity vary so widely from state to state, this Commission recommends that Congress should leave this source of revenue for the exclusive use of the states. The states have long depended on the taxation of electric utilities, whereas the federal government has just entered the field.

4. Beer Taxes

Congress has already levied a heavy tax on beer. Substantial additional taxes on this beverage, or heavy license taxes on its distributors, levied by the states or by their political subdivisions, will diminish the federal tax revenues. Therefore, the Commission recommends that the states, municipalities, and other local units of government refrain from levying heavy taxes on beer, except for regulatory purposes.

5. General Sales Taxes

At its first meeting the Commission recognized the significance of the general sales tax movement and directed its staff to conduct an investigation. Later the following resolution was adopted.

"PREAMBLE: We are confronted with a situation in which many of the states are being embarrassed in the administration of existing sales taxes; therefore

"Without passing on the merits of either state sales taxes or federal sales taxes, or of other taxes of similar characteristics, and without passing upon any possible allocation of these sources of revenue at a later date; be it hereby

"Resolved, That this Commission favors the enactment by Congress of the so-called Harrison Resolution as now amended."¹

¹ This measure reads as follows: All taxes or excises levied by any State upon sales of tangible personal property, or measured by sales of tangible personal property, may be levied upon, or measured by, sales of like property in interstate commerce; by the State into which the property is moved for use or consumption therein, in the same manner, and to the same extent, that said taxes or excises are levied upon or measured by sales of like property not in interstate commerce: *Provided*, That no State shall discriminate against sales of tangible personal property in interstate commerce, nor shall any State discriminate against the sale of products of any other States: *Provided further*, That no State shall levy any tax or excise upon, or measured by, the sales in interstate commerce of tangible personal property transported for the purpose of resale by the consignee: *Provided further*, That no political subdivision of any State shall levy a tax or excise upon, or measured by, sales of tangible personal property in interstate commerce. For the purpose of this Act a sale of tangible personal property transported, or to be transported, in interstate commerce shall be considered as made within the State into which such property is to be transported for use or consumption therein, whenever such sale is made, solicited, or negotiated in whole or in part within that State.

6. Liquor Taxes

The Commission adopted the following resolution at the time the Eighteenth Amendment was repealed and prior to any federal legislation.

"Resolved, That it is the sense and the recommendation of the Interstate Commission on Conflicting Taxation:

1. That the social implications of the repeal of the Eighteenth Amendment greatly outweigh in importance the revenue aspects of repeal.

2. That the taxes on alcoholic liquors, as well as the taxes and license fees upon the traffic in such liquors, should be so devised as to promote temperance, and at the same time to discourage illicit trafficking in such beverages.

3. That there is grave danger that if both the federal and the state governments, without regard to each other, impose taxes or other imposts on these commodities, or upon the traffic in them, the combined load of taxation will become so heavy as to defeat the foregoing objectives.

4. That volume taxes, or so-called gallonage taxes, whether direct or indirect, should be imposed upon liquor by the federal government only, and only at a moderate rate.

5. That the rate of the volume tax should in no event exceed three dollars per gallon on spirituous liquors; and that the rate of taxes on beverages of lower alcoholic content should be correspondingly lower.

6. That of the combined gross revenue from the liquor traffic, derived by the federal and state governments from all sources, one-half should inure to the benefit of the states and their localities, and the remaining half should be retained by the federal government.

7. That in applying the principle which is stated in the preceding paragraph in the case of those states which adopt the state stores plan or other form of state liquor monopoly, there should be substituted for gross revenue as defined in that paragraph, the actual profit derived from state liquor transactions.²

² If the federal government should prefer a system which would avoid any occasion for auditing state accounts, it could establish a fixed allowance for selling costs, based upon a percentage of the gross sales or upon a percentage of the cost of the liquor to the state.

8. That the federal government should ascertain its total gross revenue from the liquor traffic derived from all sources, and divide that amount by the total population in all the wet areas in the United States, thus establishing the *federal per capita*. Similarly each state should ascertain its total gross revenue, including both state and local proceeds, and divide that amount by the total population in all of the wet areas in the state, thus establishing the *state per capita*. In the case of each state, the state per capita and the federal per capita should then be added, thus establishing the *combined per capita* for that state. The state's minimum share should be one-half of the combined per capita. Accordingly, the federal government should make payments to each state which contains wet areas, in accordance with the following formula:

Ascertain one-half of the combined per capita.

Subtract from that amount the state per capita.

Multiply the difference by the number of the total population in all of the wet areas in the state, thus arriving at the amount to be paid by the federal government to the state.¹

9. That revenues from spirituous liquors which are sold for medicinal purposes should not be included in the foregoing computations, but should be separately handled, in accordance with the above stated principles, but in accordance with the method stated in the following paragraph.

10. In the case of each state, the federal government should compute the amount of revenue which the federal government derives, by taxation and licensing, from the sale of liquors for medicinal purposes in that state, and also the amount which the state derives from such licensing and taxing, total the two amounts, and pay to the state such amount as will give it not less than one-half of the total."

¹ It would be possible for any state to enter into a similar arrangement for sharing the proceeds of liquor revenue with its local units of government at any agreed ratio.

Repeal will shift much of the cost of supervision from the federal government to state and local governments, and therefore their share of liquor revenues should be liberal.

At its meeting in May, 1934, the Commission adopted the following resolution.

7. Federal Commission

"Resolved, That the Interstate Commission on Conflicting Taxation, on its own account and on behalf of the American Legislators' Association, respectfully requests and petitions the President of the United States to appoint a Commission, of such number as in his judgment seems best, to study and report on the allocations of functions of government between federal, state, and local jurisdictions, and on the coördination of federal, state, and local revenue systems in such a way as to secure the most equitable distribution of the aggregate tax load, and such other related problems, if any, as may seem to him desirable for study."

This resolution embodies the same purpose as that contemplated by the proposal, offered at the end of this report, for a Tax Revision Council. It is the Commission's view that the resolution as incorporated in the preceding paragraph should receive no further consideration. It proposes, on the other hand, that the more mature plan suggested below be approved.

8. Commission Plans

The Commission has worked out a program of investigation which contemplates checking all recommendations that have heretofore been made, together with certain others still to be investigated, against state and federal revenue statistics, in order that it may know the fiscal consequences of each plan for reducing tax conflicts. In general it is believed that any successful plan for legislation must be piecemeal in character. No program which involves a radical modification in state or federal revenue policies can be considered in the light of current fiscal uncertainties. However, the Commission is looking forward to the development of plans for fairly substantial revisions to be made step by step.

III. THE LONG-RANGE PROGRAM

Having outlined an immediate program, which in the nature of the case must be partial and piecemeal, it seems desirable that the Commission indicate its views re-

garding a long-range plan for dealing with conflicting taxation and related problems. This program, of course, must concern largely the development of machinery rather than specific solutions; since the tax situation is essentially dynamic in character and since any plan of solving conflicts is likely to become obsolete in the course of time.

1. *Better Statistics*

In developing a long-term program for dealing with federal-state and interstate tax difficulties, the several states can immediately lay the foundation for progress. The first necessity perhaps is the development in each state of more adequate financial statistics of state and local governments. At the present time only about one-fourth of the states make any pretense of collecting all of the statistics of state and local taxation, and even in these states the statistics are in some cases meager and unsatisfactory. Each state should certainly know the total amount of tax revenues of various classes which it raises by state or local action. It should know, also, the facts respecting the distribution of its state and local expenditures and those regarding public debt. In addition, it is desirable that the states assemble more complete information regarding functional activities. Incidentally, this recommendation to the states contemplates more generous cooperation with the statistical agencies of the federal government, particularly with the Bureau of the Census.

2. *Comprehensive Tax Study*

In the second place, many of the states need to conduct comprehensive investigations of their own state and local tax problems. A valuable incidental result will be the development of information needed by the Tax Revision Council proposed below. Some of the commonwealths, as for example Connecticut, New York, North Carolina, and others, have already conducted such studies of state and local taxation. More than half of the commonwealths, however, have not recently conducted thorough studies of their tax situations. These states, it is believed, should in the near future provide for official investigations looking toward improvement in the

local tax situation and incidentally providing data necessary for any thorough-going interstate investigation.

3. *Public Understanding of Fiscal Affairs*

Partly as an outcome of these two suggestions and partly as a result of current governmental activity, each state should conduct continuously a campaign of public education regarding state and local taxation. The educational program along this line not only should contemplate popularizing information as to tax problems, but it should also supply the public with full information on governmental expenditures and the administration of public debt.

4. *Congressional Enabling and Consenting Act*

A fourth recommended course of action, looking toward a long-range policy of dealing intelligently with conflicting taxation, would be the enactment by Congress of a general enabling and consenting act respecting interstate tax compacts. A still more fortunate arrangement would be the passage of an enabling and consenting act applicable to *all compacts negotiated* under the auspices of the Council of State governments. In all probability, the development of treaty relationships between the states will, in the long run, be essential in dealing with conflicting taxation.

5. *Vacancies in Membership of Interstate Commission on Conflicting Taxation*

The Commission recommends that all vacancies created by the retirement of its members from public office or otherwise shall be filled by the Speaker of the Interstate Assembly.

6. *A Tax Revision Council*

Interjurisdictional conflicts inherent in American Government

Tax conflicts arise largely from the fact that the federal government and the states have constitutionally coordinate taxing jurisdiction in all important fields except property taxation and customs duties.

In the early history of the United States the important sources of tax revenues were

almost exclusively property and poll taxes, tariffs, and a few selective sales taxes. With rare exceptions, the excise taxes were imposed only by the federal government and, in consequence, interfered but little with local tax plans. With the expansion in governmental activity during the past thirty years, both the federal government and the states have found it necessary to expand the scope of their tax systems. Death taxes, income taxes, and selective excises are now imposed by both commonwealth and central governments.

In the meantime, states have been subdivided into counties and sometimes into towns or townships. Cities, school districts, drainage districts, and other taxing jurisdictions have been superimposed on these, often in such a way as to provide so many layers of taxing jurisdictions that an individual taxpayer must contribute to several levels of government. These local governments have assumed large importance. They have developed semi-independent taxing programs which, in many cases, overlap the state tax plans and sometimes both the state and the federal tax plans. As an illustration, certain Alabama cities have gasoline taxes besides those imposed by the county, the state, and the federal governments. At the same time the city, the county, and the state each impose various sorts of license taxes on vendors of petroleum products.

In certain states, some effort has been made to alleviate the difficulties growing out of overlapping local government jurisdictions. Some attention has been given to working out tax plans which avoid discriminatory practices, although they involve duplication of levies. In keeping with this activity, the Interstate Commission on Conflicting Taxation, as indicated above, has given attention to preparing specific plans whereby the federal government and the states can avoid conflicting tax levies by separation of revenue sources, by utilization of federal credits for state taxes, and perhaps by federal administration of certain taxes the proceeds of which would be distributed to the states, either directly or as grants-in-aid. All these plans, however, contemplate dealing with the situation piecemeal, and each of them looks toward amelioration of immediate difficulties rather than a complete solution of the problems.

It must also be recognized that, even though immediate steps were taken to solve conflicting tax problems, one could not expect them to remain solved. Governmental institutions are developing at such a rapid pace that new problems of taxation are arising continually.

Permanent means of study essential. Therefore, no matter what legislative changes may be adopted to reduce the evils of conflicting taxation, it will be essential to maintain machinery for dealing continuously with the problems of this sort which easily arise from our plan of government.

It has become a commonplace among students of government that agreement on controversial public questions is reached almost invariably—if at all—through personal conference. This is particularly true in the field of taxation, especially in the matter of developing a spirit of interstate and federal-state comity; for in this field an attitude of give-and-take must characterize any successful procedure. This viewpoint is in keeping with the following expression of President Roosevelt in his letter of February 18 to the Executive Director of the Assembly:¹

Tax Revision Council

There are two practical plans of organizing the investigation. One contemplates the establishment of an unofficial commission, such as that set up for the Inquiry on Public Service Personnel, which has just issued its report. This commission was composed of eminent men representative of business, education, public administration, and scholarship in the field of government. The other contemplates the establishment of a commission officially representative of the interested parties. In the case of conflicting taxation or of the reallocation of governmental functions, which require official legislative and administrative action, it is believed that the second type of commission is to be preferred. Therefore, the Interstate Commission on Conflicting Taxation recommends that the Interstate Assembly propose a semi-permanent commission made up of legislative and executive personnel representative of the federal government in part, the states in part, and the local units of government in part.

¹ A facsimile of this letter appears on page 314.

The selection of personnel representative of these various units of government is in keeping with the principle that the parties which have an interest at stake shall be represented on the body established to deal with controversial issues. The individuals chosen to represent each level of government must include men who are in key positions to exercise leadership in the financial affairs of government and who are willing to give generously of their time to the task.

It is recommended that the Interstate Assembly propose the appointment as a Tax Revision Council of seven persons representative of congressional and federal administration viewpoints in public finance; that the states through the Interstate Assembly authorize appointment of seven persons representative of state legislative and administrative viewpoints in public finance; that the United States Conference of Mayors, the American Municipal Association, the International City Managers' Association, and the Municipal Finance Officers' Association each appoint one person representative of city viewpoints in public finance and that the Chair appoint three public officials representative of county, rural school district, and other local government viewpoints in public finance. It is contemplated that this Tax Revision Council will have the benefit of assistance from the existing staff of the Joint Committee on Internal Revenue Taxation, from the staff of the Treasury Inquiry on Public Finance, from the Interstate Commission on Conflicting Taxation, and from such other specialists as may be made available.

Council to study reallocation of governmental functions. In addition to problems of taxation strictly defined, it is anticipated that the Council will investigate continuously the reallocation of public functions between the various levels of government. The work of the Interstate Commission on Conflicting Taxation has already been severely limited by lack of comprehensive information regarding the distribution of governmental activities among federal, state, and local agencies. More than once it has even been suggested that the Commission's own efforts be directed to the investigation of these problems. Thus it is apparent that progress toward the solution of tax problems affecting the various

levels of government depends largely on working out a sound viewpoint regarding the proper allocation of various governmental activities among units of government.

The Interstate Commission on Conflicting Taxation recognizes that this study of the distribution of governmental functions may, and doubtless should, require a separate staff from that concerned with the technical problems of taxation. On the other hand, it sees no reason why the proposed Tax Revision Council might not conduct both studies simultaneously under appropriate direction.

State Commission on Interstate Relations recommended. To facilitate the work of this Council it is desirable that each state provide a suitable official commission for interstate cooperation. This body would be particularly effective in providing a means of communicating with and securing the points of view of each of the several states. Such a committee is cordially recommended.

Continuous study essential. There is no reason to expect that either a coordinated tax program or a plan of allocating governmental activities to various units of government would remain sufficiently static to render any particular solution permanent. Thus the Council, if it is to be successful, must conduct continuous investigation with the aid of an adequate staff of experts and must engage in frequent and sustained deliberations regarding matters of policy involved.

To carry on its activities such a Council would require reasonable financial support:

- (a) to defray expenses of Council meetings;
- (b) to maintain adequate research and secretarial staffs; and
- (c) to conduct such hearings and conferences as may be essential to the definition of governmental policy.

CHAIRMAN MORRISSETT: You have heard the report and the resolutions. The resolutions will be referred to the Committee on Resolutions and Procedure, which committee will report in the regular course of business.

Now we come to another interesting feature of the program, namely the ascertainment of the viewpoints of state delegations

concerning the removal of tax conflicts. The viewpoint so expressed should be directed principally, if not entirely, to the subject under consideration, namely the removal of tax conflicts. If, perchance, a spokesman for any delegation desires not to comment on this particular problem, he is at liberty to give a word of greeting from his state.

Proceeding then under this plan, we find that Alabama is the first state in the alphabetical list, and so the gentleman from Alabama is recognized.

VIEWPOINTS OF STATE DELEGATIONS

SENATOR WILL O. WALTON: As the only official representative of the state of Alabama in this Second Interstate Assembly, by appointment of the Governor of Alabama, I am delighted to be here and to give thought and study to these important problems.

The matter of taxation is a matter in which Alabama is interested, as you are. I can only state to you that down in Alabama, under the able leadership of Governor Bibb Graves, we expect to move onward and forward to higher and nobler achievements.

Alabama, like you, recognizes its sovereignty as a state of the American Union. It has guarded, and will guard with extreme jealousy, those rights which we believe, and which you believe, belong to the sovereign states of this Union. However, as the official representative of Alabama I bring you greetings from that state today and I say to this Assembly that while Alabama does stand on its sovereign rights as a state of the American Union, Alabama recognizes also that it belongs to the sisterhood of states and is ready today to join with the other states of this Union, in matters of removing conflicts of taxation and in all other matters looking to the common good of the people of these United States for whose benefit these governments exist.

CHAIRMAN MORRISSETT: Connecticut.

HON. WILLIAM H. HACKETT: This is the first time Connecticut has been represented at this Assembly, and I bring to the Assembly the greetings of Governor Wilbur Cross who is greatly interested in the work of this Assembly and hopes some good will come from this conference.

CHAIRMAN MORRISSETT: Florida.

HON. BRYAN WILLIS: We from Florida can assure the Interstate Assembly that we are willing to cooperate in wiping out conflicting taxation between the federal and state governments.

CHAIRMAN MORRISSETT: Georgia.

HON. ROY V. HARRIS: There are five delegates here from the General Assembly of our state, which is now in session, and I want to say that we are very much interested in the problem of removing the possibilities of double taxation.

As representatives of the state of Georgia, we wish to commend the work of the Commission headed by the Senator from New York, and we certainly hope we will be able to make some progress. At the 1937 session of the Georgia Legislature our tax system will have to be completely overhauled and we would like to make it conform, as closely as possible, to many of the tax systems in other states.

CHAIRMAN MORRISSETT: Indiana.

HON. PHILIP ZOERCHER: I come as a delegate appointed by the Governor and I want to extend greetings and say that Indiana has met some problems.

CHAIRMAN MORRISSETT: Kansas.

SENATOR CLYDE W. COFFMAN: Coming from Kansas as Chairman of the Taxation Committee of the Senate and also as representative of the Governor, I want to assure you that Kansas is intensely interested in uniform state government.

CHAIRMAN MORRISSETT: Kentucky.

HON. WILLIAM E. ROGERS: Kentucky brings greetings to this assembly. We in Kentucky, as a matter of fact, have our tax problem but we are happy in the thought today that Kentucky has solved its tax problem as far as possible. The regular session of 1934 found Kentucky with its state warrants selling at 75c on the dollar. Today, our warrants in New York are \$1.03.

Kentucky and the respective counties of Kentucky owe today as much as they ever will or can owe unless some future legislature changes Kentucky's laws. We passed a budget bill that is actually functioning and we cannot spend more than our income. The counties of Kentucky, many of them, had defaulted not only in the payment of the interest on their bonded indebtedness

but on the indebtedness as well. Today every bond issued by every county in Kentucky is worth par.

CHAIRMAN MORRISSETT: Maine.

HON. HENRY B. VAUGHAN: Just now we are under a blanket of snow two feet deep, with zero weather, and I was real disappointed coming down here still to find snow, but we are used to it. The Governor appointed one of our ablest men in the Tax Department, Mr. Holley, to come down here, and I would like, if I may, to ask that Mr. Holley be permitted to take up the rest of my allotted time.

CHAIRMAN MORRISSETT: Mr. Holley is recognized.

HON. FRANK H. HOLLEY: Maine is tremendously interested, of course, in this subject of conflicting taxation but we haven't yet advanced very far into so-called modern taxes. We are still running along on the property tax and a few things like the gasoline tax and we haven't yet modernized our tax assessments. So probably we would feel less of the conflicts than some of those states who have modernized their tax methods and are taxing everything.

I bring to you the greetings of Maine, representing the Governor of the state, and assure you that when the proper time comes Maine will be very glad to join with the group in giving any assistance possible to working out the program before us.

CHAIRMAN MORRISSETT: Maryland.

JUDGE OSCAR LESER: We are not-conscious of any conflict with other states in the matter of taxation, but we are very anxious to cooperate with the other states in a matter which has received very little attention. I refer to the matter of taxation of banks. As you know, the states are permitted, by Section 5219 of the federal statutes, to tax banks on shares and in several other ways. More than two-thirds of the states still rely wholly upon the tax on shares.

For thirty years that law was construed to permit states to tax national banks in the same manner, and at no higher rate, than they taxed their own institutions. In 1929 there was a decision by the Supreme Court which overturned that doctrine. You may be surprised to know that in a large number of states there is now no legal way to enforce a tax on banks, but it is done

by voluntary contribution or by gentlemen's agreement.

Efforts have been made ever since that decision to cure the resulting situation. Certain amendments were introduced which brought about these alternative methods, but the right to tax the shares is still weakened because under the statute as it is now worded, the tax on the shares is compared to matters with which it cannot be compared. You cannot tax a share of stock as you tax a bond or a mortgage. Recently a bill was drawn which in effect restores the system so satisfactorily used for thirty years. The bill virtually restores the right to tax national bank shares as the shares of state banking institutions are taxed. That bill received a favorable report from the House Committee on Banking and Currency. I used this opportunity to arouse your interest in this subject because those who were benefited by this situation have been able to force states to adopt a very low income tax method or to use other ineffective methods.

One other subject, which is now of great public importance, is the matter of the pink slip. I believe an Assembly of this kind ought to take some interest in it, and therefore take the liberty of reading a brief resolution.

"RESOLVED, That the Interstate Assembly recommends that Section 55B of the United States Internal Revenue Act of 1934 which requires publication after March 15, 1935, of intimate details of taxpayers' financial affairs, be repealed promptly before the effective date thereof."

CHAIRMAN MORRISSETT: The resolution will be referred, under the rules, to the Committee on Resolutions and Procedure.

Massachusetts.

HON. ARTHUR I. BURGESS: Massachusetts brings its greeting to the convention and feels deeply honored to have an opportunity to participate in its assemblage. We feel proud to lead all of the states in the lowest increase in governmental expenditures, but as a result of our dual system of government, Massachusetts realizes that two sovereigns must levy taxes in the same territory and on the same people. We realize, too, that there is not a uniformity of opinion here, or in our present delegation, so therefore we of Massachusetts are of the

opinion that where conflicts exist they should be removed only after a very careful study of the causes that brought them about, and a definite safeguard should be established to prevent a recurrence of these same problems.

CHAIRMAN MORRISSETT: Michigan.

HON. VERNON J. BROWN: I bring you the greetings of the state of Michigan and of the Governor, Frank Fitzgerald, whose commission I bear to this convention. Michigan has many tax problems. Unlike Maryland, our problem is not how to tax the banker but how to get our money out of the banks.

The particular concern of Michigan in duplicate taxation is the gasoline tax. We hope that this convention will take a stand in favor of reserving the gasoline tax to the states. We need it for the upkeep of our highways and our public streets. Our municipalities, under a fifteen mill limit, find maintenance and improvement of the streets impossible.

We are also interested somewhat in the question of the inheritance tax and what may be done to preserve as much of that for the states as is possible. We need some federal aid in proper administration of our sales tax. We are so close to the mail-order houses of Chicago that many of our people are buying there, in preference to paying the sales tax through a home merchant.

CHAIRMAN MORRISSETT: Missouri.

HON. O. K. ARMSTRONG: It seems to me the problem of conflicting taxation leads to one that is just as fundamental, the problem of conflicting services. We should definitely settle some policies in regard to what services should be extended the people of this nation by the federal government and what services should be reserved to the state and local governments. It seems to me that is fundamental and we must solve that before we will ever solve the problem of conflicting taxes. Services lead directly to the exacting of taxes to pay for them. It is true that taxes are not levied for the specific purpose of taking care of some particular governmental service, but some division of functions is necessary—else the states will lose their sovereignty.

Of course, that will lead the way to a great many problems, but after all, we feel

in Missouri, and I believe that I express the sentiment of all here, that if an approach to the solution of the problem of conflicting taxes can be made here, we will be rendering a great service to the people of our states and the nation.

CHAIRMAN MORRISSETT: Nebraska.

HON. W. H. O'GARA: Senator Green and I have both been delegated by our respective houses and commissioned by the Governor of the State to appear before your Assembly and take part in its deliberations.

We believe in leaving to the federal government the imposition of income taxes. We feel that a great deal of the wealth of Nebraska is going out of the state into manufacturing states. It seems to us that the wealth of Nebraska going into other states should come back, in part, in income taxes. That is true also of inheritance taxes. We do not claim to have the most salubrious climate in the world and if some of our citizens wish to move to other states, we see no reason why the federal inheritance tax should not be collected from them and returned, in part at least, to the state from which they derived their wealth. We believe that a sales tax, harmonized with the sales taxes of our sister states, would be better than a sales tax administered by the federal government.

We have had some experience in trying to eliminate conflict with our sister states. I might mention one instance, and that is the conflict which we found with the states surrounding us on farm truck legislation. We have been able to cooperate with our sister states and have been able to make progress.

I hope for the success of this gathering. I am sure that the contacts available to us will make it worth while, and I am sure that we will get closer together, that we will be able to understand each other and take back to the people of our states a message of what we have accomplished.

CHAIRMAN MORRISSETT: New Hampshire.

HON. EDGAR C. HIRST: May I say a few words on some of the specific things mentioned by Senator Mastick. On gasoline tax, we agree with all of the speakers who have preceded and with the recommendation of the Commission that we should confine gasoline taxes to the states.

We are interested in the Commission's recommendation in regard to the tax on electrical energy, because we have had, for a number of years, a tax on public utilities, which has been vitally affected by the federal tax. We are greatly interested in that recommendation of the Commission.

We approve the proposed offset on the federal income tax, a tax on earned income. Our income tax is confined to the receipts from intangibles. In regard to liquor, we have the system of state stores, so we have no particular interest in that. We have no tobacco tax and, as yet, no sales tax.

The last item that I want to speak about illustrates the effect of cooperation between states. We have a good deal of shoe manufacturing; so has the state of Massachusetts. In assessing many of those shoe plants, there has been talk among the members of the trade to this effect: "Well, we will move to Massachusetts if we are taxed too high." I dare say Mr. Long has heard the same thing. Through an informal discussion of this matter with Mr. Long and some of the assessors in Massachusetts, and with some of our own assessors, we have agreed to a system of valuation for shoe plants and shoe machinery, so we are well on the way to having shoe plants taxed on practically the same basis on both sides of the state line, so there will be no moving about to dodge taxes.

CHAIRMAN MORRISSETT: New Jersey.

SENATOR A. CROZER REEVES: New Jersey, like all of the other states, has its problems, which it is gradually solving. Financially, it is in fairly good shape. The state itself has always closed the fiscal year with a balance. The difficulty has been with the municipalities in the state.

So far as our interstate problems are concerned, we have been getting along very well with Pennsylvania and New York, but the differences of taxing methods between New Jersey, Pennsylvania and New York have caused some confusion to our citizens. I believe that confusion is caused by individual interest.

We have a proposal for a sales tax and an income tax. In discussions on this, selfishness steps in and people always make the excuse that Pennsylvania or New York is doing certain things which are conflicting with their interest. We realize, in New

Jersey, that there should be some plan for interstate harmony, probably mapped out by this organization. It is doing a fine job and I am sure this Association is going to accomplish a great deal.

I bring you the greetings of New Jersey. We are very proud of our membership in this organization and we feel, by becoming members of this organization, that we will reap great benefits from it, and I hope that we may contribute a little bit to its success.

CHAIRMAN MORRISSETT: New York.

HON. JOHN P. HENNESSEY: The causes which have resulted in this assemblage and the subject matter which we have under discussion may perhaps serve to emphasize somewhat the weakness of our dual system of government but we do not believe that the difficulties which have been presented by the various speakers, to whom we have been privileged to listen here today, are insurmountable. We believe that an assemblage such as this, representing the numerous conflicting interests involved in the great problem which we have under consideration—the problem which I regard as one of the most important governmental problems which can engage the attention of any assemblage of governmental officials—can be of benefit.

Voicing the collective opinion of the delegation from the state of New York, which is one of the largest if not the largest delegation represented in this Assembly, I desire to say that this delegation approves the recommendations of this Commission, and the resolutions attached thereto, designed to carry into effect those recommendations.

CHAIRMAN MORRISSETT: Ohio.

HON. J. FREER BITTINGER: I wish to state that the members of the Ohio delegation are at this Assembly by a joint resolution: five members represent the House of Representatives; five members, the Senate; and one has been commissioned by the Governor. I happen to be the representative of the Governor. I bring to this convention the greetings of the General Assembly of Ohio and the greeting of the Governor of the state, the Honorable Martin L. Davey.

I shall ask a member of the House who is Chairman of the Tax Committee to present our situation to you. Mr. Ward!

HON. P. E. WARD: In the talks thus far,

something has been said of the service performed and the result of the service performed as the necessity for taxation. I feel that the general public does not understand that taxes are a payment for services and if there could be a greater movement to educate the public as to what they get for the tax money they pay, there would not be as much antipathy as there is today. The service idea is comparatively new and our hereditary antipathy to tax paying dates back to conditions that existed long before our day.

We have a great deal of complaint over the sales tax from the standpoint of those people who live near state boundaries or in those areas where merchants feel they are being placed in unfair competition with the mail-order houses. I have prepared a resolution which was passed by the Ohio House of Representatives, asking the federal congress to act in order that we may meet that situation. All the states around us, except one, have a sales tax, and Illinois has a sales tax, yet mail-orders escape the tax both in the state from which the goods are purchased and in the states wherein the purchaser lives.

I feel that the proper solution of the sales tax situation is the passage, by the federal government, of a sales tax and the allocation of some part of that money back to the states. I also feel it is only just to ask the federal government to return something in the way of a credit to the states against the federal income tax.

CHAIRMAN MORRISSETT: Pennsylvania.

SENATOR GEORGE WOODWARD: Greetings from the rock-ribbed commonwealth of triumphant democracy, Pennsylvania. It certainly is a high honor for a Republican survivor of the November election to be chosen to represent, in this august assembly, the commonwealth of Pennsylvania.

We have to raise, in Pennsylvania, in addition to the ordinary budget, \$203,000,000. The Democratic Governor called in the wise men and they submitted to him every form of tax known to human ingenuity, from which he selected twenty-two new taxes. The Republican program in contradiction is very feeble, the Republicans advocate only three new taxes. I am supporting the Democratic program. I think any Republican of good judgment

ought to do so in Pennsylvania in the sincere hope that twenty-two new taxes will dislodge the Democratic administration.

CHAIRMAN MORRISSETT: South Carolina.

HON. R. BEVERLEY HERBERT: My delegation has asked me to say that South Carolina and her representatives are in agreement on this matter of conflicting taxation in our wish to iron it out somewhat along the lines expressed by the very able representative of the state of Massachusetts. In other words, South Carolina is now in complete accord with that good state and we can proceed shoulder to shoulder and arm in arm.

South Carolina has almost the widest aggregation of what might be termed selective sales taxes and revenue raising taxes of any state in the Union. We are in constant fear that the federal government may encroach on our preserves in one way or another and deprive us of some of the revenue which we are now raising.

Accordingly, we believe the federal government should be restrained from interfering in the taxes which we are collecting and should follow the line of taxation on which it has heretofore subsisted.

CHAIRMAN MORRISSETT: Tennessee.

SENATOR ANDREW J. GRAVES: There are many things that are conflicting and I don't know just what the solution is but I do believe that this organization is doing more than any other organization in the United States to bring about an understanding in the various states, and I believe in a few years that the people of every state in the Union will recognize this organization and that they will appropriate money to bear its expense.

CHAIRMAN MORRISSETT: Texas.

SENATOR BEN G. ONEAL: I probably can be excused for being rather a states' rights advocate when it comes to taxes or any other matter, since I come from a state which, for nine years, was an independent republic to which the United States of America sent a resident minister. It is a state in which the federal government never owned a foot of land except when permitted by legislative enactment. I view the maintenance of the states' independence, the maintenance of a government free from federal interference, except what is specifically granted under the constitution, as

the best for the people not only of Texas but of all the states.

My own legislature has approved the establishment of the Interstate Commission on Conflicting Taxation by the First Assembly and has already approved part of the work of this Commission. Our Governor recently attended a meeting of the oil states' governors and their representatives in Dallas. There the oil states entered into a compact which must be ratified by the states and approved by Congress. In entering into this compact, the Governor of Texas has put into practice one of the recommendations of our Association. Interstate compacts are a means whereby states may settle among themselves those things upon which states should agree instead of looking to Washington for assistance.

These two illustrations will serve to show that the state of Texas is behind the work which the Interstate Assembly has started, as well as the work of the Interstate Commission on Conflicting Taxation.

CHAIRMAN MORRISSETT: Vermont.

HON. CONSUELO NORTHRUP: My colleagues and I are here representing our newly elected governor, Charles M. Smith.

During this session of the legislature that is drawing to a close, the legislators are trying to raise some taxes. Until four years ago we never had an income tax in the state of Vermont. It so happened that in 1931 I had the pleasure of being the third woman to sit in the Vermont Senate, and at that time we put into effect an income tax. The people of Vermont are in favor of a sales tax. We are in favor of getting away from coming to Uncle Sam for everything. As we were an independent nation for fourteen years before we were admitted to the Union, we got into the habit of liking to stand on our own feet. Vermont was one of the few states, if not the only state in the Union, that did not have a bank failure. The depression crept upon us very slowly and it will probably leave us very slowly.

It is a pleasure to be here, although we have come more to absorb than to act, and we will make as intelligent a report as we can to the House and Senate and to Governor Smith. We hope you will come, as soon as you can, to the glorious Green Mountain State.

CHAIRMAN MORRISSETT: Virginia.

HON. J. SINCLAIR BROWN: Our delegation had elected Mr. C. H. Morrissett, State Tax Commissioner of Virginia, to speak for us, but inasmuch as he is presiding we are going to ask Senator Wickham to speak for us.

SENATOR HENRY T. WICKHAM: I am commissioned by our delegation and by the Governor of Virginia to extend a most hearty greeting to this splendid assembly and to express to you how deeply we are interested in your work. We, like the lady from Vermont, feel that we absorb a great deal more than we can give to this Assembly. We feel that we are not here to commit ourselves to any line of action; that our function is to report to our governor and to our legislature and let them decide the questions for themselves, always desiring to be as a harmonious and as cooperative as our necessities will permit.

CHAIRMAN MORRISSETT: West Virginia.

SENATOR ALBERT G. MATHEWS: I doubt the advisability of the states' going into the taxation of tobacco. We have to leave a certain field to the federal government and a certain field to the state governments, and I believe that this Assembly is doing a great work when it can separate these things. An understanding between the federal government and the state governments is possible only through an organization of this kind. The federal government cannot deal with each state separately.

When we tried to pass the sales tax in West Virginia, one of the arguments was that the merchants who lived on the Ohio River and the Maryland border would be damaged. One of our members, who had a large department store, said all his customers would run over into Maryland and buy goods there. He thought he was ruined. But judging from the best information we can get, nobody was seriously hurt. The people who are affected most are the automobile sales people. If a man can buy an automobile at a saving of \$20 he will go across the line to buy it. So we placed in our sales tax act a provision that anyone who bought an automobile out of the state must, before he gets a license in West Virginia, pay this sales tax. It worked all right until some fellow went into court with it and the court said it was unconstitutional.

CHAIRMAN MORRISSETT: Wisconsin.

HONORABLE ALVIN C. REIS: I appreciate the work of this organization. My work is now in the public utility field. Some of us, representing the states, view with some alarm the evident contemplated encroachments of the federal government into the states' powers over utility regulation. I have always maintained the same perspective as a member of this organization in the realm of taxation. I think it needs no reiteration here to ask you to hold your own flags high in laying out a definite demarcation beyond which the federal government should not go in the matter of taxation.

CHAIRMAN MORRISSETT: Wyoming.

HON. LESLIE A. MILLER: I agree with what has been said here with regard to the diversion of gasoline taxes. I think the gasoline tax should be confined to the building and maintenance of roads. In this matter of conflicting taxation, I do think that eventually we are going to confine sales taxation largely to taxation at the source. I will try to illustrate just what I mean by this. It is generally recognized that the most efficient tax is the cigarette tax that is levied by the federal government. The liquor tax is an effective tax because it is efficiently administered by the federal government. Both are levied at the source.

In the matter of gasoline, I have for some time thought that it would perhaps be wise if the federal government levied a uniform tax on gasoline and then distributed the taxes on gasoline by some agreed formula to the states. All of you know there has been a great deal of evasion of the gasoline taxes. If the tax could be collected at the source like the cigarette tax, and then some formula of distribution devised whereby the states would receive the tax on the gasoline sold or consumed in those states, I think we could get a great deal more revenue in some of the states than we are now receiving.

The federal government should confine its tax collecting activities to certain fields and leave other fields to the state. There should not be any conflicting fields of taxation between the federal government and the states. If the federal government finds that through its internal revenue laws it can collect considerable sums from income

taxes, I believe it should remain outside of the sales tax field and leave that field to the states.

Uniform taxation is desirable just as uniform criminal laws are desirable, in my opinion, and the more uniformity we can achieve, the more economy we are going to make possible in the state governments. So if this Assembly can create a sentiment directed toward securing uniformity of tax legislation in those fields in which the states tax, I think it would be very helpful indeed.

CHAIRMAN MORRISSETT: Is there any other state now desiring to be recognized? If you desire to be heard now I am sure the Assembly would be glad to hear from you. Minnesota.

SENATOR J. V. WEBER: Minnesota has memorialized Congress to stop levying the one cent gasoline tax. We in Minnesota feel, as many of you do, that the federal government is usurping the rights of our state government. We feel that in the present relief set-up we are being placed at a very great disadvantage. In this session of the legislature we are going to appropriate \$2,000,000 to the farmers of our state for the purchase of seed. As you know, Minnesota was extremely stricken by the drought. Mr. Hopkins notified us that although he required a \$10,000,000 levy from the State of Minnesota for relief purposes, we would not be given credit for the \$2,000,000 for seed relief or \$1,000,000 for feed relief, which the state appropriated, and I might say I am down here as much as anything to find out if we can't iron out that problem.

Minnesota is not in very good shape and we of this delegation would be delighted if this organization can devise some means of ironing out the conflicts in taxation and of securing revenues without placing more burdens on the taxpayer.

SENATOR WOODWARD (Pennsylvania): Is it in order to offer a resolution at this time? I will read the final paragraph, omitting the preamble.

RESOLVED, That this Interstate Assembly, representing forty-eight states, deplors the growing volume of tax exemptions, including:

(a) Federal bond issues and public salaries exempt from state and local taxation,

both as to income produced and as to capital volume under the property tax,

(b) State bond issues and public salaries exempt from federal taxation, both as to income produced and as to capital value under the property tax; and

(c) Securities of governmental units at all levels exempt, both as to income produced and as to capital value under the property tax; and be it further

RESOLVED, That we believe that these tax

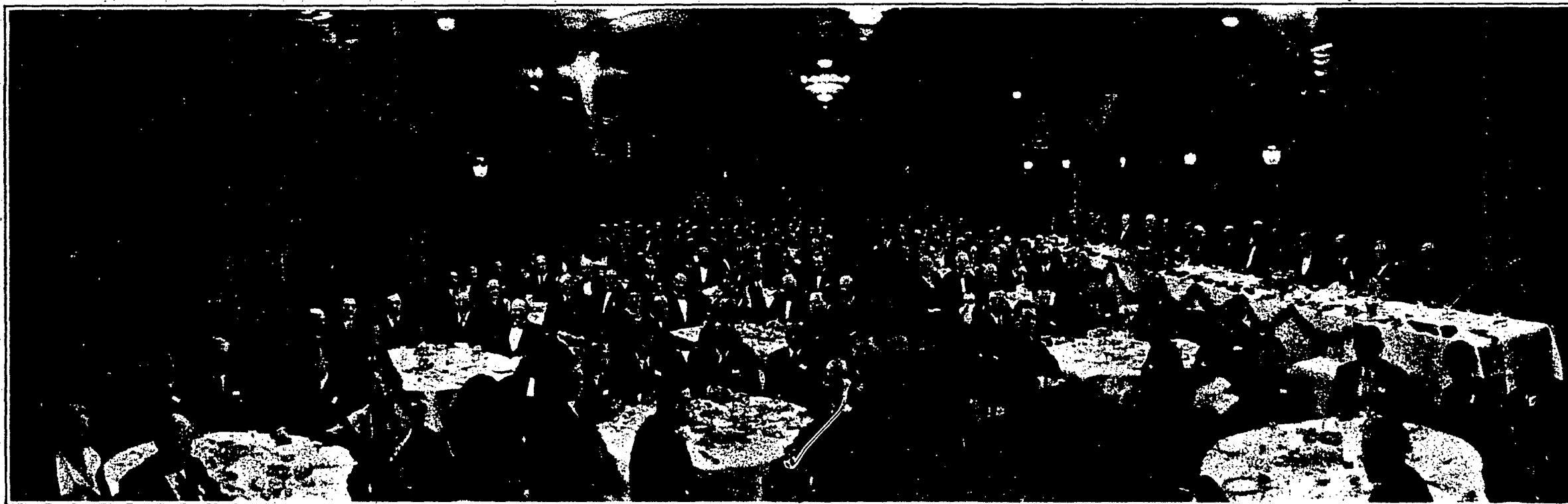
exemptions should be removed to promote the use of money in industry rather than to provide an inert refuge for moneyed capital.

CHAIRMAN MORRISSETT: The resolution will be referred to the Committee on Resolutions and Procedure.

Announcements

CHAIRMAN MORRISSETT: The meeting is adjourned.

The meeting adjourned at 5:35 p.m.



COFFEE AND CIGARS

The genial atmosphere of coffee and cigars, which filled the Mayflower Ballroom after the Thursday evening dinner of the Second Interstate Assembly, was well suited to the theme of friendly cooperation between the states.

The speakers—Governors Pollard, Winant, and Miller—as chief executives in New England, the South, and the far West, have faced the problems of interstate conflict. Thus it was with vigor and conviction that they urged a program of uniformity and harmony.

Thursday Evening Session

February 28, 1935.

THE meeting was called to order at 8:40 p.m. by the Toastmaster, Honorable John Garland Pollard, former Governor of Virginia.

TOASTMASTER POLLARD: This is a serious occasion but we have not yet come to the serious part of the program. In fact, I can not believe that my friends are going to allow me to be serious because, as I came into the hall, I met two old acquaintances who reminded me of something foolish I had said years ago. The first gentleman who met me was my friend Franklin Edmonds of Philadelphia, with whom I served in welfare work in France during the World War. He reminded me that, on one occasion, I was addressing a body of American volunteers soon after I had left my home in Virginia, and I said, "Boys, I have just come from Virginia and I know that many of you are from that dear old state; I want you to stand up and give me the privilege of looking in your face. All from Virginia will please rise."

No one arose. I grew eloquent and said, "I know that among the 500 volunteers now before me, old Virginia, the mother of states and of statesmen, must be represented. Boys, stand up for your state."

There followed a long, embarrassing pause. Finally a boy stood up and said, "Mr. Pollard, there were two Virginians in this battalion but both of them are in the guard house."

Now the other friend who recalled to my mind something that I ought not to have said on so solemn an occasion, reminded me that we were both at the White House together, having been called there as governors to confer with the President. What he wanted with us I didn't know, but the governor who sits here to my left says that I made this remark to him at the White House. I was illustrating the filial loyalty of the children of a man who died at one of our seaside resorts. Desiring

to show their respect for their father, they erected a tombstone on which these words were written:

"Ma loved Pa,
Pa loved women,
Ma caught Pa with two
in swimmin',
Here lies Pa."

And so you see, these two friends have diverted my mind from the serious problems before us.

I am seated here between two governors, one a Republican and the other a Democrat, and I have to be quite impartial. I remember hearing, once, of two politicians riding home from the funeral of another politician and one said to the other, "Where do you think our departed friend has gone? Has he gone to heaven or to hell?"

The other politician said, "Oh, don't ask me. I have friends in both places."

And so I hope I have some Republican friends left, although it is not a very good crowd to draw from.

The first speaker, Governor Miller, is a Democrat from the West. He has the distinction of being governor of a state that now has the first legislature, Democratic in both branches, since the existence of the state, and he is the first Democratic governor ever to be reelected. The papers say that the senators and congressmen from these western states have formed a bloc and they are going to demand from the President that the western states get more patronage. They think that they haven't received their share. They want more. They are, it may be truthfully said, loyal political adherents to the President of the United States. A political adherent is a man who hasn't yet been given all he wants.

I always thought that Al Smith was very much slandered when someone told this story about him. They asked him, during his campaign for president, "Mr. Smith,

how many states west of the Mississippi River are you going to carry?"

Mr. Smith replied, "Well, I don't know. What states are there out there?"

Well, Wyoming is one of the states, and it has a governor whose ancestors came from my state. I knew from the first time I met Governor Miller that he was a great man. I didn't exactly understand why it was, but I found out later that he came from Virginia. You know we Virginians are great historians and the rest of you would be historians too, if you were Virginians, because we start out on our historical research with the absolute assurance that if a thing is really good, or if a man is really great, its or his origin is in Virginia. But our friend, the governor who is about to speak to you, is not looking backward to ancestry, he is looking forward to posterity.

Governor Miller is to address us on the subject of *Coöperation Among the Western States*. I suppose, of course, he refers to the movement now on foot to see that the West gets her share of the appointments. There are some others who are also interested in the patronage which the President has to bestow, and therefore we are more than glad to hear you tell about the coöperation in the western states. Governor Miller!

ADDRESS BY GOVERNOR LESLIE A. MILLER

Before I enter on my subject I want to refer to something which Governor Pollard said about men in politics. I have a brother Governor in a state which adjoins us, on the west, who tells this story about an early incident of his career. When he was a boy his folks discussed at length what his future should be and his father devised a test which he said would give certain indication as to what might be expected from him in the future. The test was this: He put the boy in a room in which he had placed on a table, a Bible, an apple, and a bottle of whiskey. Then he told the mother that he was going to watch him through a window, unknown, of course, to the boy. If the boy took the Bible and read it, he unquestionably would be a preacher; if he took the apple, he would probably be an agriculturist; if he took the bottle of whiskey, he would probably be a saloon keeper. Watching closely he saw

the boy take up the Bible and put it under his arm, take the bottle of whiskey and put it in his pocket, take the apple and start eating it, and head for the door. The father exclaimed: "My God! He's going to be a politician."

I was assigned the subject of "*Coöperation Among the Western States*." I am going to take the liberty of talking on the proposition of the coöperation which *should exist* among the western states. Perhaps that will be more to the point, for although the very friendliest kind of a spirit does exist, actual coöperation among these states has been sadly lacking.

Western Frontier

Eastern people have little knowledge of the very great changes in the western states—unless they have had the opportunity to travel through and study conditions in this section recently.

Until just a few years ago there was an opportunity for every man who became dissatisfied with his situation to seek out and establish a new home in the frontiers of the west. So the west grew up through the settlement of lands under the Homestead Acts of this country. Now there are no new frontiers for dissatisfied people to occupy. The west has become like the east,—a country in which we must learn to live with our neighbors. We have come to the place where we must learn to get along with ourselves, and so we have arrived at a period where coöperation between the western states is a very vital necessity.

Land Irrigation

May I illustrate by dwelling for just a moment upon the existing situation in regard to the irrigation of land in the west? Those of you who are familiar with conditions out there know that in land irrigation lies the very life of those states, and most large streams are, of course, interstate. The laws of priority with regard to the application of water for beneficial use upon the lands are very much alike in all the western states. The laws of priority established the fact that the earliest date of beneficial application of water is the date which establishes a man's right to the controlled use of that water. There have been great conflicts between states as to the use of the waters

of interstate streams, and long and tedious lawsuits have been carried to the Supreme Court of the United States. A lawsuit involving the use of the waters of the Arkansas River, which has its origin in Colorado and runs down through Kansas into Arkansas, occupied the attention of the courts for years and years. It was one of the things which grew out of a lack of co-operation on the part of the western states in the early stages of their development.

The state of Nebraska has recently entered a suit against the state of Wyoming regarding priority in the use of the waters of the North Platte River, arising in Colorado, running through Wyoming and into Nebraska. On the 11th of March we begin the initial arguments in the United States Supreme Court in a law suit which may be in the courts for many years.

Well, these lawsuits, growing out of the lack of co-operation between the states over the waters of interstate streams, are but one evidence of what can happen through a lack of co-operation. In recent years, legislatures have given certain officials of their states the right to negotiate compacts between the states regarding these streams. Most of us recall that before the building of Boulder Dam was authorized by Congress, the states included in the watershed of the Colorado River were advised to enter into an interstate compact. Representatives of the seven states concerned met and agreed to a compact which was afterwards ratified by six of the compacting states. One of the seven, Arizona, has never agreed to that compact, and has tried to void it in the Supreme Court, unsuccessfully up to this time. The four upper basin states still have to frame an auxiliary compact to divide the waters allocated to them for their purposes. Since reclamation is the very life of many of the agricultural communities of the West, it is extremely vital to the economic welfare of the western part of the country that these compacts be arranged.

Public Lands

Another phase of this new situation which confronts the western part of the country today is the result of an act of Congress passed less than a year ago, known as the Taylor Grazing Act. It was intended to

affect all the unappropriated public land of the western part of this country. My friend from Massachusetts and his colleagues in their legislature are not called upon to deal with the problem of public lands, nor is any other state of the east. Outside of forest reservations there is practically no public land in the east, but out in the western country a great part of some of the states is still unappropriated public land. You will understand the magnitude of the problem when I tell you that the unappropriated public lands of the western states comprise an acreage of almost four and a half times the total area of all of the New England states.

Under the provisions of the Taylor Act, as the Interior Department proposes to amend it, the 173,000,000 acres of unappropriated public lands in the west are to be used for conservation purposes. With your permission I would like to dwell for just a moment upon the effect that policy will have upon the progress of our western country.

Heretofore, under the homestead laws, any citizen was eligible to receive a grant of land from the federal government. It is now proposed to withdraw from all forms of entry the entire remaining 173,000,000 acres of land and to void the homestead laws under which the country, west of the Mississippi River, was developed. When the western states were admitted to the Union, Congress, realizing that great areas of the public lands were not fitted for settlement and would remain publicly owned, granted these states, upon admission to the Union, great acreages of land for the support of public institutions. Lands were granted for that purpose because it was recognized the states would never secure tax revenue from land not privately owned. The states could lease the lands, for grazing purposes, and use the rentals in the support of their public institutions. Lands leased for this purpose have been a source of considerable revenue to many of the western states.

There is a great distinction between the use of lands for conservation purposes as opposed to use for revenue purposes. If the federal government takes over, for conservation purposes, all of the remaining public lands, the western part of the United States faces a very great change in develop-

ment and policies. There arises, then, a necessity for coöperation among the western states, a necessity for coöperation in matters not of concern to the states in the eastern part of the country.

Need for Coöperation

Many of you gentlemen here are occupying places in Congress, and others of you are potential candidates for such positions, since we find that the legislatures of the various states are breeding grounds of the germ which inoculates individuals with the desire to serve the states in greater capacities. So I would like to plead with you for an understanding of the problems of the west, an understanding of the need for coöperation between these states and between the east and the west. This change in the method of developing the western part of the United States is something to which all the country should give heed, because we have passed the time when there is a new frontier to which dissatisfied people may move.

We need coöperation between the states in this matter of a change in policy; we need coöperation between the states in the matter of taxes. In the deliberations of this Assembly this afternoon, much was said about the different forms of taxation existing in the several states, and I had a few words to say myself as to what I conceive to be the desirability of uniformity in taxation.

I hope that this Assembly will continue to grow in importance. I think that Mr. Toll, who has been the guiding genius behind the organization, is rendering a real service to the several states and to the nation. I compliment him upon his industry and his ingenuity, and conclude by saying that I wish the Assembly many years of usefulness.

TOASTMASTER POLLARD: I see among our guests tonight a number of our representatives in the Congress of the United States. I hasten to try to make them happy by assuring them that I will not call on them to make speeches, but I want them to know that we are very grateful for their presence here tonight.

The next and last speaker I have referred to is a Republican. I do not hold that against him, he can't help it, he was born

that way in New Hampshire, but I can't bring myself to the position of pitying Republicans. I think that we Democrats ought to be very careful of how we pity the Republicans, because things are brightening very much for them in these last few days since the Republicans in the United States Senate have decided to follow Huey Long. They have become political bedfellows of the Senator from Louisiana. Now Governor Winant, political bedfellows are those who like the same bunk and I think that the ray of hope that has been given the Republicans in the last few days ought to cause us Democrats to stop and think.

The gentleman who is about to address you is a scholar in politics. Someone has said that we can do very little worth while in the science of politics unless we have first mastered the art of getting elected. The gentleman who is to address us is not only a profound student of political questions, but he has mastered the art of getting elected. He has been elected governor of his state twice, and many times he has been elected to the legislative body of the state.

I think it was William Allen White who said, "Whenever you find a man with a gentle, ingratiating voice and an easy flow of innocuous language, unimpeded by pestiferous ideas, then you find a man that God sent into politics." If that be so, who sent Governor Winant into politics? It is certainly no description of him because he is interested, in a broad, non-partisan way, in the very serious problems which confront this nation and all of the states composing it. I take pleasure in introducing the former Governor of New Hampshire, John G. Winant.

ADDRESS BY GOVERNOR JOHN G. WINANT

What I have to say this evening is largely by way of introduction and suggestion to some of the things that we have come here to discuss. If my speech had a title, it might be, "The Mechanics of Government."

The Governor of Wyoming suggested that the dissatisfied citizens of the east had made their way years ago toward the frontier. I have a feeling that some of our dissatisfied citizens in the east are still with us. Speaking seriously, we might all

of us take as a motto, a phrase that a friend of mine used to repeat over and over again—"Never dissatisfied but forever unsatisfied." Certainly that is an intelligent attitude to take toward government. We have spent most of our energies during the last fifty or a hundred years developing a great continent, and too few of us have spent much time attempting to make progress in the mechanics of government.

Governmental Units

Counting the federal government, the states, the counties and the local governments, there are approximately 175,000 different units of government within the United States today. There are over three and a quarter million men and women who work for the federal government, for the state governments, and for local governments.

I think of a small town outside of New York which has a variety of taxing jurisdictions. When efforts were made to coordinate these different taxing areas, one of the first things the investigators did was to attempt to find out what the debt was. They found that the city had borrowed up to 75 per cent of its total taxable value. Even the people who owned mortgages had questionable assets, and those who owned property free of taxation had only a fraction of what they thought were assets.

And so it would be helpful if we tried to spend some time in simplifying government. We know what our national debt is, we can find out what our state debt is, but I don't think that there has ever been any accurate compilation of local debt. In this country I don't believe we know the combined total national debt.

Coördination and Coöperation

It has seemed to me that we might attempt to develop greater coördination and cooperation between the federal government, the state governments and local governments, and it has occurred to some of us that it might be possible to make contacts between the different states of the Union more valuable. It has been said that it is easier for the federal government to deal with the government of China than it is for a state of the United States to deal with another state. So some of us

feel that if each house of each legislature in the several states would establish permanent committees on interstate coöperation, it might be helpful. We have also felt that it might be of benefit to set up regional secretariats to aid the states within the different regions of the country to cooperate with one another.

I am thinking, now, in terms of New England, because I am more familiar with it than with other sections of the country. We started, at Poland Springs during a Governors' Conference some ten years ago, what has been known as the New England Council. It was primarily established as an economic unit, but it has also done a great deal to stimulate governmental cooperation between the states of New England. Through that organization, which is supported by voluntary contributions, the governors of the New England States are called together frequently to discuss New England problems. In my three terms as governor, six months never passed without a meeting of the New England governors on some problem which affected the people of the entire region.

It was through this organization that we asked the State Commissioners of Health to meet for the first time. It would seem natural to have frequent meetings of those in charge of health in a closely knit community such as New England. Today most of the civilized nations of the world discuss their health problems together. Yet until this organization was formed, the Commissioners of Health of the several New England States had never met.

The same thing was true of the Commissioners of Agriculture. In New England, we found that we had failed to establish standards for agricultural commodities, and that commodities from other sections of the country, and even from abroad, were displacing our own products. So we asked the Commissioners of Agriculture of the New England States to meet. They did so and set up a legislative program which was unanimously adopted at the next session of the legislatures. As a result of that legislation, the distribution and the consumption of the staple products of New England have been greatly increased.

Through Senator Parkman and the Governor of Massachusetts we were able

to establish a commission in each of the New England States, and also in Pennsylvania, New Jersey and New York, to discuss labor problems. Looking forward to action, under the compact theory, those commissions have unanimously recommended a minimum wage law in the states which I have named.

We have a milk problem in New England which affects more than a single state and might be settled on the basis of co-operation, perhaps by a compact between the states. More than 90 per cent of the milk consumed in the Boston area comes from Vermont, New Hampshire and Maine. An interstate arrangement is imperative if we are to stabilize the milk market in the area.

The oil problem is another interstate difficulty. Transportation problems often involve coöperation between states. We spent seven years trying to work out a coöperative transportation program for New England. Had it not been for this business organization we call the New England Council, the problem would never have been approached on a regional basis.

So if you could have a regional secretary who would call together the governors of a section or the representatives from a section, their work would be greatly facilitated. It would also be equally valuable to call together the heads of governmental departments.

There are many things on which all the states might coöperate. If we are intelligently to take the load off a centralized government we will have to enable states to handle business which affects them regionally, or as a whole, more efficiently than it is handled today. People turn to the federal government for action because they fail to get action by state coöperation.

Governmental Administration

The question of administration is another one which puzzled us. I have a feeling that we are going to turn from what we might term parallel administration to a perpendicular form of administration. We very often think about the federal government encroaching upon the state government and the state government encroaching upon local governments. Yet, you and I—individually—are citizens of the federal

government, citizens of the state government, and citizens of our local governments. There can be no reasonable quarrel within ourselves as to whether we are representing, at any given moment, the federal government or the state government or the local government. We owe loyalty to all three, and we expect the rights and privileges that belong to us as citizens of each and of all.

But we have not thought about the problem of making an intelligent adjustment between the functions of the federal government and the state government and the local government. It is as if we expect men who labored over these difficulties more than a century ago, to set up a form of government which, without any effort on our part, will meet all the changed conditions of modern life. It is not so, for we must use our own imagination and initiative if we are to bring up to date these governments which were set up simply to protect the individual and community life.

There have been attempts to coordinate these governments. Take the county agent, as an example. I am sure he is familiar to any of you who live in rural areas. He is the paid agent of the federal government, the state government and the county government. In all the counties where I have known the county agent he has been an efficient officer. When the federal government found it necessary to make substantial loans to individuals, they were usually forced to set up an emergency administration. In the field of agriculture, that was not necessary since the government made use of the county agent. He was accustomed to work for the federal government, the state government, and the county government. If you will study the efficiency of the making of these loans by the county agent, and loans made through other agencies, I believe you will see the effectiveness of that form of agency. We usually appoint a man to do a job for the federal government, and another man to do the same kind of a job for the state government, and then a third man to do a similar job for the county or other local government. Frequently, we have hired three or four people to do a job that might be more efficiently and effectively accomplished by a single agent.

The questions involved in taxation are similar. A generally accepted theory is that taxes should be levied on a basis of capacity to pay. Take, for example, the graduated income tax, which is levied by the federal government and by some state governments. One of our largest urban communities is levying a tax of fifteen per cent of the tax levied by the federal government to be collected by the city. There can be no honest measure of capacity to pay when taxing jurisdictions pile one upon another in this fashion.

It would be a perfectly simple matter to have the federal government levy a tax which might be distributed to states and local governments. Thus you would at least get an honest effort to measure capacity to pay. As the Governor of Wyoming suggested, there are fields of taxation which rightly belong to the federal government and might properly be limited to federal jurisdiction, and there are other fields of taxation which might be left to states and still others to local governments.

This is not an interesting subject, but rather a complicated subject. It is not concerned with what we call issues; but it has to do with the mechanics of government. Largely because it has been an uninteresting subject, few people have spent time in trying to solve it. But I want to say to you that if representative government—by the people—ever fails, it will be because that government has not efficiently reacted to the wants of the people. There is nothing more dangerous in a great democracy than a clumsy, incompetent governmental machine. If you want to hand over more than debt to posterity, if you want to turn over to those that come after us all the priceless heritage left to us by our fathers, if you are an American—genuinely interested in these matters—you will do something about this problem of coördination and coöperation, this problem of the mechanics of government.

TOASTMASTER POLLARD: The meeting stands adjourned.

The meeting adjourned at 9:45 P.M.

Friday Morning Session

March 1, 1935.

THE meeting was called to order at ten o'clock by Speaker Belknap.

SPEAKER BELKNAP: The meeting will please come to order. Gentlemen, two years ago we made the start on this fight for a meeting of the legislators of the nation. At that time those of us who were struggling with the problem found that we were a little too exclusive. We were limiting the thing too much to legislators. We found, as you find in your own legislatures, that cooperation of the governors and the tax commissioners and the highway commissioners and the auditors and the treasurers, was essential. If we were going to function properly we were going to have to ask these gentlemen to join us in our efforts to better the machinery of cooperation in state legislation.

It is, therefore, with great pleasure that we find a number of this type of man with us today.

We have, as presiding officer this morning, one of these men whom we all honor. I refer to the Governor of Wyoming, Leslie A. Miller, whom many of you heard last night, and who is going to preside at this morning's session. I introduce Governor Miller.

CHAIRMAN MILLER: When the name of the State of South Dakota was called in the course of reading the roll of the states it reminded me of a very interesting development in the tax situation out there. Out in the Black Hills of South Dakota is the great gold development of the Homestake Mining Company. South Dakota, essentially an agricultural state and hard hit by the drought, has devised a system to let the Homestake Mining Company pay all the taxes in the state of South Dakota. A bill has been introduced before the legislature of South Dakota calling for a 10 per cent tax on the gross output of gold ore. A 10 per cent tax on the output of gold would provide a great revenue for the state

of South Dakota, but the Black Hills country so resents this effort to saddle the burden of taxation on one county that they are asking Wyoming to help them secede from South Dakota. They want to come over and join Wyoming. Wyoming would like very much to have the Black Hills country within her confines, and if you gentlemen have an opportunity to put in a word for Wyoming we will appreciate it.

When the meeting adjourned yesterday afternoon, we had completed the roll call of the states and had heard the various representatives give their views on conflicting taxation. There are a few states represented here today who did not answer the roll call yesterday, and before beginning the regular program we are going to give them a chance to express their views.

I now call on the delegation from Illinois.

HON. SIMEON E. LELAND: I would like to rise first to come to the aid of the state of Wyoming. Conflicts in taxation will certainly not end until our political jurisdictions are coextensive with the areas of economic life and the areas of our economic interest in trade.

A large proportion of these conflicts, it seems to me—and now I am speaking entirely for myself, and I don't know whether anyone else in Illinois shares these views or not—are simply matters of psychology rather than matters of economic concern. The whole problem of conflicting taxation is simply a problem in differential rates, and the economic effects produced by those rates. More especially, the problem is one of conflicts in notions of taxation rather than conflicts in jurisdiction, and those conflicts exist not merely between the states but within the states. The states neither have a solid foundation, theoretical or otherwise, upon which they base their revenue systems, nor are they advanced much farther in thought than that taxes are imposed upon things and are paid by things.

They are mindful neither of the amount of the levy nor of the fact that the levies ultimately rest upon the people other than those who pay them. The whole conflict between the debtor and creditor states, for example, rests entirely upon a misconception of that fact, the result of which is that when forms are reached in the debtor states the effect of that simply is to increase the tax burdens upon the states which impose the taxes.

It is only, then, when we understand the fundamental principles behind these taxation conflicts that we are in a position to do anything about them. We have to learn, first of all, that taxes are ultimately paid only from two sources, either from wealth or income, and that on those sources all taxes ultimately rest. The sooner we get to a point where we have the courage to impose taxes directly upon those bases and in relation to personal capacity, the sooner will we minimize the conflicts and develop a fiscal system which ultimately rests upon them.

This, of course, is the difficulty with the philosophy of separation. The separation of sources of revenue theory first of all doesn't separate, and it is only as we begin to integrate, through one scheme or another, the entire tax system that we can relate to these the fundamental principles that ought to control and guide us, and until we do that it seems to me we are in no position really to approach the problem.

CHAIRMAN MILLER: We will now ask Rhode Island to present its case.

HON. EDWARD L. LEAHY: The message which I bring from Rhode Island this morning is that we want to cooperate with the other states. As I view it, that is the underlying spirit of this conference, the development of a spirit of cooperation. In the past we haven't realized the necessity for it. We do realize it now, and we realize it in Rhode Island notwithstanding the fact that we do not have those conflicts which some of the other states have.

CHAIRMAN MILLER: We will next hear from Colorado.

LIEUTENANT GOVERNOR RAY H. TALBOT: Governor Miller of Wyoming is the presiding officer of the morning for this Assembly. It has been my pleasure, on a number of occasions, to be the chairman

of interstate meetings of various sorts in Colorado, when he visited us. We in the West have no boundary lines. On many occasions when Governor Miller was with us I almost introduced him as the Governor of both Colorado and Wyoming. We have the friendliest feeling with our sister states and bordering states.

I know that the states differ on many of the tax problems we are going to discuss, but I personally feel, and I know Colorado believes, that the American Legislators' Association is going to help to eliminate the imaginary boundaries so conducive to the friction that now exists and bring about harmony not only within state borders but between the political subdivisions of the many states in the Union.

CHAIRMAN MILLER: The gentleman from North Carolina is recognized.

HON. P. W. MEEKINS: Two years ago we enacted a 3 per cent retail sales tax in our state. To my mind that is the principal conflict we have in taxation there today. We find, particularly in the border counties, that a good many of our citizens are going over into Kentucky, Tennessee and South Carolina and making purchases in those states—to avoid the tax. Naturally we are losing a great amount of revenue in North Carolina by reason of the sales tax. We are also losing revenue by reason of the bootlegging of liquor into our state.

CHAIRMAN MILLER: We shall now proceed with the program for the morning.

The national congress is very much interested, of course, in the problem of taxation, bearing, as it does, the very great burden of providing the immense revenues government requires under existing conditions. I think we are very fortunate in having with us here a member of the Ways and Means Committee of the House of Representatives, who is Chairman of the Subcommittee on Double Taxation. I am glad at this time to introduce Representative Fred M. Vinson of Kentucky.

ADDRESS BY FRED M. VINSON

It was my pleasure to speak to the First Interstate Assembly, which convened here in Washington two years ago. It is a genuine pleasure for me to be with you today. Your work is a necessary one. We have had taxes with us from the year one.

But so complex is our civilization that for some reason people have not striven to alleviate the burden that comes to us from these conflicts. We have been told that there are 175,000 different governmental units in this country. When you visualize that condition it seems as if the struggle to iron out the difficulties may be insuperable. But I do not think so.

In the seventy-second congress, some of us had the notion that we ought to take a step in the direction of either lightening the burdens of taxation or perhaps, in some way, removing the burdens due to conflicting taxation.

The Ways and Means Committee of the House has a subcommittee that devotes its time to the study of conflicts in taxation. I am proud to be the chairman of that subcommittee,—in a way the liaison officer, or the contact man, for the Ways and Means Committee. We have, as chairman of that committee, one of America's most splendid gentlemen. You will be pleased to hear him speak today. If there is a man in congress who deplores the burdens of conflicting taxation, it is the chairman of the Ways and Means Committee, who will strive with all his power to cooperate in this movement.

Your Assembly occupies a most important position in this campaign. You are the liaison officers, you are the contact men, for the state legislatures. Nothing can be done by state government alone, nothing can be done by the federal government alone. It is at best a fifty-fifty proposition. We may have our views and you gentlemen may have your views, but we may not be able to sell those views to our respective legislative bodies. There ought to be a clearing house—a meeting of the representatives of the states and the representatives of congress—to discuss these problems. It is my firm belief that, if nothing more came from these meetings of the Interstate Assembly, than getting acquainted with the viewpoint of the forty-eight states, it would be a splendid thing indeed.

I recall, with pleasure, the discussion that took place here two years ago. I marveled at the splendid presentation of the problems of taxation. I stayed here and listened, not only with pleasure but with profit, and I would like to suggest that not only do we

have liaison agencies in the congress and this liaison agency of state governments, but we ought to get closer together than that. I would be happy to have the Commission on Conflicting Taxation, or such other committees as you might designate, to meet with our subcommittee on conflicting taxation.

I realize that this is not the work of a day, a week, a month, a year, or perhaps a decade, but it is a work that must be done irrespective of time. Today, all governments, whether local, state or federal, invade the tax field and gather taxes where they may. Even though we must have this heavy burden of taxation, it should be distributed as equitably as it can. Irrespective of whether the tax burden is heavy or light, the taxes should be distributed equitably.

There have been several methods suggested to solve the problems of conflicting taxation. There is the nationalization method, whereby the federal government levy would be made and the individual taxpayer in the state would receive credit for specified amounts against his state tax. There may be many other methods suggested but we may not be able to use any particular one. We may have to mould a composite of them all.

We must study this problem. We need all the agencies that can be devised to study this problem. The suggestion of a national commission I have heard before. It might not be a bad idea, because we want all the thought and the study and the effort and the cooperation that we can receive. But when that is done, when the national commission or any other organization arrives at specific conclusions, then you need a liaison group. You need men and women to sell the plan devised to state legislatures, and you need that same contact with the federal government.

CHAIRMAN MILLER: We are now going to have the pleasure of hearing from the Chairman of the Ways and Means Committee of the House of Representatives. It is my privilege to present Representative Robert L. Doughton of North Carolina, Chairman of the House Ways and Means Committee.

ADDRESS BY ROBERT L. DOUGHTON

I appreciate very much the opportunity and privilege of speaking to this intelligent

and distinguished assemblage of people upon what is one of the oldest and yet one of the most important and essential questions confronting the American people.

The subject of taxation is as old as civilization. It is as necessary and as indispensable as salvation. Over this subject wars have been fought, rumors of wars have been heard, dynasties, empires and republics have been overthrown. The people of our great country demand so much in the way of governmental service that the heavy burdens of taxation are necessary and indispensable. Our objective, which we will never attain but toward which we should ever strive and direct our efforts and our energies, should be, in my judgment, that no one should be required to contribute more than his just share of the burdens of taxation for a government that is honestly, efficiently and economically administered; and conversely, no one should be permitted to escape his just share of these necessary burdens.

Taxes are essential to the life and existence and maintenance of our government just as food and blood are to the existence and support of the human body. Therefore our tax system should, if possible, be so fair, so just, and so equitable that every American citizen should as willingly contribute to the support of his government as he does to the support of his family.

Basis of Taxation

As a basis of taxation I would say, as has been mentioned here this morning, that the only sound basis is capacity to pay, or in the language of the Scriptures, "To whom much is given, of him much shall be required." Those possessing great wealth can better bear the burdens of government, or a larger share of the burdens of their government than the poor can out of their poverty.

The power to tax is not only a well recognized privilege of any government but it is a duty that must be exercised if such government is to exist and function. While it is undoubtedly true that both the federal government and the several states abuse this power at times by excessive or unwise use, the greatest abuse possible would be the failure to provide, by taxation, for the funds required for the governmental func-

tions necessary to the defense and preservation of such government and the welfare of its citizens. Under our dual system of government two sovereigns, federal and state, exercise virtually independent taxing authority within the same territory and upon the same people. Each government renders certain services to its citizens and, in turn, each must look to these same citizens for its necessary revenue. In exacting this revenue governmental officials owe these citizens the duty of a scrupulous regard for their interests and welfare. No person or class ought to be preferred and allowed to avoid a proportionate share of the tax load while those who are less fortunate are burdened with double taxes. We must keep the taxpayer's viewpoint and not only strive to distribute the tax load as equitably as possible but also strive to give the taxpayer his money's worth.

Two Levels of Government

The exercise of authority by two governments upon the same people opens the way for conflicting taxation, unless it is prevented by cooperation between the governments. In addition, there may be conflict between the state systems of taxation inasmuch as the profit sources open to taxation by one state may be confused and intermingled with those open to other states.

It is true that the federal government employs a few types of taxes which the states have not authority to levy, and, conversely, the states levy certain kinds of taxes which the federal government can not well impose. The states can not tax imports, nor can the federal government levy ad valorem property taxes which would be uniform and equitable, due to the fact that the Constitution requires such taxes to be levied on the basis of population.

The tax field, however, with these few exceptions, is a common hunting ground for both governments. Except for the property taxes levied by the states, the bulk of all governmental revenue, both state and federal, is derived from such sources as income, estate, inheritance, and franchise taxes, and excise taxes on sales. Pressed by the necessity for additional revenue, both governments frequently tax the same article or transaction.

The resulting double or conflicting taxa-

tion is not necessarily an evil, but it rapidly becomes one unless wisdom and discretion are used and there is due regard for the combined burden of both taxes. We are all agreed that such discretion has not been used and that we are now in the position where this combined burden, in a great number of cases, is too great, and is causing gross inequities that will continue unless joint action is taken to alleviate this condition. From the taxpayer's standpoint, there is considerable resentment, and justly so, when this combined burden causes an inequitable distribution of the tax load.

Certain types of objects lend themselves particularly well to taxation. When taxes on such objects are highly productive of revenue and are capable of being effectively administered by the state as well as the federal government, they will tend to be exploited by both governments. Unless duplicate taxes on such objects are coordinated and due consideration is given to the combined burden thereon, they become unduly burdened as compared with those objects which can be effectively taxed by only one of such governments.

The actual financial burden of this duplicate taxation is not the only objectionable feature as viewed by the taxpayer. The waste of time and money involved in filing the necessary returns, keeping the proper accounts and data, and keeping track of his taxable status under rapidly changing taxing systems are extremely irksome, and add to the taxpayer's burden but contribute nothing to the revenues of the states. When a taxpayer, whose interests and business are nationwide, may be compelled to file a maximum of 22 income tax returns, no two of which are alike, the extra trouble and expense are apt to impress him very vividly with the waste and inefficiency involved in the lack of coordination of our taxing system.

The tax conflicts which arise among the several states are nearly as serious as those which arise between the federal government and the states. The modern, widespread, unitary system of business which transcends state lines, and may, in fact, reach into every state in the union, has added new difficulties to an already complex situation. Property may be taxed in one state while the certificates of ownership thereto

are taxed in another state on the basis of domicile. Income may be taxed in the state in which it arose and also in the state in which the recipient resides.

Until recently the estate and inheritance tax conflict between the states was a glaring example of the inequity and injustice which can be caused by lack of uniformity and coordination. Happily, this situation has been greatly aided by court decisions and legislative action.

We can not, however, depend on judicial interpretation to iron out all of these difficulties. There must be effective coordination between the federal government and the states, and between the several states, in order to remove the inequities caused by double taxation. We must constantly keep in mind our goal of a fair or just distribution of the taxes necessary for the maintenance of our governments. In the long run, no advantage can be gained by the levy, on the part of any state, of an unjust or unduly high rate of tax. Such a rate usually results in the loss of revenue rather than gain, as business will seek more favorable tax jurisdictions when the tax burden becomes oppressive. Moreover, high tax rates encourage tax evasion and tax avoidance.

Persons and property are continually moving from one taxing jurisdiction to another. There are numerous instances of the enticement, by means of lower tax rates, of persons and business enterprises to move across state lines. The federal government, being able to embrace all American business within its borders, is under no such handicap.

A further cause of conflict between the states is the difficulty in finding fair criteria for the allocation of income, in the case of business concerns whose activities extend over several states. The allocation fractions now in use, in a number of cases, actually cause the sum of the parts to exceed the whole.

Pressed by the cry of the distressed property owner, and the threatened collapse of the property tax systems in a number of jurisdictions, state authorities have been compelled to rely more and more upon the field in which double taxation is already encountered. There is no reason to hope for decreases in the present tax conflicts,

unless steps are soon taken to coördinate our tax systems.

Several methods of effecting an equitable redistribution of the tax burden, with special emphasis on the elimination of these evils, have been advanced: State-shared, nationally administered taxes; and the separation of tax bases, upon which conflicting taxes are now imposed, into federal and state fields are some of the most noteworthy of these suggestions.

The Committee on Ways and Means of the United States Congress has given serious consideration to the problems involved. We are fully cognizant of the fact, that, while the states have frequently encroached upon types of taxation developed by the federal government, federal authorities are no less guilty of the same offense. The members of the Committee realize the gravity of these problems and are willing and anxious to cooperate with the officials of the several states in an attempt to solve them. We are very much interested in the findings and conclusions of this Assembly and will give them careful consideration. I have recently reappointed the Subcommittee on Double Taxation from the membership of the Committee on Ways and Means further to investigate this subject and to furnish a contact point between this Assembly and the federal legislators. The Honorable Fred M. Vinson, of Kentucky, who has already done some splendid work on this subject, is Chairman of this Subcommittee.

The purpose of this Second Interstate Assembly can not be too highly praised. The accomplishments of the First Interstate Assembly and the work done by such groups as the American Legislators' Association and the Council of State Governments have helped materially to focus official attention upon the problems of conflicting taxation. Progress has been made in analyzing these problems and considering methods of their solution. There is no doubt but that a new spirit of coöperation is growing between taxing authorities and that the old policy of isolation and self-sufficiency is vanishing. We have learned that progress in any unit of government is hindered unless the officials of such unit exercise due regard for the welfare of the other governmental units.

With praise for past performance, how-

ever, must go the realization that this task is just begun. The coördination of effort and mutual interest already demonstrated is very encouraging and, if continued, promises an eventual solution to the difficulties so prevalent in our present tax systems.

SENATOR TOLL: I am sure I express the feelings of every person in this room, when I extend our very sincere expression of appreciation to Congressman Vinson for his very illuminating address and to Congressman Doughton for this careful statement which he has made. I am exceedingly appreciative of this opportunity to make public expression to these two officials of the federal Congress, of our gratitude not only for consenting to address us today but also, and more especially, for the national service which they have been doing in their work on this subject, in which they were the pioneers. The Ways and Means Committee of the Congress was the first governmental agency in this country to set up a unit, the unit of which Congressman Vinson is Chairman, to make a specific study of this problem of conflicting taxation. The members of the Interstate Commission on Conflicting Taxation and the officers of the American Legislators' Association, during the last two or three years, have enjoyed the counsel, the active assistance and the constant coöperation of these two officials of the Ways and Means Committee. I may say that both Congressman Vinson and Congressman Doughton have, within the past two weeks, sat within the President's office in the White House and discussed with him this problem of conflicting taxation, the work they have jointly done, and the work of this Interstate Assembly. I may say also that the active interest which the President of the United States is taking in this work is due very largely to the stimulation of Congressman Doughton and Congressman Vinson. In that connection, I should also mention the fact that his interest in this subject has been enhanced by two former New York State official associates of the President, Mr. Mark Graves and Senator Seabury Mastick, who have, on various occasions, discussed this matter with the President and to whom he has also expressed his active interest in the work.

I now wish to call upon the director of the technical work which has been in prog-

ress in behalf of the Interstate Commission on Conflicting Taxation. This Commission is maintaining a full time staff of five people in the administrative offices in Chicago. Dr. James W. Martin, who is the Director, is on leave of absence from his regular position, that of Director of the Institute of Business Research of the University of Kentucky. I am sure that everyone who is familiar with the field of tax research would agree that among the academic authorities on taxation, Dr. Martin is one of the five leading men in America. When I say "academic," I use the word in its finest sense and without any of the implications which are sometimes unfortunately attached to the use of that term. Dr. Martin is a man who has a rare combination of attributes. He has been a professional student both of government and economics. He has been very frequently consulted concerning tax problems of many varieties, not only by the legislature of Kentucky, but also by many commissions and boards of the state of Kentucky.

It is my great pleasure to introduce Dr. James W. Martin.

ADDRESS BY JAMES W. MARTIN

One of the issues in the problem that is facing this group is the issue of how to tackle the job. Now that should be not merely a problem for research workers, but it should be also a problem for political leaders and particularly for tax administrators. I have attempted to set down on paper a few thoughts that have occurred to me as to approaches to the problem of conflicting taxation, partly from the point of view of how the researcher should attack it. But I have attempted to weave into my discussion the point of view that the whole group of us must take if we are to seek a practical political solution of the issue. I should say not merely a practical political solution, but also an administrative and perhaps a psychological solution, because the whole problem involves the development of a proper attitude quite as much as it does the development of proper techniques.

I have begun the manuscript by indicating certain types of conflicts which are characteristic. The discussion thus far

seems to me to render it unnecessary for me to go over that ground again. I think you have had enough illustrations of conflicting taxation in the various relationships between the federal government and the state governments, and between the various states, so that I need not again discuss that matter. So I turn to certain factors that seem to me should characterize all approaches to the problem of conflicting taxation.

Conflicting Taxation

One approach to the solution of conflicting taxation problems is the allocation of certain revenue measures to the federal government and certain others to the states and local subdivisions, a plan commonly known as "separation of sources." This device is recognized in the federal Constitution and should probably be utilized much more fully than the Constitution itself requires. It is not, however, to be regarded as the sole solution of problems growing out of tax conflicts.

It is important that problems of administration be differentiated in some measure from problems of revenue distribution. Doubtless, a case can be made for federal administration of certain tax measures while little or nothing can be said for federal utilization of the revenue produced by the same measures. For example, it has been vigorously argued in certain circles that motor fuel taxes should be administered by the federal government alone. Even those who maintain this viewpoint, however, generally insist that the states should expend the funds derived from gasoline taxation. Here, allocation of the revenues to a jurisdiction other than that which can most effectively administer the tax arises from the peculiar character of the motor fuel tax. In other instances, it may arise from no peculiarity of the tax itself but from a fiscal situation in which added support for the central government is less essential than additional revenues for states or their subdivisions. If, for instance, it should appear that federal administration of the corporation income tax is the best solution of conflicting corporation taxes, then part of the revenue derived from this measure might well be distributed to the states on the ground that otherwise they would be

relinquishing revenues they could not afford to lose.

Generally speaking, in all study of conflicting tax problems it is desirable to distinguish carefully between allocation of administration and allocation of revenues, even though in most cases there may be no practical necessity for actual separation. Incidentally, in keeping with this viewpoint, it is highly important that techniques for the allocation of centrally administered taxes to the use of subordinate governmental units be more thoroughly studied.

Administrative Considerations Are Always Important

The most obvious administrative considerations associated with conflicting taxation are the cost, the measure of efficiency, and the feasibility of reducing the irritations to taxpayers. But it is undoubtedly true at the present time that the federal government could administer all state, local, and federal motor fuel taxes with little expense above that now incurred for collecting the federal tax alone. This arrangement, however, would necessitate a uniform rate. If rates—and particularly exemptions—were diverse, the expense to the Bureau of Internal Revenue would be greatly increased. From the point of view of efficiency and of convenience to taxpayers, also, central administration would be preferable. On the other hand, central administration would tend to check experimentation with various administrative devices and would prevent adaptation of gas taxes to local needs.

It was found, for example, that, under conditions existing following the World War, administration of state inheritance and estate taxes proved extremely difficult and demanded some solution. Precedents for solution by allocating the tax exclusively to the states were well established. Moreover, there was strong sentiment for this procedure. After extended study, however, an expert commission largely representative of state viewpoints decided that, for administrative reasons, the federal government should continue to impose an estate tax. The plan was adopted practically as recommended.

It may develop that personal income tax conflicts should be alleviated by coördinat-

ing federal and state plans rather than by retiring the federal or the state government from this field. Allocation of a part of the revenue to the federal government and a part to the states, with administration partially or wholly duplicated, may prove to be more desirable than administration exclusively by one or the other governmental jurisdiction. If this is the case, it will probably be necessary to have dual administration, as in the case of the death taxes, not only to avoid the evils of completely decentralized administration, but also because maintenance of administrative machinery by each agency contributes to its sense of responsibility.

Constitutional Problems Pervasive

It is necessary, too, to examine all problems of conflicting taxation in the light of the constitutional background. Someone has suggested that programs for tax reform should be developed originally without regard to legal considerations, and perhaps this is a good rule to follow in studying the possibilities of alleviating tax conflicts. Nevertheless, before the job is completed, it is essential that the legal possibilities of any contemplated change be thoroughly canvassed. It is in this sense that the legal aspect may be said to pervade all problems growing out of diversity of taxing jurisdictions.

Political Issues Invariably Important

Possibly the most important aspect of investigating programs of eliminating tax conflicts is that broadly referred to as the political. The term "political" in this connection is not used in its narrow sense; it has no reference to party politics. It concerns, rather, the feasibility from the viewpoint of public acceptance.

No particularly useful purpose is achieved by the development of comprehensive plans which have legal, administrative, fiscal, and economic advantages over available alternatives, if those plans involve legislation which the public, and hence the legislative bodies, would not accept. It is not improbable that, at least for the time being, programs for federal administration of numerous taxes are of this sort. The states do not look with favor on the federal government's monopolizing lucrative sources of

revenue, even though revenues should be shared. For that reason, they are unlikely to accept a plan which involves large extension of federal administration. This is not to say, of course, that this plan has no possibilities, but rather that it probably cannot be used, at least in the immediate future, as a complete solution for difficulties of taxation inhering in the multiplicity of governmental units.

No matter what particular type of study is contemplated, therefore, consideration of the attitude of the public toward the factors involved is important. Possibly study of this factor may be excluded from purely fiscal, administrative, or legal studies; but any comprehensive investigation or examination of conflicting taxation to be complete must give a large place to the simple question, "Will this or that procedure be acceptable to the people?" However, public opinion is by no means a static thing; so a program need not ordinarily be abandoned solely because it is unpopular.

II. SPECIFIC TYPES OF STUDY NEEDED

Techniques for Solving Conflicting Tax Problems

The study of procedures whereby the conflicts attributable to dual levies and diversified legislative and administrative policies may be alleviated or eliminated must occupy a large place in the attack on conflicting taxation. Students of the subject have given this aspect of the difficulty, especially those phases arising from tax levies by various levels of government, a prominent place in their discussions. The earliest papers on this subject by such eminent authorities as Messrs. Robert Murray Haig, Franklin S. Edmonds, Mark Graves, and Clarence Heer emphasized this line of attack. Indeed some other students have seemed to think that this approach is a means of solving the entire gamut of conflicting tax problems.

On the other hand, the leaders in this type of study recognize that other approaches than investigation of techniques must be employed in order to reach a sensible solution to the problem. Some of these approaches may be briefly summarized with illustrations as far as possible from the investigations already reported.

A second attack on the problems of con-

flicting taxation now facing the United States involves weighing each conflicting tax measure in fiscal and administrative terms with a view to discovering what specific rearrangement is essential to eliminate or alleviate the evils inhering in them. Several variations in approach are possible.

Study of Particular Conflicting Taxes

One attack may be made in terms of a particular proposed solution indicating the varying possibilities of the proposal. For example, an examination of the possibilities of federal administration of general sales taxes with or without a sharing of revenues constitutes an appropriate application of this technique of investigation. Such a study estimates the fiscal and administrative consequences of a tax in terms of several proposed plans. For example, the recent Commission report on *Sales Taxes: State vs. Federal*, in addition to the statistical presentation of experience, includes a systematic, theoretical examination of the proposal. A more complete study would, of course, envisage a much larger number of plans for rate structures, for relationships with other tax measures, and for the scope of application.

Another possibility of this approach is the comparative study of alternative procedures for solving the difficulties of conflict. An investigation comparing the merits of the crediting device and of federal administration with the present plan of handling the corporation income tax is desirable. Such a study might include a canvass of the fiscal experience, the theoretical considerations involved, and the fiscal and administrative results growing out of each possible arrangement in comparison with the existing fiscal and administrative situation. By such an investigation it would be feasible to predict, comparatively, the direct consequences of each plan.

In the case of either of these two applications of the plan of investigating administrative and fiscal consequences of one particular tax, it would be essential to completeness that the influence on the entire fiscal situation be estimated. Preferably this should involve measuring the change effected by each proposal on the distribution of the entire tax load between individual taxes, the distribution of the burden

between different income groups, and, as far as possible, the influence of the change on the tax situation as it bears on different industries and businesses. These two applications of this approach obviously do not exhaust the possibilities; they give simply two concrete illustrations of situations in which this plan of investigation could be utilized.

A third type of investigation involves the examination of the entire gamut of conflicting taxation, or of a considerable part of the field, in terms of one particular limiting factor. Perhaps the best example of this type of investigation is the study of the legal factors in all or a part of the general field of conflicting taxation. One concrete illustration of this approach is found in Professor Harding's *Double Taxation of Property and Income*. This particular research examines only one aspect of the legal problem, namely, that, involving discriminatory double taxation. Another type of legal analysis might concern itself with the constitutional possibilities of various plans of integrating tax systems of states with localities and states with the federal government, such as operation of the credit plan in fields tried and untried, the legal feasibility of federal sharing of revenues from each of several particular tax measures, and the feasibility under the interstate commerce clause in the federal Constitution of imposing restrictions to avoid discriminatory taxation by constitutional duplication of tax jurisdictions.

Complete Revenue Picture Essential

It is indispensable to any plan for improvement in the tax situation that information regarding the distribution of the tax load be made available.

The approach to the study of conflicting taxation through the development of a comprehensive revenue picture is essential in order that any proposed reallocation may be weighed in terms of its influence on the distribution of tax load (a) between taxes, (b) between income groups, and (c) between industries and businesses. Plans for the reallocation of sources of revenue and for the integration of the federal, state, and local tax systems should be made in the light of information disclosed by this type of investigation. At the moment, it is per-

haps the type of study most needed as a background for such deliberation as that in which we are engaged in this assembly.

To present satisfactorily some of the difficulties of conflicting taxation, a complete revenue picture of the entire country is essential. Data available do not render possible an entirely satisfactory revenue summary for all states and their subordinate units, but some effort in this general direction is desirable. The revenue picture will disclose only part of the truth unless it is supplemented by information respecting public borrowing and other aspects of fiscal policy. If, for example, the state highway system of Kentucky has been developed only as current revenues are available for the purpose, while the state of North Carolina has borrowed millions of dollars for highway construction, a direct comparison of revenues for highways in Kentucky with those for highway purposes in North Carolina is misleading. In the former, revenues are raised for road purposes which, in the latter, are largely devoted to debt service, made necessary of course by highway construction actually already consummated. But, with proper interpretation in terms of fiscal practices respecting borrowing, budgeting, and accounting, it is possible to develop, partly on the basis of estimates, a revenue picture which will serve a number of purposes. The first objective of such a revenue picture should be to find out the relative and absolute load on various types of taxes.

This differentiation is important partly because studies heretofore made have developed evaluations of individual types of tax measures. These investigations have shown in some measure the kind of burdens imposed by property taxes, of those imposed by sales taxes, and of those imposed by income taxes. Only by statistical synthesis can the complete picture rendering possible this sort of appraisal be drawn. Incidentally, it should be remembered that the difficulty of accumulating such statistics has been enhanced recently by failure of the Census Bureau to continue publication of its *Financial Statistics of States*.

This type of approach is necessary also to an examination of the incidence of the tax system as between various income

groups. It is possible to a certain extent to measure the distribution of the tax load between income classes affected by any one particular tax measure, but only by aggregating the effects on each income class of each separate tax measure can the distribution of the load imposed by the entire tax system be estimated. Even with such data the estimates at best will be mere approximations. Incidentally, no comprehensive effort to formulate such estimates for the United States has been published.

It is important that the retarding influence of tax measures on business activity be reduced to a minimum. Measurement of the relative economic effects of the tax system on various industrial groups is an objective which a comprehensive revenue picture would serve. Poll taxes, personal income taxes, and other personal taxes are not particularly burdensome to industries as such. They fall, rather, on individuals as individuals or on individuals as consumers; and their only influence on industrial activity is indirect. But business taxes of most kinds, taxes on many kinds of property, and numerous types of consumption taxes, so-called, fall upon or incidentally affect business enterprises. Perfecting measurements of these effects is not easy, since it involves an understanding of the market situation, especially the elasticity of demand and supply, as well as the distribution of taxes and the effect of the one upon the other. None the less the effort is certainly worth making—not only for economic but also for political reasons.

Summary

Lest you may have been unable to follow my inadequate exposition, let me explain what I have been trying to say. In the first place, all general investigations of conflicting taxation should differentiate revenue from administrative problems, should emphasize administrative feasibility and economy, should stress constitutional and other legal aspects, and should recognize clearly all political factors involved. In the second place, I have suggested three sorts of attack on conflicting taxation each of which promises generous results: (a) appraisal of the various methods by which conflicting tax difficulties may be alleviated; (b) investigation from various view-

points of particular conflicts and of proposed solutions; and (c), perhaps most important of all, development of a comprehensive revenue picture for the entire country, which will make possible an approximate measure of the influence of proposed remedies on the load borne by each tax measure, on various industries affected, and on each income group, and which will not only make available additional factual material but will also add perspective to any other approach.

SENATOR TOLL: It has been suggested that opportunity should be given at this time for questions which have been raised by this paper. Accordingly, at this point, we are going to throw Dr. Martin to the lions and will be glad to have you ask any questions of Dr. Martin with regard to his discussion of the subject.

HON. MARK GRAVES (New York): I would like to take the opportunity, not of asking a question, but of making a few observations that might be helpful to the people here if I stated them at this point.

I doubt if any of us appreciate the significance of the last approach that Professor Martin mentioned. I consider it, as he does, the most important of the three, but it is not to discuss this approach that I came up here. Many of you may not know that the federal government has requested each of the states to develop projects for the relief of unemployment in the various states, and one of the projects which the state of New York has presented for consideration—in the event that the \$4,800,000,000 appropriation is made by the Congress—is a project to collect the precise type of data that Professor Martin mentions, for the state of New York.

My only excuse in being up here at the present time is to say to you tax administrators, you members of legislatures, and other officials, that an opportunity may be given to your state to secure, out of that unemployment relief appropriation, if and when made, an adequate allowance to do the kind of job that should be done in carrying out Professor Martin's recommendation. I have sound reasons for believing that such projects will appeal to the federal authorities as the sort of thing for which federal allotments should be made. I thought you ought to know this so that

you may take it up with your governor, who, I believe, is the official in your state with whom the federal government is negotiating along that line.

SPEAKER BELKNAP: May I suggest that you give just a little more detail on that? Just what have you proposed and how are you going to work that sort of an investigation? Have you gone into any detail on it?

MR. GRAVES: No, because we don't know that we are going to receive the allotment of funds. In New York we have in our department a research organization, around which nucleus we could build an additional force to accumulate this particular data. We have submitted our project to the Director of the Budget in New York, the official who has been designated by the governor, as the person whom department heads should contact. We want to collect data, which never have been accumulated by the state of New York, with respect to the amount of revenue collected by each of the units of government, the sources from which collected, and the purposes to which it was devoted when collected. While we perhaps have as good statistics as any of the states, they are far from complete. They fail to furnish the data which a commission, like the Interstate Commission on Conflicting Taxation, needs to have in order to approach, intelligently, a solution of the problem.

Speaker Belknap Assumed the Chair

SPEAKER BELKNAP: You are very much interested, I know, in what Mr. Graves has to say. I would like to have any other questions from the floor. I think the gentleman from Tennessee said he had a question he would like to ask.

HON. JOHN A. CHAMBLISS (Tennessee): Mr. Martin was talking a while ago, during the course of his regular address, about the distinction between the administrative aspects of taxation and the revenue aspects of it, and to be perfectly frank—you know it takes more sense to ask a question sometimes than it does to answer one—I don't understand just exactly what he means and I would like to have him tell me and these other gentlemen from Tennessee what is the distinction.

One of the things that has immediately concerned us in Tennessee, in debating a sales tax, is this: Memphis is supposed to

be the largest cotton center in the world and the delegation from that county has been very vigorously opposed to the sales tax, insisting that it would handicap Memphis as a cotton center. Now, in addition, there is this specific question. If a man is going to buy a Ford automobile and there is a sales tax on Ford automobiles in Tennessee, he will go to Rossville, Georgia, which is only three miles from the center of Chattanooga, and buy that automobile, will he not, Mr. Martin? And if so, how are you going to deal with that sort of problem.

MR. MARTIN: The gentleman from Tennessee has raised a number of very interesting questions. I should like to take just a minute, if I may, before turning to those questions, to add a little to what Mr. Graves said about the sort of work the state tax department could do along the line of getting a complete picture of the tax situation.

It might be helpful to put it in concrete terms. It occurs to me that one of the things that may be done is to get a total picture of how much of the state and local revenue is raised from the taxation of each of several classes of property, depending on the statistics that can be developed and on the expense that can be incurred in the development of those statistics. That is one thing that practically none of the states have done in a really systematic way.

The same type of approach may be applied to the income tax, to the inheritance tax, and, incidentally, a study of data developed by analysis of the character of the states will be extremely helpful for several other purposes, both for analysis of income tax data and for the analysis of property tax data, to take only two illustrations. In other words, if you can get a complete picture of what taxes bear the tax load, of what business and industries pay those taxes, from what income groups each of the taxes is derived, it seems to me you will have a basis for appraising your tax system that never has existed before.

If the states and localities get this kind of picture it will be comparatively simple for researchers of the type represented by the staff of the Interstate Commission on Conflicting Taxation to do the rest, because federal statistics are pretty generously available whereas local statistics within most of the states are not available.

If I may take the questions raised by the gentleman from Tennessee in reverse order, I should like to speak of the purchase of the automobile as one issue. Two attempts to solve that difficulty have been tried in legislation. One of them is that incorporated in the North Carolina statute, which provides that the sales tax on no particular individual item shall exceed ten dollars. In my judgment that is a bad way of going about it, because it means that you enhance the evil characteristics of the sales tax. One of the worst characteristics of the sales tax is that it hits the poor people who can least afford to pay it, and that particular provision tends to increase that effect.

It is unfortunate, secondly, in that it does not solve the problem, because there are a good many instances in which the ten dollar differential is sufficient to cause the shift from one state to another.

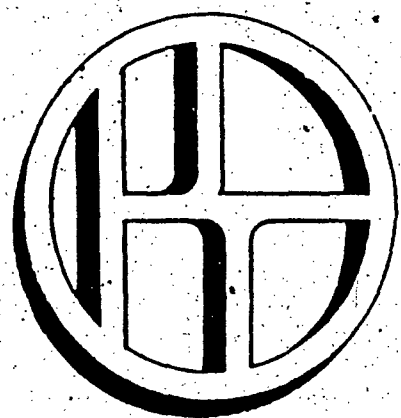
The second measure that has been applied has been tried in two different forms, first in the state of Kentucky and second, three or four weeks ago, in the state of Colorado. No appraisal of the way the method works can be given, but I mention the method as one that may help to solve situations in Tennessee. The Kentucky legislature, immediately after adopting a general sales tax, passed an amendment to the automobile registration tax law providing that every automobile which is submitted for registration and was purchased after the enactment of the sales tax law would be required to pay, before it could be licensed under the registration provisions of the statute, an excise equal to 3 per cent of the value of the automobile, in the event it had not already been subjected to the sales tax.

That solution has been adopted by a somewhat different method in Colorado, but the methods are essentially the same. My legal friends tell me that this solution is open to grave legal questions. However, the Kentucky act has been brought before the highest trial court in Kentucky and perhaps the best one—it is in the city of Louisville—and the trial court has sustained the measure. I don't think the decision was appealed. The Colorado measure seems to me to involve somewhat more risk than the Kentucky measure because it is more apparently a burden on interstate commerce.

The effect is exactly the same, but the appearance of burdening interstate commerce is more substantial in the Colorado statute than the Kentucky statute.

In the case of the Memphis situation the only solution that I can suggest there is the exemption of cotton from the scope of the tax. There are some states—and this may include Tennessee—in which that would not be constitutional. In the Kentucky gross sales tax act, or gross receipts tax act as it is technically called, the solution reached on that particular point with respect to coal, which is the cotton problem of Kentucky, was to provide a definite limitation on the application of the tax to the coal industry. Such a scheme may be feasible in Tennessee if the provisions for excise taxation under the Tennessee constitution are comparatively generous. There are some of the states, including even some of the New England states, wherein the constitutions are very generous in many respects, and in which that sort of line would not properly be drawn.

Answering the original question that Mr. Chambliss proposed, namely the difference between the revenue aspects of conflicting tax problems and the fiscal aspects, I think I can do that more pointedly by means of an illustration. There is not much question in the minds of the great body of the American people, so far as I know, but that most of the highway construction and maintenance job should be under the direction of the states rather than of the federal government, the states and their subdivisions. And yet a good case can be made for federal administration of gasoline taxes. I suggested, in the first place, that I had chosen this illustration because the Commission believes that states should administer gasoline taxes rather than the federal government. Every member of the Commission, I think, admits there is strong argument to the contrary. All agree, however, that there is not much argument about who should spend the money. The point is that a careful study of the administrative problems should be made to see whether the federal government can administer gasoline taxes so much more effectively than the state governments can, that the job should be turned over to the federal government completely, as it already is in part. Such



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a plan would contemplate that the revenue should be spent by the states just as it is now. I am not suggesting that as a solution, but as a thing that deserves, and I think inevitably must, receive a good deal of consideration.

Take another case. If all of the competitors of the city of Memphis in this cotton situation were subjected to the same tax, there would be little difficulty experienced by Memphis in dealing with this problem. One group has suggested that the solution lies in turning that sort of taxation over to the federal government so that each city will have the same tax problems on that particular type of tax measure. A good deal can be said for that. A good deal can also be said on the other side, even though the states must have the revenue that accrues from that type of tax measure, or at least a share of that revenue.

HON. MYRON B. GESSAMAN (Ohio): On this problem of taxing automobiles purchased outside of the state, I would like to ask Dr. Martin if the real answer to the whole question is to secure consent from the Congress to permit the states to tax certain types of interstate commerce? Anticipating your answer, let me say this: that a resolution already has been introduced in the Ohio Legislature asking the Congress for this permission. I believe it is in line with a bill introduced by Senator Harrison a few years ago. Is not that, after all, Dr. Martin, the only complete way of handling that proposition?

MR. MARTIN: The gentleman from Ohio embarrasses me in a rather unusual way. The gentleman asked my personal opinion, and as an honest man I have to give it to him or say I won't give it to him. It happens that my own judgment on that question is diametrically opposed to that of the Commission.

The Commission has unanimously approved that method of dealing with the situation, and the view of the Commission, it seems to me, ought to be given more weight than my own, because I was not associated with the Commission when it adopted that view, and I have not given it the study the Commission doubtless gave it before reaching that conclusion.

My own opinion is that that is no solution whatever, and that it would create a

good many evils. In some ways, it would meet the situation. It would give the states jurisdiction to tax these items that they do not now have jurisdiction to tax under the law. Actually, I believe it would not meet the situation because I do not think the states, even though they had legal authority to do this, would be able to administer the thing; as a practical measure. There would be specific instances in which they could administer it practically, and it may be that those will be found anyway. Kentucky thinks it has found it already as regards automobiles. I should point out, however, that motor vehicles constitute only one class of difficulty and that there is a fairly substantial number of other classes of merchandise subject to this same difficulty, and that some of these items are comparatively small items which could easily be smuggled into the state even with a cordon of police around the borderline to prevent smuggling.

The thing I think is most unfortunate about that answer to the problem is that a cordon of police, if established around the boundaries of each state, would be nothing short of calamitous. However, it must be taken into account that some of the states, quite properly I think, have established that sort of an arrangement for the enforcement of gasoline taxes, under the legal authority that they actually have at the present time. That is rather ridiculous in its actual appearance, in some instances. I shall give one illustration. Along the eastern border of Pennsylvania you have a ring of policemen parading up and down the border to keep the "dishonest" inhabitants of Ohio from bringing gasoline into the state of Pennsylvania and selling it tax free to the "innocent" people of Pennsylvania. Over across the line you have a similar group of police—I presume this is still true, it has been for a number of years—attempting to prevent the "dishonest" people of Pennsylvania from bringing the same sort of gasoline into the "honest" state of Ohio. I don't know of any way to avoid that difficulty under the existing situation, and I think a good defense can be made for it. But to extend, unnecessarily, the handicaps to free trade between the states seems to me nothing short of a calamity.

We have done some of that by licensing measures of one sort or another, we have done some of it by taxes like the oleo-margarine tax, which is not designed to raise revenue but to prevent the sale in direct competition of products grown in other parts of the United States. It seems to me that if we can get our revenue and if we can get reasonably satisfactory means of protecting ourselves against persons who would dodge the revenue measures, it is desirable to avoid, at all hazards short of actually denying ourselves something we have to have, placing additional restrictions on free intercourse between the states.

I hope that some member of the Commission will tell me in polite terms that I'm dead wrong, because I really am embarrassed to express this point of view in the light of the fact that the Commission unanimously disagrees with me.

HON. HENRY F. LONG: While you are on that point, let me ask you a more or less hypothetical question. You have laid down a very definite rule as to why the free exchange of commerce between states should not be interrupted. Will you tell me if you have the same objection to a state setting up a barrier to prevent diseased fruit or vegetables, carrying destructive insects, or persons who may be carrying a communicable disease from moving across state lines? In other words, do you believe that these barriers, properly set up to protect the health of people, should not be set up by equal authority to protect the revenue sources of the people?

MR. MARTIN: If I conveyed the impression that I was trying to state it in absolute terms, I didn't intend to. I tried to convey the impression that I thought the plan Pennsylvania and Ohio had adopted was a desirable one. I agree with the gentleman from Massachusetts that certainly we ought to protect the inhabitants of one state against disease germs coming into it from another. We ought to protect the revenue system of one state against revenue disease germs coming into it from another, coming not because of the dishonesty of that state, but because of the circumstances that exist. Incidentally, my remarks about dishonesty of the states were merely facetious. I do think that we are justified, in both cases, in providing the

absolutely necessary protection. I do not believe that we are justified in adopting questionable measures unless we have very substantial assurance in advance that they will be effective.

In the case of the gasoline tax, which I gave as an illustration of a case I think is justifiable, it seems to me you have one situation. In the case of the problem raised by the gentleman from Ohio, you have a case which in my judgment is not justifiable. The Commission believes to the contrary, and the Commission has given the matter more study than I have.

MR. LONG: Can I follow that just a step further? You and I are in agreement up to that point. Do you also agree that the expansion of the idea of protection under the commerce clause, as laid down by the Supreme Court, has been abused and that there was no thought under the commerce clause to offer the opportunity—such as the gentleman from Ohio suggests—of a direct invasion of something which should be fairly put upon the people of a given state; and under the commerce clause and the wide interpretation it has been given, that particular commercial advantage should be given to somebody under the guise of not interfering with commerce, but which actually is under the guise of taking something for personal profit?

DR. CHARLES W. GERSTENBERG (New York): I suggest that Mr. Long read the Will Oil Case decided by the Supreme Court.

MR. LONG: I did, and the point in that was entirely different from what I am trying to bring out.

DR. GERSTENBERG: The sky is the limit as far as the Supreme Court is concerned.

MR. LONG: That was a case of situs and contract entirely within the state of Pennsylvania.

DR. GERSTENBERG: But I rather think the tendency is such that all the fears of Mr. Long would be dissipated, and even this motion that is asked for is not necessary, or the bill that is asked for is not necessary. I might say that I don't think Mr. Long's parable between the disease germs and gasoline is quite appropriate. One is contraband in the inception and the other contraband in traffic.

HON. JOE S. BEAN (Tennessee): I

should like to ask Dr. Martin a question relative to the sales tax.

SPEAKER BELKNAP: Will you ask your question, and then we will adjourn until one forty-five.

MR. BEAN: I should like to know what you consider the most equitable manner of distributing the funds derived from the operation of a sales tax back to the respective counties and municipalities of a state.

MR. MARTIN: I will have to plead to ignorance on that score. I don't know, but I think, sticking to the general tenor of my original discussion, I may say that in my judgment the answer to this question depends on the situation in the particular state.

Answering now, in terms of the approach to the answer to your problem, and not in terms of answering categorically the question you ask, I think the answer must be made in terms of the background in the state which has led to the enactment of the tax measure, and that certainly no general answer can be made for all states. In the first place, in many of the states there might be no reason for distributing any of the revenue back to the local subdivisions. In the second place, there may be, in some states, an already established mechanism whereby it would automatically be taken care of. There may be, in another state, a situation which requires additional reve-

nues collected by the state government for the support of, let us say, road services, or for the support of policing activities of the cities or the counties or some other local unit of government, and if that is the case then a mechanism suitable to that purpose must be developed. In another state, there may be need for additional educational funds.

Coming to a second type of answer to the question, it seems to me that it would be highly desirable, if the historical background in the state permits it, that the revenues be not earmarked for distribution on any particular basis, but that the plan of distribution of aids to localities be worked out separately from an earmarking of particular revenues, and that all of the revenue produced by your sales tax and income tax and property tax, if any, be placed in the general fund and distributed by orderly budgetary methods—rather than definitely earmarking revenues in the statute when it is originally enacted.

There are many states in which the situation is such that that cannot be done, and I recognize the difficulty. However, it seems to me a method that must, in the long run, be the proper solution to the problem.

SPEAKER BELKNAP: Gentlemen, if there is no further question we stand adjourned.
The meeting adjourned at 12:30 p.m.

Friday Afternoon Session

March 14 1935.

THE meeting was called to order at two o'clock by Senator Ben G. Oneal of Texas.

CHAIRMAN ONEAL: The meeting will please come to order. Gentlemen, if there are any further questions you wish to ask Mr. Martin he is prepared to answer.

HON. J. H. THAYER MARTIN (New Jersey): I wish to state how New Jersey plans to answer the question asked just before lunch by the gentleman from Tennessee. He sought a method of distributing new taxes without causing too much rivalry between different units of local government.

We have decided that the answer is not to distribute it back by allocation, but rather to use the new revenue for state payment of the cost of services previously financed by the local property tax. First, we plan to pay a certain sum per pupil in every school district for the minimum cost of education. After sufficient money has been raised to cover that, any surplus will be used to pay the cost of elections and other types of expenditure of that nature which function under state control. This solution saves a great deal of strife over methods of allocation and tends to relieve local property taxes of those items for which local authorities are not responsible.

CHAIRMAN ONEAL: Gentlemen, is there anyone else who wants to ask Mr. Martin any question?

SENATOR WILLIAM H. HERNER (Ohio): The speaker mentioned the 3 per cent tax on the value of automobiles. How is the value ascertained? Is it cost price at the time, and if so does not the expense of appraising almost use up the tax?

MR. MARTIN: I can answer for Kentucky but not for Colorado. In Kentucky, the statute provides that the value shall be ascertained according to the method that the tax commission uses in ascertaining the value of automobiles. The tax commission already has an automobile bluebook in

which it has estimated values of each kind of car—for personal property tax purposes. It is not an assessment for personal property taxes, but it is a method of suggesting the amount at which cars should be assessed, to the local assessor.

CHAIRMAN ONEAL: Is there further question? Any further remarks by anyone on this subject?

We now come back to an earlier part of the program. At this time we will have the pleasure of hearing from the Honorable William Speer, Mayor of Wilmington, Delaware, member of the Advisory Board of the United States Conference of Mayors and present here as the representative of that Conference.

ADDRESS BY WILLIAM SPEER

I first wish to express the regrets of Mr. Paul V. Betters, the Executive Secretary of the Conference of Mayors, who was to represent the Conference but was called back to Chicago.

At the recent annual conference of the United States Conference of Mayors, one of the leading speakers, in a discussion of the subject of public credit, made the following statement:

"We cannot go on with three layers of taxes, federal, state and local. What we really should have is a single tax-gathering bureau making a single scientific system which collects for all and registers the proceeds. Since that is a difficult thing to do, perhaps we can take one step towards it now. That is by reaching an understanding between the federal government, the state governments and the local governments as to sources of taxation, so that we do not double and treble one tax on another in the same field. A conference might well be called at which all these groups are represented for the purpose of trying to agree on a division of taxation; and we might make some progress towards a scien-

tific handling of the whole question of public revenues."

Because this statement represented the unanimous viewpoint of municipal executives in attendance at that meeting, I say, with all the sincerity and forcefulness at my command, that the cities of the country hope that constructive and comprehensive plans will result from this meeting and from others which must be held in the future, if proper and adequate solutions are to be secured of the serious problems under consideration. And in this effort, I assure you the major cities of the nation will give their wholehearted support and cooperation.

It seems desirable that the contribution the municipal people can make to these discussions centers largely around two points: First, the importance of finance and taxation as represented by the cities in the scheme of national and state economy; and second, a statement of the problems now being faced which, sooner or later, must be satisfactorily disposed of.

The Cities' Rank

The traditional manner of ranking governments has been on the legal and acreage basis. We regard as our most important unit the federal government; the state is ranked second, followed by the city, the village, the county, the township, and so forth. Territory seems to be the basis for governmental prestige. If, however, the criterion of comparison is changed from *area* to *finance*, and for our purposes *revenue*, and if we weigh the scope and character of governmental services on this latter basis, a new relationship is apparent.

This basis for ranking governments is rather illuminating, and is indicative of the importance of the city tax problem in national finance.

Comparing the financial importance of governmental units on the basis of revenue receipts, using 1930 figures, we find, of course, that the federal government is the most important political unit. In 1930 its revenues were almost seven times greater than those of New York City, the second largest government in the United States. The State of New York ranks third, Chicago is fourth, followed by Pennsylvania, Los Angeles, Detroit, Philadelphia, California and Michigan in the order named.

The ten largest governments in the United States are made up of the national government, five cities and four states. To include all of the states required the listing of 163 governments, of which 116 were cities. New Mexico ranked 107 on the list and was separated from Nevada by 56 cities. Among the hundred-odd cities more important fiscally than Nevada are South Bend (Indiana), Rockford (Illinois), Quincy (Massachusetts) and Reading (Pennsylvania). This mode of ranking governments indicates that eight cities are more important fiscally than the states which contain them. And so the size and importance of the financial problem of the cities thus becomes evident.

Revenue Problem

With this as a background and turning to the immediate city revenue situation we find that, beginning with the depression, cities have been the victims of a squeeze. On the one hand, the necessary increases in local relief, work relief, and other depression appropriations, in spite of state and federal emergency funds, have been little short of appalling. On the other hand, the normal sources of revenue to which cities have been accustomed have, in large part, been drying up. Property taxes, which have accounted for the bulk of municipal income, have in many communities declined substantially because of increased delinquencies and reduced levies. Meanwhile, many subventions from the states have declined or disappeared, and for the most part new grants have been conspicuous by their absence. Thus, the typical American city has been in the position of having increasingly expensive jobs to perform with constantly decreasing revenues out of which the expenditures could be met.

In part, the difficult revenue problem facing municipal governments is the outgrowth of the process by which city revenue sources are chosen. In the American economic situation, the federal government takes first choice of revenue sources, the state chooses from what is left, and local government must accept whatever means of raising money neither of the larger units of government find worth having. For the most part this has meant local dependence on property taxation. The difficulties of the

situation are enhanced, for the time being, not only by the factors which have been pointed out above, but also by the current, partly successful campaign for overall tax limitations which seeks reductions in property taxes without any provision for replacement of the necessary revenue.

Possibilities

Speaking broadly, there appear to be three separate, though closely related, avenues of escape from the difficulty, none of which, alone, can be regarded as a complete solution. Only one of these possibilities is open, in any considerable measure, to achievement by municipal action alone—and that is so only in part. That possibility is improvement in the administration of property taxes, both as to assessment and as to collection. This attack on the revenue problem, while susceptible of utilization in part by local action, is not in every case available to cities as such; since in a great many instances either assessments or collections, or both, are administered by counties.

The second means whereby the city's revenue situation can be relieved is through state or even federal assumption of financial responsibility for certain activities hitherto financed by local revenues. Legally, education is a state function; and there is good reason for the state government to assume increased financial responsibility for support of common schools in many of the states. Again, the *state* highway traffic which is routed over city thoroughfares necessitates in most parts of the country substantial city expenditures for maintenance, repair, and regulation. These financial obligations might well be more largely assumed by the state. Such a program, needless to say, should be accompanied by centralization of motor vehicle and gasoline taxation in the hands of the states, as indeed is already the case in most instances.

Thirdly, and closely akin to the second suggestion, there is substantial possibility of increasing the use of state grants-in-aid and of state-administered, locally-shared taxes. With certain exceptions new sources of revenue available to cities are really accessible only through state administration with local sharing on some basis. Already

some grants are made in the various states for streets, for education, for health work, and for other specialized purposes, as well as for the unrestricted support of municipal activities.

A plain fact confronting the cities is that both state and federal governments have invaded most of the areas of possible revenues and have thus cut down the opportunities of local areas to finance themselves adequately. These upper levels of government generally have assumed that, in the main, local government can be financed on an adequate scale through a reliance upon that oldest American tax form, the general property tax.

We do not wonder, therefore, that under existing conditions municipal government financing, especially during depression times, becomes difficult. Not so difficult is the problem of the state and the federal governments. Taxes are collected by these units at the source every time a transaction is made. It is an interesting commentary on the relative revenue-raising capacity of local and federal governments that federal income taxes collected in 1934 are greater than in 1933. Meanwhile, local revenues from property taxes have continued to drop. As a matter of fact, income taxes are paid by that very person who sometimes, because of such payment, must allow his property taxes to go delinquent. This same situation appears in such taxes as are levied on gasoline. The same people who cannot or do not pay their property taxes buy gasoline, often a necessary commodity in their business.

Tax Competition

Of course, if solutions for the municipal revenue problem are not found in the three general directions just mentioned, there is no other recourse other than to go into tax competition with the states and federal government—for essential municipal services must continue. If the state gas tax is not shared, local gas taxes will eventually develop—as well as local wheelage levies. We already find municipal sales taxes—with the impost in New York causing and creating interstate problems. Even the income tax is being applied locally—the most recent one being that for Wilmington, New Castle County, Delaware. All of such in-

dividual steps only lead to additional confusion in a system which already is superchaotic. But in many cases there is no other choice.

One of the chief difficulties in solving municipal revenue problems is that, traditionally, the population has come to regard government as a set of many independent units, whereas in fact, government is a unit. It exists to satisfy the collective wants of the people in the communities governed. Hence it matters not which particular unit in the hierarchy performs a function so long as that function is most efficiently and most economically executed. Nor does it follow that the unit which can most effectively collect the taxes is the unit which should retain the proceeds of such taxes. Traditionally, in American public finance, the course of development has been that the unit which could effectively collect a tax has also, as a rule, retained the proceeds. It has only been within recent years that the states, led by New York, have been willing to recognize their obligation to provide a portion of the funds for local government. A few commonwealths have begun to share with local governments a portion of the state-collected taxes.

Misconception of Taxing System

Much has been made in Washington, and by critics of federal policy elsewhere, of "the spectacle of cities which appear hat in hand for federal moneys." Cities are caricatured as mendicants asking for funds to which they have no vestige of claim; they are asking for other people's money. Of course, this is an entirely misleading statement of local-federal relationships and the fiscal problem. It should be remembered that Washington is the revenue collector of moneys needed not only for the national service, but also for any functions which it may undertake within local areas. Just now the federal government is carrying on vast local relief and public-improvement undertakings as emergency functions. It is meeting needs wherever they are. It is urging cities to work with the general government in various programs. In prosecuting its national program, Washington is returning to cities certain portions of the revenues collected in these industrial areas. I call to your at-

tention this misconception of our taxing system and its overlapping.

One Administrator—One Collector

The time, I hope, will not be far distant when the federal government will become the agency to administer and collect the bulk of the taxes for all governments in the nation, and to allocate these funds through proper budget techniques to the various agencies of government in proportion to their need for funds. Only in this way can a tax system based upon capacity to pay be developed. The problems of municipal finance cannot really be solved until the functional and financial relationships between urban and rural units, and between national and local governments are settled on the basis of fundamental principles rather than on judgments of expediency. Until there is but one unit of local government in every one spot, and until government service is rendered as a unit instead of by the piece, fiscal conflicts and difficulties will remain. The solution lies in coordination and integration of governments as well as in the coordination and integration of fiscal systems.

If large improvement in the municipal revenue situation depends, as I have attempted to show, on the coordination of state and local revenue systems, including state assumption of state functions hitherto performed locally; state grants-in-aid of particular activities; and state administration of locally-shared taxes; then the significance of interstate and federal-state conflicts for municipal revenues becomes obvious. It is my feeling that there must be careful coordination of state and municipal revenue programs; and, if state revenue programs are wrecked by fratricidal strife with other states and with the federal government, the difficulty of municipal improvement by coordination with this wreck is clear.

In the contest between the states and between the states and the federal government for sources of tax revenue the municipalities are standing on the side line and watching sources of income, in which they should be sharing, dissipated in the fight. State administrative efforts, which might well be devoted to assisting municipalities with property tax administration and de-

developing new sources of revenue in which municipalities would share, are now being wasted in a large measure as a result of strife. We therefore offer to do our part in this important movement.

CHAIRMAN ONEAL: Now in order that we may get better acquainted here I think we will take a little time and let the spokesman for each delegation introduce the members of the delegation who are here. If someone wants to bring a message of good fellowship to us in two or three minutes, we would be glad to hear that. The secretary, for that purpose, will call the roll by the states in their alphabetical order.

Here followed the roll call by states with responses.

CHAIRMAN ONEAL: To revert to the regular program, you have heard the attitude of the states, concerning the removal of tax conflicts, as given to you by Dr. James W. Martin, Director of Research for the Interstate Commission on Conflicting Taxation. You have heard the viewpoint as given to you by Mr. Speer, Mayor of Wilmington, Delaware. We are now to hear the viewpoint of a Congressional research director.

I wish to take this opportunity to say to all of you that we have had the most generous cooperation in our work of the last two years from the man who is going to speak to you. Always friendly and sympathetic, he has been available to those who have gone to him from the Interstate Tax Commission for help, and he comes to us today in that same sympathetic mood to speak to us. I have the pleasure now of introducing and presenting to you Mr. Lovell H. Parker, Chief of Staff of the Congressional Joint Subcommittee on Double Taxation.

ADDRESS BY LOVELL H. PARKER

As a boy, I used to accompany my father, who was Town Clerk and County Treasurer in the town of Barnstable, to the annual town meeting. One year it was brought out in the meeting that the muskrats were doing considerable damage, so the town of Barnstable voted to pay a bounty of 25c on each muskrat killed. The person killing the muskrat was to produce the tail of the animal and the county treasurer would give him his 25c, record it, and burn up

the tail so that it could not be used again.

It happened that the town of Mashpee, an adjoining town, at the same time put a bounty of 25c on muskrats, but the evidence of the killing of the animal there was the presentation of the ears, so all you had to do was to go out and kill a muskrat, take the tail over to the county clerk of Barnstable and the ears to the county clerk of Mashpee, and get 50c, which of course was double what was intended.

Nothing could be done about it, but everybody knew about this thing, so on the next fourth of March, Barnstable changed its bounty so that they paid 25c on the presentation of the ears instead of the tail. Unfortunately, they had the same bright idea in Mashpee and they changed theirs to a bounty on the tails. So we had another year of double bounty.

Then they finally cooperated, and when they met on the third or fourth of March, Barnstable changed back to give its bounty on tails and Mashpee remained in status quo, so the thing was all right.

I cite this as an instance of the need for cooperation between any governments dealing with these matters. I am rather of the opinion that some of our instances of double and multiple taxation which exist today are just as ridiculous as the double bounty on muskrats.

Congressional Committees

I have been asked to describe to you the studies which the Congress has caused to be made on the subject of double or conflicting taxation. I appreciate this opportunity and I shall also take the liberty of speaking briefly in respect to what is hoped for in this connection in the future.

The first definite step taken in Congress, having as its object the coordination of federal and state taxes, resulted from a motion made by the Honorable Fred M. Vinson of Kentucky, on June 16, 1932, in the Committee on Ways and Means of the House of Representatives, providing for the appointment of a subcommittee "to make a comprehensive study and investigation of the overlapping, duplication, and lack of correlation of taxation by the federal and state governments." The motion having been adopted, the chairman of the committee, the late James W. Collier of Mis-

Mississippi, appointed a subcommittee on double taxation composed of Mr. Vinson, Chairman, Mr. Cullen of New York, Mr. Lewis of Maryland, Mr. Chindblom of Illinois, and Mr. Crowther of New York. Subsequently, Senator Harrison, Chairman of the Committee on Finance of the United States Senate, appointed the following subcommittee on double taxation: Senator King of Utah, Chairman, Senator Barkley of Kentucky, Senator Byrd of Virginia, Senator Reed of Pennsylvania, and Senator La Follette of Wisconsin.

In consideration of the importance and scope of the investigation to be undertaken, the subcommittee agreed upon a plan of procedure, the first step in which was the preparation of a fact-finding report to set out the necessary data relative to federal, state, and local taxes, the duplications therein, the revenues collected, and the disposition of such revenues. The purpose was to publish this report as a basis for the consideration of the problem by the Congress as well as for public examination and analysis. It was decided to defer any definite proposals for the elimination of conflicting taxation until after the fact-finding report had been studied and discussed. At the request of Mr. Vinson, Mr. Collier, then chairman also of the Joint Committee on Internal Revenue Taxation, authorized me, as chief of the technical staff of that committee, to collect the necessary data for the report under the direction of the subcommittee.

Inasmuch as the report was expected at the opening of the next session of the Congress in December, 1932, only six months were available for its preparation.

Double Taxation Report

However, the fact-finding report was completed and was printed and ready for distribution in the first part of January, 1933. The report was entitled "Double Taxation," and it is hoped that it has served a useful purpose. It evidently created considerable interest, as the first edition of 4,500 copies was soon exhausted. The preparation of the report involved a wide field of investigation and required considerable labor. It contains some 325 pages and numerous statistical tables.

The report describes the taxing powers

and limitations of the federal and state governments under our dual form of government and their respective tax systems. It endeavors to show all cases in which duplicate or double taxation exist between the federal and state governments, which were some 326 in number at the time the report was published. The revenue derived from the various taxes by the federal government, the states and their various political subdivisions is shown as far as data were then available. A number of approximations were made in order to give figures on total tax burden. Similar data were shown as to the expenditures and the purposes for which expenditures were made. The investigations made showed the enormous increase in the tax burden, as well as the shifting of that burden in recent years. Some investigation was made in respect to the tax systems of various foreign countries, the results of which are included in the report.

The report obviously justifies the conclusion that there are many instances of duplication in taxes between the federal and state governments, some of which could and should be removed, that the burden of taxation on certain specific objects has reached the point of diminishing returns, and that our present tax system is not only complicated and cumbersome, but in many instances inequitable.

The publication of the preliminary report by the committee did not conclude its interest in or study of this most important subject. Honorable Robert L. Doughton, now Chairman of the Committee on Ways and Means, recently reappointed the subcommittee on Double Taxation for the present Congress. The committee consists of Mr. Vinson of Kentucky, Chairman, Mr. McCormack of Massachusetts, Mr. Lewis of Maryland, Mr. Reed of New York, and Mr. Jenkins of Ohio, with Mr. Doughton taking part in the deliberations of the committee as ex-officio member.

The staff of the Joint Committee on Internal Revenue Taxation is continuing its work. The statistics in respect to taxes are being brought up to date and made more accurate and complete. A study and compilation of the constitutional provisions of the several states with respect to taxation has been made setting out more fully their

powers and limitations. During the year 1934, in 38 sessions of state legislatures—only nine of which were regular sessions—over 400 laws with respect to taxation have been enacted. No diminution has been noted in the number of objects subject to double taxation. Sales taxes in various forms have been imposed by the states and there seems to be a tendency to shift the burden from real property to other subjects of taxation. Taxation of natural resources seems to be growing in favor. In short, the staff of the Joint Committee is in a position to publish promptly a revised and up-to-date report on Double Taxation when the opportune time arrives.

English Experience

During the past summer, I had the opportunity of visiting England, in company with representatives of the Treasury Department, for the purpose of investigating the tax system of that country. A study of the British system is very helpful to those who are interested in the conflicting taxation problem, for in England no double taxation of any consequence exists. In spite of the fact that the per capita tax burden in Great Britain is nearly one-third greater than in the United States, that burden seems equitably spread and not unduly repressive on business. In my opinion, the same total burden in Great Britain would be unbearable if they employed our uncoordinated, overlapping and duplicate system of taxation. Conversely, I believe, if our tax system were coordinated and the federal government and the states imposed their taxes in accordance with a harmonious plan, that the present total tax burden in this country would be much more easily borne.

In England, approximately two-thirds of the revenue is collected by the Crown and only one-third by the local jurisdictions. In this country the reverse is true, and about one-third of the revenue is collected by the national government and two-thirds by the state and local governments. The revenue collected by the local authorities in England is supplemented by grants-in-aid from the Crown. The only real tax imposed by the local authorities is the real property tax, known as "the rates," although it is true that some income is collected

locally from fees, tolls, and publicly owned and operated utilities.

In spite of the fact that the British National Government collects the bulk of the taxes, nevertheless a large part of the expenditures are made by the local authorities, since funds are made available to them by the Crown as already stated. In fact, there are approximately 15,000 local governmental units, composed of county councils, town councils, borough councils, rural district councils, and parish councils. It results from the system thus briefly described that the taxes in England are uniform and are administered efficiently and economically in all parts of the island, and, on the other hand, expenditures are largely made by local authorities who are thoroughly cognizant of local conditions and local needs. No one believes, of course, that we can transplant the British system in all its aspects to this country, but, on the other hand, it is well worth while to consider the tax experience and results obtained in that country.

It seems pertinent to this subject of coordination of taxation to state certain facts which have a direct or indirect bearing on the subject.

Important Facts

First, it is important to keep in mind the total tax burden. For the fiscal year ending June 30, 1934, the total revenues of the federal government from taxes and customs amounted to \$2,986,000,000. For the same period, it appears that the state and local governments received a total revenue of approximately \$6,400,000,000. The total per capita burden, therefore, was slightly over \$74. Twenty years previously the federal revenues amounted to only \$735,000,000, and state and local revenues to roughly \$2,600,000,000. This gave, for 1914, a per capita tax burden of only \$34. Thus, in twenty years the tax load has been increased nearly 120 per cent on each man, woman and child.

Second, in respect to outgo, the federal expenditures in 1934 were \$7,105,000,000, while state and local government expenditures may be estimated at approximately \$9,300,000,000. This indicates a per capita expenditure of \$130. In other words, in the present situation, where so many emer-

gency expenditures are necessary to aid recovery and to give relief, the per capita outgo exceeds the per capita revenue by about \$56. By way of comparison it might be stated that the per capita tax burden in Great Britain is about \$99 and the per capita expenditure \$115, so that in that country the tax burden is greater but the expenditures less on a per capita basis.

Third, the total public debt of national, state and local governments amounted to about \$46,650,000,000 on July 1, last. This is a per capita debt of about \$370. In England the per capita debt is approximately \$990. In the United States about 16 cents of every tax dollar goes to the payment of interest on the public debt; in England about 33 cents of every tax dollar goes to interest charges.

Fourth, as far as the federal government is concerned, internal revenue receipts are on the increase. Total internal revenue receipts for the first seven months of this fiscal year are \$334,000,000, or 24 per cent, above the collections for the corresponding seven months of the preceding fiscal year. The principal increases are noted in connection with the income tax, estate tax, tobacco tax, and liquor tax. The only decrease in revenue of any consequence is in connection with the stock transfer tax.

Fifth, instances of duplication of taxation on the same objects by the federal government and the state governments are increasing under the pressure for more revenue. In 1932 we found 326 instances of double taxation between the federal and state governments. A rough count in the spring of 1934 shows 883 instances of this nature. The increase in duplication is largely due to the imposition of liquor taxes and sales taxes by the states.

Sixth, aside from the increase of the tax burden in recent years, there appears to be an enormous increase in the number of returns, reports, and records required of the taxpayer by the various federal, state and local taxing units. The cost of making these returns and reports and of keeping the necessary records adds materially to the gross tax burden without increasing the revenues of the governments. On examining the federal and state tax calendar for March, I find it would be quite possible for a corporation doing a nation-wide busi-

ness to be required to file returns and reports or to pay taxes in 191 different instances in that one month of the year. It is not difficult to visualize the force of accountants necessary to do this work and the number of lawyers necessary to keep the corporation advised on the requirements of existing law.

Coöperation

Returning to the matter of Congressional studies of conflicting taxation, from which I have somewhat digressed, I believe it is safe to say that the committees of the Congress dealing with taxation will continually keep themselves informed as to the existing facts in connection with this subject. It is my personal opinion that actual results in eliminating the evils of conflicting taxation can best be accomplished by the fullest coöperation between these federal committees and the state governments as represented by this assembly and its committees. At least this seems true unless the Federal Constitution is changed, for under that Constitution there is practically no bar to the federal government from levying all forms of taxes and practically no bar to the state governments except in the case of import duties. In other words, no legal obstacle exists to prevent the present state of duplication of taxes on the same object or to a further increase in such duplication.

Furthermore, without a constitutional amendment, no practical plan of direct legislation has been devised whereby the Congress can secure consistency and uniformity in state taxes.

It seems to follow, therefore, that in the present situation the only immediate hope is for coöperative action by the federal and state legislative bodies. There is real need for this coöperation.

It is my sincere hope that actual coöperation in taxation between the federal and state governments will soon be a fact. Personally, I look forward to the time when the committees of the Congress whom I serve will instruct me to proceed with the investigation of methods of improving the present tax maze. There is certainly no lack of work in the tax field. In addition to the problem of conflicting taxation, much can be done in the field of simplification,

and much in the field of uniformity in state taxes.

It is perfectly obvious from the existing facts that the tax burden must be heavy for some years to come. It is especially necessary, therefore, to spread this burden as equitably as possible. With low rates of tax, conflicts and inequities are not seriously felt. With high rates, the same conflicts and inequities become almost unbearable. This Assembly is to be congratulated on starting and continuing a movement which can not fail to be of final benefit to every citizen in the country as well as to every governmental unit therein.

CHAIRMAN ONEAL: I desire to thank you on the part of the Assembly for having come here and given us this report.

Discussion

JUDGE JAMES M. GRAHAM (Illinois): The speaker mentioned the fact that there was a public debt of \$46,000,000,000. I would like to inquire if that includes government loans such as the HOLC and other loans of that character.

MR. PARKER: It does include that.

JUDGE GRAHAM: That isn't fair, is it, to call that a public debt?

MR. PARKER: It is always set up in the government accounts that way. The public

debt last July was about 27 billion. The debt of the states and local governments was about \$19,600,000,000. That is offset by other assets of the government.

HON. R. BEVERLEY HERBERT (South Carolina): I would like to ask Mr. Parker if he can give us any idea what those assets were estimated to be worth, aside from the foreign debt and aside from the public buildings. What values are there in money advanced for the home owners' loans, or other liquid assets of the government?

MR. PARKER: I can't recall offhand. You can get accurate information on that point from a release of the Treasury some two or three months ago, which went very thoroughly into that question. All I can recollect now is that it was approximately four billion dollars.

CHAIRMAN ONEAL: Now if the members of the Assembly have any resolutions that they want to introduce and have referred to the Committee on Resolutions, they are in order.

The resolutions were presented to the Chairman for reference to the Resolutions Committee.

HON. HENRY LONG (Massachusetts): I move that we now adjourn.

The motion was seconded and approved.

The meeting adjourned at 4:10 p.m.

Saturday Morning Session

March 2, 1935.

THE meeting was called to order at 9:30 by Senator Toll.

SENATOR TOLL: You will recall that at yesterday's session, in connection with the address of Mayor Speer of Wilmington, Delaware, Judge Graham of Illinois requested to be recognized, but on account of complications in the program at that time it was impossible to do so. As the first matter to be taken care of this morning I wish to recognize Judge Graham of the Illinois delegation.

JUDGE JAMES M. GRAHAM (Illinois): I want to compliment the author of the manuscript. It was very cleverly arranged, his position was very well fortified by facts and cogently argued. If one were to concede his premises, he could hardly avoid his conclusion. The point to his paper was that we had too many taxing and collecting agencies, federal, state and local, and he urged that one, instead of three or more, should have control. His conclusion was, in substance, that he hoped the federal government would collect all taxes and distribute them among the states. That was the point to which I took exception and concerning which I wanted to put my protest on file.

The writer of the paper omitted a very important, a controlling factor. It is not alone a question of the economical collection and distribution of taxes. There is a very important political question mixed up in it,—the effect it would have on our system of government.

This procedure, if followed, would take the taxing power from the states—the collecting and disbursement of taxes—and give it to the federal government, a long stride backwards. Let me emphasize that home rule—state sovereignty, if you please—is the real secret of political liberty.

For that reason I could not give my assent to the logic of the very excellent paper which was read before us yesterday and I

would not feel comfortable if I failed to record my dissent.

Speaker Belknap assumed the chair.

PRESIDENTIAL ADDRESS BY WILLIAM B. BELKNAP

I happen to be the first speaker on the program, to give you my annual address. It has been my good pleasure to be President of the American Legislators' Association for three years. I hope and believe that Mr. Toll, and the rest of you, are going to find somebody to take my place, as I do not think it is healthy for one man to hold office too long, and there is certainly plenty of talent in this organization.

I have been very proud and am very proud to have held this position. The organization has gone forward more than you who have come here for the first time can realize.

Progress

We still have a very long way to go. My guess is that we will always have a long way to go if we are a "live" organization. Those of us who have watched from the beginning are very thankful and can but marvel to see how far we have come. We have seen the Interstate Reference Bureau grow from nothing but an idea to the place where it serves hundreds of legislators annually with information needed for the production of better legislation. We have seen STATE GOVERNMENT grow from something little more than a pamphlet to one of the most used and respected magazines in the nation.

We have seen the growth of regional meetings, truck and bus conferences and other meetings, and we have seen the states take up that idea and carry it through in their own way, which is, after all, what we want. We have seen pre-session conferences started, and I want to say to those



FLAGS OF THE FORTY-EIGHT

The promenade of the Mayflower Hotel in Washington was converted into an avenue of state banners on the occasion of the Second Interstate Assembly.

of you who have never tried a pre-session legislative conference that you have no idea what a help it is to a legislature to get the members together before the heat is generated and while there is still some light. Certainly, if we have done nothing but start the idea of pre-session conferences, our whole existence has been justified.

The Interstate Assembly, born two years ago, has shown healthy growth and the work of the Commission on Conflicting Taxation, which it created, is something that we will feel more and more proud of as time goes on. It is going to take you, who have not worked with the material they have gathered together, some time to appreciate the significance of what they have accumulated in the way of tabular facts and supporting text material.

Respect for Legislators

Along with these more tangible achievements we have worked to rebuild respect for legislators. You know, and the lawmakers, both national and state know, that it has come to be the fashion to make a joke of all lawmakers. This disrespect has become a very dangerous thing in our civilization. One of our best public writers has said that it is the seed of the growth of an idea which will destroy all democracy, that by the time the newspapers and the press, in general, have achieved their apparent goal of destroying all respect for anyone who holds public office, the people's faith in government will be entirely dead and the governments will disappear. That is a pretty strong statement, and yet if you will think it over I believe you will agree that there is a very real danger in the continued derogatory remarks about legislators.

It might interest some of you to know that I was informed, on very good evidence, that in one of our largest cities people were looking for the highest type mayor they could get. A committee of the best citizens was formed to try to persuade the individual selected to run. The first sixteen men approached all refused to be candidates, and all gave the same reason. Every man approached said he was unwilling to subject himself to the abuse of the press. As one man remarked, "I have a happy home, I have a wife and three children and

if I should accept and be elected it wouldn't be two months until my children would be coming home, in tears, saying that the children at school had said their father was a liar, and had proved it by showing it to them in the newspaper."

Of course one of the outstanding objects of this Association is the desire to effect cooperation both between the states and between the states and the nation. I think we have already awakened a very real sentiment in that direction.

Behind the Scenes

I want to answer a few of the questions that have come to me from some of the people who have been here for the first time, and some who have been here before, as to what this organization really is. I have no doubt there are men here who have no more than a general idea as to the mechanics of the American Legislators' Association, and there are others with whom its project is rather a nebulous idea. When you go home you are going to be asked who, what and why.

Senator Henry Toll is the man who is responsible for starting the organization, but he, his Board of Managers, and his staff have honestly tried to make it a democratic organization and have tried to throw upon the members all the responsibility they would take.

All of us have fought to keep the American Legislators' Association free from propaganda and partisanship. I don't know whether you realize how hard it is to get away from this idea of propaganda. The American Legislators' Association has, I think very rightly, felt that it is a service organization to and for legislators. There has been no attempt to sell ideas to the general public in America. We have enough propaganda organizations in this country to supply the whole world. That is not what we need. What we need is what I think we have, a highly professional group of men interested in the betterment of their profession.

When it comes to the point where we have to deal with controversial subjects, we have tried, as far as possible, to divorce them from the American Legislators' Association through the mechanism of the Interstate Assembly and the various commissions ap-

pointed by it. When a report is issued, in favor of some particular proposal, it is not sent from the American Legislators' Association but it is issued through some specifically named group such as the Interstate Commission on Conflicting Taxation. These groups must take personal responsibility for what is said or written since we don't pretend to involve people who have never individually committed themselves on the subject.

The Council of State Governments

Our experience with the First Interstate Assembly made us realize that in order to maintain the necessary continuity and stability, we must bring into our group some of the administrators with whom we are constantly associated in our own state capitals. Therefore, the Council of State Governments took form and we are making an earnest effort to associate with us in this broader organization the National Association of Attorneys-General, the National Association of Secretaries of States, and the various other associations of state officials which are trying to better state government.

You all know the terrific turnover in the membership of state legislatures. You realize that before the next Interstate Assembly meets, many of us may be in the political Great Beyond. Yet we must keep this organization going continuously. We have been very fortunate in getting such men as Mr. Long of Massachusetts and Mr. Graves of New York to maintain active interest in this movement, and such men supply the necessary continuity.

Financing

All of this was originally financed by private subscription, but I want to say frankly that most of our activities in recent years have been financed through the great generosity of the Spelman Fund. It has been a wonderful thing to see how generous the Spelman Fund has been with us and how completely they have allowed us to form our own plans. The administrators of this fund have never embarrassed us in any way by making suggestions as to how the organization should be run. So often, when you take money from some private or semi-public source, that source claims the right

to have a very considerable say in how things should be done.

However, with all due respect to the Spelman Fund, I feel that if we are to maintain our self-respect, we must go to our own states for financial backing. It is the states' business and the federal government's business to support this organization, which is filling a need that is not met by our governments at present.

Therefore, I am going to urge upon you as seriously as I know how, to try to help us get the proper appropriations from your state. One man with whom I was talking at breakfast this morning said, "I don't believe our state can afford to do this, but I don't believe it can afford not to do it." And that has been my attitude. Many of the states are in grave financial difficulties, but you cannot afford to be without a good doctor when you are sick, and without a good lawyer when you are in trouble, and you cannot afford to be without the services of this organization under the present governmental conditions.

I do not wish to create the impression that this is a request for charity. I put it up to you, as members of this organization, to see that it gets the support to which it is rightfully entitled. You are giving your time and your energy, and many other people are giving their time and their energies, to this organization. Certainly the nation can afford to pay the mere operating expenses, if people will give of their time and energies as they have given and are giving without any compensation.

We are asking that the states appropriate an average of \$2,000 each, annually, in order that we may feel that we can say definitely to the states, "This is your own organization, you are paying for it, and you are going to get out of it what you put into it."

So much for the mechanics—the things going on behind the scenes. They have never been hidden from you but some of you have never taken the trouble to come around back of the curtain and see how we were working and why.

Plans for the Future

As to the future, I want to say that I would like to see this Assembly made an annual affair. But more immediately, I

want to see several regional secretaries put in the field. You know that no legislator ever reads his mail. If he did—well, if he reads his mail he is no legislator because he can't do both. The only way that we can mould a real organization of state legislators is by personal contact.

What we need is a man in New England and a man in the southern states and other men in regions throughout the country who will go from state capital to state capital while the legislatures are in session, keep them together and in agreement before they get into snarls. If some legislator is going to introduce a bill, the secretary for his region can bring to his attention the fact that information on that particular piece of intricate legislation may be obtained from the Interstate Reference Bureau. These secretaries can encourage the states that have not done so to provide themselves with a state legislative reference bureau. All of such types of personal service are vital if we are to reach top-notch efficiency.

I want to see us bring out a *Book of the States* every year. However, instead of one small volume, made up of a good deal of reprinted material from our very excellent magazine, I want to see a number of volumes every year, serving as a statesman's year book. You will then have on your desk in the legislative chamber a reference book in which you can find the various names and offices and arrangements in other states so that you can be more intelligent legislators with less loss of time.

I hope to see a great development of regional meetings on vital subjects of legislation.

I want to see the enactment of interstate compacts with respect to much of the evil competition between states. I want to see the organization of pre-session legislative conferences in every state. I want to see a development in the idea of binding more closely together the administrative officials with our American Legislators' Association, in line with the objectives of the Council of State Governments. And I want this Assembly to have available the funds which are required to make studies along other lines of state conflicts, as it has made in taxation. It also ought to have funds to make studies of necessary legislation where no conflicts are involved.

I have tried this morning to give you a friendly talk on what we are trying to do and why we are here. I want to thank you sincerely for your presence. It has been a great pleasure to be your President and I hope to meet all of you many times again. I am now going to ask a man who is taking a real interest in this work to talk to us. He is President of the National Association of Attorneys General. I want to call on General Ernest L. Averill to come up and address the Assembly.

ADDRESS BY ERNEST L. AVERILL

It is indeed a pleasure to have the opportunity of meeting with you. I have had occasion to recall the First Interstate Assembly, for at that time I was a member of the Connecticut General Assembly. I recall very distinctly attending that conference, called by the American Legislators' Association. The meeting was smaller in numbers than this but the idea was there; it has grown, and it is a wonderful success.

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

It is this principle of our system of government which prompts us to gather in this Interstate Assembly. There appears to be general anxiety among the states because the prevailing tendency of the federal government is to infringe upon the reserved powers of the respective states. This is not an unnatural phenomenon. It is the tendency of all governmental agencies to expand and develop until stopped or limited by the people who support the government. Sometimes the judicial branch of the government may supply the limit through an interpretation of the constitution.

States' Rights

If the states are to preserve their reserved powers, they must recognize and be willing to assume the responsibilities which this section of our Constitution implies. It will not suffice that we declaim in favor of "States' Rights." The states must see to it that the reserved powers are actually utilized to the extent demanded by the people of the respective states.

One serious question we may all ask ourselves. Are we, as states, supplying our

own people with the government to which they are entitled? The nearer we come to achieving that goal the stronger will be the state governments and the less will be the tendency for the federal government to invade the reserved powers of the states.

It is such gatherings as this which should furnish the inspiration to the legislators of the several states, the governors and the administrative officials to strengthen the state governments and resist all efforts to usurp their reserved powers under the Constitution. Should the states desire to divest themselves of some of these powers, let the transfer be made openly, knowingly, and as the Constitution itself provides—by amendment.

One cannot attend a gathering such as this, meet the representatives of all of the other states of the Union, and discuss problems of state government with them without feeling that he has received an education. But why should not the administrative officials of the several states have some contact throughout the year? All state officials should welcome the experience of others who are engaged in similar governmental activities.

Attorneys General

Speaking specifically as to the offices of the attorneys general, it is most unfortunate that there never has existed a central clearing house for opinions of the several attorneys-general. It is only by chance, many times, that it is discovered that the question which demands solution has already received the attention of a neighboring attorney-general, or perhaps one who is hundreds of miles distant.

No occupant of that office is big enough to master all of the legal problems presented for solution. The reasoning, the thought, and the expression of others in like position should be ever welcome.

To the office of attorney general come some of the problems of every department of state government. Many questions are of such importance and of such far reaching effect that the utmost care should be given to the decision. If a closer contact should exist between the legal departments of the several states, similar problems could be solved by the combined ability of several officials' solution.

Questions of the relationship between the state and federal governments and between individual states, such as water rights, agricultural interests, milk regulation, banking, insurance, public utilities, sale of securities, taxation, the sale of intoxicating liquor, public health, motor vehicle regulation, highways, and criminal administration are but some of the many subjects which find their way into the office of the attorney general.

In most states these officers are elective officials, and the turnover is large. In looking over the 1935 list of attorneys general we find but two who were in office seven years ago. Many have graduated to the bench, some have gone to other positions in the government—others have resumed private practice.

This mortality is probably equalled if not exceeded in the other lists of elective officials. It is an added reason why there should be available somewhere a permanent record of their official activities. A contribution of extraordinary value to the strength of state governments would be made if this information could be lodged in one place and made available to the administrative officials of the several states.

It is not contemplated that all states should be standardized. Frequently, opinions of attorneys general will differ. It is proper that such should be the case. It is the information which is valuable. When supplied, it still remains the responsibility of the administering officer to place his own interpretation upon the question presented. Too much emphasis however, cannot be placed upon the necessity of furnishing to our state administrators a greater opportunity to consider and weigh the opinions, reasoning, and suggestions of the other state administrators.

It is the hope of the Association which I represent, that through the Council of State Governments such a plan may be worked out. It is one forward step in furnishing the service to the taxpayer which he so richly deserves. It will help to develop the strength which is needed to enable our states to administer their reserved powers wisely and adequately, and to withstand any effort designed to impair such rights.

SPEAKER BELKNAP: I am now going to

call on Honorable Enoch D. Fuller, President of the National Association of Secretaries of State. It will give us great pleasure, I know, to hear from Mr. Fuller.

ADDRESS BY ENOCH D. FULLER

It is a great pleasure for me to be here today and to represent the National Association of Secretaries of State. I bring you, as its President, the greetings of the organization.

The Secretaries of State have a national organization with which active or former Secretaries of State may become affiliated. The Association has held seventeen annual conventions in various cities of the United States. Naturally, because of the various methods of election or appointment, our membership undergoes many changes from year to year. Our officers are elected annually. The purpose of the Association is to discuss and formulate such plans as may, from time to time, be thought desirable about these or other departments of state governments.

In general, Secretaries of States' duties have to do with keeping the official records of the state; cooperating with the executive department of the state government; serving as custodian of the great seal of the state; attesting official signatures, documents and records; issuing commissions; recording bonds and notes; preserving historical data and records; determining the procedure of the legislative bodies; administering election laws; supervising the registration of business corporations; and innumerable other administrative duties. Some secretaries have complete charge of motor vehicle registrations and regulation, as well as of the state police systems.

The suggestion of a joint conference of all the state officials has been made. My personal opinion is that meetings of smaller groups of persons with subjects and discussions confined to those in which the particular group is directly interested, are likely to produce better results than meetings where a wide range of subjects—many of which would be on matters foreign to the interests of the groups—might be discussed. A closer interest in the business of the session can be maintained when the group is smaller. Closer personal contact from a social as well as a business viewpoint

can be established. And such social contact and understanding is a prerequisite to a successful business session. The policy of meeting in various parts of the country has the advantage of creating regional interest, although a central location might well result in a better attended convention.

In 1933, our National Association adopted a resolution which coincides with the purposes of the Council of State Governments. The resolution dealt with conflicting legislation, regulations, and practices in the departments of state. Coordination and better cooperation between the Secretaries of the several states was recommended. A committee of six members was named at that time,—each one of whom was asked to make a survey in a group of eight states, in order to determine the duties, practices and regulations in the separate departments of state. A report of this study will be made at our next convention, in August, 1935.

The National Association of Secretaries of State will have my personal report on the Triple Board meeting held in January, and on this Second Interstate Assembly. I assure you that our Association will be glad to cooperate with the Council of State Governments and the American Legislators' Association on any constructive subject that might be suggested.

SPEAKER BELKNAP: At this time I am going to call on the Chairman of the Resolutions Committee to make his report. This is, of course, one of the very important parts of the whole meeting.

THE RESOLUTIONS¹

HON. MARK GRAVES (New York): As was to be expected, a great variety of resolutions was introduced. The Resolutions Committee has worked rather assiduously at its task. We still have some resolutions which have not been acted upon. Therefore, with the indulgence of the Assembly, we shall report on as many as we can at this time. I think the consideration and adoption or rejection of these resolutions will consume some little time and we ask

¹These resolutions are printed separately in the transcript. Those which were formally approved by the Assembly were collectively reprinted on pages 100-108 of the April issue of STATE GOVERNMENT.

permission to come before you later in the afternoon with the remainder of our report.

The group of resolutions first presented originated with the Interstate Commission on Conflicting Taxation. That Commission, as you know, has been working during the past two years. It has held several meetings, seven in number, I believe, and, after studying various subjects, it has developed conclusions which are merged into the resolutions which I shall now present to you. The method of presentation which the committee has decided upon will be to get what are perhaps the least controversial measures out of the way at the beginning. The first one has to do with the gasoline tax.

SPEAKER BELKNAP: I must intercede for a moment and ask for the report of the Credentials Committee, so that only those who are accredited, official delegates will be recognized in the voting.

REPORT OF CREDENTIALS COMMITTEE

The report of the Credentials Committee was read by Senator Oneal, and unanimously adopted.¹

SPEAKER BELKNAP: Will you proceed, Mr. Graves?

Motor Fuel Taxation

MR. GRAVES: "RESOLVED, that it is the sense of the Second Interstate Assembly that the federal government retire not later than June 30, 1935, from the field of motor fuel taxation and leave that field for the exclusive use of the states and their localities."

That resolution is reported as being unanimously favored by your Committee on Resolutions. I offer this resolution and move its adoption.

SPEAKER BELKNAP: You have heard the resolution that the federal government should abandon the field of motor fuel taxation. Is there a second to that motion?

The motion was seconded by Mr. O'Gara of Nebraska.

Discussion

SPEAKER BELKNAP: Is there any discussion? The question has been called for.

¹ The names of accredited official delegates are starred in the roster of participating members of the Assembly at the beginning of this transcript.

JUDGE OSCAR LESER (Maryland): As I understand it, this doesn't prevent the government from keeping on with its road building program, which it started long before it had a one cent gasoline tax.

HON. W. H. O'GARA (Nebraska): I would like to say that the federal government has outlined its plan for road building for the coming year, and as I understand this the federal government is asked to retire the first of June, is it not?

MR. GRAVES: Decidedly not. As the gentleman from Maryland has very aptly pointed out, the federal government spent hundreds of millions of dollars on a federal aid highway building program before it ever imposed any motor fuel tax. The compliance by the federal government with this resolution has no bearing either directly or indirectly on the federal highway aid program.

SPEAKER BELKNAP: Is there any further discussion?

HON. SIMEON E. LELAND (Illinois): I would like to say a word against the resolution. I haven't any particular interest in the matter as it relates to the finances of the highways, but as a tax program there is some advantage in allowing the federal government to continue this experiment until such time as it can demonstrate whether it is more efficient in the collection of gasoline taxes than are the states.

SENATOR GEORGE WOODWARD (Pennsylvania): Sixteen states have already memorialized Congress to this effect.

HON. RALPH GILBERT (Kentucky): We might consider this resolution with a little caution, not so much on its practical operations as its possible effects in pointing the way to a uniform system of taxation. There is considerable thought that all sales taxes should be national. The conflict of states would indicate that if it could be brought to a practical solution, the federal government perhaps would be the best agency for collecting a sales tax. Now a gasoline tax is nothing but a sales tax. To adopt this resolution, which I am in favor of adopting, might throw some light on the question when we reach it, of sales taxes in general.

HON. HENRY LONG (Massachusetts): There seem to me to be three reasons why this resolution should be unanimously

adopted: first, it will permit local communities to get money from their own citizens, who will be directly benefited; secondly, the simplicity of the tax, the comparative ease with which it is administered and the small cost to the local communities; and thirdly, the very thing we want above all else, namely, to have the federal government retire from a field of taxation which is purely local.

SENATOR BEN G. ONEAL (Texas): I agree with Mr. Long entirely. The Chairman of the United States Senate Finance Committee has recommended that the federal government get out of the field of gasoline taxation. That recommendation was made shortly after the Interstate Commission on Conflicting Taxation had a conference with the Finance Committee. So one body of Congress has already gone on record in favor of the federal government abandoning this field of taxation and leaving it to the states.

SPEAKER BELKNAP: Are you ready to vote on the resolution? Unless there is a close vote, we would save a lot of time by an aye and nay vote. If there is any question at all, I will call for a roll call.

Those in favor of this resolution will say "aye;" opposed "no." If anybody desires it, he can have a roll call. That not being the case, I declare the Resolution adopted.

Federal Highway Act

MR. GRAVES: The second resolution is related to the one which you have just acted upon, and it is to this effect: "The Second Interstate Assembly calls to the attention of Congress and the state legislatures the principle incorporated in Section 12 of the Federal Highway Act of 1934. The Assembly seriously questions the desirability of this form of federal control of state financial and administrative machinery.

"In this section, Congress undertook to direct the expenditure of state revenues as a condition for receiving federal highway aid. Further diversion of motor vehicle tax or gas funds by state governments is in effect prohibited. This provision constitutes an unprecedented federal interference with state fiscal policy, an interference to which the attention of the Interstate Assembly may well be directed. A copy of this section is appended hereto."

The Resolutions Committee presents this resolution and moves its adoption.

The motion was regularly seconded.

SPEAKER BELKNAP: Is there any discussion on this resolution? I am going to ask Mr. Graves for my benefit to tell me, in his own words, just what this resolution implies.

MR. GRAVES: In 1934, when the federal government enacted a federal highway act pursuant to which moneys were made available for highway improvements within states, it laid down a condition that no state could receive any of this federal money if it should thereafter divert any of the revenue received from the registration fees of motor vehicles or from motor fuel taxes to other purposes of government. In other words, if a state, after the enactment of that federal highway act, should divert any more of what I will call motor-user taxes to other purposes of government rather than to spend them on the highways of the state, such a state could not receive any federal aid for highways.

HON. WALTER G. QUERY (South Carolina): What is the purpose of this resolution? I understand the statement but what does the resolution say? Do we want the federal government to quit dictating how we shall use the money?

MR. GRAVES: Precisely.

MR. QUERY (South Carolina): If that is the purpose of the resolution, it seems to me somewhat out of place, because if the federal government gives us money for use on the highways it should be used that way and not for ordinary governmental purposes.

HON. HAROLD H. BARKER (Minnesota): It seems to me that this refers to the Hayden-Cartwright Act, which provides that in case you divert money you can only receive two-thirds of the amount granted by the federal government. They do not do away with the allotment entirely but give you two-thirds of the grant you would have received if you had not diverted. It seems to me the resolution should be corrected to have a correct statement of fact.

SPEAKER BELKNAP: That is all stated properly in the resolution, but was not brought out clearly, apparently, in the discussion. Now is there any further discussion on this point?

HON. HENRY D. WATENPAUGH (Wyoming): I am opposed to this resolution. It seems to me that the statement made by Mr. Long a moment ago is very pertinent to this resolution and is really an argument against motor fuel taxes which have been used by the states for the building of roads, and properly speaking might not even be termed a tax. It seems to me that Congress acted very wisely in making this provision and that the motorist is entitled to a legitimate complaint if motor fuel taxes are taken for general governmental purposes instead of being used for the purposes for which they were originally designed.

SENATOR GEORGE WOODWARD (Pennsylvania): It seems to me that the creation of special funds in any of our states is more or less of an insult to the intelligence of the members of the legislature. In Pennsylvania, we have diverted, and hope to continue to divert, our motor money for any purpose that we desire.

JUDGE OSCAR LESER (Maryland): I think this resolution brings up a very important subject. I agree thoroughly with Dr. Woodward that it is a vicious thing to delegate revenues from a particular source for a particular purpose. Revenues should go into the general treasury and be appropriated in amounts suitable and adequate for the purposes involved. We do not dedicate the gross receipts from the tax on railroads to the railroads. If you followed that plan, you would not get anywhere.

HON. EARL R. LEWIS (Ohio): As I understand it, the resolution condemns the assumption by Congress of the right, through control, of grants-in-aid to determine state policies with respect to the distribution of income from taxation in the several states. The thing at which the resolution is aimed, as I understood it, is federal attempts to control state policy, and it strikes at an evil that is apparently growing in federal legislation, an assumption on the part of the national Congress of the determining of policies which, under our dual form of government, should reside in the several state legislatures.

HON. MYRON B. GESSAMAN (Ohio): As I read this, Section 12 of the Hayden-Cartwright Act merely says to a state, "If you do not use your gasoline and your motor

vehicle taxes for road purposes, you cannot expect the federal government to grant you money for this purpose."

Now personally, I see nothing wrong with that and I think it is perhaps unfair to adopt a resolution asking the repeal of this particular section which is put in there for the purpose of protecting the federal funds. In other words, it doesn't appear to me to be wrong for Congress to say to a state, "If you divert any or all of your gasoline and motor vehicle money, then we will not give you any federal money."

If I understand the resolution correctly, and I believe I do now, I do not feel that the resolution should be adopted, as I feel that there is nothing at all unfair in this provision of Section 12 of the Act at which I understand this resolution is directed.

MR. PARKMAN (Massachusetts): The question of road building, the question of matching federal funds with state funds is something entirely separate and distinct from the section involved here. This section in the federal Act is simply a vicious interference on the part of the federal government with the fiscal policy of the states and as such it seems to me the Resolutions Committee is quite right in approving a resolution which condemns that procedure.

JUDGE JAMES M. GRAHAM (Illinois): I am very heartily in favor of the resolution. The whole scheme on the part of the federal government sometimes referred to as the fifty-fifty plan is an unworthy attempt on the part of the federal government to influence state policy by indirection.

HON. WILLIAM E. ROGERS (Kentucky): It occurs to me that this principle is thoroughly sound. I think the defeat of the resolution would be an admission that the states, through their respective lawmaking bodies, are not qualified to allocate the taxes collected by those respective states.

HON. HAROLD H. BARKER (Minnesota): I agree with the general principle of the resolution, that Congress should not tell the states how they should spend money appropriated by themselves, nor for that matter furnished by the federal government, but I do not like to have that resolution tied up with this particular provision of the Hayden-Cartwright Act. In Minnesota, we do not believe in diverting money raised by the motor vehicle tax or the gasoline tax.

HON. SELDEN JOHNSTON (Connecticut): I have just one thought to add, and that is, this federal fund that is distributed among the states comes from the states. It is not a fund that is taken out of the air. The federal government proposes to say that a particular state, having theoretically paid its proportion into the fund, shall not get that money back unless the state submits to the interference by the federal government as to how that money shall be spent within the state.

HON. FRANCIS J. McCAFFREY (New York): We may get a bit of light on the effect of this provision in the Hayden-Cartwright bill if we consider its application to the State of New York. We have a comparatively good highway system, we are raising \$100,000,000 a year from motor vehicle fees and motor fuel taxation. It would be an absurdity to spend \$100,000,000 a year on our roads. We are spending a very considerable amount—I think we more than match the federal aid—but to go on and spend another eighty or ninety million dollars a year on our roads would be an absurdity. If you apply that principle you will see the viciousness of decreasing the grant of federal aid, in case all motor vehicle and fuel taxes are not used solely for road construction.

SENATOR CLYDE W. COFFMAN (Kansas): Just a word in regard to this diversion of funds. I think it is of course generally understood that the primary purpose of a gasoline tax is for expenditure on roads. I want to say that in Kansas, technically, we levy our tax on the use of motor fuels on highways, and it is my opinion that the federal government has a right to demand that this money be spent on highways in order to get their grant, and I shall vote against the resolution.

HON. SIMEON E. LELAND (Illinois): The purpose of taxes is to raise revenue and it isn't to raise revenue for any particular activity which the legislature decides to add to the act imposing the tax. There is nothing any more sacred about highway funds than any other fund and sound fiscal considerations require that funds should be put into the public treasury and that they should be spent out of it according to the needs and requirements of the government. In this particular case the least the federal

government can do is to insist that the amounts they are willing to match be spent on highways. I call for the question.

HON. J. H. THAYER MARTIN (New Jersey): New Jersey collects some of its gasoline tax from motor boat users. If New Jersey chooses to divert, as they call it, some of this gasoline tax from road purposes to the benefit of the motor boat users in improving waterways, that is none of the business of any other state in the Union or of the Congress of the United States. New Jersey is very heartily in favor of this resolution.

SPEAKER BELKNAP: I am going to put the question. Those in favor will say "aye"; opposed, "no." The resolution is carried.

MR. GRAVES: I am sure it is gratifying to the President of the American Legislators' Association, as well as to the Chairman of the Resolutions Committee, that these resolutions are so thought-provoking and that their discussion is being approached in such an intelligent fashion. The next resolution is also sponsored by the Interstate Commission on Conflicting Taxation. It reads:

"RESOLVED, that it is the sense of the Second Interstate Assembly that no additional tobacco taxes be adopted by the states for revenue purposes."

I might add that the Interstate Commission arrived at that conclusion from this angle: traditionally, indirect taxes like the tobacco tax and taxes on tobacco products, were the field of the federal government. The states have not been very successful in the administration of such taxes and perhaps should look, in time, toward withdrawal from that field. Although this resolution does not require it, it expresses it as the sense of the Interstate Commission that no additional taxes on tobacco and tobacco products be levied.

The Resolutions Committee offers this resolution and moves its adoption.

HON. HENRY F. LONG (Massachusetts): May I ask Mr. Graves a question? Did the Resolutions Committee mean by the use of the words "additional taxes" the adding of additional levies in the states that now have tobacco taxes, or did it mean that no new states should come into the tobacco tax field, and does it also mean

that the states now levying such taxes can do so as long as they don't add any additional levies on tobacco?

MR. GRAVES: The Resolutions Committee inherited this resolution from the Interstate Commission on Conflicting Taxation. It is a little difficult to undertake to say what the Interstate Commission may have had in mind, but by "no additional tobacco taxes" I infer that it means no new ones and no increases in tobacco tax rates. I infer, also, that the Commission realized that until there was a better integration and harmonization of the federal and state revenue systems, the states now in the tobacco tax field would of course remain, and there is no suggestion or compulsion that they withdraw from that field.

SENATOR McMILLAN LEWIS (Missouri): I am in hearty accord with this agreement but I would like to say that in our state we have no tax on tobacco and, I want to repeat, I am not in favor of the states going into the tobacco tax field. If you pass this resolution, however, it will work an injustice on the states that do not have a tobacco tax at present.

SENATOR BEN G. ONEAL (Texas): In view of the fact that the Interstate Commission on Conflicting Taxation is being brought into the discussion, I believe that in fairness to the work of that Commission the several recommendations made by them should come in here at one time. The report of the Commission suggests that the federal government get out of the gasoline tax field and cease levying taxes on electrical energy. The report then suggests that the states get out of the liquor tax field and out of the tobacco tax field.

We were seeking a way to avoid conflicting taxation. We felt that if we could find a reasonable basis upon which we could ask the federal government to withdraw from certain fields and leave those definitely to the states, and then ask the states to stay out of other fields and leave those definitely to the federal government, we would be accomplishing, to a degree, what we started out to do.

If we take these recommendations piecemeal, I am afraid that the delegates here will not understand just how the Commission arrived at its conclusions and recommendations. Manifestly, we can't ask the

federal government to get out of certain fields of taxation by saying, "Stay out of that and we will keep everything that we have." They have had the tobacco tax field since 1794 or '96, and the liquor field just as long. We find the states going into those fields. The federal government did not go into the gasoline tax field until most of the states had gone into it. The same thing is true with electrical energy taxes.

I am calling your attention to all the recommendations to show you that it was an attempt to balance our program and that the Commission arrived at these conclusions on more than one ground. We considered the historical situation with reference to taxation in these fields. We considered also the use of the revenue from those commodities that are taxed. In developing the subject that way we arrived at the four conclusions or recommendations which went before the Resolutions Committee. I feel that to get a broad view of the work of the Commission, this statement should be made.

SPEAKER BELKNAP: What is your pleasure with regard to this resolution?

It was regularly moved and seconded from the floor that the resolution be adopted.

SPEAKER BELKNAP: Is there any more discussion of it?

HON. WILLIAM E. ROGERS (Kentucky): Tobacco is the chief crop of the farmers in my state, and certainly we indorse this resolution.

HON. SIMEON E. LELAND (Illinois): There is nothing in the evidence on tobacco taxation to indicate that the burden of this tax is borne by the farmer, nor is there any evidence, so far as you can gain from the tobacco companies or other people, as to the effect of tax rates upon the consumption of tobacco products. It is generally believed, and believed clearly on all the reputable evidence that can be assembled, that tobacco is one of the products that a man will use whether or not it is taxed. Its use is not affected by the amount of taxes imposed upon it.

The level of tobacco taxation in this country is very low compared to the level abroad. The per capita statistics for the yield of tobacco taxation in the United

States are based largely upon misconception of federal withdrawal as applied to per capita figures in states having small populations, and upon the erroneous conclusion that tobacco consumption in the rural states is equal to that in the urban states which do not today impose tobacco taxes. Hence estimates of relative tax efficiency of state and federal governments on a per capita basis are untrustworthy. The movement to restrict the field of tobacco taxation is in large part a movement not to restrict the field but to keep down the rate. It seems to me the resolution ought to be defeated.

HON. ERNEST L. AVERILL (Connecticut): I can rather understand the difficult position which the voting members of the Connecticut delegation will find themselves in.

Would it not be possible for the Resolutions Committee to redraft the resolution so that it will embody the suggestion that it is a policy in the question of conflicting taxation,—that as soon as possible, and in cooperation with the federal government, the states will withdraw from the taxation of tobacco while the federal government is withdrawing from other fields of taxation which the states feel should replace that tax?

SENATOR GEORGE WOODWARD (Pennsylvania): I want to reinforce what Attorney-General Averill has said, because in Pennsylvania next week we are going to vote for a tobacco tax in the Governor's program, and in order to save the face of Pennsylvania I don't see why we shouldn't have a little political strategy with this and use it as a good *quid pro quo* with the federal government. Our tobacco tax is a very great trading point.

SPEAKER BELKNAP: I am going to ask unanimous consent to postpone any consideration of this matter until after lunch. In the meantime, we shall proceed with other resolutions.

MR. GRAVES: Please be assured, ladies and gentlemen of the Assembly, that we are not going to run out of resolutions and if any of you have not had an opportunity to speak, you will have plenty of opportunity before the afternoon is over.

The Resolutions Committee reports this resolution and moves its adoption: "RESOLVED, That this Assembly memorialize

the Congress of the United States requesting the speedy publication of a second edition of the report on Double Taxation of the Ways and Means Subcommittee on Double Taxation and that copies of that report and other reports of the Subcommittee be made available for use of the members of this Interstate Assembly and of the respective state governments and legislatures."

That is a report which Mr. Parker told us was in the course of preparation. It sometimes happens, that reports of this nature, although prepared, are side-tracked for the printing of other publications, and all this asks is that the printing be speeded up and distribution be made at an early date.

HON. W. H. O'GARA (Nebraska): I will second the motion for the adoption of the resolution.

SPEAKER BELKNAP: I don't believe we need much argument on this and I am going to put the question. Those in favor of this resolution will say "aye"; opposed, "no." The resolution is unanimously carried.

MR. GRAVES: This resolution that I am about to read I think is one of a non-controversial nature. "RESOLVED, That in order to facilitate negotiations, understanding and harmony of state governments with one another and with the federal government, it is the sense of the Second Interstate Assembly that the Congress of the United States should consent to a compact or agreement among any two or more states for the establishment of a Council of State Governments."

Before there is any discussion from the floor, I would be pleased if Senator Toll would say a few words to you as to the desirability of having this resolution passed.

SENATOR HENRY W. TOLL: As Mr. Belknap explained in his remarks this morning, the American Legislators' Association started its operations with two distinct objectives. One was to develop a professional organization of lawmakers. The other was to attempt to bring the state governments into closer contact with one another. Of course, the American Legislators' Association began this attempt to develop closer contact primarily through the legislative branches of the government, but

as soon as we began to get down to real work we discovered that the legislators alone could not establish an effective and satisfactory contact between the state governments.

When we began to get into this matter of taxation, we immediately realized that to try to have the legislators confer on this matter without inviting the participation and the counsel of the fiscal officials of the states would be relatively ineffective, and that, also, a conference with the governors of the various states on such a problem was not only appropriate but highly important. The Pennsylvania legislature passed a resolution requesting the Association to organize a regional conference on bus and truck regulation, and immediately it was realized that to have simply legislators without the motor vehicle administrators and the governors would be an evident detraction. All three groups must be represented if we are going to have effective contacts between the state governments—the legislative, the administrative and the executive officials. And so the Legislators' Association proceeded to organize an agency in which the executives and the administrative officials could participate in the sponsorship and the conduct of these efforts to secure closer cooperation and contact between the state governments. That organization was set up under the title of the Council of State Governments.

Now I think there is no thought in anyone's mind that this should be anything more than a very loosely knit sort of agency for contact between the state governments, but the necessity for some type of official or quasi-official agency seems fairly apparent and I believe that there is hardly any one who has given thoughtful consideration to this matter over any period of time who does not agree that there should be some sort of quasi-official agency under whose sponsorship meetings of this character may be called, and under whose sponsorship research work such as is being performed by the secretariat may be carried forward. For that reason, believing that if the state governments are to engage in cooperative enterprise there must be a cooperative organization of some sort, this Council was set up. The constitutional provision is that no compacts or agree-

ments between the states shall be binding without the consent of Congress. Therefore, this is, in effect, a request to Congress that it give its consent to the formation of a Council of State Governments by such states as may desire to participate in it.

MR. GRAVES: Please observe that this resolution indicates no compulsion on the part of any state to join or enter into a compact or agreement to be a part of the Council of State Governments. It could start with two or three or four and others could come into the Council of State Governments if, as, and when they thought it to be to the advantage of their states to do so.

SENATOR A. CROZER REEVES (New Jersey): I just want to read to you a paragraph from a New York newspaper which appeared this morning and which discusses the method that the Governor of New Jersey has adopted in calling together five states to control crime. That conference is in session today. "New Jersey," says Governor Hoffman, "has taken a step in this direction. The Senate adopted a Resolution creating a Commission on Interstate Cooperation to recommend to the legislature the initiation of compacts on various subjects, including crime. The Resolution is now before the Assembly and upon its passage I shall sign it. Upon creation of the commission I shall urge an immediate study of the proposals of the crime conference."

So far as New Jersey is concerned, I am sure it is heartily in accord with this resolution. I would like to second its adoption.

SPEAKER BELKNAP: Is there any further discussion on this? All those in favor of the resolution will say "aye"; opposed, "no." The ayes have it, and the resolution is carried.

Announcements

SPEAKER BELKNAP: The Chairman of the Resolutions Committee has one more resolution before we adjourn.

MR. GRAVES: If we can get this one out of the way, then we will have the decks cleared for some really important and genuinely interesting resolutions this afternoon.

"BE IT RESOLVED, That all vacancies in the membership of the Interstate Commission on Conflicting Taxation created by re-

tirement of its members from public office or otherwise shall be filled by the Speaker of the Interstate Assembly."

The First Interstate Assembly which met two years ago authorized the creation of a Commission on Conflicting Taxation but it has been discovered that no authority was vested in anyone to fill vacancies which might occur on that Commission. The purpose of this is to ask authority from this Second Interstate Assembly to fill such vacancies required by the retirement of members from public office or otherwise, and to confer that authority upon the

Speaker of the Interstate Assembly who holds office by virtue of his position as President of the American Legislators' Association.

I move its adoption. It may be a little bit embarrassing for the Speaker to put the question. Is there a second to my motion?

The motion was regularly seconded.

MR. GRAVES: Is there any discussion? All those in favor of this motion, say "aye"; contrary, "no." I declare the motion carried.

The meeting adjourned at 12:40 p.m.

Saturday Afternoon Session

March 2, 1935.

THE meeting was called to order at 2:20 p.m. by Speaker Belknap.

SPEAKER BELKNAP: Mr. Graves, if you are ready with some other resolutions, we will proceed to a discussion of them.

MR. GRAVES: We are indebted to Senator Woodward of Pennsylvania for this Resolution and after I have read it I am going to ask him to explain, briefly, why he proposes it.

"RESOLVED, That for the Third Interstate Assembly the officers of the Assembly broaden their program to include subjects of interstate conflicts, to the end that the interest of our members be maintained and enlivened."

SENATOR GEORGE WOODWARD: Today it seems to me has been a real day for the Assembly, because the legislators have definitely participated in the program. The more we can transact our own business without the aid of any of the executive department, the better I like it and I think the more we promote our own dignity and standing. That is one reason for the resolution.

The other reason is that no matter how scientific our program may be for taxation, we all realize that necessity knows no law. The federal government is up against it financially and we can butt our heads against the stone wall and not get anywhere,—they cannot yield a penny of revenue to us at this time. Therefore, it seems to me that if we spend too much time on a very interesting but perhaps academic discussion of taxes, we will somewhat weaken the interest of our membership. There are many subjects of interstate conflict which we understand even better than taxation, in which we are very much interested, and which have been conspicuous by their absence from the program.

I think we would like to have uniform

laws of incorporation, and we ought to have some uniform law so one state is not bidding against another for manufacturing industries, and, of course, the question of divorce is perennial but it certainly ought to be tackled by the American Legislators' Association.

SPEAKER BELKNAP: You have heard the resolution. I doubt that there is need for any more discussion of it. I am therefore going to put the question. Those in favor say "aye"; opposed, "no." The resolution is unanimously carried.

MR. GRAVES: The next Resolution ought to be relatively simple for you because all it suggests is that the federal government spend forty thousand dollars in the interest of the American Legislators' Association. The resolution reads: **"RESOLVED,** That the members of the Second Interstate Assembly do hereby urge their respective delegates in Congress to support the proposed appropriation of \$40,000 to the Interstate Reference Bureau for the current year; and be it further

"RESOLVED, That a copy of this resolution be sent to each member of Congress from the several states."

The Interstate Reference Bureau supplies the funds which support the Interstate Commission on Conflicting Taxation and the other activities of the American Legislators' Association. It was to this Reference Bureau that the State of New York made an appropriation two years ago and is making another appropriation this year, because the State of New York believes that this movement is promising and certainly worthy of financial support.

The State of Massachusetts also gave some money. I can't give you the names of all the states that have made appropriations. It is believed that the federal government should contribute a modest sum,—modest when you consider the size of the problem with which the American Legis-

lators' Association and its several offspring are dealing. And that is the purpose of this resolution which the Committee offers and moves be adopted.

The motion was regularly seconded.

SPEAKER BELKNAP: Those in favor will say "aye"; opposed, "no." The resolution is adopted.

MR. GRAVES: Those of you who heard Professor Martin yesterday will recall that he emphasized the necessity of having more adequate and complete data with respect to tax levies, expenditures, the purposes for which expenditures were made, debts and the purposes for which debts were incurred. A series of four resolutions has been prepared dealing with this subject.

"BE IT RESOLVED, That it is the sense of the Second Interstate Assembly that each state should provide for the tabulation and publication of complete statistics of state and local taxation, expenditures and debt; and be it further

"RESOLVED, That it is the sense of this body that each state should cooperate as fully as possible with the United States Bureau of the Census in perfecting the reporting on a comparative basis of the statistics of state and local government; and be it further

"RESOLVED, That it is the sense of the Second Interstate Assembly that each state should from time to time make a thoroughgoing investigation of its own state and local tax systems. In order to facilitate this investigation as well as to render possible intelligent appraisal of the financial activities of government and effective state and local administration, each state should provide for the continual analysis of its fiscal affairs; and be it further

"RESOLVED, That it is the sense of the Second Interstate Assembly that responsible state officials should consider initiating and advancing their financial statistics and reporting by developing work-relief projects designed to bring together a comprehensive picture of state and local revenues. To insure comparative results from such studies, the Assembly requests that the Interstate Commission on Conflicting Taxation provide staff facilities for outlining a general plan for use in each state."

The Resolutions Committee moves the adoption of this resolution. It deems it

imperative to a final solution of this problem that there be adequate and complete fiscal data along the lines indicated.

The motion was regularly seconded.

SPEAKER BELKNAP: You have heard the resolution. It has been moved and seconded. Those in favor say "aye"; opposed, "no." The resolution is unanimously carried.

MR. GRAVES: The resolution which I am about to read had its origin with the Interstate Commission on Conflicting Taxation. The Commission believes it is necessary to set up the agency, which is proposed in this resolution, to study the very important problem of multiple taxation. Not only because I want you to see what large and handsome Assemblymen we have in New York, but because my voice needs a rest, I am going to ask the Acting Secretary, Assemblyman Wadsworth, whose distinguished father many of you know, to read this resolution to you.

HON. JAMES J. WADSWORTH:

"RESOLVED, That the Second Interstate Assembly request that the Interstate Commission on Conflicting Taxation organize a Tax Revision Council to study:

"1. The problem of multiple taxation by competing units of government.

"2. The closely related problem of determining the functions that can best be performed by the federal government and those that more properly fall to the states and their subdivisions.

"The Assembly requests that the Council, with the assistance of such advisory committees and technical staff as it may deem appropriate, conduct a joint investigation and report its recommendations. The Assembly suggests that it would be highly appropriate for the said Council to be composed of:

"(a) Seven officials representative of the federal government, namely:

"The General Counsel, the Assistant General Counsel in charge of tax legislation, and the Director of Research and Statistics of the Treasury Department; the Chairman of the Subcommittee on Double Taxation of the House Committee on Ways and Means and one other Congressman designated by the Chairman of the Committee on Ways and Means; and the Chairman of the Subcommittee on Double Taxation of

the Senate Finance Committee and one other Senator designated by the Chairman of the Senate Finance Committee;

"(b) *Seven officials representative of state governments, namely:*

"Legislators and administrative officers of states, designated by the Interstate Commission on Conflicting Taxation;

"(c) *Seven officials representative of local units of government, namely:*

"Four legislative and executive officials of municipalities appointed as follows: one by the United States Conference of Mayors, one by the American Municipal Association, one by the International City Managers' Association, and one by the Municipal Finance Officers' Association; and three officials of counties and of units of rural government other than counties, designated by the Speaker of the Interstate Assembly.

"The term for which each appointive member of the Council is designated shall extend to January 1 of the next odd-numbered year and thereafter until his successor is appointed. The Secretary of the Interstate Commission on Conflicting Taxation, shall be, ex officio, the Executive Secretary of the Tax Revision Council, and shall make arrangements for its organization meetings.

"To the end that the organization of this Council may be consummated at the earliest possible time, the Chairman and the Secretary of the Interstate Commission on Conflicting Taxation are hereby directed to confer with Congressional officials, with the Secretary of the Treasury, and, if opportunity offers, with the President of the United States; and they are authorized to make such changes in this plan as they may deem proper in the light of such conferences."

I move the adoption of this resolution.

SPEAKER BELKNAP: You have heard the resolution. Is there a second?

The motion was regularly seconded.

SPEAKER BELKNAP: Do you desire to debate this question? All in favor of the resolution, say "aye"; opposed, "no." The ayes have it and the resolution is carried.

MR. GRAVES: Now that we have worked along so harmoniously for a few minutes, perhaps we should revert back to where we were when we adjourned for lunch. I

think it was quite unfortunate that I, as Chairman of the Resolutions Committee, did not make more preliminary remarks when the gasoline tax and tobacco tax resolutions were presented.

The Commission on Conflicting Taxation has been working for two years. It has not been possible, and I don't think we should expect, to develop a complete, comprehensive program for dealing with this conflicting tax question. The Commission has arrived at certain definite conclusions, all looking toward a final solution, and the Resolutions Committee has recommended for adoption four of those conclusions, in the form of resolutions, which should be considered somewhat together.

One is the proposal that the federal government retire from the gasoline tax field and leave it to the exclusive jurisdiction of the states. Tied with that is a proposal that the states should not extend their tobacco tax laws. In other words, we ask the federal government to give up the motor fuel tax and we ask the states to refrain from enacting new, or enlarging old, tobacco tax laws. It is a question of give and take.

The third item is that we ask the federal government to give up such taxes as it may be imposing on electrical energy, and as a *quid pro quo* the Commission on Conflicting Taxation proposes that states and local governments should refrain from imposing heavy taxes on beer, unless they impose such taxes for regulatory purposes.

Now if you will notice, in these four resolutions, there are two concessions to be made by the federal government and two concessions to be made by the states—a fifty-fifty trade so far as number is concerned. So far as money is involved, the states will get the best of it.

Your Committee on Resolutions considered whether we should wrap these all up in one resolution and present it to you. We decided that the better policy would be to present, and permit you to discuss them singly. You have adopted the one on the gasoline tax. Therefore, if we are to be consistent we will adopt the others or else recall the vote on the gasoline tax. I think I have nothing further to say.

I again move the adoption of the resolution on the tobacco tax, which reads:

"RESOLVED, That it is the sense of the Second Interstate Assembly that no additional tobacco taxes be adopted by the states for revenue purposes."

SPEAKER BELKNAP: You have heard the resolution. Is there a second?

The motion was regularly seconded.

SPEAKER BELKNAP: Do you wish further discussion? Those in favor of this resolution will say "aye"; opposed, "no." The Chair is in doubt and will call for a roll call vote.

There followed a roll call vote by states.

SPEAKER BELKNAP: Gentlemen, the result of the vote: 59½ ayes; 23½ noes. The resolution is carried.

MR. GRAVES: I will remind you again that the gasoline tax and the tobacco tax are companion resolutions. You have adopted both. We still have the electrical energy tax which the Interstate Commission on Conflicting Taxation urges the federal government to abandon, and we have the beer tax on which the advice is that states refrain from imposing high beer taxes except for regulatory purposes. If you will permit me to make the suggestion, I think in voting on the one you should consider how you intend to vote on the other. It is, as I see it, inconsistent to vote for one and vote against the other. I will now read the electrical energy resolution.

"RESOLVED, That it is the sense of the Second Interstate Assembly that electric energy taxes which have long been sources of state revenue should be reserved for the exclusive use of the states."

I move the adoption of that resolution.

The motion was regularly seconded.

SPEAKER BELKNAP: You have heard the resolution which has been seconded. Those in favor will say "aye"; opposed, "no." The ayes seem to have it. The ayes have it and the motion is carried.

MR. GRAVES: We now come to the fourth item in this general schedule. "RESOLVED, That it is the sense of the Second Interstate Assembly that states and local governments should refrain from imposing heavy taxes on beer, unless they impose such taxes for regulatory purposes."

The Resolutions Committee moves the adoption of that resolution.

SPEAKER BELKNAP: You have heard

the resolution. The Chair is going to ask the Chairman of the Interstate Commission on Conflicting Taxation to explain this resolution.

SENATOR SEABURY C. MASTICK: We discussed this resolution all one day in Chicago, and weighed every word in the resolution. At that time the Eighteenth Amendment had not yet been repealed and many questions were arising about the taxation of beer. There was a disposition on the part of many states to levy a very heavy tax on beer which would have raised the price for retail consumption, the effect of which would be to encourage the bootlegger, and at the same time to deplete the federal revenue.

I would like to interject in this explanation a restatement of what was said by Commissioner Graves. It was a case of give and take. We did not feel that we could go to Congress with the idea that all we wanted was something from them, and that we had nothing to give in return. We felt that beer, under the general scheme of our government, was more under the control of the federal government and that the higher the tax in the localities, the less could be the tax for the federal government, and I repeat, the more encouragement for the bootlegger.

That was the reason for inserting the word "heavy." We put "heavy" in because it wasn't precisely definable. New York decided \$1 a barrel wasn't heavy. Other states had other ideas. If you should make it two or three or four dollars a barrel, that would be heavy. It is a question of defining when short becomes long. You can't do it. It all depends on the circumstances.

The reason for the second phrase, "unless they imposed such taxes for regulatory purposes," was that certain states still retain their prohibition statutes in one form or another and we feel we should not restrict them if they desire to impose taxes for genuinely prohibitory purposes. In other words, we tried to respect local feeling on this matter just as much as we could, at the same time taking the stand that we were giving something to the federal government,—some consideration in return for asking them to give up something to us.

While, as Chairman of this Commission, I haven't any desire to impose our ideas upon any of you gentlemen, I do wish to accent the fact that unless we are not only willing to give and take among ourselves, but willing to give and take with the federal government, we are not going to get anywhere.

HON. SIMEON E. LELAND (Illinois): Is this the only resolution that the Commission has on the subject of liquor taxation? Do you have another one?

MR. GRAVES: The answer is no, we have no other resolution, because Senator Mastick told the Resolutions Committee that he was not sure the resolution on liquor taxes represented the present views of the Interstate Commission, having been adopted before repeal occurred.

MR. LELAND: It seems to me that leaves this resolution in a rather peculiar position. It antedates the day when we returned to the pre-prohibition era, it implies that we are willing to trade with the federal government the right to tax beer in return for letting the states have the right to tax hard liquor. It seems to me that as the resolution stands it doesn't get to the heart of the problem at all, and that any resolutions on the question of liquor taxation ought to embrace all of the kinds of liquor that are involved.

Since this resolution doesn't go the range of the entire liquor problem, it seems to me it should be recommitted either to the Resolutions Committee or to the Interstate Commission until such time as they are prepared to submit a resolution on the subject that really meets the issue.

MR. GRAVES: I can simply say to the gentleman, as I said before, that the Commission on Conflicting Taxation was not sure that its previous hard liquor resolution represented the views of the Commission at this time. This one on beer does. The adoption of it doesn't imply, as I see it, that the inference would be that by granting the federal government the right to tax beer, hard liquor is to be reserved to the states for revenue purposes. If we adopt this beer resolution we merely have not as yet taken a position with respect to the taxation of hard liquor.

SENATOR BEN G. ONEAL (Texas): When this was adopted by the Commission, in

some states the sale of beer had already been legalized, but other liquor had not been considered. That was one of the things which caused the Commission to take these up separately. We anticipated there would be conditions in some states with reference to beer that would be more universal than with what we are pleased to call hard liquor, and I think the federal government proceeded on that theory. Congress, looking at beer in a little different light than liquor, legalized it, as far as the national government was concerned, before the prohibition amendment was repealed; and many of the states have acted along the same line.

I don't think there is anything inconsistent in dealing with this question at this time and in leaving the other open, if Senator Mastick thinks that the other question is one that should be open. The purpose of the Commission was to take a definite stand and try to blaze the way, before too many states had levied heavy taxes on beer.

Now the federal government is going to tax beer. It has taxed drinks of that kind since the last part of the eighteenth century, just as it has taxed tobacco. Unless we are ready to express ourselves now, heavy taxes will soon be effective in all states.

The Commission and all of you here realize that nothing we do will change existing laws, but if we can have anything to do with molding public sentiment toward a division of taxation, we have to start somewhere. That is our purpose here, as I see it. I may not represent the viewpoint of the entire Commission but I think that after having met with them at six different sessions, I know to a considerable extent what their ideas are. That is the purpose of this resolution, gentlemen, and I hope since you have gone along with us on the other three, you can go along as a matter of consistency here.

HON. OLIVER E. J. SCHICK (Missouri): I come from Missouri, a state which houses some of the largest breweries in these United States. But personally, I am of the opinion that taxes on beer should be levied by the state and municipal governments because it is a great source of revenue for them. I realize that too high a tax takes

beer away from the working man and I am rather inclined to feel that the federal tax on beer today is probably a little too high.

The resolution, as I see it, would not prevent any state from placing a tax on beer and would leave it open to the states to place any kind of a tax they desire. I rise to make myself clear on this point, that while the wording of the resolution means very little to me, I for one would be opposed to the adoption of this resolution because I feel that Missouri should get some revenue benefit from products manufactured by the breweries in our state.

SPEAKER BELKNAP: Is there any further discussion? I will put the question. Those in favor of this resolution will say "aye"; opposed, "no." The secretary will call the roll.

There followed a roll call vote by states.

SPEAKER BELKNAP: The vote stands 49 ayes, 23½ noes, and the motion is carried.

I want to call on the Committee on Agencies for Interstate Cooperation, the Chairman being Honorable Ralph Gilbert of Kentucky. Is Mr. Gilbert here?

HON. WILLIAM E. ROGERS (Kentucky): Mr. Gilbert is absent and he left his report with me to read.

COMMITTEE ON AGENCIES FOR INTERSTATE COÖPERATION

Your Committee on Agencies for Interstate Cooperation considers the question of cooperative agencies as one of extreme importance and has drawn up the following resolution which it now presents to the Second Interstate Assembly:

RESOLUTION

WHEREAS, Confusion, competition and conflicts constantly exist between the states of the Union in their laws and in their administrative practices, concerning many subjects of government with which the states are vitally concerned; and

WHEREAS, It is desirable for the people of all the states that such disharmony and chaos shall not continue, but that the governments shall strive together in accordance with enlightened standards and mutually accepted policies; and

WHEREAS, The necessity for official cooperation between the state governments is recognized by the compact provision in

Section 10 of Article I of the Constitution of the United States; and

WHEREAS, There have now been established agencies which provide such machinery of cooperation, namely, the American Legislators' Association, which has been officially sanctioned and endorsed by one or both branches of forty-six legislatures, and the Council of State Governments, which has been organized by said association; and

WHEREAS, It is to the interest of the people of each of the states that their government officially participate with the governments of the other states in the formulation of their cooperative policies, and in their other deliberations, in order that the interests of such states may not be disregarded; therefore be it

RESOLVED, That this Second Interstate Assembly recommends that appropriate Agencies on Interstate Cooperation be formed in each state; and be it further

RESOLVED, That the Executive Director of the American Legislators' Association and the Council of State Governments communicate this recommendation to the Governor and Legislature of each of the several states.

REPORT

To provide these Agencies on Interstate Cooperation with an effective directing and coordinating agent, your Committee strongly recommends the establishment of regional secretariats in the manner which the American Legislators' Association and the Council of State Governments have set forth.

The Committee reports that such a regional secretariat would promote cooperation between neighboring states with regard to policies and activities relating to such public problems as may arise from time to time and which require uniform or reciprocal action on the part of other states included in the region. It would devolve upon the regional secretary to make a constant study of the possibilities of regional and nation-wide cooperation between the state governments. Your Committee feels that the establishment of such regional secretariats is vital to the development of harmonious state relationships and that such secretariats would prove to be effective agencies

for improving interstate coöperation.

Your Committee recommends that this meeting of the Second Interstate Assembly formally commend the American Legislators' Association and the Council of State Governments on their recent publication, *The Book of the States*. The periodical editions of this book will represent the only compilation in the country of current facts and features pertaining exclusively to state government. Obviously, this publication will facilitate coöperation among the states.

Finally, your Committee recommends that, if and when the American Legislators' Association and the Council of State Governments are requested to render any type of service for such national associations of state administrative officials as the National Association of Secretaries of State and the National Association of Attorneys General, such requests should be granted in so far as the present staff and facilities permit.

SPEAKER BELKNAP: I am going to ask the Secretary to read a telegram we have here from Governor Winant, since it bears on this resolution.

SECRETARY WADSWORTH:
"Honorable Henry W. Toll:

"Regret that I find it impossible to join with you again. I hope very much that you will get before the group the idea of permanent interstate committees in the assemblies of the respective states, the need of a regional secretariat to implement interstate action and the usefulness of a centralized reference bureau such as has already been established in Chicago.

"Signed: JOHN G. WINANT."

SPEAKER BELKNAP: Before we go into a discussion of this resolution and report, I want to call on Mr. Hubert R. Gallagher of the Interstate Reference Bureau referred to in this report, for a five minute talk on this work, in order that you may be better qualified voters.

REPORT BY HUBERT R. GALLAGHER

During the year 1934 the Interstate Reference Bureau has assisted in securing information in response to 537 inquiries. These requests for information have come from legislators and public officials in forty-seven states—all except Nevada. Despite

the fact that only five legislatures met in regular session last year, as compared with 43 in 1933, the Interstate Reference Bureau handled more inquiries. This increase in the number of inquiries can probably be explained by the fact that the Interstate Reference Bureau has become better known, and also by the fact that there were many special sessions held during 1934.

As in the past, most of the inquiries came from legislators and officials in those states with poorly staffed reference bureaus, while in the states where the legislative reference bureaus have the confidence of the law-makers, and where they have adequate staffs, the inquiries came through the reference bureaus.

The following tabulation shows the source of inquiries received during 1934:

Legislators	43	Local officers	5
Legislative reference bureaus	49	Federal officials	25
State officers	65	Newspapers	29
Commissions	6	Other research associations ¹	215
			537

The above tabulation does not include approximately 100 requests for information which have been received over the telephone and by personal visits.

The subjects of the requests for information covered the entire gamut of governmental problems. It would be difficult to name a problem which at some time or other has not been the subject of an inquiry. Where once a large portion of the requests were for information concerning taxation and revenue, at the present time the field has been considerably broadened by the nation-wide interest in various phases of social legislation and the problem of liquor control. Since the November election, at which time six states repealed their state prohibition laws, we have received a number of inquiries requesting information on the control of intoxicating liquor. Information concerning practice in other states was immediately furnished to the Governors and to the special legislative commissions studying the problem. In addition the volume of requests received

¹Mostly municipal reference bureaus, bureaus of governmental research, research agencies in universities, municipal leagues, and taxpayers' associations.

in this office for information concerning the sales tax, old age pensions, and unemployment insurance has led to the preparation of research bulletins which have been circulated to the Governors, as well as to the inquiring legislators.

The great bulk of the 537 inquiries which were received during 1934 have been answered by reference to some source of information from which accurate and up-to-date data could be secured. The Interstate Reference Bureau endeavors, as far as possible, to serve as a clearing house of information, rather than as an agency of original research. However, during the past few years a considerable body of informational material has been built up and many of the requests can now be answered directly from our files without referring the requests to other sources of information. The issues of STATE GOVERNMENT which have been published during the past six years contain the answers to many inquiries which are received. The comparative tables and compilations which have appeared in its columns have been especially useful.

The year 1934 was marked by two important developments:

First, the number of inquiries received from departments of the federal government.

Second, the number of legislative interim committees and commissions in the various states which were served by the Bureau. Not only were requests received from the research staffs of these committees and commissions, but a large number of state officials availed themselves of the service for the first time.

As the services of the Interstate Reference Bureau become more widely known, it will undoubtedly be called upon to serve more federal departments, as well as the state officials.

Service to Federal Departments

The time spent in answering inquiries from federal departments ranged from five minutes dictating a letter and sending a table, or a research bulletin which would answer the question in full, to ten days spent in one of the states making a special study of public utility legislation for the Federal Trade Commission. This study was conducted in the field, and the formal

report was presented to the General Counsel of the Federal Trade Commission.

Considerable time also was devoted to the work of the Committee on Economic Security and conferences were held between members of the staff of our research division and the staff of the Committee on Economic Security.

Personal contacts have been made also with the Department of Justice, the PWA, and the United States Civil Service Commission. Members of the U. S. Senate and House of Representatives have called upon the Interstate Reference Bureau for information and assistance.

Assisting Interim Committees and Special Commissions

Among the special groups which have been furnished information are the California Code Commission, the Governor's Advisory Commission in Washington, the special legislative committee of nine in Utah, the Commission to Study Methods of Public Utility Regulation in North Dakota, the Delaware Commission on Unemployment Insurance, the Colorado Commission on Interim Committees, as well as the various state liquor control commissions. Here again the conferences were held with various members of these commissions, and the Interstate Reference Bureau was in continuous communication with these commissions up to the time of the submission of their final reports. By maintaining contacts with the Interstate Reference Bureau these commissions were advised of progress being made in other states.

Legislative Council

Throughout the year the Interstate Reference Bureau maintained very close contact with the Kansas Legislative Council, and there was a constant interchange of research material between the staffs of both organizations. In addition the Interstate Reference Bureau has been supplied with studies prepared by the Kansas Legislative Council for distribution to inquiring legislators and state officials in all the states.

It is hoped that ultimately the Interstate Reference Bureau will serve not only as a clearing house for the Legislative Reference Bureaus of the various states, but also

that it will serve as an informational switchboard for other legislative councils—as they may be created.

The Interstate Reference Bureau has continued to serve the legislative reference directors and state librarians during the past year. Members of our staff have visited the offices of the Legislative Counsel in California, the Legislative Reference Directors of Arizona, Colorado, Nebraska, New York, Oregon, Pennsylvania, Washington, and Wisconsin, as well as the State Librarians of California and Wyoming.

Legislative Reference Bureaus

There seems to be considerable interest in the development of legislative reference bureaus in the states which do not have them at the present time. Our staff has supplied copies of a model bill to establish a legislative reference service, estimates of cost, and information on personnel and services to be performed by a bureau to legislators and state officials in Alabama, Florida, Kentucky, New Hampshire, West Virginia, Utah, Oklahoma, Missouri, and Wyoming. In fact, a request for information of this type was even received from Buenos Aires.

In cooperation with the publications division of the American Legislators' Association, thirty-six research bulletins were sent to the legislative reference bureaus, Governors, and a selected list of legislators. A number of these bulletins were prepared in the office of our Bureau and others were prepared by specially qualified authorities at our request. In addition to these bulletins, the Bureau has undertaken to act as a clearing house for bulletins of a particularly valuable character prepared by other organizations, distributing them to legislators who have expressed an interest in the various subjects, and also to each legislative reference service.

Coöperation with National Governmental Organizations

Throughout the year the Interstate Reference Bureau has been used as a frequent source of information by the national governmental organizations located at 850 East 58th Street, Chicago. These organizations of public officials have called upon us on numerous occasions for information on

various subjects. In addition, we have answered many inquiries which they have received from outside sources.

The Press

In addition to the inquiries from regular channels which have come into the Bureau via telegraph, airmail, special delivery, and regular mail as well as postals, telephone calls, and personal visits—the Interstate Reference Bureau has frequently been used as a reliable source for impartial information on governmental matters by the press and various national periodicals. During the past year the wire services, such as the Associated and United Press, have called upon us almost weekly for information in the field of state government. Such nationally known papers as the *New York Sun*, *Chicago Daily News*, *Chicago Tribune*, *Christian Science Monitor*, the *Journal of Commerce*, and the *Birmingham Post* have made requests of us. *Time* magazine, the *Literary Digest*, and *Colliers* have also availed themselves of our services.

Smaller newspapers, frequently those which service the state capitals, have asked for assistance. Among these are the *Arkansas Gazette*, the *Southwest Times Record*, (Fort Smith, Arkansas), the *Rutland* (Vermont) *Herald*, and the *Minneapolis Star*.

Furnishing the press with impartial and accurate information is one means of creating a desirable attitude toward problems of legislation, and for that reason we have encouraged the news services, the editorial writers of the leading papers, and influential journalists to make use of our facilities.

Special Service to Governors

The Interstate Reference Bureau has not only furnished Governors of the different states with copies of research bulletins and publications, but it has also prepared a special digest of previous Governors' Messages. This digest was especially useful to Governors in the preparation of their 1935 Messages to the legislatures. In addition the Bureau has answered a number of requests from Governors for information on various topics, and where possible it has furnished advance material to Governors who were faced with special problems.

For instance, as soon as information was received that Governor Merriam of California had called a special anti-crime conference on the subject of interstate rendition we immediately furnished him with copies of recent studies which had been made on the subject. Similarly information on liquor control legislation was immediately sent to the Governors of those states which recently repealed their state prohibition laws. And when Governor McNutt appointed a special committee to study the gross income tax law data was sent to him. Information was sent to Governor Davey of Ohio in the form of a model law to establish a state bureau of investigation, identification, and statistics, and to Governor Blood of Utah on state police.

Conclusion

The appreciation which has been expressed for the services which the Bureau has performed has been a real source of satisfaction to the staff. The following sampling of expressions—taken from the many which have been received—are indicative of the attitude of the governors, legislators, and state officials who have been aided by the Association's facilities:

Governor Louis J. Brann, Augusta, Maine. "The special session of the Legislature is called for Tuesday next to act on liquor legislation in this state, and the information which you forwarded will be very helpful."

Senator Ernest T. Eaton, Polytechnic, Montana. "I have been negligent in sending you my expressed sincere appreciation for the wonderful help that you gave me as a result of my letter to you last November when I was preparing for the special session. The material that I received was of greatest help and I feel that your Association is giving a remarkable service to the state legislatures of the nation. I was enabled through this material to give to many members of the Senate and House information that was up-to-date and just what was needed for their guidance."

Senator Albert Wald, New York City. "Thank you for your letter of January 19, I am delighted with the rapidity with which you respond with tangible information."

Hon. W. L. Morse, Henryetta, Okla. "A short time ago I addressed an inquiry

to your organization relative to amending the industrial compensation law of the State of Oklahoma. I wish to take this means of expressing my appreciation for the number of pamphlets and the wealth of information which has been forwarded to my office on the subject in question."

Harold Haas, Assistant Legislative Counsel, Sacramento, Cal. "The ramifications of your organization certainly open up a mine of information to the inquirer in time of need. We appreciate your care in these matters."

Dr. Irvin Lavine, Chairman, Commission to Study Methods of Public Utility Regulations, Grand Forks, N. D. "I am most appreciative for the courtesy extended to me in sending the information contained in your valued letter, together with copy of Indiana law which arrived under separate cover. The information so sent will be most valuable in our work and I certainly will avail myself of your kindness in extending to us the service of your Association for further information from time to time during our investigation."

SPEAKER BELKNAP: Is there any further discussion desired on the resolution prepared by the Committee on Agencies for Interstate Cooperation? If not, I will put the question. Those in favor of this resolution for establishing agencies on interstate cooperation will say "aye"; opposed, "no." The resolution is adopted unanimously.

Do you wish to adopt the complete report of the Committee now? Will someone offer a resolution approving the report of the Committee on Agencies for Interstate Cooperation?

HON. HENRY F. LONG: I offer such a resolution.

The motion was regularly seconded.

SPEAKER BELKNAP: It has been moved and seconded that the report of this Committee be approved. Those in favor say "aye"; opposed, "no." The ayes have it and the report is unanimously approved.

I will now call on the Committee on Finance for its report, of which Mr. Burgess is Chairman.

REPORT OF COMMITTEE ON FINANCE

Your Committee realizes and begs leave to call the attention of all legislators and

state administrative officials to the fact that in order to develop and perfect organizations of the scope and significance represented by the Council of State Governments and the American Legislators' Association, adequate finances must be provided.

We believe that the Assembly delegates are acquainted with the fact that the financing of the Assembly and of the services extended to the states by the American Legislators' Association and the Council of State Governments has largely been through grants of the Spelman Fund. We must, however, recognize that the Spelman grants are made for limited periods of time on the distinct understanding that they are for demonstration purposes. Certainly the Assembly, the Association, and the Council have amply demonstrated their value, and the time for greater legislative support of their work has arrived. This fact has, in the past two years, been recognized by six states, which are at the present time attempting to do their share in the support of these organizations, their appropriations varying from \$500 to \$5,000 per annum. This year seven additional states have similarly demonstrated their belief in the value of these services by considering appropriation bills in their legislatures. Therefore your Committee recommends that the Assembly delegates do all in their power to secure both federal and state appropriations for the support of this work.

To this end, your Committee recommends that Congress be urged to pass the Resolution which provides for an annual appropriation of forty thousand dollars to the Interstate Reference Bureau, which bill has been favorably recommended by the Committee on the Library of the National House of Representatives.

Your Committee further recommends that each state do its share or more than its share in the active financial support of the American Legislators' Association, the Council of State Governments, and/or the Interstate Reference Bureau. It is recommended specifically that each state appropriate for this work an amount in accordance with a classification which has been worked out for each state by the American Legislators' Association and which calls for an average expenditure by each state of two thou-

sand (\$2,000) dollars, approximately the amount required to secure the services of two clerks. Your Committee believes that the value of the work done by these organizations is far in excess of any such amount.

Your Committee recommends that each House of each legislature should appropriate funds during the current sessions to provide traveling expenses for their delegates to the next meeting of the Interstate Assembly and that the funds appropriated by the legislatures of the states whose members are serving upon such standing committees of this Assembly as will hold interim meetings should be sufficient to defray the traveling expenses of such members to such interim meetings.

SPEAKER BELKNAP: You have heard the very able report of the Finance Committee. Do you wish to approve this report?

HON. J. H. THAYER MARTIN (New Jersey): I move that the report be approved.

The motion was seconded and carried unanimously.

SPEAKER BELKNAP: I will now entertain a motion that the resolution which the Committee offers be adopted.

MR. MARTIN: I move it be adopted.

The motion was regularly seconded.

SPEAKER BELKNAP: It has been moved and seconded that this resolution be adopted. Those in favor of this motion will say "aye"; opposed "no." The ayes have it and the motion is carried.

We will now proceed with the resolutions of the Resolutions Committee, and I think we will have plenty of entertainment.

SENATOR HENRY PARKMAN (Massachusetts): I am sorry that the Chairman of the Resolutions Committee is not here to present some of the most controversial resolutions still remaining for this Assembly to debate and consider. The next resolution before us is the last of the program recommended by the Interstate Commission on Conflicting Taxation, and if we can dispose of that we can get on to other resolutions that were offered from the floor and have been presented to the Resolutions Committee. The following resolution concerns the income tax field.

"BE IT RESOLVED, 1. That the Second Interstate Assembly recommends federal enactment of legislation allowing credit

against the federal individual income tax for state individual income taxes and other state and local taxes of a personal nature paid or accrued;

"2. That a graduated plan be used to allow a substantial credit for lower incomes and a smaller credit for larger incomes, for example, about 75 per cent of the aggregate of the credits for taxes on incomes below \$10,000 and 25 per cent on incomes above \$10,000. The percentages selected should provide a total credit of approximately \$150,000,000.

"3. That the additional federal revenue to replace the federal credit allowed to taxpayers for state taxes be secured by some one or more of the following:

"a. inclusion of dividend income in the federal tax base as completely as other income;

"b. amendment of federal and state constitutions to permit the taxation of income from tax-exempt securities and of salaries of officials and employees of the federal, state and local governments;

"c. reduction of personal exemptions, including elimination of the earned income credit;

"d. allowance of personal exemptions and credits for dependents in terms of tax."

If I may give a word of explanation, this resolution extends to the income tax field the principle of the estate tax credit with which you are all familiar. If carried out in legislation, it would enable individuals in the various states to pay part of their federal tax bill by the presentation of receipts showing the payment of state personal income taxes. The \$150,000,000 figure mentioned, is the figure arrived at as necessary in the form of credit on the federal tax to meet the amount now raised in the income tax states through their present rates. Those rates now raise approximately \$76,000,000 in the twenty-three income tax states, and it is necessary to have a federal credit of \$150,000,000 if they are to be applied to all the states.

The third part of this resolution provides for a suggested number of methods by which the federal government could replace the income lost to it by allowing credit to the states as suggested. One of the various

items suggested is: the inclusion of dividend income in the federal tax base as completely as other income. Probably that alone would come very close to meeting the necessary replacement of revenue. Other suggestions are: the amendment of federal and state constitutions to allow the taxation of tax exempt securities; a reduction of personal exemptions; and lastly, an allowance of the exemptions and credits for dependents in terms of the tax and not in terms of the income of the taxpayer.

SPEAKER BELKNAP: You have heard the resolution as offered by the Commission on Conflicting Taxation and the very able exposition by the gentleman from Massachusetts. Is there any further discussion?

SENATOR BEN G. ONEAL (Texas): Is that offered as a resolution of the Commission on Conflicting Taxation? Aren't you mistaken? You don't mean it is offered like the other resolutions we have had here, do you?

SPEAKER BELKNAP: This is a separate resolution. It was not one of the resolutions drawn at the same time as the others, but unless I am very much mistaken it was acted on by the Commission.

MR. ONEAL: But Mr. Speaker, it was not a recommendation to be passed. As I remember the resolution, it was recommended for consideration and was not passed by the Commission on Conflicting Taxation as its recommendation. The others were recommendations passed by the Commission. Am I not correct in that?

HON. C. H. MORRISSETT (Virginia): That is correct according to my understanding of the situation. That was the position of the Commission on Conflicting Taxation, that this was recommended only for consideration.

SENATOR HENRY PARKMAN: It does not seem to make much difference but I stand corrected if I presented it in error. The Commission on Conflicting Taxation met and considered this and by a vote that was not unanimous, but by a vote of seven to one it was decided to recommend the resolution for the consideration of the Assembly.

HON. MYRON B. GESSAMAN (Ohio): In order to get this before the Assembly, I move the adoption of the resolution.

The motion was regularly seconded.

HON. HENRY F. LONG: I don't know whether I should be permitted to come up here on the platform with all these people who are opposed to my viewpoint. The seven votes for the resolution are well represented here—they stand against the one which now appears before you.

Let us give thought to the whole problem. Within the four corners of this resolution there is more, I feel, than some of you sense and I want briefly to outline what it is. First, and perhaps foremost, is a continuation—or perhaps an expansion—of the credit device which is found in the 80 per cent credit of the federal estate tax statute. In that there is enclosed the kernel of the thought that tax laws should be used for other purposes than to raise revenue. In other words, in our inheritance tax credit there lies embedded the theory that because the federal government encompasses the whole Union, death duties laid by the federal government will tend to deter people from moving from one part of the country to another in order to avoid diminution of their wealth at death. It is not, from the federal government's point of view, a basically important revenue source but it more or less gives expression to the thought that, through revenue laws, there should be a spreading or perhaps the complete destruction of personal fortunes.

With that particular theory, which could be perpetuated by this resolution, I cannot agree. Revenue laws should not be used for any social purpose, for any purpose which would undertake to carry into operation, by legislative action, the distribution of wealth or the destruction of large fortunes or the discouragement of individual initiative. If opportunities abound for capital acquisition it is but the way of the dullard to seek a cure; if acquired wealth is a disease, we cannot succeed in eradicating it by methods employed by the destructive mind. From that point of view I am opposed to a continuation of that particular aspect of this resolution.

My second objection, and it is an important one, is that while the phraseology of it is very intelligently stated, there nevertheless is concealed in the words the definite temptation to—or coercion on—states to levy income tax laws. I don't agree that any body, whether it is the federal govern-

ment or a group of states, should coerce states into having some kind of a tax law which, if left to themselves, they might not consider proper or feasible. It does have the element of coercion because it has the element of temptation, and all principles go when there is the temptation to secure money from some other sources than those that hurt in the giving.

My third objection is that the resolution undertakes to say that the federal government shall give up, by this credit, \$150,000,000—to be replaced, in the terms of the resolution, by the methods suggested. By this you descend into a principle which is very deep, namely, the principle that the bigger incomes are, in large part, obtained from international or at least national sources. It seems to me that this overlooks the fact that many accumulated fortunes are not necessarily international or national in character, that a great many of them exist by virtue of descent, a great many more exist by virtue of very large deposits of natural resources, and others by furnishing at small cost a necessary article to the multitude. I cannot agree with the principle that a person with a million dollars should have different treatment than a person with one hundred thousand, or that a person with one thousand should be treated differently from a person with ten thousand dollars. Therefore, you have the third question of whether or not you will subscribe to the doctrine that there should be a separation in tax treatment between large fortunes and small fortunes as expressed by income.

This is more than triple-headed, it is really a hydra-headed problem, and it reaches into the very vitals of our state constitutions. I am one who would, if I had the opportunity of voting, continue to vote against this, but at the same time I don't believe that anybody should vote in this room on this particular proposal unless he sees the entire situation as it is. I can say in all fairness that if you will read this resolution carefully and consider it in connection with the aspects of taxation as applied in your state, you will find more dynamite in the words of this resolution than in any other single document you have seen written on a single page outside of the Ten Commandments.

SPEAKER BELKNAP: I am going to ask

Senator Parkman to take the chair. I have controlled myself, to a greater or less degree, all day without doing very much talking. I have done a little more than was perhaps dignified for the Chairman but I simply must talk on this matter.

Senator Parkman assumed the chair.

CHAIRMAN PARKMAN: The Chair recognizes Mr. Belknap of Kentucky.

HON. WILLIAM B. BELKNAP: Those of you who happened to have the good fortune to hear some twelve or fifteen hours of debate before the National Tax Association on this question—this very fundamental question of whether the federal government should in any way control taxation—may remember that, in New Orleans, after the President of the National Tax Association, Mr. Thomas Walker Paige, had listened to argument for a long time, the kernel of which was that if we were ever to abolish the federal estate tax we ought to do it now, Mr. Paige got up and said, "That argument is fallacious." He said, "The dearest wish of the human heart is ultimate salvation, but none of us want it now."

That ended the argument and we voted to uphold the report of this committee, which was later adopted by Congress and has been in operation for a number of years.

I think it was Emerson who said that consistency is the bugbear of small minds. In the matter of taxation, you simply must meet things with a practical point of view. I wish we never had to have the federal government come in and have any say concerning the method by which the states raise their taxes. The committee started out with the idea that in inheritance taxation the federal estate tax should be abolished. We met for a solid week up in the Adirondacks and fought the question backward and forward, and at the end of that time all of the nine men on that committee had absolutely faced about and recommended that state death taxes be credited against the federal estate tax up to 80 per cent of the latter. The committee agreed unanimously that the only way to protect the states from each other was through this 20 per cent that was left to the federal government. It kept the states which had started cutting the throats of the inheritance tax states from cutting their own throats.

Mr. Long has never come around to my point of view. I sincerely respect his point of view. I simply differ with him. There is no way of arguing any of you over from one side of this question to the other. About fifty per cent of it is intelligence and 50 per cent is emotion and you can't change emotion by argument.

I want to say this: Kentucky has no income tax but we are going to have an income tax and I think we would be better off if we had an income tax today. I am just as unpopular as anybody can be among my friends at home when I say that but we must face it. Income taxes are coming in every state in the Union sooner or later, so I feel that there is no real use of talking about compulsion on the part of the federal government.

As for Mr. Long's argument that we are going to treat different people differently, no worse confusion could be had than we have right now in treating people differently by the varying state and federal income tax laws. This resolution is an effort to bring some order out of the present confusion on income taxes. It is trying to keep our better business minds from spending more time thinking where they ought to live in order to avoid income taxes than they do about attending to their business. People were moving hither and yon to get rid of the inheritance tax and after we changed the law people sat still and tended to their jobs and they are going to do the same thing if we can get this income tax law straightened out.

It is such a long story that I can't take the time to go into it in detail. I have a great deal of sympathy with Mr. Long's position that this is a difficult problem to vote on at a time such as this and I don't say that those of you who vote "yes" here may not go home and vote "no" in your legislatures. I don't say that after doing that you may not come back and vote "yes" here again next year and then go home and vote "no" again. When any problem is as difficult as this problem is, what you are doing when you vote on it today is to say that such is your feeling today. And I think that was the idea back of the Commission when, instead of passing it as they passed the other resolutions, they adopted it for your consideration. I be-

lieve that passing this resolution would be a step forward in focusing attention on this problem.

SENATOR BEN G. ONEAL (Texas): I would like to say a few words.

CHAIRMAN PARKMAN: After Senator Oneal speaks, and the Chair thinks that speeches on these questions ought to be limited to five minutes, I am going to ask the Assembly to listen to Professor Martin in order that we may have a little bit more than faith to act upon.

MR. ONEAL: You probably didn't understand just why I rose, when this resolution was offered here, and asked for an explanation of what the committee brought in, and I realize exactly how the misunderstanding arose, but here is the way that the Commission on Conflicting Taxation sent this out the other night: "Be it resolved, That the Interstate Commission on Conflicting Taxation recommends for consideration federal enactment of legislation allowing a credit against the federal individual income tax, etc." When I voted for that, I didn't vote to bring the resolution out here for a settlement of the question today, by your vote, so far as the Assembly is concerned.

I think Mr. Long is correct when he says that he is the only one who voted against this resolution as it is. The resolution originally offered that evening in the Commission was as they first presented it here, but that resolution wouldn't have gotten over a five to four vote. Then they asked if we wouldn't let them bring it out for your consideration and it was changed to this form.

Here is the report of the research staff, over fifty pages on individual income tax, which they spent months in preparing. We got it Wednesday of this week when we met here. We have very little time and my position stated then was that I was not prepared to vote for this, or to vote against it. Maybe the mentality of the Commission does not work as fast as yours, but I don't believe, in view of the months and months that the research staff spent in getting up over 59 pages of text material, together with tables, and the time the Commission spent, that you, unless you have taken time to read and consider this, are prepared to pass the resolution.

You have been very kind to the Commission and have adopted the four recommendations that we made. You have shown confidence in us. I hope that confidence is justified. I hope that you will continue to feel that way about us.

I want to ask your pardon for having intruded myself so often today on this, but I rather think we should be careful because what we do here, we hope, is going to have some influence outside.

CHAIRMAN PARKMAN: I will return the chair to Mr. Belknap of Kentucky.

Speaker Belknap resumed the chair.

SPEAKER BELKNAP: You have heard the remarks of the gentleman from Texas. What is your further pleasure? Is there further discussion on this point? I would like, with your permission, to ask Professor Martin to say something to us concerning this resolution.

MR. JAMES W. MARTIN: The reason the Chair could not remember my attitude on this thing is that I have never expressed an attitude. I shall not at this late stage of the game, undertake to do that, but I do want to point out two or three consequences of this resolution pro and con. In the first place, it seems to me that the philosophical question you are up against is a very simple issue. Are you willing, for the purpose of achieving a certain measure of uniformity in income tax procedure, to have the federal government lend some coercive influence in bringing about that uniformity? That, it seems to me, is the philosophical question involved. It does not seem in my mind to involve the question of confiscation that two gentlemen have thus far suggested. I say that because the federal government and the states are equally solicitous as to the preservation of each other, and we have seen no marked tendency for the estate tax credit to tend in the direction of confiscation.

Moreover, I suggest that the consequences Mr. Long sees in the issue are not as much present in this situation as they are in the estate tax situation. The estate tax is a tax on capital or accumulated wealth; whereas the income tax is a tax on wealth as it comes in, so to speak. Unless you confiscate every bit of income so a fellow has to eat up his capital, you can never do away with capital or actually reduce

inequalities in the distribution of wealth between different individuals by income taxation.

I wish to refer, also, to the character of the offset as well as to the character of the coercion. The original form of this proposal was that state individual income taxes be offset against federal individual income taxes. That particular proposal has been considered in other connections from time to time. It involves the same philosophy that the estate tax credit involves, as far as it goes. But it does not go quite so far. The introduction of "other state and local taxes of a personal nature" into the offset picture modifies this part of the philosophy by making it possible for states that do not have personal income taxes to take some advantage of the credit. That was deliberate on the part of the Commission, because the Commission believed that the element of coercion should be reduced to a minimum. It does not entirely eliminate the element of coercion, and you should have that in mind in voting on the issue. Certain taxpayers in states which do not impose income taxes will receive just as much benefit from this credit as will those in states which do impose income taxes. Certain other individuals could not take advantage of the income tax credit, under this alternative plan, because those individuals would not have incomes from sources which render them liable to personal tax levies by the state but would have sufficient incomes to make them liable for income tax payments to the federal government. So there is an element of inducement in this proposal to impose personal income taxation. As has been suggested, that element is very definitely reduced.

I should like to point out certain distributional consequences of this program and suggest the reason for the graduated offset. The benefit is being offered to the state in proportion to the distribution of personal incomes among the states. Now the personal incomes may or may not be distributed in a form that would please some people. For example, under the arrangement that has been suggested by the Commission, assuming that the present personal income tax statistics collected by the federal government reflect the truth, which

they do not by any means do precisely, the proposal as it stands would result roughly in offering a credit to the state of Alabama double the amount of state income tax now raised in Alabama. That is to say, Alabama would profit to the extent of approximately 100 per cent increase. In Massachusetts, on the other hand, the result—if they took all of the credit in each instance—would be 41 per cent less than the total income taxes now levied in Massachusetts. In some states the differences would be greater than that. I took the first two examples coming to me of a positive and negative character. Those are fairly extreme instances, but they are not the most extreme.

The proposal to graduate the credit so that a larger credit would be offered on small incomes than would be offered on large incomes would serve to carry out the primary objective of the entire plan, namely, to integrate the state income taxes with the federal income taxes. At the present time the federal income taxes are very slightly graduated until you get up to rather high levels. You will find, in our report, an indication of the character of the graduation which shows that we really have no high federal tax rates on moderate incomes. The state income taxes that are already levied usually behave differently. This graduated credit would encourage states to reach a maximum rate under ten thousand dollars so as to take up all credit under ten thousand dollars and have a comparatively flat rate above ten thousand dollars, thereby hooking the rates of the states into the rates that are now proposed by the federal government and working out an amicable arrangement so far as the rate issue is concerned. Those are the pros.

The con that seems to be most prominent is that, if you graduate the credit, there will be some increased difficulty in making the application; that is, administrative problems for state and federal tax departments will be increased by that method.

SPEAKER BELKNAP: I don't know how long you gentlemen are going to want to discuss this thing. We could very readily go on discussing it until midnight or midnight tomorrow or midnight Monday.

HON. HENRY F. LONG: In order to

bring this to a head, I am going to move that this question be referred to the next Interstate Assembly.

HON. J. H. THAYER MARTIN (New Jersey): I second the motion.

MR. LONG: May I substitute another motion which I think everyone would agree to, that this be referred back to the Commission on Conflicting Taxation for further consideration.

MR. MARTIN: I second the motion.

HON. P. E. WARD (Ohio): It is a condition and not a theory before the people of the United States and the several states at this time. I can't see that this organization has any value if it is only a research proposition to put off from year to year a decision on so important a matter as this. I think it is important that some decision be arrived at upon this particular problem now.

SENATOR WILL O. WALTON (Alabama): I don't want to consume five or ten minutes but I want to state frankly to this Assembly that I am in perfect accord with the statement made by the gentleman from Ohio just a moment ago. In my honest, candid opinion this is the most important thing that has been before this body. I have the greatest respect and admiration for the distinguished senator from Texas, and I would feel the way he does if I were voting to enact this bill into law today. I think we have become unduly alarmed about this situation. I want to repeat that in my candid opinion this is the most far-reaching resolution of this Assembly. It will provoke more honest, candid thought throughout the United States than anything we will do at this Assembly.

SPEAKER BELKNAP: The gentleman from Ohio made a motion to accept the resolution and the gentleman from Massachusetts, Mr. Long, offered as an amendment a substitute motion. I will be forced shortly to put the substitute motion. The substitute motion was that this resolution be referred back to the Commission.

MR. WALTON: Then at this time I move to lay on the table the motion or amendment offered by the gentleman from Massachusetts.

The motion was regularly seconded.

SENATOR J. V. WEBER (Minnesota): In order to settle all debate I move the pre-

vious question. The previous question is the adoption of the resolution and it is not debatable.

SPEAKER BELKNAP: You have heard the motion for the previous question. Those in favor of the motion for the previous question will say "aye"; opposed, "no." The ayes have it. We will put the previous question, and that is not debatable as I understand it. The previous question is on the resolution.

There followed a roll call vote by states.

SPEAKER BELKNAP: In announcing the vote, I want to note the number of states voting: 25 states voted with 39 ayes and 30 noes.

HON. HENRY F. LONG: Would you please also tell, of the twenty-five states that voted, how many of the states voted in favor and how many against the resolution?

SPEAKER BELKNAP: It is thirteen to twelve as to states—a very close vote.

MR. PARKMAN: The next resolution has been reported out by the Committee on Resolutions without recommendation. It is offered by Senator Woodward of Pennsylvania and concerns the tax exemption of public securities.

"Whereas, there is an alarming growth in the volume of tax exempt governmental securities; and

"Whereas, any plan for the alleviation of federal-state conflicts is seriously handicapped by the necessity of higher rates on a narrowed tax base, which in many instances cannot be accurately estimated for budgetary purposes; therefore be it

"RESOLVED, That the Second Interstate Assembly deplores the growth in volume of tax exempt securities and salaries of public officials and employees—federal, state, and local, and recommends that these tax exemptions should be removed to broaden the tax base, secure a more equitable distribution of the tax load and to promote the use of money in industry rather than to provide an inert refuge for moneyed capital."

SPEAKER BELKNAP: You have heard the resolution. What is your pleasure?

HON. LARRY DOBELL (Montana): I move its adoption.

The motion was regularly seconded.

MR. DOBELL: These features are carried out in the bill now before Congress, intro-

duced in the Senate by Senator Ashurst of Arizona. It is before the Senate now.

SPEAKER BELKNAP: Those in favor of the resolution, say "aye"; opposed, "no." The ayes have it and the resolution is carried.

MR. PARKMAN: The next resolution relates to interstate conflicts and the use of interstate compacts for the removal of them. This is also reported, as I recall it, without recommendation.

"BE IT RESOLVED, That it is the sense of the Second Interstate Assembly that the Congress of the United States should pass a general enabling and consenting act respecting compacts negotiated between two or more states affecting interstate tax conflicts and not affecting the fiscal interest of the federal government."

SPEAKER BELKNAP: You have heard the resolution. What is your pleasure?

It was regularly moved and seconded that the resolution be adopted.

SPEAKER BELKNAP: Those in favor say "aye"; opposed, "no." The ayes have it and the resolution is adopted.

MR. PARKMAN: Here are a couple of tough ones; the first, the resolution on the sales tax offered by Mr. Ward of Ohio. This is reported out by the Committee on Resolutions without recommendations.

"In view of the fact that some twenty-six states have been forced through emergency conditions to resort to sales taxes, and in view of the complications in the administration of such tax measures due to state lines and interstate commerce limitations, it is the sense of this Second Interstate Assembly that the federal government should impose a general emergency sales tax upon a national basis allocating a substantial portion of the revenue therefrom upon an equitable basis to the several states."

HON. J. FREER BITTINGER (Ohio): I move the resolution be adopted.

SPEAKER BELKNAP: What is the pleasure of this Assembly? I wish somebody would move to limit the debate.

HON. P. E. WARD (Ohio): I am willing to limit the debate, but as the author of the resolution I would like to have a word to say.

SPEAKER BELKNAP: The Chair will recognize you.

MR. WARD: I am not an advocate of a sales tax, I opposed the sales tax through two sessions of the Legislature in Ohio, but due to the emergency situation we found ourselves in, eventually a sales tax had to be passed. It has been in operation only a month. Under the Ohio law, 180,000 retail merchants are collectors of the sales tax, and the boundary line difficulties and the mail-order proposition are something that we are unable to deal with effectively. Even if a measure like the Harrison Act should be passed, I know no way in which we could deal with the situation effectively.

The national government can collect a sales tax much more cheaply, without any such total number of tax collecting agencies as we have even in my state, since they can administer it on a national basis. It would avoid all boundary line difficulties and all mail-order house difficulties. I think if there is any tax that the states have adopted up to the present time which should be yielded to the federal government it is the sales tax.

MR. PARKMAN: I really feel that this is as important a matter as is going to be acted upon by this Interstate Assembly and we ought to allow opportunity for both sides of the question to be presented, even though briefly, and I move that debate on the matter close at five-thirty, twenty minutes from now, ten minutes to be allowed to each side, and that all speeches be limited to three minutes.

The motion was seconded and carried.

HON. W. H. O'GARA (Nebraska): As I stated yesterday in my remarks, untold billions will go into the hands of the federal government and the states will be bulldozed into doing certain things if we are going to get any of it back. Many of the states, such as Nebraska, as yet have not passed a sales tax and we are not in favor of passing a sales tax until we have reduced the cost of government. There would be no reason for the federal government to reduce its costs while these untold billions flowed into their hands. I sincerely hope this resolution will not be passed.

HON. SIMEON E. LELAND (Illinois): It seems to me that this resolution is rather anomalous, considering our objection to having the federal government tell the states what they ought to do in the determination

of fiscal policy. Now we turn around and try to tell the federal government what it ought to do. If you listen to any economist who knows anything, he will tell you the most undesirable thing you can do in this depression is to impose sales taxes, that the ones that are imposed are regressive, that they rest upon those individuals who can least afford to carry the burden. Now, in order to help yourselves you want further to retard industry and trade by putting this on a federal basis. It is not only wrong in principle but it certainly is inconsistent with the policy of this Assembly.

HON. HENRY F. LONG (Massachusetts): I am against the general principle of asking the federal government to levy a tax which the states may, for some reason, not wish to levy themselves. I think the Ohio statement was a good illustration of why this resolution should not pass. The gentleman sharply criticized the matter of legislative enactment in Ohio, which was under compulsion, and which apparently—from his own statement—was one that was very ill-devised. The admission of how bad their administrative procedure is in Ohio was sufficient, in itself, completely to defeat this resolution.

I am more particularly interested from the point of view of not wanting the federal government to interfere with sales taxes which bring within their sweep the matter of a manufacturers' tax or wholesalers' tax as well as a retail tax. It is unquestionably true that there is a very sharp line of demarcation between what the federal government can do in sales taxes and what the states can do, and in my opinion there is a field for both of them in that form of taxation. But on principle alone I don't believe this should be done. The federal government has not had any experience in sales taxation. There is, here, an attempt clearly to give up something which the states ought to retain themselves, and also the attempt to stimulate competition between the states as to who can grab the most out of the bag into which are dumped the proceeds of a federally administered sales tax.

HON. LARRY DOBELL (Montana): I am opposed to a sales tax for two or three reasons. The main one is that until you have the people who can afford to pay taxes

paying their taxes, I don't think you should tackle the poor man. Less than a year ago, the Senate Committee on Banking and Currency heard evidence that the nineteen partners of Morgan had not paid one cent of income tax in the calendar years 1931 and 1932. They are hiding behind tax exempt government securities and until you repeal that and get at the money where it is, and tax the man who can afford to pay it, I don't believe in taxing the poor fellow who can't afford to pay it.

HON. J. FREER BITTINGER (Ohio): I have opposed the sales tax too, but that is not the question involved. The members are discussing something the resolution doesn't provide for. The resolution provides that the federal government impose a sales tax and distribute it back to the states, and I think every member of this Assembly should vote for this resolution.

HON. OLIVER E. J. SCHICK (Missouri): It seems to me that if a sales tax were enacted by the federal government with a just allocation to the various states, it would do away with much confusion which ordinarily results from an individual state sales tax. It would place business on a more or less competitive basis. Under the individual state sales tax today, business men are often confronted with certain obstacles which throw them out of the running on competitive bids on various large materials. For this reason, if the collection of a sales tax by the federal government can be worked out and a just allocation of the money put into the plan so that it would be justly distributed among the states, I would be heartily in favor of it. Basing my opinion along these lines, I am going to vote for the adoption of this resolution.

SENATOR J. V. WEBER (Minnesota): The Minnesota State Legislature recently memorialized Congress to allow state taxation of interstate commercial business. We realize that can't be done, but it seems to me through a federal sales tax we arrive at the same conclusion. One of the chief aims of this Assembly is to inculcate in people's minds the idea of tax consciousness and, it seems to me, there is nothing we can do to create tax consciousness in the minds of the people of this nation as will a federally administered tax. It seems to me we

are never going to arrive anywhere until we inculcate in the minds of the people of this nation the proposition that tax paying is an important problem, and I agree with the gentleman from Missouri, and the gentleman from Ohio. I am going to support this resolution.

HON. P. E. WARD: Just a word further: Whether or not the sales tax in Ohio was a good type or whether or not it is well administered, every sales tax state (and there are twenty-six of them if I am correctly informed) has this difficulty. We are surrounded by states on every side, all but one of which have a sales tax, but nevertheless the state is flooded with advertising material coming from across the line and from Chicago—"Buy your goods from us and avoid the sales tax." And they will avoid it regardless of whether there is a sales tax in their state or not. They will avoid it in both states. Illinois has a sales tax but all the goods which their mail-order houses ship to Ohio and Indiana and the other states avoid that tax and the purchaser avoids it as well.

As long as the present emergency conditions exist and billions of dollars have to be raised for relief, we are going to have a sales tax with us. If there is any place that a sales tax can be levied, imposed and collected with the least expense and the least waste, it is certainly in the hands of the federal government. I think a two per cent tax imposed by the federal government would produce as much, without the present avoidance and evasion, as a three per cent tax levied by the individual states.

HON. RALPH L. RAMSEY (Georgia): Georgia does not now have a sales tax but it probably will adopt one soon. It is a question in the mind of everyone as to whether the sales tax is just the kind of tax we want. I think most people question that, certainly in the beginning of a study of a sales tax.

It is evident that all states are going to have a sales tax of one kind or another. Now if that be true, federal administration of the tax would get rid of many problems that we now have. Those border states that do not have a sales tax will of course profit because of the state that does have one. A federal sales tax would certainly

overcome the problem the individual state sales tax has to face. In view of that, I expect to support this resolution, believing that it will untangle many of the knots and solve many of the problems that most of us are to face.

SENATOR HENRY PARKMAN (Massachusetts): I want to take three minutes to express my own views on this subject. I was originally a strong advocate of a federally administered state-shared sales tax and I have become a convert, after considerable study, to the idea that it would be the worst thing that could happen to this country. I have come to that conclusion for a number of very definite reasons. In the first place, I believe that the sales tax is essentially bad in its incidence on the people. It is a regressive tax bearing more heavily on people of small incomes, and for that reason, if for no other, it should be only an emergency tax.

On the question of distribution, the argument in favor of the federally administered state-shared sales tax founders because the political situation which exists in Congress makes it impossible to distribute the tax in any way that is fair to the people of the several states. The purchasing power of the citizens of one state varies so widely from the purchasing power of the citizens of another that money would be drained out of one state and poured into another inequitably. The joker in the resolution of the gentleman from Ohio are the words that it should be distributed on an equitable basis. Actually that is impossible. It seems to me that with all the inconveniences and all the problems of interstate commerce, of administration, of border difficulties, of mail-order house difficulties, those should be regarded as a necessary evil of a tax that essentially should be an emergency tax and that the very existence of those difficulties is the surest safeguard of the repeal of state sales taxes at the earliest opportunity. I therefore believe this resolution should not be adopted.

SENATOR GEORGE W. WOODWARD (Pennsylvania): May I ask Senator Parkman one question about the Canadian experience? Haven't they succeeded in their sales tax?

MR. JAMES W. MARTIN: May I answer Senator Woodward's inquiry? One part

of the answer is that there is no distribution to the several states, that is, the Canadian sales tax is a central government tax and it doesn't have that hurdle to go over.

In the second place, the Canadian sales tax conceals the incidence so that in no case can it become a tax that will bring about sales tax consciousness. The same thing is contemplated in this resolution.

In the third place, in my own judgment the Canadian sales tax results in levying more tax on the taxpayers. The consumers pay a heavier tax in the long run, in most instances, though not perhaps in all, than the actual amount that the federal government of Canada, the Dominion Government, collects. I think that would be true in this case, because as you come down the line each fellow will add to the tax as well as to the original price.

There is one other point I would like to suggest: If you levy a sales tax which amounts, in toto, to more than twice as much as the present state sales taxes amount to annually, the State of Ohio would lose some ten million dollars as compared with a very modest estimate of the revenues from the recently enacted Ohio tax. The Ohio Tax Commission estimated some fifty-eight or nine million dollars from the tax. I have reduced the estimate to forty-three and a third million, to get my result. If the Commission's estimate proves to be correct, the loss to Ohio would be much greater.

HON. JOHN A. CHAMBLISS: I just want to say that I am going to vote for this resolution because in Tennessee we have a low purchasing power and a low standard of living, generally speaking. I want to say frankly to you gentlemen who came from the states of higher standards of living that I think it is an unfair disadvantage to Massachusetts, to be specific, for Tennessee to profit by this as the allocation inevitably is going to be by population and we would get more than what I would regard as our fair share. Of course, if you gentlemen want it so, we are in favor of it, but I think it is only fair that you understand the case. I won't say this situation would prevail in all the southern states because some of these other gentlemen might not like that, but the states where the standard of living is a little lower are most likely to benefit from this action.

SPEAKER BELKNAP: It is time to put the question. The question is on the adoption of this resolution which you all have in mind. Those in favor of the resolution will say "aye"; opposed, "no." We will have to have a roll call.

There followed a roll call vote by states.

HON. LUCY S. HOWORTH (Mississippi): While the vote is being tabulated I should like to make a statement on behalf of Mississippi. Mississippi has a sales tax which I, together with the majority of the legislature, enacted and which we think is very successful. I voted against this particular resolution because I do not believe in the resolution, nor does our tax commissioner approve the plan as outlined in this resolution. I am making this statement simply because the debate seemed to hinge largely upon the effectiveness of sales taxes and I did not want my own or Mississippi's attitude on the sales tax misconstrued.

SPEAKER BELKNAP: The result of the vote: 38 ayes, 35 noes. The motion is carried. The vote by states: 13 ayes, 12 noes, and one evenly divided.

I want to call on Speaker O'Gara of Nebraska for his report of the Committee on Plans for the Interstate Assembly. The Committee is prepared to report, I believe.

REPORT OF COMMITTEE ON PLANS FOR THE INTERSTATE ASSEMBLY

Your Committee on plans for the Interstate Assembly recommends that the executive boards of the American Legislators' Association and the Council of State Governments be empowered to select the time and place for the meeting of the Interstate Assembly in 1937.

And your Committee further recommends that the meeting of the Third Interstate Assembly be held in the National Capital or in the city where the headquarters of the American Legislators' Association are located.

Your Committee suggests that those having in charge the program for the Interstate Assembly consider the inclusion in that program of a full discussion of the European system of taxing real property and of the adoption by the several states of a system of real property taxation, which will be based upon ability to pay.

Your Committee on plans for the Inter-

state Assembly suggests that the program of the Third Assembly should include three or four subjects of current legislative interest.

Your Committee further suggests that liquor and crime control, social security and such questions of vital importance as may arise during the next two years be considered for the program of the Third Interstate Assembly.

SPEAKER BELKNAP: You have heard the report of the committee. What is your pleasure?

It was regularly moved, seconded, and the report was adopted.

SPEAKER BELKNAP: Will the Senator read the remaining resolutions? I think most of them can be voted on without discussion because I think they explain themselves.

MR. PARKMAN: This is a resolution offered by Judge Leser of Maryland relative to the right to tax private property on governmental reservations. "RESOLVED, That it is the sense of the Second Interstate Assembly that the federal government, through Congress, should grant to the several states jurisdiction to tax privately owned physical property located in government reservations situated within the boundaries of such states, and to tax individuals residing on such reservations on their incomes or intangible personal property unless it is shown that they are taxed thereon elsewhere."

SPEAKER BELKNAP: You have heard the resolution. Is there a motion to adopt the resolution?

It was regularly moved, seconded, and the resolution was adopted.

MR. PARKMAN: This is a resolution offered by the Tax Commissioner of Massachusetts, Henry Long. In its original form I was not able to understand it and I am not able to understand it much better in its present form.

"WHEREAS, Taxpayers are compelled to spend large sums in complying with widely different requirements of different taxing jurisdictions and

"WHEREAS, The honest taxpayer suffers because his less scrupulous competitor takes advantage of the lack of uniformity in the interpretation of substantially similar statutes, for example, rulings as to what are

and what are not essential governmental activities; therefore be it

"RESOLVED, That pending the development of a more comprehensive program to harmonize conflicting tax laws and to avoid duplicate taxation, it is the sense of the Second Interstate Assembly that legislative bodies in enacting revenue legislation, and administrative officials in interpreting such statutes and in developing administrative procedure and forms of reports, strive for simplicity and uniformity."

HON. WILLIAM H. HACKETT (Connecticut): I move the resolution be adopted.

The motion was regularly seconded.

SPEAKER BELKNAP: It has been moved and seconded that this resolution be adopted. Those in favor say "aye"; opposed, "no." The ayes have it and the resolution is adopted.

MR. PARKMAN: Here is one offered by a gentleman from Tennessee, former Senator Chambliss, who has been reading a book written by Freund; and also something by Professor Frankfurter. The Resolutions Committee was not able to give this the consideration it deserves.

"WHEREAS, Many problems of administrative law arise in consequence of the various functions the states find it necessary to deal with and it is the sense of the Second Interstate Assembly that a specific, concrete, definite and practical approach be made toward coordinating these functions which are of immediate concern to states which are adjoining or find it necessary to control identical or similar functions; now therefore be it

"RESOLVED, That there be consideration given in the near future to discussion, publicity, and research with respect to the following aspects or functions of state governments and such others as may be of like concern:

"(a) Passage of enabling acts empowering the fixing or establishment of a code of ordinances or administrative regulations which are sanctioned by the legislatures within the orbit of the enabling act, the action of some national organization such as the American Automobile Association and also, the state officer in immediate charge of automobile licensing to establish comity as to licensing;

"(b) Passage of enabling acts empower-

ing the fixing or establishment of a code of ordinances or administrative regulations which are sanctioned by the legislatures within the orbit of the enabling act, the action of the National Conference of Insurance Commissioners and the state officer in charge of the regulation of the business of insurance;

"(c) Passage of enabling acts empowering the fixing or establishment of a code of ordinances or administrative regulations which are sanctioned by the legislatures within the orbit of the enabling act, the action of the United States Commissioner of Agriculture and the state officer in charge of plant inspection and disease control;

"(d) Passage of enabling acts empowering the fixing or establishment of a code of ordinances or administrative regulations which are sanctioned by the legislatures within the orbit of the enabling act, the action of the United States Commission of Agriculture and the state officer in charge of the grading and classification of agricultural products for sale in market."

I wish the gentleman from Tennessee would tell me what that means.

SENATOR BENJAMIN E. HARWOOD (Connecticut): I move the resolution be laid on the table.

The motion was regularly seconded.

SPEAKER BELKNAP: It has been moved and seconded that the resolution be laid on the table.

HON. W. H. O'GARA: Has the gentleman who offered the resolution the right to be heard?

HON. JOHN A. CHAMBLISS: This is an endeavor on my part, and I think an entirely innocuous endeavor, to suggest to you gentlemen and to the Interstate Assembly an idea with respect to coördination between the states in a very simple way and in a manner that can be accomplished through administrative regulations. To be specific, and to give you one of the things I intended to operate, let us take the insurance laws. As you all know, we have standard provisions regulating insurance. What I want to do is undertake to have statutes passed in the various states providing that if, and when, the National Conference of Insurance Commissioners agrees on certain provisions with respect to the regulation of insurance and your particular insurance

commissioner chooses to come within the scope of those regulations, those regulations shall be in force in your state.

The same thing will be applicable to regulations with respect to automobile licensing. It would enable the highway commissioners to agree with other highway commissioners on automobile licensing. Mr. Long, or someone, mentioned here the problem of plant disease control and inspection of plants shipped from state to state. The same thing would be true there. In other words, unless your own state chose to bring itself within the scope of these regulations, it would not be within the scope of the regulations.

Now all I am asking is that some consideration and some investigation be given with respect to this. As Mr. Parkman has rather jokingly said, I am very much interested in, and I commend to your attention, Ernst Freund's *Power Over Persons and Property*, and such books as Hart's *Ordinance Making Powers*, and also Carr's little book on *Delegated Legislation*. Carr's idea is to withdraw as far as possible the detail of administrative regulation from legislative action and to put it in the hands of administrators in the various states within this orbit—and Mr. Parkman was more or less making fun of my word—fixed by the state legislature.

SENATOR J. V. WEBER (Minnesota): Would it not be better, in fewer words, to ask this Assembly to go on record as favoring doing away with all state legislatures and putting everything in the hands of department heads?

MR. CHAMBLISS: On the other hand, as I look at it, it gives the legislature a peculiar dignity that it does not have when it undertakes to deal with detail, and I commend especially, to the Senator's attention, Carr's little book of forty-five or fifty pages on delegated legislation.

SPEAKER BELKNAP: May I ask what is your pleasure on this resolution? I have heard a motion to table and it has been seconded. Those in favor will say "aye"; opposed, "no." The noes have it. The question is on the adoption of the resolution. Those in favor will say "aye"; opposed, "no." The ayes have it and the resolution is carried.

SENATOR PARKMAN: One more resolu-

tion, offered by the representative from Massachusetts, Mr. O'Connell.

"WHEREAS, The problem of securing a fair contribution to the cost of state and local government by owners of intangible property has not received recent comprehensive study; and

"WHEREAS, The distribution of the tax load has been materially altered by the developments of the past few years; and

"WHEREAS, The problem is one directly involving interstate competition and conflict of tax jurisdiction; and

"WHEREAS, The present system of taxation has been found to be obsolete, therefore be it

"RESOLVED, That the Interstate Commission on Conflicting Taxation either directly or by reference is hereby requested to investigate carefully the entire problem of the distribution of the tax load between owners of intangible property and other persons with a view toward formulating a new tax system, under which taxes will be assessed according to the theory of ability to pay; and in particular to estimate the feasibility of securing the joint action of two or more states in order that states imposing taxes on intangible personal property or the income therefrom may be protected from the competition of other states, and in order that the possibility of relieving real estate tax burden by this means may be canvassed."

It was regularly moved and seconded that the resolution be adopted.

SPEAKER BELKNAP: You have heard the resolution. Will the sponsor of this resolution kindly explain it?

HON. RAYMOND F. O'CONNELL: The thought I have in mind in presenting this resolution is this: Our present system is such that in Massachusetts our tax system in its entirety, in my opinion and in the opinion of many of us, has been obsolete for many years. Since our local city and town budgets are made up the early part of the fiscal year and everything not raised by indirect taxes is loaded onto real estate, the owners of the real estate assume the greater part of the burden of the expense of government. In my opinion this has not been fair, since the old theory that a man's wealth is estimated by his property has

been exploded. For that reason I thought that this Commission might be able to devise some kind of new tax system whereby the load would be spread more equitably than it is now.

The second part of it provides that if any state—as we are contemplating doing now—goes back to the system of taxing intangible property at local property rates or otherwise, surrounding states could enter into agreement to do the same thing so that the state first taxing intangibles would not lose a great many people and much property by removal into other states where the tax can be escaped.

SENATOR PAUL D. GRADY (North Carolina): I heartily agree with the resolution. What we are trying to find is a small group of folks with lots of money and very few votes, and that is why I want the resolution adopted, to see if we can find them.

SENATOR WILLIAM A. DAVENPORT (Massachusetts): Here is a thought that goes with this resolution: At the present time there are billions of dollars worth of intangible personal property in the United States which pays no tax at all because it doesn't bear dividends. It is time that was investigated. I am not in favor of "soaking the rich," neither am I in favor of "soaking the poor," and I believe the sales tax is a method of "soaking the poor." In our state we have some sixteen billion dollars in intangible personal property and only between four and five billion dollars of that pays any tax. The rest of it lies dormant and the owner of it is exempt from taxation because he has no income. It is time that source was reached for taxation.

SPEAKER BELKNAP: What is the pleasure of the Assembly? It has been moved and seconded that this resolution be adopted. Those in favor will say "aye"; opposed, "no." The resolution is adopted.

HON. JOHN P. HENNESSEY (New York): I move we adjourn sine die.

The motion was regularly seconded.

SPEAKER BELKNAP: It has been moved and seconded we adjourn sine die. Those in favor of that motion will say "aye"; opposed, "no." The ayes have it and the Assembly is adjourned.

The meeting adjourned at 6:30 p.m.

Saturday Evening Session

March 2, 1935.

THE meeting was called to order at nine o'clock by Speaker Belknap.

SPEAKER BELKNAP: I don't know whether the people here are as relieved as Mr. Toll and I are that this day, full of various arguments, has come to a successful and happy close without any fatalities. We have come to a very enjoyable part of the Assembly's program and I am going to turn the task of toastmastering over to a man who is a past master as a toastmaster. Dr. Luther Gulick, Director of the Institute of Public Administration of New York.

TOASTMASTER GULICK: I don't know whether an introduction of that sort was friendly or not. I was happy to finish this meal without being shot. The very first discussion which my colleague and I engaged in was with reference to school elections in his native state, and I think it is quite remarkable that he is here at all. You know they shoot people in connection with the election of school trustees in Kentucky. It is a very poor year when they don't have at least three or four or five school trustees shot in the elections down there. But we are not only surprised to have this one representative from the legislature of Kentucky with us, but also to have another representative here, in spite of their coming from such a dangerous state.

Out in the state of Nebraska—I don't know whether it was entirely on account of the legislature or for other reasons—the people recently decided to have only one chamber in the legislature. I think we should not proceed with the discussion tonight without hearing a few words about that very interesting experiment in Nebraska. Therefore I want to ask the Speaker of the Nebraska House of Representatives, Mr. O'Gara, if he will favor us with a short discussion of the essential point of view and the objectives and the hopes, of the new Nebraska experiment.

ADDRESS BY HON. W. H. O'GARA

It is true the unicameral legislature is an experiment in the state of Nebraska and there are causes for this experiment. I might say, among other causes for its adoption, that those who have observed legislation realize that about twenty per cent of the membership of the two houses—where you have the bicameral system—do all the work, so we concluded in Nebraska that we would only send that twenty per cent, and that is one of the reasons for our unicameral legislature.

However, the real reason is Senator Norris who is the best loved and the most dearly hated man in the state of Nebraska, a man whom we look up to, a man whom many frown upon. He has theories and ideas of his own. His reason for the unicameral legislature was that he felt a better class of men and women would be chosen with a smaller house. He also objects strenuously to that committee which is supposed to destroy a lot of good legislation, that is, the conference committee of the two houses. I have observed, however, that the conference committee very often writes into a bill things that should have been in it in the first place.

The Nineteenth Amendment

Personally, I did not favor the unicameral legislature and I had two reasons for not favoring it. However, since the baby has been dumped in our laps we propose to nourish it. One reason why I objected was because of the Nineteenth Amendment. Now you may wonder why I object to the Nineteenth Amendment. I don't object to it, but we find in rural regions that the farm women do not go to vote, particularly in the primaries, and therefore the cities and towns, even in the state of Nebraska where we do not have the large cities you have here in the east, are controlling our

elections, and with the unicameral legislature we know the cities and towns are going to control legislation in Nebraska.

Other Objections

Also, we are likely to build up an aristocracy of legislation, an aristocracy of government if you please. It may not seem that will come about, it may develop gradually. There have been a few of us farmers who have been recognized either for our ability or our persistence, I do not know which. I am a farmer, I have never done anything else but farm until a half dozen years ago when, like many farmers, I retired because of ill health and the depression. The chief clerk in our legislature is a farmer. We do not want to have the cities and towns run the rural regions, which I fear they are going to do.

Another objection I had to a unicameral legislature was that I felt, with a small house, we should have fewer well-experienced members. I was in favor of a four-year term with staggered elections,—the odd-numbered districts electing one year and the even-numbered districts two years later. Under that system, you would keep a group of experienced men at all times. I sincerely hope that if any of the states that are represented here decide to have a unicameral legislature, they will build it upon this plan. I think the two-year unicameral legislature will be a failure.

I wrote to Senator Norris and asked him to outline what he thought should be done in the way of smoothing the path for this one-house legislature. He said all we had to do was to set up the districts and go ahead. However, when the unicameral committee was created, and the Speaker was elected as the chairman of that committee, I appointed a subcommittee of three to go into the statutes. We found that in order to smooth the road for the new unicameral legislature, there were about 125 changes necessary.

Redistricting the State

We have not yet reported out of our committee the bills for redistricting the state and we know when it comes to that part of it, we are going to have plenty of trouble. In 1920, I was one of what we

called the four horsemen in the Nebraska legislature. There were just four Democrats and the rest of the 133 were Republicans. During that session we had to redistrict the state on legislative lines. I remember one day we were at work when Dr. Hofmeister, one of the Democrats and a good old German, well educated, but speaking with a decided accent, said, "I object to the way you are ruinin' a good Democratic district."

A young Republican lawyer from Omaha answered, "If it is a Democratic district how do you account for the fact that the stream running through that district is called the Republican River?"

"Vell," he said, "because it is so damned crooked."

So I know we are going to have fun when it comes to redistricting the state.

I fear I have overstepped my time. However, among the resolutions proposed this afternoon there was one we neglected, and I am going to make a motion we thank Mr. Belknap and Mr. Toll and all those associated with them for the fine time they have given us down here and for the really wonderful success of this meeting.

TOASTMASTER GULICK: First we want to thank you very much for what you have brought to us. Second we want to put your motion, because I know we are all very enthusiastic about the work these people have done. All those in favor will say "aye." I never heard anything more unanimous than that. I hope that will be recorded and carried back to the secretariat to refer to during the moments of mental brain fag that follow a conference of this sort.

The next speaker was for many years one of the best congressional representatives of the state of Kentucky. The people in Kentucky thought so highly of him that they redistricted a part of the state and brought him back home where they could have him in their own legislature. Sir, it is a great pleasure to have you here this evening. It is an honor to be able to introduce Mr. Ralph Gilbert, a member of the legislature of Kentucky. He brings before us the first part of the topic of the evening, "The Effect of the Federal Economic Security Program on the States." Mr. Gilbert!

ADDRESS BY RALPH GILBERT

For a number of years I was in the habit of speaking in the House of Representatives of the United States, where nobody listens anyhow, so if any of you would like to retire, it will be neither a novelty nor an embarrassment to me.

An accurate and intelligent discussion of this subject would require not only a profound economist but an inspired prophet, because the federal economic security program has not yet been passed, and I am supposed to tell you what it is going to do to us when it is passed.

Considering the matter seriously, although briefly, while I am not an economist, I know as a matter of common sense that its greatest effect will be to nationalize this most local problem. If it is an incentive to economy to collect money locally, it is a far greater incentive to spend it locally. My observation is that the blessings and hardships, the advantages and disadvantages, of living in one part of our common country, are equal to those of any other part, but the circulating medium of exchange does not share that proportion.

Regional Differences

I have no doubt that the laboring man in an industrial center of Senator Davenport's state of Massachusetts would have about as many pleasures and benefits of living as in the rural section which I enjoy. However, the amount of money required to secure such pleasures and benefits is vastly different. The employee in an industrial center in Massachusetts must have a substantial outlay for rent, a substantial outlay for fuel, for food, for each necessity of life, and an additional sum for a reasonable amount of recreation. The amount of money required to obtain the same benefits and pleasures in the rural community in which I reside is much less. In my section, the average rural employee has a home furnished for little or no rent. If he is a colored employee he probably hoes a few days in the garden for the house rent. Regardless of what the products he raises bring on the market, they have the same nutrition value as in Massachusetts. Food costs little, and for pleasure, there is the fishing pole leaning against the cabin and the hound dog asleep in the sun. Only

yesterday I heard a distinguished Senator seriously advocate an average unemployment wage of 80c an hour. If 80c an hour was the unemployment wage in my section, a vast majority of both business and professional men would seek to get on public relief. That is one reason why there must be localization, and in my humble opinion, as a son of the South, if it is administered on the northern scale, as all relief has to this time been carried on, it will not benefit the states of the South.

While relief is not a part of the economic recovery or security program, it is an introduction to it. The splendid county which I have the honor to represent in the Kentucky Legislature did not apply for any relief. In fact, it made it definitely known that it did not want any outside assistance. With our local committee we had found some seventy families who would need assistance during the winter. Later, we had to accept the relief and now we have 500 families on the roll.

Centralization of Administration

Another effect the program must have on the states is to centralize the state administration of these securities or benefits. In our section this centralization would also be undesirable. Not only does every state have its individual problems but every county in every state has its individual problems. We have in our county seven elected magistrates. They know their constituency well. We have a very personal administration of these public benefits. In my country it is somewhat of a reflection to go to the poorhouse—not a reflection on the poor, but on their family and their connections, because however remotely related one may be, he is not supposed to permit his relatives to go to the poorhouse. We therefore have a system whereby a worthy man, having the respect of the community, doesn't care to send even a distant relative to the poorhouse. This individual will contribute an amount sufficient to keep his needy relative at home. This economic security program is bound to lead to state centralization which will impair the efficiency of the local agencies.

Dangers of Federalization

We have a wonderful country and a common country, but parts of it are very

different from other parts. If you will pardon some personal and human references, we people in the South keep poor taking care of the Negroes. At home the other night I was in a reflective mood. There I sat, thought I, without much of this world's goods but with three servants, three reliable, faithful, lovable colored people. One of them is a little boy about eleven years old who was sort of bestowed upon us, a wonderful little colored fellow. I never saw him when he wasn't smiling. His people live in the deep South, down in Alabama. We had no use for Joe, and my daughter and I went to the store to buy him a new suit to send him home, and we looked around and there were tears in his eyes, and my little girl said, "Daddy, we can't send Joe home." Well, now Joe is "on me" for the balance of his days.

All right, let's apply, to Joe, the social security program. I simply state this to show how inapplicable any fixed program must be. As I understand it, it is contemplated that he is to have, and those other servants are to have, \$30 a month—something like that. Well, if an old colored man in the South, leaning back against the cane, with every necessity satisfied and with all the pleasure his taste demands, is given \$30 a month, he will be rich beyond his fondest dreams. I am simply trying to illustrate that it is a local and not a national program.

I have already consumed my time. I need not go further. My comments are, that while in this great and prosperous and glorious country of ours no man should be allowed to go hungry, at the same time it is a very dangerous field for the federal government to enter. It should proceed with great caution lest the incentive for self-protection be destroyed. Were I a delegate to a political convention of the opposite political faith this would be one of the subjects that I would "view with alarm."

TOASTMASTER GULICK: Now we will turn to the other side of the picture.

Dr. Edwin E. Witte, as everyone knows, is the man who took hold of the tremendously difficult task of bringing together the factual material for the President's Committee on Economic Security. His staff, in a great burst of energy, gathered

what could be brought together from all corners of the world with reference to past experience in the handling of the problem of social security through central governmental action. Dr. Witte, we want you first to talk to us a little bit about the status of the program, and then I am sure that we can best proceed with general discussion. If you will leave a few of your ideas until later, they will probably be brought out in the questions. Dr. Witte!

ADDRESS BY EDWIN E. WITTE

I assume that my job here is to answer questions and assist you in your discussion of this subject, but first I will very briefly outline what the economic security program is, as presented in the Administration bill. I can't tell you what it will be after Congress finishes with it, but I can tell you what it is now.

One point is very essential. The President, in his message, referred to the program in these terms: he said it was a cooperative federal-state program. This does not mean nationalizing the operation of the economic security program. That is a misconception. In fact, some states, I am sure, would rather have it much more nationalized, since the states and the federal government will share the cost of the program, and this legislation contemplates state and local administration. We will not disturb, to any appreciable extent, the arrangements already existing in local communities. I can assure you of that.

It is a national program in the sense Mr. Gilbert spoke of—it equalizes burdens. The difference, that Mr. Gilbert referred to, in the resources of different sections of the country, is very decided. This situation necessitates some assistance on a national scale in dealing with the very complicated and difficult and expensive problems that we group together under the title economic security.

So great are these differences that in 1929 there were five states in the Union in which the per capita income was less than \$300, and five other states in which the per capita income was over \$1300. We are a nation, and therefore the cooperative attack on many problems—not a nationalizing of the problem but a sharing of the burdens—is vitally necessary.

Now, what does the economic security program, in outline, deal with? Four matters: old age security, unemployment compensation, security for children, and extension of public health services.

Four Point Program

Under old age security are included two distinct measures: federal grants-in-aid to the states for assistance to aged persons dependent on the public for support, and a system of compulsory annuities by which people not yet old can build up their own protection for old age. I shall not deal with the latter of these here because it is entirely a national measure, the only strictly national part of the entire program. The number of aged dependents is very great everywhere in the country. Seven hundred thousand people over sixty-five years of age are now being cared for by the federal government, but in response to insistent public demand, they are to be turned back to the states for care under the general policy of returning responsibility for the care of the unemployables to the states. The states cannot be expected to carry that load alone. The plan is for the federal government to assist the states in dealing with the large group of unemployables, among whom are included the aged and also another large element in the present relief population—the fatherless families.

The unemployment compensation part of the program will not provide for the people now unemployed and on relief. It is a means of building for the future. Under such a system the unemployed of future years will not have to be dependent on relief. They will receive, as a matter of right, and for a period commensurate with their previous employment, an amount of compensation that will enable them to subsist without having to turn to the public for support. Such a system is impossible without state action, but no state can proceed alone unless assured that employers in neighboring states will have to make the same payments and operate under similar provisions. What we contemplate, then, is a system of unemployment compensation built upon state lines but with federal assistance which will enable the states to give unemployment compensation with the assurance that neighboring states are bearing a similar burden.

With regard to security for children, our first and foremost consideration is the ten per cent of all families now on relief, more than 350,000 of them, consisting of a mother and young dependent children—families where there is no breadwinner other than the mother, and where the mother is usually unable to provide support. Again, as with old age pensions, federal assistance to the states, not dictation but financial assistance, is proposed to help the states carry part of the burden of caring for these unemployables who are once more to be a state and local responsibility. Further, there are provided federal grants-in-aid for maternal and infant welfare services and federal grants-in-aid for the hospitalization and care of crippled children. These are all activities in which many of the states are now engaged, and which, during this period of depression, have strained their finances. Here you have again a very strong case for national assistance, not national dictation.

With regard to public health services, grants-in-aid to the states are proposed for the extension of state and local public health facilities. Such grants-in-aid are very popular and very necessary, particularly in the section south of the Mason and Dixon Line where that type of service is rather new, and undeveloped. So much for the general program.

Slight Federal Control

I want to emphasize, very definitely, this central thought: The degree of federal control involved in this program is very slight and possibly it will be even slighter when Congress finishes with it. It is far less than the degree of federal control imposed in federal aid for highway construction. Old age pensions are an illustration. The bill, as it stands, contemplates that old age pensions shall be paid under state laws and administered through state and local authorities. It does not contemplate financial participation by the localities, because in so many states we have the same financial problem that we face nationally. There are within the states relatively prosperous areas that can and should help carry part of the load of the less fortunate areas.

The federal bill proposes that the state

law must not require a residence within the state of more than five years, a restriction which, after all, is quite reasonable when we contemplate a situation where all states will have old age pension laws. Outside of the southern states there are, I think, only two other states that do not have old age assistance laws. The reason for the southern states not passing such laws is a fact which we all recognize; that the southern states, on the whole, comprise the area which, as Judge Gilbert said, has been poor because it has had to support a large element in the population which was not very productive.

The federal bill does not enforce a \$30 a month pension. The standard prescribed in the statute is "a reasonable subsistence compatible with decency and health." That varies, of course, with the circumstances under which the person lives. It varies in different parts of the country. It varies between country and city. It varies with the particular situation of the individual. In the twenty-eight states which have old age assistance laws, the average pension grant is \$26.47 per month. The federal legislation does not propose that those persons who are now being supported by their children, by friends, by relatives, shall not be so supported in the future. It merely contemplates that those old people who are dependent upon the public for support shall be given a grant, not a general relief grant, but a definite fixed grant which can be varied from time to time in proportion to their needs.

Even under relief, which has been much more nationalized than is contemplated for the social security program, the average grant per family in Mr. Gilbert's state is, I believe, just slightly over \$10 a month. In the state of New York they have been over \$40 a month, and that does not mean, as Mr. Gilbert has very well stated, that people are being taken care of any less well in Kentucky than they are in New York. But it does indicate differences in costs and standards of living, and these differences will obviously influence the grants for old age assistance. We do not expect that pensions of \$30 a month will be granted to people in Kentucky or any other place where such a grant would be excessive. We do not expect that the

states will run riot on old age assistance. There is one safeguard that prevents this; namely, that it will not be a purely national expenditure, and the states and local governments will have to pay half the bill.

To repeat, this is a cooperative federal-state program designed primarily to make it possible to provide for the aged, the fatherless families, and other unemployables who are being returned to the states. The alternative is for the states to carry that load alone. We do not feel that is the fair thing to do. These are local problems but they are also national problems. The great difference in the economic resources of the various sections of the country makes them problems of national concern.

Status of Legislation

A few words about the status of the legislation and the way in which these states fit into the picture. As has been stated, the legislation is still pending in Congress. There has been no unnecessary delay in the consideration of this legislation by the Congressional committees. Both committees have completed their hearings and the House Ways and Means Committee has re-drafted the bill and reported it favorably to the House, where it is now being debated. Members of both the Senate and House Committees have worked most diligently to expedite consideration of the bill. The House Ways and Means Committee laid aside all other matters and held sessions both forenoons and afternoons. Practically every member attended every session.

The economic security program is a measure of great importance involving entirely new policies. The Administration did not expect the Congressional committees or the Congress merely to rubber-stamp this bill, but has sought their cooperation in perfecting the legislation recommended. In carefully considering every section of this bill, the Congress is only performing its constitutional duty. This has taken time. It may take considerably more time. There is no doubt that in the end there will be legislation on this subject, legislation which will include substantially all of the matters that are now in the bill. There is

much demand for including other and additional matters, but I doubt whether many additional subjects will be included.

It is my belief that this bill will be enacted into law because the depression has taught us the vital necessity for making provisions which will protect the individual and give him some degree of security against the major hazards of life. While the particular measures that are needed differ in different parts of the country, a greater degree of security is necessary in every part of the country.

As regards the status of the legislation with reference to the states, there has been considerable misunderstanding of the situation. Recently there have been newspaper stories to the effect that delayed consideration of the bill has doomed the entire program because the state legislatures cannot possibly act upon it this year. These stories have little foundation in fact. Forty-three state legislatures met in January in regular session. The legislature of the state of Wyoming has already adjourned. Prior to that, however, it enacted legislation authorizing the Governor to accept any and all portions of the economic security program. It gave the Governor practically blanket authority to act for the state in the interim after the adjournment of the legislature. Three other states have sessions limited to forty or fifty days. Fifteen more have 60 day sessions which will end by the middle of this month or soon after. Several of these states have already decided to recess in order to be able to deal with portions of the economic security program later. One state has a 75 day limit, two have a 90 day limit, one a five month limit. Twenty out of the forty-three states have unlimited sessions. These include all of the major industrial states, with the exception of Indiana, which has a 60 day session and is contemplating a recess.

Special Sessions

There is reason to believe that a great many state legislatures will still be in regular session when the federal legislation is finally passed. Others that will not be in regular session can still take advantage of the federal legislation and it is my belief that the states, after a study of the prob-

lem, will reach the conclusion that it will be entirely to their benefit to take advantage of it. In this period of depression, as the magazine *STATE GOVERNMENT* pointed out, nearly all of the states have been holding special sessions almost annually. With Federal works plans still in the making, with the economic security program still pending, with the whole problem of what shall be done with people on relief still being considered, a great many of the states will want to hold special sessions. These problems cannot be evaded when we realize that at this time one-sixth of the entire population of the United States is dependent upon others for support.

States contemplating special sessions will do well to appoint interim legislative committees to keep in touch with the progress of federal legislation and to prepare state bills for the consideration of the legislatures when they meet. A similar course is open to legislatures with unlimited sessions whose other work will be completed before the Economic Security Bill becomes law. Such legislatures may prefer to recess to a specified time later in the year, providing for a study of the problem in the interim. Twelve states had interim committees prior to the present sessions; in twelve states reports have been presented and in all of those states the reports, independent of any suggestions from Washington, have recommended the enactment of unemployment insurance laws and the enactment of old age assistance laws where no such laws now exist.

But legislatures do not necessarily have to wait until the Economic Security Bill has been passed. Some states may be able to authorize their Governor to accept the federal legislation as Wyoming has done. Any state may pass legislation based upon the Economic Security Bill as introduced and be reasonably safe in doing so. Alternate model state unemployment insurance bills and suggestions for a state old age pension bill conforming with the federal legislation now pending in Congress have been sent by the Committee on Economic Security to the Governors of all states. It cannot be guaranteed that those bills will meet all requirements of the federal act as it is to be finally passed, but this seems highly probable.

The advocates of the so-called "subsidy plan" of unemployment insurance proposed many more restrictions upon state action—called by them "standards to which the state laws must conform"—than are included in the Administration's bill. If I judge the temper of Congress correctly, it is not inclined to place more restrictions upon the states. Certain it is that if the states do not want additional restrictions, the Congress will not enact them.

Coöperative Venture

The legislation proposed by the Committee on Economic Security was framed in the thought that the attack upon the problems of insecurity should be a coöperative venture participated in by both the federal and state governments. There was no thought that the federal government should decide all questions of policy and dictate what the states should do. Only very necessary minimum standards are included in the Economic Security Bill, leaving wide latitude to the states to deal with their peculiar situations.

In taking this position, the Committee on Economic Security has assumed that the states are fully competent to decide basic questions of policy for themselves. The unemployment insurance committees or commissions which have studied this problem in more than a dozen states have prepared bills which are fully as good, if not better, than the standards which the advocates of the "subsidy plan" would write into the federal law for states to live up to. It has seemed to the Committee that some of the energy spent in trying to get Congress to prescribe what benefits the states must pay, what waiting periods they shall have, and similar matters, might much better be devoted to securing passage of the very good unemployment insurance bills now pending in more than half of the states.

The Economic Security Bill, as it stands, is free from all unnecessary restrictions upon state action. It is truly designed to help the states with problems they will otherwise have to face alone. Some parts of the program will cost the states considerable money, but not nearly as much as they would otherwise have to carry all alone. Under the Economic Security Bill, the Federal government will assist the states in carrying these burdens. Similarly, it

will be to the interests of all states to enact unemployment compensation laws, so that employees may derive some benefit from the payroll taxes the employers will have to pay in any event. All states are directly interested in the Administration's economic security program and will want to coöperate in carrying out this program. Reports to the contrary, it is still entirely possible to do so.

A final word: The Committee on Economic Security will be glad to give you the best assistance that it can.

TOASTMASTER GULICK: One very convincing proof of this readiness to assist was given us tonight by the fact that Dr. Witte flew all the way from Wisconsin in order to be here tonight to talk especially with the finance men from the various states and the members of the Interstate Assembly.

I am sure that you must have many questions.

HON. P. E. WARD (Ohio): The statement is made that there are old age pension set-ups in Kentucky at \$10 a month and New York at \$40 a month.

DR. WITTE: That is relief, and it is per family.

MR. WARD: I was wondering if the aid set-up contemplated, in final effect, the doubling of the grant in those states where they have aid of that kind now.

DR. WITTE: Well, of course that will be up to you. You will pay half the bill. But that isn't what we visualize, for this one reason: In every state, practically, there are old people who are not being taken care of but who ought to be taken care of. As a result of the recent financial stringency there are long waiting lists. The proposed law will mean, in some states perhaps, an improvement in the allowances. In a state like Indiana—and I am not criticizing any state—the situation has been such that the states have done the best they can. The allowances have been about \$6 a month, which of course is an inadequate grant in Indiana, and in such instances federal assistance will probably take the form, very largely, of increasing the allowances. On the other hand, in the state of Maryland, where the law is really operative only in Baltimore, the grants have averaged close to \$30 a month. That is

the highest in the Union. Now in that state there are almost no people on the lists. The allowances are adequate but there are very few people on the lists. In that state the assistance probably would take the form of taking care of additional people, but in any event the local people will pay half the bill and will determine what shall be done.

HON. O. K. ARMSTRONG (Missouri): I would like to ask Dr. Witte if I understood correctly the proposition, in regard to the granting of allowances for any of these four major divisions of the program. Do you mean the federal law will be so written that it will be entirely flexible as to amounts, for example, for old age pensions or grants-in-aid to dependent mothers and children? Will it be so flexible that if Missouri, for example, should decide on a certain amount and our neighboring state should decide on double the amount or one-half the amount, the funds will be allocated to our states respectively in proportion? Did I understand that correctly? Or will there have to be a minimum, a flat rate from the Federal Treasury?

DR. WITTE: There is no flat rate from the Treasury.

MR. ARMSTRONG: In other words, there is no minimum that must be paid from the Treasury. If Missouri decides to pay six or twelve or eighteen dollars, then on what basis will the federal government decide on the amount to be granted the state?

DR. WITTE: The federal government pays one-half of the amount, with the maximum of \$15 per case. Half of the cost is what the bill provides, with a maximum of \$15 in any case. Now that \$15 maximum has importance in highly industrialized communities. I can illustrate that by the state of New York, which now has a roll of 60,000 people on old age assistance. In the state of New York last year the old age grants averaged a little over \$22 a month, but they averaged over \$40 a month in the city of New York, and for the very obvious reason that in the city of New York it costs a lot more to maintain an old person. Where an old couple own their own home and live in a country district with a garden, the extra allowance that they need, even if they have no other source of income, is very small. The grant you need is small.

It is entirely different from an old couple living in the city of New York where shelter has to be provided and where every other item of expense is very much higher.

Old age assistance and mothers' aid everywhere have meant adjustment to the particular needs of the individual. That is what we contemplate. You take into consideration how much that particular individual needs for a decent subsistence and you take into consideration what other income or equivalent of income that person has, and you provide the balance, and the federal government says, "We will match you half way. We won't go higher than \$15 a case." That doesn't mean some cases and some individuals won't have to be given more than \$15 from state and local funds, but the federal government comes up only to \$15.

HON. HENRY G. VAUGHAN (Maine): Why \$15?

DR. WITTE: The \$15 is of course a purely arbitrary figure. It comes from the fact that the majority of the state laws now provide that old age assistance shall be computed on the basis of \$30 a month, less the amount that the old person himself has. That is the situation in a majority of the states, but not in all states.

MR. VAUGHAN: It is arbitrary, you just say \$15?

DR. WITTE: It is a sum that we assume isn't going to be questioned except in industrial communities.

HON. O. K. ARMSTRONG: Dr. Witte, one other question if you please. The decision as to the amount of payment and eligibility will rest entirely with the state. There will be no coercion on the part of the federal government to set up standards which will force each state to say if a man or woman in a certain condition shall receive the pension?

DR. WITTE: That isn't quite correct, no. There are a few standards in the bill as introduced. We do say that the state shall provide assistance for people who need it, who have no other means of support, and who are aged. The bill, as originally introduced, said that assistance must be granted to aged dependents who are residents of the United States, who have resided in the state for five years and who have no means of securing a decent subsistence.

Now the Ways and Means Committee has turned around those standards, and the law now simply says that if you impose a residence requirement in your law you may not have a residence requirement of more than five years. It sets as an ideal standard that you shall give assistance in an amount adequate to provide reasonable subsistence, but leaves the determination of what is reasonable subsistence primarily to the local people. The standards are very few.

MR. ARMSTRONG: Will the administration be left in the states or will the case work be done by federal supervisors?

DR. WITTE: There is no federal supervision in the picture at all.

MR. ARMSTRONG: The federal case workers will be dropped?

DR. WITTE: On the relief set-up.

MR. ARMSTRONG: This contemplates taking over the relief work too?

DR. WITTE: This does not contemplate completely taking over relief. The entire program contemplates that the unemployables shall be returned to the state control and that the states shall foot the bill, and that the federal government shall help the states in carrying that load.

SENATOR GEORGE WOODWARD (Pennsylvania): In connection with unemployment insurance, I would like to know when the model bill comes along to Pennsylvania whether in addition to the tax on the payroll of the employer, what the participation of the employee will be.

DR. WITTE: That is up to your state. We say nothing about it.

HON. RALPH L. RAMSEY (Georgia): I would like to ask Dr. Witte, in the program which contemplates the four major phases that you have mentioned, then must the legislation by the states also incorporate those four major phases or may it incorporate less than that?

DR. WITTE: Certainly, any part of it.

HON. ERNEST L. AVERILL (Connecticut): Do I understand the federal government is going to contribute something to this program?

DR. WITTE: The total appropriations amount to \$98,500,000 in the first year and \$236,000,000 the second year.

MR. AVERILL: Then I understand that probably Connecticut will be one of those states which will be high on the list in

proportion to, what it contributes. Now we don't worry about our own situation but speaking about Kentucky, do the funds which we contribute toward this worthy program go into the state treasury of Kentucky to be distributed by the state or is it controlled by the federal government? We have no desire to control Kentucky's administration of the money which we want to contribute; of course we are very glad to do it if we have the funds, but we would like to know who distributes that money and who determines how it shall be distributed, whether Kentucky or the federal government.

DR. WITTE: Kentucky will do it in the main, with relatively few standards in the federal law—relatively few standards. In various parts of the program it differs. In the public health work there is very considerable control from the federal government because the public health people want that. On this matter of old age assistance, the control is very slight because conditions do differ so vastly and the largest protection to your people in Connecticut who are paying the bill is that after all the people in Kentucky will have to pay half the cost. At the present time, on relief, the people in Kentucky haven't been paying anywhere nearly half the cost.

Are there any other questions with regard to this program?

MR. VAUGHAN: One more question. I come from the State of Maine. As I understand it, the federal government, represented by Dr. Witte, who has to bear it whether he likes it or not, is trying to help the states. Is that so?

DR. WITTE: We are not trying to help the states—we are trying to meet the problem of these people who are dependent, which is a common problem for us all.

MR. VAUGHAN: I ask why, when you have a state like New York, which I am not at all interested in, which wants \$40 for its poor—why you don't have a flexible system to help them out instead of giving them only \$15 when Kentucky or Tennessee or Alabama gets \$15 too? Why not help out the northern states as well as the southern, proportionately? Why not be flexible to suit the conditions instead of being arbitrary at \$15?

DR. WITTE: We don't have \$15 flat. If

Alabama doesn't pay an old age pension of \$30, if it grants only an average of \$10 as it well might, we would pay only five dollars to Alabama. But we do have an upper limit and it is arguable, I will grant you that. It is a question of public policy. If Congress sees fit to make that change, that is up to Congress. That isn't a vital matter. It is very frankly an attempt to limit the amount of money, to make the amount of money we have go as far as possible.

New York City and Boston are the two places right now where old age assistance averages above \$30 a month.

MR. O'GARA: I would like to say that time is the element we are interested in. Nebraska is about half through with her legislation. We have not taken up those matters with which this bill you speak of would deal. Just how long will it be before we might expect the federal government to pass this bill? We don't care to adjourn and then have a special session. I am one of those meticulous people who like to do a job right.

TOASTMASTER GULICK: I don't think that could be answered by our speaker or by anybody else at this stage, though it is a very pertinent question, and the discussion of it doesn't do a great deal of good. However, you have some members in Congress.

I think that the time has come when we will have to turn from this discussion, however interesting and profitable it is. In these problems we are beginning to move forward into entirely new fields and that is why we all come to it with such a feeling of bewilderment. In this recent depression, we have discovered that the state as a unit isn't a unit, that is—in the economic fields, because of the free movement of commerce and the free movement of population. These are two things which the states cannot control under our federal system. As a result of those things the individual American state has no economic skin. The fact that the state has no possibility of closing the doors on commerce or on the movement of population or of wealth means that this country has to deal with economic problems on a larger foundation than the state.

That is a necessary condition that we

have accepted with the system of federal government. It has only been very recently that we have discovered the difficulties of the effort to maintain ourselves on state lines which do not coincide with economic lines. There are limits to how far you can go under a federal system and we don't know what those limits are. We don't know how far it is desirable to go and at what point we will begin to get into difficulties. There are undoubtedly limitations in the nature of our federal system and in the nature of the populations of which we are made up.

There is an announcement to be made at this time by the Reception Committee of which Senator Davenport of Massachusetts is the Chairman.

SENATOR WILLIAM A. DAVENPORT: I desire to offer some resolutions, as follows:

"RESOLVED, That the Assembly convey to Honorable Frank Ruth, Chairman of the Ways and Means Committee of the Pennsylvania House of Representatives and official delegate to the Second Interstate Assembly, its wishes for his speedy recovery from the attack of pneumonia which prevented his attendance."

TOASTMASTER GULICK: You have heard the motion. Is there a second?

The motion was regularly seconded.

TOASTMASTER GULICK: All those in favor will say "aye"; opposed, "no." The motion is carried.

MR. DAVENPORT: "RESOLVED, that the Second Interstate Assembly send its condolences and its sincere sympathy to the Honorable William H. Labrot, member of the Maryland House of Delegates and official delegate to this Assembly, who was prevented from attending the Assembly by the death of his distinguished father."

TOASTMASTER GULICK: You have heard this resolution. Is it seconded? All those in favor will say "aye"; opposed, "no." This motion is likewise carried.

MR. DAVENPORT: Will you read this last one?

TOASTMASTER GULICK: "RESOLVED, That the Second Interstate Assembly express its deep appreciation and gratitude to President Roosevelt for his leadership in endorsing the call for this Assembly, which leadership contributed so signally to its success."

"That the Assembly extend a vote of sincere thanks to all others who have contributed to the success of this meeting, and especially to the president of the American Legislators' Association, Hon. William B. Belknap and to the president of the Council of State Governments, Governor John G. Winant, to the chairman of the Interstate Commission on Conflicting Taxation, Senator Seabury C. Mastick, to the chairman of the Resolutions Committee and to each of the other committee chairmen and to each committee member to whom this Assembly is especially indebted.

"That the Assembly also express its appreciation for the unselfish support which it has received from the members of all the state legislatures and the governors, whose far-sighted assistance in furthering this project has materially promoted friendly cooperation among the states.

"That the Assembly extend its sincere thanks to the men who, as invited speakers, contributed so substantially to the interest and value of the sessions: Honorable Henry F. Long, Professor Robert Murray Haig, Honorable C. H. Morrisett, Honorable Mark Graves, Honorable Lovell H. Parker, Honorable Ernest L. Averill, Honorable Enoch Fuller and Honorable Ralph Gilbert.

"That the Assembly especially acknowledge the gracious chairmanship of former Governor John Garland Pollard of Virginia at the opening dinner and the interesting and thought-provoking message on interstate cooperation of Governor Leslie A. Miller of Wyoming.

"That the Assembly also express its appreciation to the Honorable Robert L. Doughton, Chairman of the House Ways and Means Committee, and to the Honorable Fred M. Vinson, Chairman of the Subcommittee on Double Taxation, for their interesting and informative addresses to the Assembly on the question of conflicting taxation as it affects federal fiscal problems, and especially for their cordial spirit of cooperation between federal and state governments.

"That the Assembly acknowledge with gratitude the enthusiastic and fair-minded attitude of the press toward the efforts of this Assembly and its generous and encouraging comments regarding the various phases of the project for governmental har-

mony of the American Legislators' Association and the Council of State Governments.

"That the Assembly express its appreciation to the management of the Mayflower Hotel and to the Greater National Capital Committee for their courteous service and assistance."

You have all heard the reading of this resolution. The motion is seconded. All those in favor, say "aye"; opposed, "no." The motion is carried.

Mr. President, I now turn the meeting over to you.

SPEAKER BELKNAP: I will now call on a man who I think has grown in all of our affections from the time we started knowing him. I don't dare say too much for fear I will be accused of fulsomeness. I want to call on Henry Toll.

ADDRESS BY HENRY W. TOLL

I am an ambitious pessimist—which I would define as a man who always expects the worst but is never discouraged by that fact. Consequently, although actively interested for ten years in the project which is now operating under the joint auspices of the American Legislators' Association and of the Council of State Governments, I have never before expressed the conviction to anyone that this was a permanently established project.

Tonight, for the first time, it is my belief that if we could isolate the ten individuals who are doing the most to furnish the initiative and the propelling power for this project, and subject them to the same trifling operation to which der Führer subjected the two beautiful society ladies a fortnight ago, and then if the Spelman Fund, after the fashion of a toy balloon, should suddenly explode, this project would go forward.

Under these circumstances, upon the adjournment of this afternoon's session, sentiment got the better of me, and with the help of a patient stenographer, I dictated the following expressions of appreciation to some of the many individuals who have given aid and comfort to a struggling and ill-perfected organization.

About ten years ago a college professor, whom I had never met, wrote to me from a southern state, saying that as a legis-

lator he had delivered an address endorsing the project of the American Legislators' Association—a project which at that time had only begun to chip the egg. That is probably the first public address ever made endorsing this undertaking. If my work in this field had brought me no reward but the friendship of that erstwhile college professor, I would be, in large measure, compensated. He is the President of the American Legislators' Association, and the Speaker of the Interstate Assembly—William B. Belknap.

When the Association held its first meeting in the Senate Chamber of the Colorado State Capitol during the summer of 1926, a few individual legislators drifted in—from a very few states. Most of them dropped in somewhat casually because they happened to be in town in connection with a meeting of the American Bar Association. There was only one fact in which an impartial observer could have found any grounds for optimism as to the future of the organization. That single good omen was the arrival of a delegation of eight men from two thousand miles away, four Pennsylvania Senators and four Pennsylvania Representatives, sent by official action of the legislature and by virtue of a state appropriation. The attendance of that delegation was largely due to the interest of a brisk, knickerbockered senator, whose unique personality will be one of the longest remembered features of the early days of the American Legislators' Association. From that time to this, his interest has never flagged. He is the only individual in the United States, with one exception, who has assumed a substantial burden in the financing of this work. The Association has never solicited financial assistance from individuals, but at the Denver meeting, without provocation, the gentleman in knickerbockers handed me a check for \$500 for this work, and when I endeavored to express appreciation, he answered, "Oh! that's quite all right. I'll do at least that every year." That was a decade ago, and since then he has not only carried out his original intention, but during almost every year he has—according to his custom—done much more than he promised. He is the first vice-president of the American Legislators' Association, Dr. George Woodward.

Since there is not sufficient time to discuss the participation of other individuals in this detailed way, I am going to do little more than to list *a few* of the many who have helped to launch the Association.

Fifteen years ago I used to travel daily in the Harlem Valley Club Car plying between New York City and Westchester County. One of my pleasantest recollections of that experience is my association with an amiable gentleman who—like myself—had never thought of going to the legislature. Since that time he has become a legislative leader of the Empire State, and has developed an outstanding reputation as a practical expert in the fields of governmental efficiency and of interstate coöperation. He is now Chairman of the Interstate Commission on Conflicting Taxation, Senator Seabury C. Mastick.

When a meeting of the American Legislators' Association convened in Buffalo in 1927 there were five persons present: myself and four newspaper reporters. I laughed as heartily as they did, and they then inquired what it was all about. When I told them, the tenor of their remarks was "It's a damn good idea at that." They posed me, photographed me, and ran front-page stories reporting the inspiring meeting of lawmakers and its national significance. As the day progressed, the meeting improved, and the luncheon was a genuine success. I had invited as guests of the Association, the members of the National Conference of Commissioners on Uniform State Laws and also the members of the Buffalo Bar Association. About thirty from each group put in an appearance. What made the meeting successful was that the Buffalo lawyers thought that the Commissioners were legislators—and the Commissioners thought the Buffalo lawyers were legislators. After listening to an able address by Franklin Edmonds, the speaker of the day, they left in an apparently satisfied frame of mind. Franklin Edmonds was himself one of the original Pennsylvania delegation to which I have referred, although by the time of the Buffalo meeting, he had retired from legislative office, to become Chairman of the Pennsylvania Tax Commission.

However, that afternoon one state legislator arrived who had come to Buffalo primarily to satisfy himself concerning the

character of the organization. He was a man who has given inspiration to many individuals to do more than their part in legislative work, just as his participation has given encouragement to many in their work for this organization. I refer to Henry Shattuck of Massachusetts.

A year after the Buffalo episode, the Association's annual meeting convened in Seattle. There may have been as many as seven or eight legislators present.

Feeling that my two terms as president of such a magnificent Association had been considerably more than my just desert, I pleaded with the only legislator present who could conceivably have served in that capacity, to succeed me. Reluctantly, and as a personal favor to me, he accepted. His interest and enthusiasm increased as time went on—as has been the case with almost everyone who has taken part in this project. For two years he worked diligently as president of the Association. He has made many trips across the continent on its work. On his own initiative, and without expense to the organization, he has visited several legislatures in its behalf. He is Robert Patterson of California.

It is difficult to characterize some of the other colorful personalities who will be remembered in connection with the first decade of this undertaking: John Chambliss of Tennessee, whimsical, well-read, an incorrigible enthusiast; Beverley Herbert of South Carolina, quietly resourceful, modestly influential, incurably loyal; Henry Parkman of Massachusetts, studious, earnest, untiring; Willis Smith of North Carolina, of attractive personality, Tar Heel accent, vigorous mind; Philip Sterling of Pennsylvania, full of determination, good humor, and fiscal knowledge.

Federal lawmakers, too, have given aid and comfort, and the Association owes a permanent debt of gratitude to former Congressman Ralph Gilbert of Kentucky, who is with us today, a courtly southern gentleman; to Robert Luce of Massachusetts, a true New England scholar; to Kent Keller of Illinois, energetic, tireless, purposeful; very recently to Robert Secrest, Ohio schoolmaster. For several years we have also been greatly indebted to Senator Frederick W. Steiwer of Oregon for aid and counsel.

Another Congressman, whose assistance

and sponsorship should not be forgotten, is the majority leader of the United States House of Representatives, my personal friend, Edward T. Taylor, who in 1926 made an inspirational address at the first meeting of the American Legislators' Association, and who has taken an active interest in the development of this organization.

My sentiments of sincere appreciation concerning Congressman Doughton of North Carolina, the grand old man of the Ways and Means Committee, and concerning Fred Vinson, dynamo of the Congressional sub-committee on Conflicting Taxation, are already in today's record.

It is not easy to give adequate expression to the appreciation which is due to Lovell Parker, who, as the technical adviser of Congress in matters of taxation, greeted us with the right hand of fellowship. In his Yankee manner—honestly come by in the town of Barnstable—he has never promised anything and has always done everything that he could, which means a great deal.

For many years, until recently, the legislative counsel of the United States Senate has been Fred Lee, a man in whom one discovers from year to year new depths of character; and the legislative counsel of the United States House of Representatives since that office was established, has been that indefatigable worker, Middleton Beaman, who has rendered Congress a tremendous service. At no time have either of these over-worked men been too busy to do anything that has been asked of them in this behalf. This characteristic is one which they must have acquired in part from that lovable friend to all honest workers in the civic vineyard, that patron saint of good government, Joseph Chamberlain of Columbia University, whose protégés they both were—and to whose encouragement and counsel this project owes much.

Mrs. Harold Ickes of Illinois is one of several women in the state legislatures who have loyally participated in the organization's work for years—the outstanding one.

I wish that I might enumerate various legislators whom I have not already mentioned, who have helped to make the Interstate Commission on Conflicting Taxation what it is—legislators of the type of Earl Lewis of Ohio, Ben Oneal of Texas, and

Alvin Reis of Wisconsin. Senator Oneal, always helpful, has made repeated trips from Texas to Washington in this behalf.

As typical of the group of fiscal officials who have also been faithful in connection with this Commission, I might point to Edward Leahy of Rhode Island, Henry Long of Boston, C. H. Morrisett of Virginia, and Leon Metzger of Pennsylvania—all genial, and all firm-purposed.

And a power without which neither the Conflicting Tax Commission nor the American Legislators' Association, nor the Council of State Governments could have progressed so rapidly to its present stage of influence, has been Mark Graves, always steady, always hoeing the row with determination, always ready to help—and always accomplishing results in an unassuming manner. He has set an example of loyalty to this cause.

Our paths have crossed those of several governors, and the Council of State Governments owes its successful launching in large measure to John Garland Pollard, humorous and high-purposed exponent of southern culture and of southern friendliness; to Leslie Miller, the clean cut governor of a pioneer state; and especially to John Winant, somewhat nervous when he addresses an audience, but fearless amid the bullets when his plane was brought down on more than one occasion in the French escadrille. I will never forget the pleasure of last Decoration Day morning, seated under the trees at his home, with the White Mountains as our sentinels, planning for the beginning of the work of the Council of State Governments.

Not all of those who have taken us in when we were cold and hungry have been public officials. Some of them have been two-layer men—with an under-stratum of pedagogy and an upper-stratum of governmental experience. Consider, for instance, the encouragement which we have received from my friend of many years' standing, Luther Gulick, who is probably on the verge of using his gavel to make me bring these remarks to an end; Arnold Bennett Hall, inventive man of good will; Leonard White, who would doubtless sacrifice his life on the altar of good government if the occasion called for it; and the courtly John Wigmore, who has been the inspiration of many men who are now engaged in public affairs.

I suspect that we are indebted to some forgotten member of a previous generation for having infused an interest in government into an entire family. At any rate, for many years, Charles E. Merriam, eminent politician-scholar of the University of Chicago has been a stalwart senior-counselor of this undertaking. His brother, John C. Merriam of Washington has been an unfailing friend. And their cousin, Frank F. Merriam, has been an active participant, first as state representative, then as senator, then as Lieutenant Governor, and recently as Governor of California.

I do not forget Raymond Fosdick, Arthur Woods and Beardsley Ruml. I should like to give public expression of my appreciation for years of patient and kindly listening on the part of Frederick Keppel, Robert Lester, Alfred Reed, and Henry Suzalo—and of Henry Pritchett who exerted himself to secure for this work the support of an elder statesman whose acquaintance I have prized, Elihu Root. I look back to helpful conversations with many interested persons who are no longer on the scene—including John T. Pratt and Dwight Morrow. And I shall never forget the early championship of this cause by a departed advocate, Tyson S. Dines of Denver.

I have not expressed my personal indebtedness to one individual who knows as much as any other person concerning the American Legislators' Association, and who has expended as much effort on its founding as any other one person during the past ten years: Miss Margaret Casmon, whom I have yet to see irritated and whom I have yet to hear complain.

Some of my sentiments concerning Hugh Gallagher, George Benson, and James Martin, I have already expressed in *STATE GOVERNMENT*. The loyal work of Rodney Mott and of Lucius Hallett has been woven into the fabric of this enterprise, and every member of our staff has generously given the sort of assistance which mere money cannot buy.

I should speak of many legislative reference directors, individually, of whom Fred Wood, John Fertig and Allen Moore are only a few. But I will content myself with saying that the aid of Edwin E. Witte, the principal speaker of this evening, has constituted one of the buttresses upon which this structure has depended for support.

Everyone who knows our organization well, also well knows its debt to many of the staff members of the organizations of governmental officials which have their secretariats in the same Chicago building as ours. Since I cannot thank them all by name, I desire to express heart-felt appreciation to the generalissimo, as a representative of them all—to that unique genius who apparently never forgets a fact, a friend, or a good yarn, Louis Brownlow.

The government work upon which we are engaged could not have been begun without the temporary assistance of some private capital. That such capital has been available without so much as a suggestion of influence at any time, and as a minor part of the liberalities of one of several funds established by a single family, is a fact which—like the radio—never ceases to be a source of surprise for me.

And since I am bearing witness, I can hardly omit a sincere expression of my

personal indebtedness—and may I say the indebtedness of this organization—to a certain Smith College graduate, who, without complaint, has made far greater personal sacrifices in this cause than I have ever thought of making.

There is one person, above all others, upon whom I have drawn for personal encouragement and for political philosophy. He is a private citizen, who strives for obscurity; in fact, he will reproach me for so much as mentioning him this evening. There is no doubt in my mind that upon the American continent he is entitled to recognition as a leading authority—if not the leading authority—concerning the techniques of coördinating units of government, of integrating levels of government, and of evolving improved machinery of public administration. I refer to that man of high purpose, of utter integrity, and of self-sacrificing devotion to the cause of good government, my friend, Guy Moffett.

Appendix

Agencies on Interstate Cooperation

FIVE months have passed since the Washington meeting of the Second Interstate Assembly and during that time each legislature in session has been advised of the Assembly's recommendation "that appropriate agencies on interstate cooperation be formed in each state." At the present writing (August, 1935) seven states—New Jersey, Colorado, Nebraska, North Carolina, Florida, Pennsylvania, and New Hampshire—have organized Commissions on Interstate Cooperation while sixteen other states have established Standing Committees or Interstate Cooperation in one or both branches of the legislature.¹

New Jersey Model

The Commissions on Interstate Cooperation have been established by joint resolutions modeled after that worked out in New Jersey by Senator Joseph G. Wolber. This resolution (which is reprinted on pages 78-79 of the April, 1935, issue of *STATE GOVERNMENT*) is prefaced by a statement of the confusion and conflicts existing between the states in both laws and administrative practices. This introductory section stresses the desirability of interstate cooperation for the purpose of developing "a more perfect union." To facilitate such cooperation and to perfect the participation of the state in the Council of State Governments, a Commission on Interstate Cooperation is created. It consists of:

"The five members of the Committee on Interstate Cooperation in the Senate;

"The five members of the Committee on Interstate Cooperation in the House of Representatives; and

"Five officials of the state named by the Governor, one of whom shall be designated by him as the Chairman of the Commission."

The chief difference between these Com-

¹Names of the legislative members of Commissions and Committees on Interstate Cooperation may be found on the back cover of any recent issue of *STATE GOVERNMENT*.

missions and the Committees on Interstate Cooperation is that the Committees consist of legislators alone, while, as outlined above, the Commissions include legislative and executive representatives.

Members of the various Standing Committees on Interstate Cooperation in the Senate and House of Representatives become, ex officio, members of the Senate and House Councils of the American Legislators' Association. In those states where Commissions have not yet been created the Committees are thus organically connected with the Council of State Governments through the joint secretariat of the American Legislators' Association and the Council. It is anticipated that most of these legislative committees will be expanded into Commissions on Interstate Cooperation, similar to those which have already been created in seven states.

Field of Usefulness

A wide field of usefulness is open to the new Commissions. One of the most important possibilities lies in the negotiation of interstate compacts for the control of crime and the supervision of paroled criminals. Another important use to which the compact method might be put is in the field of taxation. Motor vehicle regulation is yearly becoming more and more a matter of interstate concern. Division of water resources, without expensive litigation, is important to a large number of states. The recent Supreme Court decisions point to even wider state activity in the regulation of business and labor which means more need of cooperation than in almost any other governmental activity.

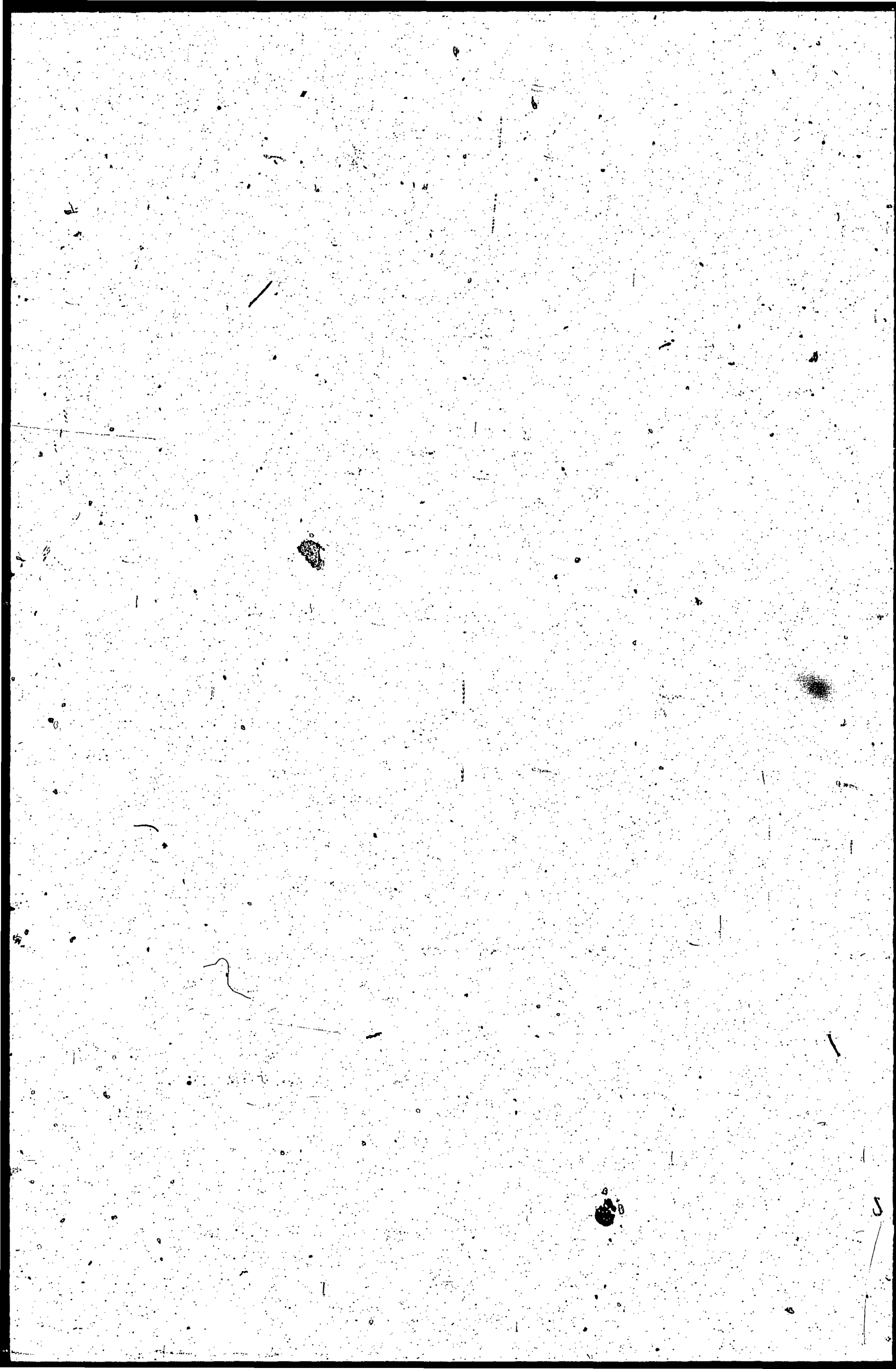
In addition to the compact method, Commissions on Interstate Cooperation will be able to encourage and utilize other means of strengthening the tie that binds the forty-eight states. Administrative agreements, uniform laws, reciprocal statutes; all are in the embryonic stage and ready for the fostering care of some "agency on interstate cooperation."

Index

SUMMARY OF THE PROCEEDINGS OF THE SECOND INTERSTATE ASSEMBLY

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Minutes of the
Tax Revision Council



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MINUTES OF THE
ORGANIZATION MEETING
OF THE
TAX REVISION COUNCIL

June 6 and 7, 1935.

Hearing Room of the Ways and Means Committee
House Office Building — Washington, D. C.

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The Tax Revision Council

FEDERAL MEMBERS

Hon. Henry Morgenthau, Jr., Secretary of the Treasury
Senator Pat Harrison, Chairman, Senate Finance Committee
Hon. Robert L. Doughton, Chairman, House Ways and Means Committee
Senator William H. King, Chairman, Subcommittee on Conflicting Taxation, Senate Finance Committee
Hon. Fred M. Vinson, Chairman, Subcommittee on Conflicting Taxation, House Ways and Means Committee
Hon. George C. Haas, Director of Research and Statistics, Treasury Department
Hon. Herman Oliphant, General Counsel, Treasury Department
Hon. Lovell H. Parker, Chief of Staff, Congressional Joint Committee on Internal Revenue Taxation

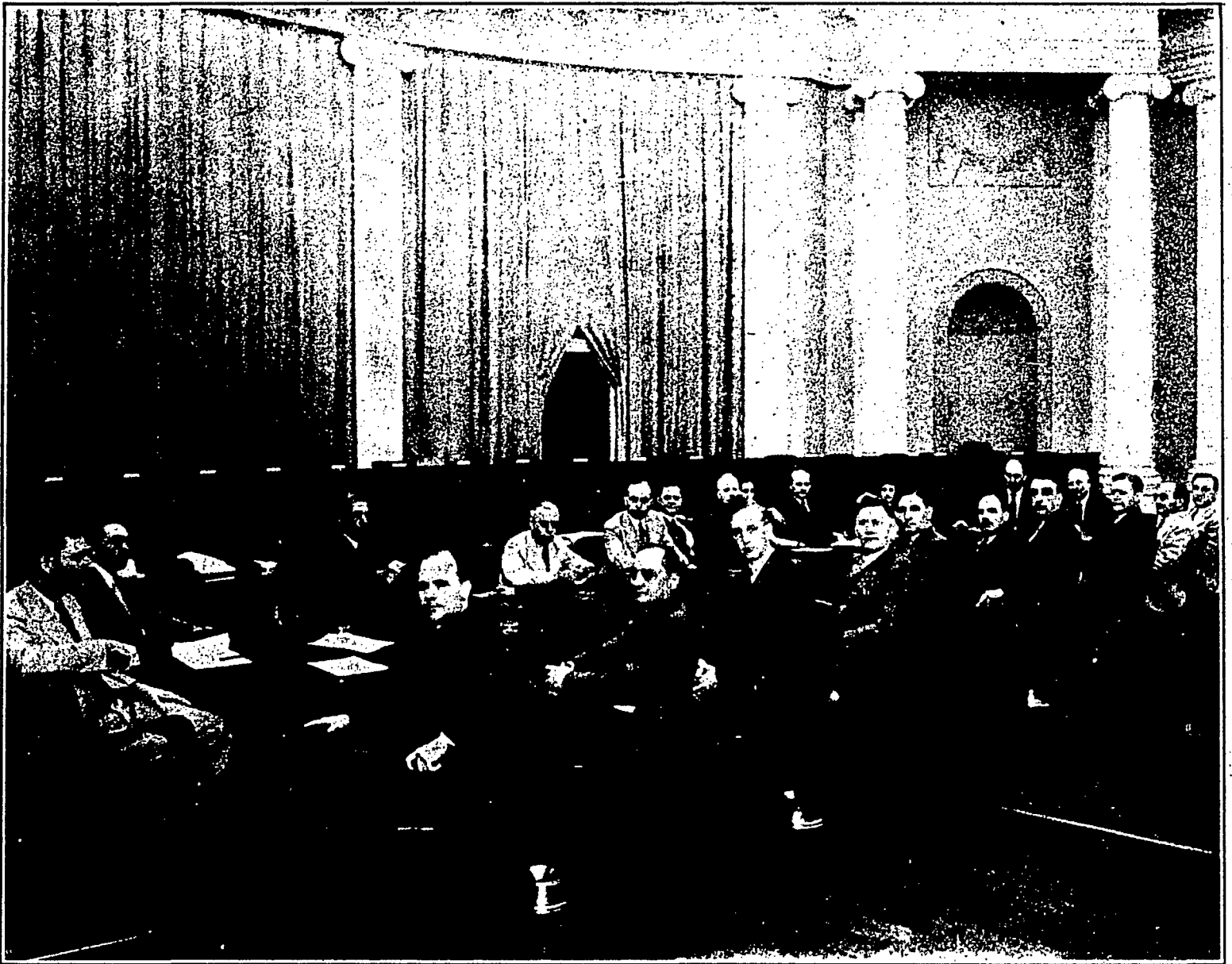
STATE MEMBERS

Senator Seabury C. Mastick, Chairman, New York Commission for Revision of Tax Laws
Hon. William B. Belknap, President, American Legislators' Association
Hon. Mark Graves, President, New York State Tax Commission
Hon. Henry F. Long, Tax Commissioner, Massachusetts, and President, National Tax Association

Hon. C. H. Morrisett, Tax Commissioner, Virginia
Hon. Henry W. Toll, Executive Director, Council of State Governments
Hon. George Woodward, Member, Pennsylvania Legislature
Hon. George F. Yantis, Member, Washington Legislature

CITY AND COUNTY MEMBERS

Hon. Leonard S. Leavy, Controller, City and County of San Francisco, Representing United States Conference of Mayors
Hon. Daniel W. Hoan, Mayor of Milwaukee, Representing American Municipal Association
Hon. C. A. Dykstra, City Manager, Cincinnati, Representing International City Managers' Association
Hon. Charles J. Fox, City Auditor, Boston, Representing Municipal Finance Officers' Association
Hon. Kenneth J. McCarren, Vice-President, Detroit Board of Assessors, Representing National Association of Tax Assessing Officials
Hon. Guy Boyington, County Judge, Astoria, Oregon, and Member of the State Planning Board of Oregon
Hon. Otis Miller, District Attorney, Anson, Texas
Hon. J. K. Warkentin, County Clerk and Assessor, Marion, Kansas



WAYS AND MEANS

Gathered around a long table in the room ordinarily reserved for the Congressional Committee which is faced with the thankless task of tailoring a revenue program to fit broad-shouldered expenditures, members of the Tax Revision Council met in Washington on June 6 and 7.

Their problem was not how to raise money but how to reconcile the methods of taxation now used by the three levels of government. The proposed line of attack is discussed in the minutes which begin on the opposite page.

Sitting at the far end of the table is Secretary of the Treasury Morgenthau, and to his left is Senator Mastick of New York. Proceeding in that general direction—to the left, a Hearst heresy—we meet, in the order of their appearance, Messrs. McCarren, Haas, Toll, Vinson, Parker, Boyington, Warkentin, Yantis, Moffett, Gallagher, Martin, Gaston, Woodward, Graves, Belknap, Morrissett, Long, Mrs. Klotz, private secretary to Mr. Morgenthau, Mr. Oliphant, and the stenotypist.

Thursday Morning Session

June 6, 1935.

THE first meeting of the Tax Revision Council, held in the hearing room of the Ways and Means Committee, House Office Building, Washington, D. C., convened at eleven A.M., Thursday, June 6. Mr. Henry W. Toll, Executive Director of the Council of State Governments, called the meeting to order.

Mr. Toll opened the meeting by reading messages from several members who were unable to be present. Charles J. Fox, Auditor of Boston, expressed his interest and desire to share in the work of the Council; Judge Otis Miller of Anson, Texas, remarked that the organization gave him real hope at a time when something needs to be done to straighten out tax laws; and C. A. Dykstra, City Manager of Cincinnati, expressed his genuine interest in the project and commented that he felt a study of the functions of the different governmental levels in the United States was essential.

Upon motion of Mr. Long, Senator Mastick was elected temporary chairman, and Mr. Toll, temporary secretary. The question of permanent organization was discussed, and it was decided that a committee should be appointed to recommend a permanent organization, and to nominate officers.

Senator King opened the discussion by calling attention to a resolution which he had offered in 1921, for a federal-state conference on problems of conflicting taxation. He expressed interest in this new effort to solve this problem which is particularly aggravating at the present time because of the fiscal deficits of federal, state, and local governments.

Mr. Doughton, Chairman of the House Ways and Means Committee, announced his complete sympathy with the project of the Council, and expressed his desire to aid in its work.

Mr. Vinson, Chairman of the Subcom-

mittee on Double Taxation, commended the forward step of practical minds meeting together to harmonize the viewpoints of federal, state, and local governments. He hoped that it would be of real assistance in relieving the tax burden which has been pyramided to the breaking point. Chairman Mastick commented on the cordial cooperation of these congressional committees, and on Mr. Toll's energetic interest in tax revision work. He expressed it to be the desire of the Council to try to harmonize the various interests involved in the tax field.

Mr. Toll suggested that a discussion of the Tax Revision Council be prefaced by the presentation of summaries of research work already conducted by the most important groups in the field.

Mr. Parker spoke of the report on conflicting taxation, published by the Congressional Committee in 1933, and expressed his hope for practical utility of the future work of the Tax Revision Council.

Mr. Martin presented a report of the work of the Interstate Commission on Conflicting Taxation, which was established by the First Interstate Assembly in 1933. The written report follows:

Recognizing that the multiple tax levies of federal, state, and local government introduce acute problems for government and for taxpayers, the American Legislators' Association issued a call for an assembly of the states to convene in Washington February 3 and 4, 1933, to consider conflicting taxation problems. Every state was invited to send three delegates to this meeting: a house member, a senator, and a fiscal official named by the governor. Delegates from more than thirty of the states attended. This First Interstate Assembly was addressed by several eminent students of taxation representative of diverse views regarding the proper approach to a solution of problems raised by over-

lapping tax levies. Since these discussions made it apparent that the situation was too complex to justify snap judgment, the Assembly directed the appointment of a commission composed of ten or more state legislators and state tax administrators, which, with appropriate secretarial and technical assistance, would study various proposals for reducing or eliminating conflicting taxation.

The plan contemplated that a Second Interstate Assembly would be called to consider the work of the Commission. This assembly convened in Washington in the latter part of February, 1935. It adopted the recommendations of the Commission as its own and adopted several resolutions introduced from the floor. Among the proposals introduced from the floor was one recommending federal administration of a general sales tax, which the Commission, as indicated below, had declined to recommend.

The Second Interstate Assembly also adopted a resolution condemning the type of federal dictation regarding state taxation policy which is found in the Hayden-Cartwright highway aid law, Section 12.¹ This resolution, although it came from the Planning Board of the Council of State Governments, had been considered jointly by the Commission and the Planning Board. Neither the Commission nor the Interstate Assembly proposed any judgment regarding the proper utilization of

¹ This section reads as follows: "Since it is unfair and unjust to tax motor-vehicle transportation unless the proceeds of such taxation are applied to the construction, improvement, or maintenance of highways, after June 30, 1935, Federal aid for highway construction shall be extended only to those states that use at least the amounts now provided by law for such purposes in each state from state motor vehicle registration fees, licenses, gasoline taxes, and other special taxes on motor-vehicle owners and operators of all kinds for the construction, improvement, and maintenance of highways and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues have been pledged, and for no other purposes, under such regulations as the Secretary of Agriculture shall promulgate from time to time: *Provided*, That in no case shall the provisions of this section operate to deprive any state of more than one-third of the amount to which that state would be entitled under any apportionment hereafter made, for the fiscal year for which the apportionment is made.

gasoline and motor registration tax revenues, but the resolution adopted by the latter objected emphatically to the attempt by Congress to control state fiscal affairs not directly related to the federal subvention.

Character of the Commission's Work

The activities of the Interstate Commission on Conflicting Taxation fall primarily in three fields: (a) research, (b) conference and deliberation, and (c) negotiation to secure enactment of proposed legislation.

The research work is carried on at the Chicago offices and is primarily designed to estimate the influence of proposed changes in the tax system which might reduce the evils of conflicting levies. Since 1933, the Commission's staff has produced a number of formal reports, and a considerable number of articles for *STATE GOVERNMENT*² and other technical and popular periodicals. Prior to the autumn of 1934, the Commission maintained a tax expert assisted by the regular members of the American Legislators' Association staff. Since September 1, 1934, a research staff under the direction of James W. Martin has been developed. It now includes five persons in addition to secretarial and clerical workers utilized jointly with other agencies.

Since its appointment in February, 1933, the Commission has held seven meetings. It has also held three informal sessions with members of Congress. Formal meetings have usually lasted two days, with sessions in the mornings, afternoons, and evenings. Sometimes problems of organization and procedure were discussed; at other times

² *Conflicting Taxation*, February, 1933; *Interstate Commission*, May, 1933; *323 Conflicts* (table), May, 1933; *Recommendations Contained in First Report of I. C. C. T.*, July, 1933; *The Story of the I. C. C. T.*, July, 1933; *Friendly Negotiation Instead of Federal Coercion*, July, 1933; *Tax Mimicry*, July, 1933; *Report on gasoline, tobacco, liquor and electric energy taxes*, July, 1933; *Report Concerning Recommendations for Taxation of Alcoholic Beverages*, November, 1933; *Splitting the Liquor Taxes*, December, 1933; *Federal-State Liaison* (recommendations to Ways and Means Committee and Senate Finance Committee); *Conflicting Gasoline Taxation*, January, 1934; *Report on the May 18-19 meeting of the I. C. C. T.*, July, 1934; *Report on the September 29-30 meeting of the I. C. C. T.*, November, 1934; *Current Tendencies in State Taxation*, January, 1935.

specific proposals for tax reform were considered. Usually the deliberative work of the Commission has been carried on in executive session. Occasionally, however, consultants have been invited to sit with the Commission. On one occasion it met jointly with the Planning Board of the Council of State Governments.

The Commission has conducted certain negotiations with members of Congress, particularly with the leaders of the House Committee on Ways and Means and the Senate Finance Committee. The chairman and the secretary of the Commission presented the Commission's viewpoint on gasoline and liquor taxation to the Committee on Ways and Means. On another occasion the Commission met jointly with members of the two congressional committees and administration representatives to discuss the entire problem of conflicting taxation and to make known to the federal representatives its views on specific questions.

Viewpoint of the Commission

The work of the Commission has been deliberate. Every important question on which the Commission has expressed a judgment has been the subject matter of staff investigation and of sustained discussion at the Commission meetings.

The viewpoint of the Commission as to techniques for dealing with conflicting tax problems has been and is eclectic. The Commission has recognized, for example, that maintenance of fiscal responsibility necessitates state and local administration of certain taxes, even though on directly economic grounds tax administration would be more effective if centralized in the hands of the federal government. The so-called crediting device employed in the field of death taxation under the Federal Revenue Act of 1926 has been recognized as an appropriate procedure, and the Commission has examined, sympathetically, proposals for federal administration of other taxes with state sharing of revenues. Other techniques within the scope of the Commission's assignment have been discussed and recognized as possible approaches, if their appropriateness to a particular situation can be assured.

The actual findings of the Commission may be regarded as falling in two categories: In the first place, the Commission

has considered and recommended action respecting certain immediate adjustments designed to alleviate existing tax conflicts; in the second place, it has examined certain longer-run problems concerned mainly with the development of statistical and other information and with machinery for tax study and negotiation.

Proposals for Immediate Adjustments

The Commission appreciated the gravity of federal-state conflicts in personal income taxes, death taxes, and corporation taxes; but it regarded these as at once less obvious and more difficult than the conflicts incident to comparatively non-technical tax measures. Consequently it first tackled the problems of conflicting gasoline, electric current, and other selective excise taxes. At its first meeting, in fact, it made certain tentative proposals for what may be designated as tax "swapping" processes as between the federal government and the states. When these proposals were made, however, they were treated as provisional, and staff investigations were initiated to make possible reconsideration at a later meeting. Meantime, the Volstead Act was amended to provide for 3.2 beer and wine; and later the Prohibition Amendment was repealed.

Separation Proposals

After careful study, the Commission definitely accepted the view that there should be a measure of separation of sources of federal and state revenues. This viewpoint was based partly on administrative considerations. It is *prima facie* uneconomical to provide duplicate federal and state gasoline or tobacco tax administrative machinery; and, in the absence of some strong consideration to the contrary, administrative economy should govern. Also, the Commission recognized that units of government experience a sense of financial responsibility when they levy and administer their own taxes which they do not have if another unit of government levies and collects taxes they are later to spend. Finally, the Commission thought that any other plan for integrating selective excise taxes would probably mean administration by the federal government, which, it was believed, would in the

long run render the states liable to undesirably increased congressional restrictions.

These and other considerations led the Commission to seek specific, important points at which agreement to separation could be reached. After conferring with taxation leaders in Congress, studying reports prepared by the Commission's technical staff, and careful deliberation by the Commission members, it was unanimously proposed: (a) that the federal government should abandon gasoline taxation; (b) that no additional tobacco taxes should be adopted by the states for revenue purposes;³ (c) that Congress should leave electric energy taxes for the exclusive use of the states; and (d) that, since the federal government has imposed a heavy tax on beer, other units of government should refrain from levying heavy taxes except for regulatory purposes.³

Based on Concrete Evidence

In the case of each of these elements in a program of separating sources of federal and state revenue, the Commission based its proposals on concrete evidence of experience or logic. States have demonstrated that they can effectively administer gasoline taxes. Also, the motor fuel tax has traditionally been closely related to the highway building and maintenance function performed by the states and their subdivisions. Moreover, in this case, there was a clear historical background of state taxation; so it could be argued that the states had pre-empted the field of gasoline taxation.

On the other hand, the federal government had long depended largely on tobacco tax revenues. Federal administration has proved effective; state administration has proved relatively ineffective. Consequently, from both the historical and the administrative viewpoints, the Commission found a good case for exclusive federal tobacco taxation.

For many years the taxation of electric utilities as such has been, exclusively, by the states or their subdivisions. The Federal Revenue Act of 1932, by imposing an excise on the consumption of electric current, began to duplicate state exploitation

of this field of taxation. Since, from an economic and an administrative viewpoint, the federal government has inherent economic, legal, and administrative advantages over the states in the field of taxation generally, the Commission deemed it wise that the federal government, at the earliest possible moment, relinquish this source of revenue to the states.

Beer and Liquor Taxes

Alcoholic beverages, prior to the prohibition era, were subject to federal taxes but not ordinarily to state and local taxes, other than regulatory licenses. The alcoholic beverage business is so conducted that, while state taxes are feasible, they are likely, if imposed at a high rate, to engender bootlegging. In the light of these considerations, the Commission proposed that beer taxes should be levied by the states only for regulatory purposes, unless at a very low rate.

Prior to the enactment of the federal liquor tax, the Commission proposed an integrated plan of federal-state liquor taxation under which the federal government would collect the tax and distribute a part of the proceeds to the states. Owing to disagreement regarding the method of distribution, this proposal was not accepted. Since the enactment of liquor tax legislation by the federal government, the Commission has not completed its canvass of the field; and consequently it has refrained from making any recommendations.

General Sales Taxes

Confronting the Commission from the time of its establishment has been the state general sales tax problem. Certain interstate conflicts, of comparatively minor economic significance, are of major importance politically. This is particularly true of boundary difficulties due to constitutional restrictions on the taxation of interstate commerce and of competition in the field of retail merchandising offered by mail order concerns usually situated outside the state concerned. When the Commission first considered this problem it reached the conclusion that some relief could be secured by the adoption of

³ Note the compromise in the interest of action implied in these recommendations as compared with the reasoning summarized below.

the so-called Harrison Resolution⁴ to authorize the non-discriminatory taxation of interstate commerce by the state into which the sale was made. This resolution was not adopted; and at the same time the problem which precipitated it had become increasingly acute, due to the increased use of general sales taxes. Consequently, the Commission caused its research staff to investigate the possibilities of federal administration and state sharing of revenues. It was found that, while federal administration would be economical and would elide existing legal difficulties, the plan has serious shortcomings. In the first place, it would not, on the basis of a reasonable rate structure, replace existing state sales taxes in certain rich states with rates of 2.5 to 3 per cent. In the second place, it would give certain states, now having a low-rate or no sales tax, more money than they really require. Finally, to mention only one other consideration, it would employ throughout the country a comparatively undesirable tax measure which otherwise need be applied in only part of the states. After careful consideration of the research and of political factors involved, the Commission decided to make no recommendation on this point.

Income Taxes

One of the techniques for integrating

⁴This measure reads as follows: All taxes or excises levied by any state upon sales of tangible personal property, or measured by sales of tangible personal property, may be levied upon, or measured by, sales of like property in interstate commerce, by the state into which the property is moved for use or consumption therein, in the same manner, and to the same extent, that said taxes or excises are levied upon or measured by sales of like property not in interstate commerce: *Provided*, That no state shall discriminate against sales of tangible personal property in interstate commerce, nor shall any state discriminate against the sale of products of any other states: *Provided further*, That no state shall levy any tax or excise upon, or measured by, the sales in interstate commerce of tangible personal property transported for the purpose of resale by the consignee: *Provided further*, That no political subdivision of any state shall levy a tax or excise upon, or measured by, sales of tangible personal property in interstate commerce. For the purpose of this Act a sale of tangible personal property, transported or to be transported, in interstate commerce shall be considered as made within the state into which such property is to be transported for use or consumption therein, whenever such sale is made, solicited, or negotiated in whole or in part within that state.

the federal and state tax systems is found in the crediting device utilized under the Federal Revenue Act of 1926. The Commission has been concerned to know whether this plan could be extended to the field of income taxation. After a preliminary canvass, which revealed grave statistical difficulties of predicting the consequences of any such plan, the Commission discarded, for a time, this approach to corporation income tax conflicts. More careful investigation and more sustained consideration was devoted to the possibilities of extending the crediting device to individual income taxes. Among the principal difficulties encountered were problems of distributing benefits among the states, constitutional difficulties facing many of the commonwealths, and especially dangers to the integrity of the states from federal restrictions necessary in a federal crediting statute if the maximum of economic and administrative relief were to be secured.

It was found, too, that the effectiveness of the crediting device in securing relief from existing diversities varies directly with the extent of federal dictation incorporated in the crediting statute. To eliminate double taxation from varying allocation formulas a uniform prescription as a condition of the credit would be required. To reduce expenses and difficulties from accounting diversities, a federal prescription respecting procedure would be necessary. And so with other interstate conflicts.

The Commission finally agreed to propose for consideration a crediting plan which would involve a minimum of federal interference. This plan would make all distinctly personal state and local taxes eligible for the credit and would not incorporate uniformity requirements. The Commission recognized that such a device would result in a minimum of relief from existing income tax conflicts; but it nevertheless believed the experiment worth consideration. Consequently, in reporting this proposal, the Commission recommended that the Second Interstate Assembly consider the problem rather than that it adopt this particular plan.

Long-Range Proposals

The more fundamental and long-range proposals for alleviation of tax conflicts re-

late to reciprocal exemptions, accumulation of data, and organization for study and deliberation. Respecting the exemption problem, the Commission has offered no definite recommendations; but, at the time the Commission's report was submitted to the Second Interstate Assembly, two proposals for modification of reciprocal federal-state exemptions were offered and adopted. The first contemplated removal of exemptions provided for securities and salaries of government officials and employees; and the second proposed that the federal government authorize the taxation of private property on federal reservations.

The work of the Commission has been handicapped from the beginning by a lack of statistical information regarding state and local finance. In consequence of this difficulty the Commission made the following recommendations.

In developing a long-term program for dealing with federal-state and interstate tax difficulties, the several states can immediately lay the foundation for progress. The first necessity, perhaps, is the development in each state of more adequate financial statistics of state and local governments. At the present time, only about one-fourth of the states make any pretense of collecting all of the statistics of state and local taxation, and even in these states the statistics are in some cases meager and unsatisfactory. Each state should certainly know the total amount of tax revenues of various classes which it raises by state or local action. It should know, also, the facts respecting the distribution of its state and local expenditures and those regarding public debt. In addition, it is desirable that the state assemble more complete information regarding functional activities. Incidentally, this recommendation to the states contemplates more generous coöperation with the statistical agencies of the federal government, particularly with the Bureau of the Census.

Information Needed

In the second place, many of the states need to conduct comprehensive investigations of their own state and local tax problems. A valuable incidental result will be the development of information needed by the Tax Revision Council proposed below. Some of the commonwealths, as for ex-

ample Connecticut, New York, North Carolina, and others, have already conducted such studies of state and local taxation. More than half of the states, however, have not recently conducted thorough studies of their tax situations. These states, it is believed, should in the near future provide for official investigations looking toward improvement in the local tax situation and incidentally providing data necessary for any thorough-going interstate investigation.

Partly as an outcome of these two suggestions and partly as a result of current governmental activity, each state should conduct, continuously, a campaign of public education regarding state and local taxation. The educational program along this line not only should contemplate popularizing information as to tax problems, but it should also supply the public with full information on governmental expenditures and the administration of public debt.

The third long-range problem before the Commission has been the development of some mechanism whereby there could be sustained investigation of conflicting taxation by an agency officially representative of federal, state, and local government. The Commission originally thought this might be supplied by the appointment of a federal commission on taxation to confer with the Interstate Commission on Conflicting Taxation and to carry on such independent studies as it deemed appropriate. As a result of its continued study, however, the Commission reached the opinion that a full-fledged, joint federal, state, and local commission representative of all the principal units of government would offer larger possibilities of constructive results than would two or more bodies functioning independently. Hence, the Commission recommended to the Second Interstate Assembly a provision for a Tax Revision Council in which officials of all levels of government would participate. This present body is the result of that recommendation and of the cordial coöperation of federal officials on the one hand and local officials on the other.

The work of the Interstate Commission on Conflicting Taxation has not been planned beyond the summer. In the next few months it is anticipated that certain studies already under way will be completed. One investigation will provide the

facts necessary to a re-canvass of the alcoholic beverage tax problem. A second will concern the effect of the Revenue Act of 1932 and of the Revenue Act of 1934 on the operation of the crediting device in the death tax field. This study will involve consideration of the effects of the crediting device immediately following its extension in 1926, but it will concern more particularly the influence of recent estate tax legislation and the wisdom of extending the principle of the credit to the entire federal estate tax. A third investigation, now under way, represents an attempt to ascertain the influence of proposed policies for relieving conflicting taxation on the fiscal situation in the federal government and each of the forty-eight states. The attempt will be made in this investigation to extend the scope of an earlier study and thereby introduce consideration of certain new problems.

In the course of the summer, too, the Commission hopes to complete a general report of its activities from the time it was formed in February, 1933; to August, 1935. According to tentative plans the report will include a formal statement by the Commission itself, followed by an integrated summary of the research which forms the background of the Commission's recommendations.

Mr. Long, President of the National Tax Association, outlined the main object of the National Tax Association over a long period of years as the furnishing of a place where people interested in taxation could come together and exchange thoughts. It publishes its proceedings and also a bulletin, which furnish real sources of information for studies which other people may make. At the present time, the so-called Bond Committee is working on a report to the National Association on coördinated federal-state taxing systems.

Mr. Long, in his capacity of Commissioner of Taxation in Massachusetts, then expressed his interest in seeing that the states get a large share of the revenue in any apportionment. He noted a Massachusetts preference for taxation of real estate and tangible personal property by the local community.

Mr. Graves, former President of the National Tax Association, and now President

of the New York State Tax Commission, announced the interest of his commission in the work of the Tax Revision Council. He alluded to the Tax Foundation, which issues the publication "Tax Systems of the World."

Mr. McCarren of Detroit expressed interest on the part of the National Association of Tax Assessing Officials, and commented on the successful effort to secure legislation permitting local assessors to examine federal income tax reports. He pointed out an example of the problem of assessment of foreign corporations which had been raised in Michigan, and noted the importance to the cities of Michigan of tapping this source of tax revenue. If the state and cities would coöperate on the taxation of these corporations, it would result in greater revenue for both levels, a point of view which seemed more reasonable than for one or the other to seek a lion's share of the tax revenue from this source.

Mr. Boyington expressed his concern in the problems before the Tax Revision Council as a county official, who has gone through the complete cycle of levying, collecting, spreading, and assessing property taxes. In his opinion, the property tax has broken down, and some substitute must be found.

Mr. Warkentin also spoke as a county officer, and gave his opinion that ad valorem taxes had been overdone by state, county, town, school district, and other taxing subdivisions. Delinquencies in real estate taxes are increasing rapidly, and some action must be taken.

Commissioner Morrisett of Virginia, remarked that his state had successfully separated state and local sources of revenue, but that real estate owners were still looking for relief. The state is now constructing roads, and assuming increasing expenses for schools.

Mr. Yantis, of Washington, expressed his desire that the group adopt a definite and immediate goal. He declared himself in favor of a constitutional amendment which would reduce the sharp division of authority between the federal and state governments. He also commented on the obstacles furnished by the press in that, generally, they consider government almost an enemy of the people, and by business men who complain unreasonably about tax

problems. He noted that the tax limitation imposed in his state had the immense practical advantage of compelling action, and shifting a large portion of the expense formerly borne by counties and school districts to the state, by providing as a substitute for property taxes, such other means of raising revenue as sales taxes. He thought it probable that Washington wished to add an income tax to its sales tax.

Mr. Toll suggested that the afternoon session be devoted to the question of methods of attacking this problem. He

suggested a long-term program, which might alter the existing basic status, and a short-term program which might be used as a demonstration project.

Chairman Mastick then appointed the following members of the Committee on Permanent Organization: Mr. Graves, Chairman, Mr. Parker, Mr. Haas, Mr. Boyington, Mr. Warkentin. Mr. Toll and Mr. Mastick were *ex officio* members of this committee.

The meeting recessed at twelve forty-five P.M.

Thursday Afternoon Session

June 6, 1935.

THE meeting convened at two forty-five P.M., Chairman Mastick presiding.

Mayor LaGuardia commented that he had made the suggestion in New York State that there be one tax collecting agency, and he thought this same idea might be useful along national lines.

Mr. Graves gave the report of the committee on permanent organization, which proposed the following officers:

Chairman, Henry Morgenthau, Jr., Secretary of the Treasury,

Vice-Chairman, Senator Seabury C. Mastick of New York,

Second Vice-Chairman, Kenneth J. McCarren of Detroit,

Secretary, Henry W. Toll.

On motion of Mr. Long, seconded by Mr. Parker, the report of the committee was accepted, and unanimously approved.

Mr. Long then began a round table discussion by expressing his belief that units of government should be as close as possible to the people who use them. For example, education should be a local function, relying on the real estate tax. Possibly functions such as the protection of public safety might be carried on by a federal agency and filtered down through other agencies, perhaps supported by a tax on industries. The long-term planning should include a study of what functions might best be exercised by the federal government.

Mr. Morrisett declared his belief that the Council should undertake an exhaustive study of the functions of government, because the taxation question rests on the allocation of functions. On the other hand, varying conditions make it unwise to undertake the study of allocation of functions between state and local governments.

Mr. Graves expressed his belief that a study should be made of the functions of government as exercised by the federal gov-

ernment on the one hand; and by state and local governments on the other.

Chairman Mastick commented that while it might not be within the purview of the Council to study the relationship of state to local government, nevertheless, something might be drawn from the experience of each state which might be helpful to others.

Mr. McCarren also noted his uncertainty about any attempt to reallocate functions between states and cities.

On request of Chairman Mastick, Mr. Toll defined his idea of a long-term program as a comprehensive inquiry concerning the harmonizing and integrating of the tax systems of the government of the country, viewing all units of government as part of a single governmental structure. He pointed out a need for machinery of constant, continuing contact between the levels of government.

Chairman Mastick asked Mr. Haas to enumerate the functions to which the federal government is now contributing. Mr. Haas answered that it was difficult to name any function to which the government is not contributing. Education, agriculture, roads, police, public health, and many other functions receive federal money.

Chairman Mastick remarked that allocation of money to the states must, in turn, bring reallocation of these funds to local units. Mr. Yantis expressed his agreement with Mr. Mastick's viewpoint. The fact that various units participate in the same kind of expenditure doubtless increases the total expenditure. Total expenditures might be reduced if functions were narrowly confined within certain units.

Chairman Mastick suggested a study of the requirements of some of the states for their prime services of government, and a comparison of these necessities with the amount spent under a system of grants-in-

aid. Mr. Long commented that the grant system led to the spirit of grab, and added that the method of representation followed in the United States Senate increased that tendency.

Mr. Parker predicted that the federal government was always likely to attach strings to the expenditure of money granted to the states, and expressed his conviction that local jurisdictions could spend the money well. He suggested a subcommittee to make definite recommendations.

Mr. Yantis concurred with Mr. Parker, and commented that the wealthy states which sell manufacturing commodities have greater responsibilities for taxation. Mr. Long disputed the argument. No conclusion was reached.

Mr. Parker commented on the English method of allocation of funds to local communities on the basis of population, area, relative wealth, and assessed valuation. Mr. Haas continued Mr. Yantis' argument with Mr. Long, stressing the point that the industrial sections of the United States gained from the size of the trade area of the United States.

Mr. Woodward reported that Pennsylvania was reacting against control by the federal government, and that the reaction was expressing itself in such measures as an effort of the state to tax federal securities, such as those issued by the HOLC.

Mr. Haas noted his desire for a study of the allocation of governmental functions. Chairman Mastick commented that such a study was now being made in New York.

Mr. Toll concluded the discussion of the long-term program by saying that the efficiency of each unit of government in collecting particular taxes should be studied. He mentioned the possibility of federally-collected, state-shared taxes, and noted his interest in the proposal that some of the funds redistributed to the states should be redistributed unconditionally. Mr. Woodward mentioned the Hayden-Cartwright Highway Act as an example of the type of strings which the federal government would attempt to attach in such cases.

Mr. Long expressed his concern over the tendency of the federal government to deal directly with political subdivisions of the state.

Mr. McCarren assumed the chair as the

discussion of the short-term program was undertaken.

Mr. Toll opened the discussion by stressing the importance of the short-term program in making some demonstration to people of what could be accomplished, and to the Council of what the best mode of procedure might be. He suggested the tobacco tax or the gasoline tax as examples of what might be done. Mr. Martin commented that there are other techniques than the redistribution of functions and the readjustment of tax measures for getting state and federal governments into alignment with each other. Grants-in-aid, and state-collected, locally-shared taxes are two other possibilities. He also suggested the importance of federal taxation of state instrumentalities; and state taxation of federal instrumentalities as a problem to study.

Mr. Long suggested, as part of a short-range investigation, a study of what interest the federal government should have in inheritance taxes. On legal grounds he could not see what compensation the federal government has to offer a state for a levy of inheritance taxes. Mr. Haas asked him if the state of Washington should have the right to levy inheritance taxes on Massachusetts manufacturers who moved to Washington in their old age. Mr. Long thought that Washington should have the right since it furnished the legal protection to the estate. He would not grant any argument in equity for inheritance taxes, since they are capital levies.

Mr. Morrisett declared his belief that the project would prove to be an expanding program rather than a short-term or a long-term program. Mr. Yantis expressed Mr. Toll's view by saying that he possibly had in mind, on the one hand, specific changes or reformation on which reasonable agreement might be reached quickly; and on the other hand, the building of a sound governmental tax policy, including the allocation of functions as well as revenue collections.

Mr. Parker expressed his uncertainty about the short-term program since it seemed to him that all taxes were closely inter-related. He wondered if a skeleton general plan was not necessary before a short-term program could be worked out.

Mr. Graves asked Mr. Martin why the inheritance tax would require a great deal of research. Mr. Martin pointed out the

legal and administrative complications, the uncertainty as to federal action, and the difficulty in connection with community property laws. Mr. Woodward stated his confidence in the knowledge of tax problems possessed by state officials:

Mr. Mastick declared his feeling that from the standpoint of publicity some short-term program should be adopted. Mr. Long asked if the abandonment of some grants would not save a good deal of money. Mr. Mastick pointed out that he had suggested a study as to the necessity of various types of highways which would have a bearing on the study of the allocation of moneys to highways.

Chairman McCarren asked if a statement should not be made that the Council feels

that certain types of property—especially real estate—are overtaxed. Mr. Boyington suggested the timber tax as a concrete example. Mr. Yantis noted that the timber people were not as much concerned over tax relief as they professed at first. He remarked that the major relief will have to come from within the states, by providing a better redistribution of the tax burden. He supposed this meeting was concerned largely with the overlappings and conflicts between federal and state governments.

Mr. Toll suggested that discussion at subsequent meetings should be turned to a question of the functionings of the Council, and the development of a staff.

The meeting adjourned at five fifteen P.M.

Friday Morning Session

June 7, 1935.

THE meeting was called to order at ten-forty A.M. by Mr. Toll, who introduced the newly elected chairman of the Council, Secretary of the Treasury Henry Morgenthau, Jr.; whose introductory speech follows:

SECRETARY MORGENTHAU: Before I start reading the manuscript, may I say I am very glad to be here with you. Some of the gentlemen around this table worked with me in New York State, so you know that this is a subject which I am really interested in. As I told my associates down at the Treasury, this is the first time I have been employed on a subject where I have ideas of my own, therefore I am very dangerous. I have not permitted myself many hobbies, but this matter of taxes I might call a hobby of mine. I spent four years in New York State with Mark Graves, Senator Mastick, and a lot of other people on overlapping taxes. I never thought I would have a chance to tackle these problems from a federal angle, but I do think I have delved into the state angle very thoroughly. I wouldn't be willing to take this chairmanship if I felt I hadn't had this thorough grounding in the problems and difficulties that the states have in taxation.

I do feel that I start with more of a knowledge of the problem than I do on some other difficulties in the tax field.

I feel this to be important enough so that with the help of my associates I have prepared a formal statement which will take about ten minutes to read. It expresses the view, I might say, of the Administration toward this problem. With your permission, I shall proceed.

Conflicting taxation is an old problem and not confined to the United States; but it grows more complicated, more difficult, and more acute with the years. At present we find it so acute in our country that it must be faced, and the fact that we are facing it raises the hope that we shall soon be taking important steps to solve it.

The depression has brought this problem into prominence by impairing the usual sources of revenue, thus causing our various governmental units to compete with each other for new sources and for greater yield from the old sources. This competition has produced numerous unfortunate results. For example, certain states have discovered that their taxes drove business into neighboring states; others have revised their tax laws primarily to attract business. Tax evasion, in all of its forms, has been increased by the fact that our machinery for the levying of taxes is out of equilibrium. We find some states imposing taxes previously levied solely by the federal government, and therefore having to set up duplicate administrative machinery. The federal government has also tapped sources of revenue previously regarded as reserved to the states. The conflicts between local and state governments in the field of taxation are too numerous even to be catalogued during the few minutes I shall address you. Every phase of this problem bristles with thorny details.

Back to Fundamentals

The principal contribution that I should like to make to your deliberations on this subject is a definition of the basic problem. With the definition in mind we are ready to divide the problem into its many parts, and take them up in detail. The basic problem, as I see it, is to be just to the taxpayer. Independent levying of taxes by all of the various taxing authorities, without due consideration for the tax structure as a whole, has often resulted in unfair and uneconomic distribution of the burden. This is unjust, and therefore affects the very foundations of government. It touches the welfare of the citizen in his daily task of earning a living. I think the problem should be approached with this point of view. Duplicate taxes cause waste, but that is a detail. The greater problem is to re-

store equilibrium in the tax structure as a whole, in order, primarily, to be fair and just. The waste is not as important as the injustice. It is entirely possible that we could attack the problem of waste and solve it without removing injustice. If we considered the matter solely from the point of view of the efficient tax gatherer it would become a technical problem. You could summarize it as a question of how to get the most money with the least expense. Stated in those terms the problem of this democratic government would be no different from that of any ancient tyrant. He had to raise money to support his government and he tried to get as much as he could with the least possible expense. A considerable part of the oppression which characterized tyranny was a direct result of taxation for revenue only, without regard to justice.

Taxes Are Taxes

We must remember that to the individual citizen taxes are taxes and that it makes no difference to him which agency is most at fault for any injustice he suffers. The tax structure should be sound, and the responsibility for making it so rests upon every part of our government. When each taxing authority is guided only by its own immediate needs and levies, regardless of the existence of identical or similar taxes imposed by other government units, the structure cannot be sound.

The problem of how to be fair in levying taxes is not easy, and perfection is out of the question, but the very complexity of the question makes it necessary for us to be striving constantly toward perfection because of the never-ending drift in the opposite direction.

We must be careful to guard against injustices as between geographic sections of the country, as between commodities and industries no less than as between individuals. An unjust distribution of the tax burden immediately creates artificial obstacles, and their disturbing influence is injected into the economic life of the nation.

I think it would be a great mistake, therefore, to think of our problem as limited to the removal of such administrative conflicts as now exist between the federal, state, and local governments with respect

to taxes. Certain types of new taxes which have been adopted as emergency measures might well be left to their administrative difficulties, in the hope that they will be discontinued. It would be a mistake, in my opinion, to accept as our main problem the task of making it easier to collect and administer all taxes.

Practical Approach

What, then, should be our immediate approach to the problem? We may as well forego at the outset the approach that would disregard the historical development of our political institutions, and attempt to recast our whole government from top to bottom in such fashion that all governmental functions would be redistributed between federal, state, and local units according to some ideal pattern. The practical objection to setting up such an ideal system of taxation, based upon a thorough redistribution of all governmental functions, is that we would be forced to spend the rest of our lives contemplating the impossibility of putting it into effect. To be practical, in this connection, we must do our utmost to correct grave abuses without attempting to recast our whole machinery.

On the other hand, I don't believe that it would be wise to go to the other extreme; that is, to make a list of all of the specific types and cases of conflicts and overlapping, and attempt to take them up one by one. That type of piecemeal tinkering is very slow and rarely effective. Moreover, it is subject to the danger that each piecemeal solution, adopted without due reference to fundamental principles, might produce new inconsistencies. And a series of such piecemeal solutions could easily result in a badly distorted and unjust total tax structure.

Taxpayers First

The best approach would be the fundamental one of considering the entire problem from the standpoint of the individual taxpayer. The first step is to make a careful survey and analysis of the total tax structure of the country to determine just how the burden of our governmental expenses is now distributed. Next, I would note what practicable changes in the combined tax structure of the country would

produce a sound and more equitable distribution of the total burden. In the third place, I would concentrate upon a few important and workable means of eliminating conflicts and overlapping in a manner consistent with our analysis of what constitutes a fundamentally desirable tax structure. Finally, having arrived at a few important possibilities which we know to be fundamentally sound, we can then attempt to put them into effect. Each progressive step that we succeed in achieving along this line would not be a compromise that might create new conflicts, but would complete part of our task. Each fundamental step completed would provide a stepping-stone to make the next part of our program easier to achieve.

Progress in New York

Wherever the problem has been attacked in this manner, real progress has resulted. Several of the states are excellent examples, but I am most familiar with what was done in New York State when Franklin D. Roosevelt was Governor. At his direction, the problem of equalizing the tax burden was studied by experts, and their reports are among the most valuable we have on this subject. In the rural areas of New York State, tax reforms of great social value were put into effect and remain as beacons to direct our course.

Mr. Roosevelt's interest in this problem has been intensified since he became President of the United States. At his direction, the Treasury is undertaking a new study of overlapping taxes. This will supplement and carry further the excellent work on the problem of double taxation done by the staff of the Joint Committee on Taxation of the Congress for the Ways and Means Committee in 1932.

In proceeding along the course I have outlined, guided at every step by the basic principle of fairness, we should be careful not to assume that the revenue needs of our various governmental units are now fixed for all time. That assumption would lead us into new difficulties.

Our attack upon the problem of conflicting and overlapping taxation must be so basic that the solutions we arrive at are sufficiently flexible to provide for changing needs.

In the case of some taxes, it is entirely possible that we shall find it desirable to make a rigid separation of sources between federal, state, and local governments. In other cases, we might find that certain taxes now levied by numerous governmental units could be best administered by the federal government, and the proceeds shared with the states. It is also possible that the states might handle certain of the taxes more easily than the federal government. It would be highly desirable to center considerable attention upon the principles that should govern the allocation of such revenue.

In conclusion, I strongly urge that the technical details of tax-gathering, and even the essential matter of supporting the government, be considered secondary in importance in your deliberations, and that first consideration be given to the vital question of justice to the taxpayer. That course simplifies the task and leads directly to the goal.

Mr. Mastick then took the chair, and commended the principle of justice to the taxpayer enunciated by Mr. Morgenthau.

Mr. Morgenthau noted that the technical staff in the Treasury, under Mr. Haas, and in Congress, under Mr. Parker, should be able to study some of these problems of taxation. Mr. Mastick added the fact that there is a staff available under the Interstate Commission on Conflicting Taxation. Mr. Vinson commented that the thing which most impressed him in the statement which the Secretary of the Treasury made was the thought that the goal could not be reached in one jump. Mr. Haas again suggested a number of analytical subcommittees.

Subcommittees

Mr. Parker re-emphasized his statement that it would be useful to devise a general plan, so long as little time was wasted on details. He thought the plan should be laid out by a subcommittee, and then presented to the whole committee. A second legal committee might study the question of how to put the plan into effect. A committee on state and local taxation might study the systems in effect in certain states, recommending, perhaps, one of the better state systems. The fourth subcommittee

might take up minor inequities of federal-state matters which are directly or indirectly concerned with taxation, and which might be righted promptly. The fifth subcommittee should take up the question of the allocation of governmental functions.

Mr. Woodward suggested that one of the better methods of protecting the taxpayer would be to institute the continental method of taxing real estate on the basis of income rather than on assessed value. Mr. Martin suggested that precaution should be taken to ascertain that no new legislation is recommended which would add to the difficulties.

Chairman Mastick inquired of Mr. Haas as to his idea of the analysis of the total tax structure of the country. Mr. Haas answered that some initial steps had been taken and that requests had been put in for work relief funds to continue the work. Mr. Belknap suggested that fees and small collections from individuals should be included, as well as regular taxes.

Mr. Graves asked Mr. Haas if it would be possible to develop a clearing house for the data collected from the work relief surveys in the Treasury Department. Mr. Haas answered that he could not be sure at the present time. Mr. Belknap commented that any general survey of taxation would have to be done by the state units, and that such a survey would be very difficult. Mr. Parker agreed that it would be difficult, and said that some estimations would have to be made.

Mr. Toll called attention to a resolution of the Second Interstate Assembly requesting a tabulation of statistics of state and local finances by each state. Mr. Martin commented that in about half of the states some statistics could be utilized, while in the remaining states the information would have to be accumulated from the start.

Mr. Parker inquired about the Bureau of Census study of state taxation. Mr. Martin remarked that considerable time has elapsed since its publication, which, in addition to certain defects in the method, render it of little value. He commented that the Central Statistical Board had been taking an interest in the matter, but that it was not certain how far they would go. Mr. Parker added that there was great difficulty resulting from a lack of uniformity in classification, and Mr. Long called at-

tention to the fact that the Census Bureau's classification was relatively uniform. Mr. Martin spoke of the work of the National Committee for the Improvement of Accounting Procedure in this connection.

Mr. Moffett asked if it was true that some statistical expenditures of cities might appear three times in the census figures, once for the federal government, once for the state, and once for the local government. Mr. Martin answered that the situation was true, citing Wisconsin as an example.

Mr. Oliphant said that he was interested in trying to solve our tax difficulties along the lines suggested by Mr. Parker. He felt that problems of municipal finance had been sadly neglected.

Mr. Graves suggested the desirability of having a committee designated to sketch a general picture of tax structures. Mr. Belknap asked if this was not the sort of approach that had been followed by the Interstate Commission on Conflicting Taxation. Mr. Parker answered that the latter organization had paid more attention to detailed subjects. Mr. Graves commented that there were three schools of thought; one which favored separation of sources of revenue, a second which favored segregation of revenue, and a federal tax supplemented by a state tax, and a third which favored federal collection of major taxes with grants-in-aid to the states. He suggested that the general committee might see what was possible along each of those lines. He felt it to be evident that it was not going to be possible to work through the Tax Revision Council as a whole, but that committees should be established.

Mr. Yantis desired a study of tax organization within the various states, and expressed the need of getting those with whom the Council would have to deal.

Mr. Parker's list of proposed committees was then re-read: (1) a committee on the development of a plan or plans for the co-ordination of federal and state tax systems; (2) a committee on possible methods of putting into effect a plan for the co-ordination of federal and state tax systems; and (3) a committee on the development of a model plan for the co-ordination of state and local tax systems. Mr. Toll raised the point that the committee on development of plans for co-ordination of federal

and state tax systems, and for putting into effect such plans might well be combined.

Mr. Parker pointed out the necessity for propaganda in favor of any system of coordination, and was joined by Mr. McCarren.

Mr. Toll then read the remaining proposed committees: (4) on the investigation of minor inequities or sore spots in our tax system and recommending remedies therefor; (5) on the allocation of functions between federal, state, and local governments; (6) on the collection and analysis of federal, state, and local tax statistics, which would be the committee that would confer with the Department of the Treasury on its studies.

Chairman Mastick commented that Mr. Haas had suggested a Committee on Com-

mittees, and a Committee on Objectives, and that Mr. Graves suggested a Committee on Tax Structures.

Mr. Toll suggested that the committees might hold initial meetings in the afternoon. On motion of Mr. Long, seconded by Mr. Warkentin, Chairman Mastick, Mr. Parker, and Mr. Toll were selected to serve as a Committee on Committees, to present their conclusions at the afternoon session.

Mr. Morrisett commented that the Committee on Survey and Analysis of the Total Tax Structure was perhaps the most important. Mr. Parker added that a good deal of valuable information is already available.

The meeting adjourned at twelve-thirty P.M.

Friday Afternoon Session

June 7, 1935.

THE meeting convened at three-ten P.M., Chairman Mastick presiding.

CHAIRMAN MASTICK: The Committee on Committees submits for your consideration the following report.

1. Federal-State Planning Committee,—on the development of a plan or plans for coördinating federal and state tax systems; on methods of putting such plans into effect; and on inequities subject to prompt correction.

2. State-Local Planning Committee,—on the development of a model plan for coördinating state and local tax systems, including a report on possible methods of coöperation between the several states.

3. Federal, State and Local Functions Committee,—on the allocation of governmental functions between federal, state and local governments.

4. General Survey Committee,—on the collection of facts and statistics in respect to governmental tax laws, functions, revenues and expenditures.

On motion of Mr. Long, seconded by Mr. Belknap, the report was accepted. The recommendations for membership on the committees were:

Federal-State Planning Committee: Mark Graves, Chairman, Herman Oliphant, L. H. Parker, William B. Belknap, Henry F. Long, Leonard S. Leavy.

State-Local Planning Committee: C. H. Morrisett, Chairman, George Woodward, Charles J. Fox, Guy Boyington, J. K. Warkentin, Otis Miller.

Committee on Allocation of Governmental Functions: C. A. Dykstra, Chairman, Herman Oliphant, Seabury C. Mastick, George F. Yantis, Daniel W. Hoan.

General Survey Committee: George C. Haas, Chairman, Kenneth J. McCarren, Seabury C. Mastick, L. H. Parker.

As advisory members on the last com-

mittee named there were appointed: Morris Copeland, Stuart Rice, Mayne Howard, and John Wilmott, because of their experience in connection with statistics.

On motion by Mr. Long, seconded by Mr. Belknap, the recommendations were accepted. On motion by Mr. Long, seconded by Mr. Boyington, it was agreed that any member of the Council may attend meetings of any of the committees. On suggestion of Mr. Long, the various committees began a discussion of their plans.

Mr. Morrisett commented that the Committee on Development of a Model Plan for coördinating state and local tax systems faced a tremendous task. Systems in each state must be studied, and the work of getting the plan adopted would be very difficult. Mr. Boyington added that the development of a model plan by this committee would also involve various federal questions. He outlined a suggested division of the fields of taxation within the three levels of government: income, sales, inheritance, estate, gift, tobacco, and liquor excise taxes should be reserved to the federal government; motor licenses, gasoline, liquor, retail, property taxes, and a sustained yield tax on timber should be allocated to the states; local units should receive a property tax tied in with the state, and cities should also be given revenues from local business licenses, and so forth.

Mr. Warkentin remarked that the reduction of real estate taxes, and popular education were important parts of the tasks of the state and local committee. Mr. Woodward suggested that a general sales tax be enacted by Congress, the proceeds to be devoted to the relief of real estate.

Chairman Mastick noted the slow progress of the work of the Tax Revision Commission in New York State, although the work is being successfully carried on. Mr. Haas, speaking as a member of the General Survey Committee, remarked that the Treasury is obliged to make a study of tax

data in view of the inadequacy of existing data on conflicting taxation. He suggested that he would like to submit the statistical schedule to the members of the Council.

Mr. Haas then asked Mr. Parker to clarify his remarks about the analysis of tax tables. Mr. Parker gave as an illustration an analysis of one table which developed the fact that aliens were excessively taxed when they were involved in trusts, and that those who merely received dividends were not taxed. Another illustration was the tobacco tax from which 350 out of 450 millions collected by the federal government was received from North Carolina.

Mr. Long remarked that a table showing the purchasing power of the various states would indicate where the tobacco tax really came from. Mr. Haas answered that that was an analytical job, and that the important thing would be to assemble the table first, and worry about the analysis later. He also remarked that the question of allocation involved a good deal of estimation. Mr. McCarren commented that he thought the analyses should be handled by the staff of the Tax Revision Council.

Mr. Belknap noted that the development of taxpayers' associations in the states made it advisable to have state and local financial statistics in better shape. Mr. Toll again stressed the point that the units of government must be re-appraised before it would be possible to work out a more permanent tax structure. It would be necessary to observe various states to see which are getting the best results with their tax structures. In regard to the matter of staff, he

felt that the most important initial step was a simple study of the possible functions and methods of operation of the Tax Revision Council. He prefers a relatively small staff, analyzing the material which other people are preparing.

Chairman McCarren commented that the organizations allied with the Public Administration Clearing House in Chicago have an elaborate library, and that the staff should be located there. Mr. Toll answered that the need for federal contact is such that Washington might seem more desirable. Mr. Long suggested that a compilation of already available material is being made by the Interstate Commission on Conflicting Taxation staff. Mr. Martin answered that the job was, to a large extent, already done. Mr. Graves commented that, since he and Mr. Parker and Mr. Long all had research staffs, he thought they could start things without waiting for a staff to be organized and supported by the Council of State Governments, perhaps doing a good deal of preliminary work, without any staff, in the course of the summer. Mr. Long indicated his agreement. Mr. Yantis also expressed his agreement, and asked if the problem was not going to be one of analysis-comparison rather than the compilation of vast quantities of data. Mr. Parker commented that a great deal of work has to be done, however, and that a staff would, sooner or later, be absolutely necessary. Mr. Toll suggested the possibility of securing foundation funds.

The meeting adjourned at five-fifteen P.M.

Friday Evening Session

June 7, 1935.

THE meeting convened at eight forty-five P.M. Mr. McCarren presiding.

Mr. McCarren suggested that the discussion be devoted to the approach and remedy to our tax problem rather than to the question of organization. Mr. Graves expressed his openness of viewpoint on the matters which come before his committee, and enumerated the different schools of thought. In answer to a question of Mr. Woodward's he said that he did not feel that any one rule of allocation could be applied to all kinds of taxes. For example, he felt that aid for public education should be apportioned in inverse ratio to the wealth of the district, and that many factors should be brought into agreement. He thought that all the devices would have to be used: segregation of sources, credit-ing device, sharing of taxes, grants-in-aid, and local supplements to central taxes.

Mr. Warkentin remarked that in Kansas an abnormally large proportion of the burden of taxation fell on real estate. Mr. Long then stated his plans for raising revenue: first, taxes on capital; second, on privilege; and third, flat levies of various types. The Kansas situation is illustrative of that in the rest of the country. Some contracting of land values is essential. The main source of revenue is a definite tax on all people irrespective of how they may be classified, and whether or not they own property. It may be an income, sales, or poll tax. The day of reliance on real estate for major tax revenues is definitely over, since we are spreading our people more and more by reason of the improved means of transportation and communication.

Mr. McCarren inquired if Mr. Long did not recognize the responsibility of the states for education of all people. Mr. Long answered that probably the statement was fair. He then took exception to the theory that social service should

be widely given and guaranteed by government.

Mr. Boyington asked Mr. Long if he did not believe that we were fast depending upon the federal government for all of our taxes. Mr. Long answered that when that is the case, Oregon will no longer be a state. Mr. Woodward commented that when these problems go beyond state lines, the job is too big for Washington to manage, and that the Supreme Court seemed to share this view. Mr. Haas agreed with Mr. Long that the tax burden on real property would probably become smaller, but he did not agree that real estate values would not increase. He also disagreed with Mr. Long in his estimation of the importance of the state as a political unit. He thought that Massachusetts should be more federally-minded for her own sake. At the moment, Massachusetts, as an industrial manufacturing center, is deriving benefit from other parts of the country. Mr. Woodward answered that he objected to the siphonage of Pennsylvania assets to be sent to Alabama or some poorer state. Mr. Haas answered that many industrial regions could gain from other states; for example, Detroit should be grateful to the south for a big increase in automobile sales.

Mr. Belknap illustrated the point by noting that the Southern Economic Council says that the south is buying too many manufactured products from the north. He remarked that the whole subject is so complicated, argument is not satisfactory. He then illustrated the difficulties inherent in the adoption of social legislation by the federal government. Mr. Boyington asked if we could not use districts to avoid undue uniformity of legislation. Mr. Woodward agreed, and Mr. Belknap thought it desirable, if practicable.

Mr. Yantis commented that he thought city real estate values had over-expanded, and that other taxes must be used as a

substitute for the property tax. He believed that some form of sales tax should be included in the system of every state, although it might be desirable to have the federal government a collection agency for income or sales taxes.

Mr. Woodward remarked that income is a certainty, and property a matter of opinion. Hence, income taxes have a firm foundation of certainty. Mr. Long suggested that taxation of income, after the income has been received, is really taxation of capital. He maintained that property taxes must be the main source of tax revenue because every dollar does rest in some form of property.

Chairman McCarren asked Mr. Woodward his opinion about the assessment of an estate used by an owner who shows no income. Mr. Woodward answered that in such a case he would not tax the owner. Mr. Long commented on the copper mines in Michigan which were closed when copper was selling at a low level, and asked if they should be exempted from taxation. Mr. Woodward countered with the example of foreclosures on real estate in recent years, foreclosures which would not have occurred if the tax had been on income. Mr. Yantis suggested a compromise between the two extremes.

Mr. Boyington asked about the advisability of homestead exemptions, to which Mr. Yantis answered that the thing to do is to broaden the base of taxation and keep the rate down. Mr. Belknap suggested that Kentucky had left only the county tax on homesteads, which seemed to be a logical thing. Mr. Yantis remarked that while arbitrary limitations on taxes were considered unsound, we are mentally lazy enough to solve problems only under compulsion.

Mr. Long inquired of Mr. Yantis why assessments were generally lower than the legal requirement in various western states.

Mr. Yantis answered that it was in part political, and in part a result of pressure from banks and savings and loan associations. On questioning from Chairman McCarren and Mr. Long, Mr. Yantis said he did not feel that the federal government should have the right to inquire into the methods of assessment. Mr. Boyington

cited several instances of political assessment from his own experience. Chairman McCarren noted that one Michigan city had called upon the federal government for relief, whereas proper assessment would have solved the difficulty.

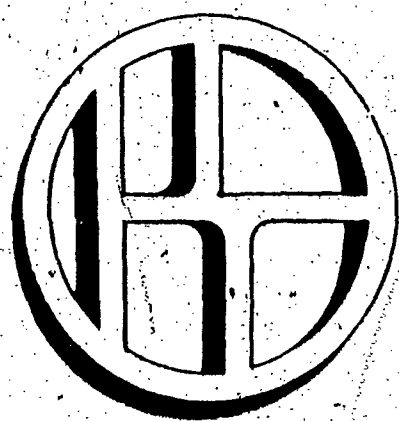
Mr. Martin called attention to the importance of the additional levy by local units on central levies. In the past, the reverse of this system has been followed throughout most of the country but this system was thought by Mr. Graves to be of great importance. He also called attention to the fact that Mr. Yantis' middle course between arbitrary valuation of capital and dependence upon uncertain incomes for taxation was partially provided for under the English system of assessment on income-producing capacity. He commented that the tendency towards centralization has arisen not so much from within the government as from outside economic developments.

Mr. Woodward commented on Philadelphia's system of renting houses. The tenant agrees to pay six per cent on the appraised value and the corporation, in turn, cares for the roof and the outside of the house only. No books are kept, no insurance is paid, and no account taken of depreciation.

Mr. Boyington asked if he was correct in the assumption that when the opportunity to invest in tax-free municipal bonds arose, the people deserted real estate as an investment. Mr. Long suggested that the chief trouble was the automobile which broke up the congested areas, and opened up more land for use. Chairman McCarren commented on his interest in establishing machinery for location before assessment of securities. Mr. Long commented that a number of large estates in Massachusetts held very few tax exempt securities. The frightened attitude of the holders of capital has resulted in an increasing flow of capital into tax-exempt securities in very recent years.

On motion of Mr. Yantis, seconded by Mr. Warkentin, it was decided that the question of organizing a staff for the council be left to the discretion of the executive committee.

The meeting adjourned at eleven P.M.



**CONTINUED
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Meeting of the
Council of State Governments

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CONDENSED TRANSCRIPT

OF A

MEETING

OF

THE COUNCIL OF STATE

GOVERNMENTS

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Conferees

ARIZONA

Hon. John H. Rapp, Chairman of the Arizona House Committee on Interstate Coöperation.

ARKANSAS

Hon. Charles A. Killian, Member of the Arkansas House Committee on Interstate Coöperation.

COLORADO

Hon. Orie L. Phillips, Judge of the United States Circuit Court of Appeals. President of the National Conference of Commissioners on Uniform State Laws. Member of the Planning Board of the Council of State Governments.

Mr. Henry W. Toll, Executive Director of the Council of State Governments. Executive Director of the American Legislators' Association.

CONNECTICUT

Hon. Ernest L. Averill, President of the National Association of Attorneys General. Member of the Planning Board of the Council of State Governments.

Professor Francis W. Coker, President of the American Political Science Association. Member of the Planning Board of the Council of State Governments.

FLORIDA

Senator D. Stuart Gillis, Representing the Chairman of the Florida Commission on Interstate Coöperation.

Hon. S. Pierre Robineau, Chairman of the Florida House Committee on Interstate Coöperation.

ILLINOIS

Mr. Louis Brownlow, Director of the Public Administration Clearing House. Member of the Planning Board of the Council of State Governments.

Senator T. V. Smith, Member of the Planning Board of the Council of State Governments.

INDIANA

Senator Jacob Weiss, Chairman of the Indiana Senate Committee on Interstate Coöperation. President Pro Tem. of the Indiana Senate.

KENTUCKY

Hon. William B. Belknap, President of the American Legislators' Association. Vice-President of the Council of State Governments.

MARYLAND

Hon. Douglas H. Gordon, Assistant United States District Attorney. Member of the Board of Managers of the American Legislators' Association.

MASSACHUSETTS

Hon. Henry F. Long, President of the National Tax Association. Commissioner of Corporations and Taxation in Massachusetts. Member of the Planning Board of the Council of State Governments.

NEBRASKA

Senator Charles D. Green, Chairman of the Nebraska Senate Committee on Interstate Coöperation.

Hon. W. H. O'Gara, Chairman of the Nebraska House Committee on Interstate Coöperation. Speaker of the Nebraska House of Representatives.

NEW JERSEY

Senator Joseph G. Wolber, Chairman of the New Jersey Senate Committee on Interstate Coöperation. Member of the Planning Board of the Council of State Governments. Judge of the Circuit Court of New Jersey (July, 1935).

Senator S. Rusling Leap, Member of the New Jersey Senate Committee on Interstate Coöperation.

Hon. Joseph C. Paul, Chairman of the New Jersey House Committee on Interstate Coöperation.

NEW YORK

Senator Julius S. Berg, Member of the New York Senate Committee on Interstate Cooperation.

Dr. Luther Gulick, Director of the Institute of Public Administration. Member of the Planning Board of the Council of State Governments.

Senator Seabury C. Mastick, Member of the Planning Board of the Council of State Governments. Chairman of New York Commission for Revision of the Tax Laws. Chairman of the Interstate Commission on Conflicting Taxation.

Hon. Frederick L. Zimmerman, Member of the New York House Committee on Interstate Cooperation.

NORTH CAROLINA

Senator Paul D. Grady, President Pro Tem. of the North Carolina Senate.

OHIO

Senator Keith Lawrence, Chairman of the Ohio Senate Committee on Interstate Cooperation.

Hon. J. Freer Bittinger, Chairman of the Ohio House Committee on Interstate Cooperation. Speaker of the Ohio House of Representatives.

Senator Bernard R. Donovan, Member of the Ohio Senate Committee on Interstate Cooperation.

Hon. Frank R. Uible, Member of the Ohio House Committee on Interstate Cooperation.

OREGON

Hon. Homer D. Angell, Chairman of the Oregon House Committee on Interstate Cooperation.

TENNESSEE

Senator Andrew J. Graves, Chairman of the Tennessee Senate Committee on Interstate Cooperation.

TEXAS

Senator Ben G. Oneal, Chairman of the Texas Senate Committee on Interstate Cooperation. Member of the Board of Managers of the American Legislators' Association.

UTAH

Senator Herbert B. Maw, President of the Utah Senate.

WASHINGTON

Hon. Florence W. Myers, Chairman of the Washington House Committee on Interstate Cooperation.

WEST VIRGINIA

Hon. Joe G. Gentry, Member of the West Virginia House Committee on Interstate Cooperation.

WYOMING

Hon. Henry D. Watenpaugh, Chairman of the Wyoming House Committee on Interstate Cooperation. Speaker of the Wyoming House of Representatives.

Senator Edward T. Lazear, Chairman of the Wyoming Senate Committee on Interstate Cooperation.

Saturday Morning Session

June 15, 1935.

THE opening session of the conference of the Planning Board of the Council of State Governments and the Chairmen of State Commissions and Committees on Interstate Cooperation was called to order at ten-thirty A.M., by the Chairman, Mr. Henry W. Toll.

I think we will all agree that we are here working on a major problem of American governmental structure. I believe there can be no doubt of that. It is the basic problem of governmental organization under a system established by the Constitution, which is now beginning to function with some difficulty. That difficulty has, within the last three weeks, reached its most acute stage since the Civil War, and we now find a condition of government in which every one believes that the functioning is unsatisfactory. We have arrived at something almost approaching a stage of breakdown in the combination of governmental and economic organization.

As I see it, we are confronted with three alternatives in this country all of which are bad, unsatisfactory, and somewhat unworkable. What the solution is, I'm sure I don't know.

The first alternative is administration of the economic affairs of the country by the federal government, under a system of uniform rules and laws for the country as a whole. It is not a satisfactory system because the conditions in California and in Maine, in Florida and in Washington are so different that a uniform system is not applicable.

The second is a system of non-uniform regulation of the country by the federal government. Under that alternative, you have a system by which a government made up, for instance, of men from New England, may determine a different set of rules for the conduct of business in New England than for the conduct of business in Texas. That is not a satisfactory sys-

tem because the groups from the various regions are not disinterested.

The third alternative is the handling of these matters by the state governments. The state governments have not shown, up to the present time, any capacity for handling their matters in a harmonious way. When we have state administration, we have conflicts. We have acute competition between states and between regions. We have confusion. And so that system does not seem to operate well.

It is also the viewpoint of some people that we might develop a system by which the federal government might be given broad powers but might delegate the exercise of these powers back to the states, somewhat after the fashion of the Canadian system.

Not a Party Matter

It has been my observation that since there has been such terrific pressure upon the federal government to exercise the powers which it has, the constant tendency is for the federal government to extend its jurisdiction and control, whether under a Republican or a Democratic administration.

We have come to this point. We have had a gradual expansion of federal powers by both Republican and Democratic administrations. When the Republicans are in, the Democrats criticize them for the extent to which they are encroaching upon states' rights. The truth is that both parties do the encroaching. Any party in control of the federal government is going to expand the federal functions as far as feasible.

I use the term states' rights, but I don't like it. It is not a question of rights. It is a question of utility. We have to appraise the states and utilize them to the fullest extent to which they can be of service, and

beyond that, we have to make readjustments.

Finally, in this gradual expansion of the balloon of federal powers, the Supreme Court finds itself at a point where it must make a clean cut decision one way or the other. It pricks the balloon. Down it goes, and we are back to the interpretation of the powers of the federal government which was current in the 1700's. As I see it, it is a last chance for the state governments to make good, to show their capacity for handling the economic affairs of the country under a system of local self government.

Frankly I am very skeptical as to whether the states *can* make good. If they cannot, then the inevitable consequence is going to be—within the next decade, perhaps considerably within it—an amendment to the Constitution taking extensive powers from the states and conferring them upon the federal government and then having the states operate, to a large extent, at the "sufferance" of the federal government, to use the phrase of the Supreme Court.

Coördinating Machinery

In that situation, we find ourselves confronted with the problem of whether or not we can develop systematic coördinating machinery for the state governments. There is only one project of that sort in operation in the United States and that is the one upon which we are engaged today. There is no other effort under way in the United States for developing systematic machinery of coöperation and coördination among the state governments.

How is that machinery going to be developed? The American Legislators' Association has been thinking about it for a number of years and as a result of that thinking it began to devise an organization to be called the Council of State Governments. About a year ago, the development of a Planning Board for this Council was completed, and we then began to study precisely how the Council should be developed in the various commonwealths.

Subsequently Senator Wolber of New Jersey developed the plan for a Commission on Interstate Coöperation in each state. Until then the American Legis-

lators' Association had broached the idea of a Standing Committee on Interstate Coöperation in each house of representatives and each senate. The plan, under Senator Wolber's resolution, went further than that and incorporated the original scheme of two legislative committees of five senators and five representatives supplemented by five administrative officials appointed by the governor, all of whom would constitute the state Commission on Interstate Coöperation.

The development of these legislative committees got off to a very good start at the beginning of the current year in various legislatures. At the present time, there are ten states in which there is one legislative committee on interstate coöperation; there are five others in which there is a standing committee in each branch of the legislature; and there are seven states in which there have been established state Commissions on Interstate Coöperation, of fifteen members each.

New Jersey established the first such commission about April 2. Since that time Colorado has established such a commission. The third state was Nebraska, the fourth North Carolina, the fifth Florida, the sixth was Pennsylvania, and New Hampshire is the last addition to the list.

I think we all agree such a record indicates that there is electricity, capable of utilization, in the state governments. The legislatures are responsive to this sort of suggestion. The governors are responsive to it. The administrative officials are responsive to it. If we can get properly organized, we can really start matters moving. If we can develop commissions of this sort in every state, with standing committees in each branch of each legislature, we will have a powerful organization. These official groups will be in a position to deal with any question where there is occasion for coöperation between the states, either among the forty-eight states, or among any regional group of states, or among any group of states economically allied but which may not be regionally contiguous. With that type of organization, regional coöperation will be greatly facilitated.

I anticipate that the time will come

when this Council will have, in the various sections of the country, contact men who will be going around to different capitals. Let us take for instance New York, New Jersey, Pennsylvania, Connecticut, Maryland, and Delaware, a group of regional states. Contact men would be going among the different capitals, keeping in touch with the legislators and with the administrative officials. Then when there came an occasion for coöperation, whether it be with regard to the treatment of criminals or the prevention of crime, or whether it be with regard to milk control, to pollution of waters or whatever it may be, you would have your machinery constructed, your man available and state officials or legislators would simply call on him. He would serve as a sort of secretary to start conferences between the legislative and administrative officials concerned with these perplexing problems. Such coöperation might take the form of compacts, it might take the form of uniform laws, or it might take the form of coöperative administration, regulations, and practices.

At this point I want to call on Senator Wolber, of New Jersey, to tell you something about the way the New Jersey Commission is functioning.

SENATOR JOSEPH G. WOLBER (New Jersey): In New Jersey we have organized our commission and since the adoption of the resolution last March our commission has had two meetings. At the first meeting, we appointed sub-committees to consider those problems which we thought, from the viewpoint of New Jersey, should be the subject of interstate coöperation. Those sub-committees took up the following questions: crime prevention, taxation, liquor control, milk control, motor vehicle regulation, labor and industry.

The subject which is in our minds particularly, at the present time, is that of labor and industry. On June 28 and June 29 of this month, at Spring Lake, New Jersey, our governor is inviting the governors of all the states of the union and the individual members of the committees or commissions on interstate coöperation to consider the subject of interstate coöperation with respect to labor and industry.

The Spring Lake Conference is also to

be predicated on the collapse of the NRA under the recent decision of the United States Supreme Court. Today in New Hampshire a committee headed by Mr. Bingham, and including Senator Parkman of Massachusetts, is preparing an agenda for the purpose of the Spring Lake Conference. While the agenda may be limited to the general subject of labor and industry, it will include the subject of hours of labor, maximum hours and minimum wages, child labor, and the allied subject of unfair trade practices. I expect to receive that agenda upon my return to New Jersey. I look upon this conference as a striking opportunity to move forward in this subject of interstate coöperation along definite lines.

I wish at this time, ladies and gentlemen, to invite you most cordially—in the name of Governor Hoffman and my colleagues on the commission—to participate in this two-day conference.

CHAIRMAN TOLL: I am glad that Senator Wolber has developed the possibilities in one particular field. Suppose we set up special groups of commissioners in the various states to work on labor compacts. They come together—one or two representatives from a state—in Boston perhaps. If they go back to their individual states and there is no formal organization there with which they can work, they are isolated individuals. They have to go around and try to sell the program to the senators. They then go back and try to sell the program to the members of the House. They try to sell the program to the governor and other administrative officials. It is a laborious process, and the chances are that the average commissioner who attends such meetings will not have the opportunity or the enthusiasm to carry him through the arduous work which is necessary to realize the aims of the program.

Under the New Jersey plan, after Mr. Paul, Judge Hartshorne, and others go up to Boston to participate in a conference on labor compacts, they return to Trenton to a meeting of a commission of fifteen including the five leaders of the senate; five of the principal house members, and five of the major administrative officials of the state who are representing the governor. The commissioners report to that group

and they have organized backing for whatever cooperative program New Jersey people consider legitimate and desirable.

I am going to ask Mr. Paul, who is chairman of the House Committee on Interstate Cooperation in New Jersey, if he will now say something giving us more of a general picture as to the operation of the commission in other fields.

HON. JOSEPH C. PAUL (New Jersey): I am chairman of the liquor control committee. We have had conferences with our commissioner, Mr. Burnet, and we were surprised to learn, through him, of the amount of bootlegged liquor sold in the state. He wanted us particularly to help him get some cooperation in attempting to meet that situation.

We also found that there are three major things to work out. First, the question of licensing, for example, in connection with trucks going from Florida to Pennsylvania. Some states charge a license fee just for the truck to pass through. It is thought that there should be a fee paid both at the beginning of the journey and at the end. The states should cooperate in that program. Another point raised was the question of labeling,—proper and uniform labeling. Different states have different laws as to how the label should be made, the size of the bottle, and how the bottle should be blown. It causes confusion. It is the commissioner's thought that we make more uniform the law of labeling.

Bring Control Boards Together

New York has a commission on liquor control, as well as Pennsylvania. It is our hope to proceed on the theory of getting the administration of the control boards to cooperate. We are arranging now for a conference with the New York Planning Board so that they may relay the suggestions to their liquor control board. In that way we hope to meet the situation, not directly, but through the medium of this commission.

The New Jersey Commission is also interested in the question of taxation. We are now in the throes of a sales tax. It is not very popular. Mr. Martin, our tax commissioner, is also a member of this commission. He has suggested uniformity of rules or laws concerning the question of

taxation. In New York today they have a city sales tax. A person from New Jersey can go there, buy anything he wants, and have it sent across the river tax free. In fact, the store keepers will encourage you to have it sent in order that you may evade the tax. The same situation exists in the New Jersey-New York flow of goods. We hope to get some reciprocity measure enacted between New York and New Jersey to avoid that dilemma.

I feel that we should have more uniform motor vehicle control. Upon entering another state the motorist is faced with a new set of laws and a new set of rules and regulations. With the ease of access which we have from one state to another today the border lines are almost unknown. Our sub-committee on motor vehicles is attempting to devise a set of uniform laws which will permit easier access from one state to another in that respect.

CHAIRMAN TOLL: One other member of the New Jersey commission is here and I think it is appropriate at this time to call on him. Senator Leap!

SENATOR S. RUSLING LEAP (New Jersey): Food is a very necessary and interesting item. I have the pleasure of being the chairman of the sub-committee on milk control in New Jersey. As we are situated between New York and Pennsylvania, both of which states are large producers of milk, New Jersey is confronted with the situation that we produce about forty per cent of the milk consumed in the state.

Three years ago we found the average price the farmer was receiving for his milk was, approximately, two cents a quart. We made a survey and learned it was costing our farmers approximately two and one-half to two and three-quarters cents per quart to produce the milk. On account of that fact we realized that necessary attention could not be given to the matter of production from the standpoint of health, cleanliness and other things. We attempted to control the situation by providing that no milk could be sold and retailed in New Jersey when it was purchased from the producers at a figure less than the amount which was set for the price to be paid to the producer in New Jersey.

Unfortunately our State Supreme Court could not see any logic in our viewpoint and told us we would have to stay within our limits. If milk was purchased in Pennsylvania or New York state we had nothing to say as to the price that was to be paid to those producers, and, naturally, we could not restrict the sale in New Jersey. It is really quite a serious problem. We have had consultations with New York and with Pennsylvania. We were rather hopeful that under the AAA set up some solution might be offered but, in view of the Schechter case, apparently we are getting nowhere from that angle, so we are now considering the matter of an interstate compact between the producing states that ship into New Jersey.

You might be interested in the suggested list of subjects drawn up by the sub-committee on taxation, of which our State Tax Commissioner is the chairman, and of which I happen to be one of the members. One suggestion is the possibility of an agreement to minimize interstate competition for tax exempt sales in interstate commerce and to minimize avoidance of sales taxes, either by permitting the selling state to impose the sales tax, or by permitting the receiving state to impose such a tax with appropriate provision for enforcement.

Second, compacts tending toward uniformity in regard to competitive taxes. One suggestion is a provision requiring notice of a fixed period, perhaps one year, before any state may reduce the tax rate below some tax standard such as the rates existing at the time of the compact, or rates existing at the time of the change, or the rate then existing in the adjoining state. Another is a compact as to reciprocity and exemption of non-residents in the payment of income taxes. Other suggestions are for agreements for exchange of information, for promoting uniformity respecting taxes in general, for efforts to promote uniformity in tax statutes to simplify the problems of the tax-payers, and for exchange of statistics to promote uniformity.

CHAIRMAN TOLL: Senator Leap, as the commission is functioning now, do you see any advantage in bringing together in a single commission the various interstate negotiations that New Jersey has in

progress? In the absence of such a commission, somebody in New Jersey would be negotiating on the criminal situation, somebody else in New Jersey, without any contact with that group, would be negotiating on the milk situation, somebody else in New Jersey would be negotiating with New York and Pennsylvania on the handling of parole and probation, and somebody else in New Jersey would be negotiating with Pennsylvania and New York on the question of migratory unemployed. Is it your opinion that there is an advantage in having those different negotiators all in touch with each other, through the commission?

SENATOR LEAP: Most assuredly. It affords a clearing house and you get more direct results. Unless there is some uniform method of exchanging ideas, I don't believe we would get anywhere.

SENATOR WOLBER: The fact that there is a commission in New Jersey today is already driving us into these various problems. For example, under milk control Senator Leap gets the cooperation of other state officials including the Secretary of the Board of Agriculture. On the labor and industry problem, I am working through the Department of Labor, even though the Commissioner of Labor does not happen to be a member of the commission. As Assemblyman Paul said, in the liquor control problem he is working with the commissioner of that department.

SENATOR LEAP: I think it would be an excellent idea if we would adopt a general set-up of committees so that the same committees would be in operation in each state, and the chairman of that particular committee would be made known to the chairman in the other states. So if there is a question of milk and the matter is brought up as between Wisconsin, Ohio, or Connecticut and New Jersey, we would immediately know the point of contact in those particular states.

CHAIRMAN TOLL: That is a very interesting suggestion. This question occurs to me. You could not have entirely uniform committees, of course, throughout the country. But, for instance, if the beet sugar states had a problem, each of the commissions in the beet sugar states might have a committee on that question.

In the cotton states, there might be a committee on cotton, and so forth. New Jersey would probably not care to have either a committee on cotton or beet sugar.

If it meets with your approval, my plan is to go around the table and call on each one of the conferees. I want to begin by going across the river from New Jersey and call on Senator Berg of New York.

SENATOR BERG (New York): State legislative committees can bring to the legislature a personal touch and the oral arguments necessary to assist their colleagues in intelligent voting, so as to bring about uniformity in the statutes. I believe these state legislative committees, by holding public hearings on these various subjects or problems, should in every instance forward to the American Legislators' Association a transcript of the proceedings. That wealth of information coming into this Association should then be forwarded to the appropriate committees of the different states by the Association.

If we set up machinery here that will endeavor to cope with local problems, we will have machinery that will be far removed from the people and will be unpopular.

I have enjoyed receiving the literature of this Association. I am glad to know we are trying to establish uniformity of action in the states. We ought to continue along that line. We ought to be able to write in to the central office for material. We ought to consider this office as a clearing house. For example, the book describing the state legislative reference libraries is a wonderful thing.

CHAIRMAN TOLL: Senator Berg, I am glad that you have raised these various questions. There is one distinction which I think should be pointed out. There are two organizations which have a joint secretariat. For ten years the American Legislators' Association has been functioning, with increasing momentum. That is primarily, as I see it, the organization of which you speak, a professional association of law makers, primarily concerned with such problems as the improvement of the organization and procedure of legislatures, and the maintenance of a clearing house of information for the legislators.

The secretariat here has made a great

effort to try to collect such hearings as you speak of, records of reports of committees, and any records of hearings, and it is very eager to bring together all that sort of material in order that there may be a clearance between the legislatures of all the knowledge and counsel available. — That has been developed in the respective states, but as time has gone on and the American Legislators' Association found itself more and more involved in the question of effective contact between the state governments, this situation has come about:

The Pennsylvania Legislature, for instance, entirely spontaneously and without any warning to the secretariat of the organization, passed a resolution requesting the Association to call together a conference of the seventeen northeastern states concerning motor vehicle legislation and control. Then the question came up as to contact between the states in tax matters and so forth. As soon as you get into the question of effective contact on motor vehicle problems, and there is no use in our work if we are not going to make our contacts effective, you find the legislators alone cannot do the job. You have to have the cooperation, the participation, and the understanding of the administrative motor vehicle officials and highway officials. More than that, if you have the legislators and the administrative officials, they cannot do a complete job unless the governors are working with them. You have to have the participation of the legislative, executive, and administrative groups. When you get into the tax field, to attempt to maintain efficient cooperation between states on taxation simply through legislators is hopeless. There must be the participation of the administrative agencies of the state in the tax field, partly because of their technical knowledge and partly because they are going to have to carry out the legislative policies. Then there must be the sympathetic and active participation of the governors. So the American Legislators' Association felt there must be an agency in which there would be participation by all those groups.

It was thought that there should be a Council of State Governments in which government administrative officials, executive officials, and legislators could all sit

down together and work out these problems of contact between the state governments.

Maintenance of Contacts

The question arose: how are you going to maintain these contacts between the governments? You cannot put your finger on the state government. What is it? Where is it? Who is it? Is it the whole organization? So if you want to have a continuing, effective, systematic contact between the state governments you have to have a contactual group in each state. It was with that thought in mind that the suggestion was made that there should be some such group set up in each state.

This organization does not exercise any power. Power is exercised by the officials of the state governments. These commissions are set up by the respective states. Of course, such a Council does not have any power. We are not trying to develop any agency that will dictate to the state governments. Obviously, what we are trying to do is to make possible cooperation between those people who want to cooperate. The organization is built on the spirit of facilitating the desire for cooperation. The organization is not entitled to demand cooperation from anybody, either for the organization or for other states, but if there are officials who want to cooperate with each other and governments which want to cooperate with each other, then there ought to be machinery so that they can be in touch with each other.

I would like now to go to the extreme northwest and call on Mrs. Florence W. Myers, Chairman of the Washington House Committee on Interstate Cooperation.

MRS. MYERS (Washington): The thoughts which have been presented to us this morning promise to lead to something really constructive. I feel that reports of commissions are entirely too long for legislators to consider thoughtfully. That is where I think an organization of this kind would have a very distinct advantage.

There would be some one in the house and some one in the senate studying these problems, not only with a view to the laws in their own states but to the effect of cooperation with neighboring states.

The suggestion was made that perhaps one state might be interested in beet sugar, another in wheat, and so forth. Our state, of course, would be interested in wheat. We would be interested in milk control.

We have a good many laws in the West which you do not have in the East. I think the development of a clearing house would be a very splendid way to get these things worked out.

The question of labor and industry was referred to a few moments ago. I am working in the Department of Labor and Industry in our state. We have maximum hours and minimum wages for women and children and apprenticeship laws, but they do not apply to men. Now that the NRA is ineffective a man can be worked as many hours as he is able to stand on his feet, at as low a wage as anybody can be hired to take the job. You can work women only eight hours a day for six days a week, and the wage must be at least \$13.20. You can see what discrimination is made between the men and women. Who wouldn't have sixty or seventy hours of man labor as opposed to forty-eight hours of woman labor? In these days you can employ men pretty cheaply.

I believe these questions open up many things that would be of great value, at least to us in Washington. I shall be glad to hear from some of the other states.

The chairman made general announcements. The meeting recessed at twelve-forty P.M.

Saturday noon the conference met for luncheon at International House on the University of Chicago campus, and Saturday afternoon the conferees visited the offices of the secretariats of the various governmental organizations at 850 East 58th Street.



*Conferees, Staff Members, and Guests at the Saturday Evening Dinner
of the Council of State Governments*

Saturday Evening Session

June 15, 1935.

THE meeting was called to order at eight P.M. by the Chairman, Henry W. Toll.

CHAIRMAN TOLL: I have asked Professor T. V. Smith to preside at these deliberations, on one condition, that he will not feel he is subject to the limitations that some toastmasters feel they are under; namely, to say nothing except to introduce the other speakers. I have insisted, in getting Senator Smith to serve as toastmaster, that he first give us an inkling of his philosophy of government.

TOASTMASTER SMITH: Mr. Chairman, Ladies, Gentlemen, Politicians, Professors, and Statesmen: I had meant to confine my remarks this evening to the professors and politicians. But sitting beside my colleague from south of the Smith and Wesson line, Senator Oneal, and hearing his soft, southern voice, has stirred all of my ancestral but slumbering chivalry. I must begin, I think, with a word to the ladies, who will be henceforth ignored except those who classify as professors, or politicians, or both.

I read some time ago the story of the creation of woman, the Hindu story. It says that when the god of Hindu mythology came to make woman he found he had used all of the solid material he had in making man and the other critters, so he had nothing out of which to make her. After profound and divine meditation he took the roundness of the moon, the undulation of the serpent, the untwining of the climbing plant, the slenderness of the rose stem, the glance of the mist, the inconsistency of the wind, the timidity of the hare, the vanity of the peacock, the softness of the down on the throat of the swallow, the warmth of the fire, the chill of the north, the chatter of the jay, and the cooing of the turtle dove.

After putting all those together for the formation of this divine, devilish creature, he made a present of her to man. Perhaps

my story ought to stop there, but for the sake of the moral to be drawn later I shall finish the Hindu story.

Man went his way for five days and then came back to the god, as the scripture goes. He said, "My lord, this creature causes me more annoyance than pleasure. She laments for nothing at all, she is always sick. I beg of you to relieve me of her." And there was granted the first human divorce.

The man went his solitary way for five days more and came back saying, "My lord, my life is very solitary since I returned this creature. I remember she glanced at me from the corner of her eye; she played with me; she clung to me. Won't you give her back?" And the god graciously restored her.

This time only three days passed when the man was espied coming back once more. He said, "My lord, I am sure I don't understand exactly how, but I repeat, this creature causes more annoyance than pleasure. I beg of you to relieve me of her."

The god answered, "Go your way and do your best. You cannot live without her either." The man went his way saying, "Woe, woe is mine, neither can I live with her, nor without her."

Gentlemen and Lady Legislators: The world of important personalities in our day falls into two classes, politicians and professors: If there are any professors here tonight who do not acknowledge that, at the same time also, they are politicians, I only remind them of their being here. It is a fact that they are the scavengers after the politicians. Presuming they will not accept this honor, I think I may address you now as, Politicians All.

What Is a Politician?

I always secretly rebelled, when I was a mere professor, at the reputation which politicians have achieved among men of presumption. Long ago, the great specula-

live thinker of our western world, Plato, wrote this as a definition of a politician. "A politician is one who traces the degree of his art as follows: a man who belongs to the conscious or dissembling action of his art of causing self contradiction, is an imitator of the purist, and is separated from the class of the fantastic, which is a branch of image, into that further division of creation, the juggling of words, a creation human and not divine. Any one who affirms the real politician to be of this blood and lineage will be saying the exact and veritable truth."

When I was a professor, I resented that characterization of this ubiquitous and everlasting symbol of human energy among us. After I aspired to become a regular hard-boiled "he-politician," I resented the remembrance of that characterization, and my blood boiled even more when I read the modern effort to paraphrase Plato in this definition of a politician. "A politician is a gentleman who can tell a lie in such a manner to another gentleman, who is also a politician, that the second gentleman is compelled to let on he really believes the first gentleman, although he knows the first gentleman is a liar, who knows that the second gentleman does not believe him. Both let on that each believes the other while both know that both are liars."

This ancient and modern travesty of our noble art, of which now we are all practitioners, has set me, as a professional moralist, to reflect upon the virtues of politicians, to offset these ancient and dishonorable attributions of vices.

I have asked myself oftentimes in the Senate of Illinois: What are the peculiar, the unique, the differential virtues of the politician par excellence? I have said, too, that in other professions there seemed to be an outstanding crystallization that came as a result of the professional function. I have said to myself that if we called the lawyers keen and at the same time cussed, and if we called the engineers dull but accurate, and if we called the doctors taciturn and serious, whether they be osteopaths, homeopaths, or allopaths (all these paths of glory lead but to the grave), what could we say, in similar vein, and in determined effort, accurately and justly to characterize the politician or his professional virtues?

In answer to that question, I have come

to the conclusion, by watching this animal in action, that he is characterized by two virtues which, to my way of thinking, are outstanding virtues from any serious, moralist point of view of the race of mankind.

If we think of men as being engaged in the triple quest for safety and income and deference, and then we think of all professional groups as being the servants of this universal triple quest of mankind, we may say of the business man, in general, that, himself centered upon income, he evaluates, and promotes to a level of principle, the notion of income among other men.

If we may say of the doctors and the lawyers and the ministers that, themselves in quest for security or safety, they have evaluated this into a principle of human conduct which they will serve.

Virtue of Deference

Then I think we may say of the politician, as such, that he is out to do *deference* to men. It happens, I think, as human beings, that we are all deference hungry. We want income and we want safety, but give us the right amount of deference and we will give up our income and ask no more safety than the continuation of the praise.

If one thinks of theology, as the dean of one of our divinity schools, recently retired, once characterized the theologian, as being the transcendentalized politician, then you sit high in the heavens as well as spread over the earth in the notion that since the divine being himself is hungry only for glory, praise, and honor, that this becomes the basic guiding hunger of all animate life.

The politician, above all men of our time, or of any time, I suspect, is the man who sets out, professionally, to feed the hunger for deference. He is himself a deference hungry man, otherwise he would not be in the game. He understands what men rate first everywhere.

Under the guise of answering my own correspondence, which is small—never reaching more than one thousand telegrams a day, which is the maximum, and five hundred letters—when I go into our stenographic pool to watch the mermaids playing at the typewriter, I proceed to dictate. But as I sit around and listen to the other senators answering letters that come

to them, I come to the conclusion that not even the psychiatrist, performing service for mankind, performs the service of the politician. For if the letters themselves approve the politician's stand, the politician makes it appear that the correspondent has discovered new and weightier reasons for this course of action than he himself had discovered. If the letters are against his stand, he makes it appear that the question is evenly divided, and that a reasonable man might even be more reasonable if he took the opposite position.

This seems to me, Fellow Politicians, not a reason for merriment, but a matter for profound and everlasting gratitude. If the politician's trade became, overnight, bankrupt, half of the respected and well balanced citizens would be cases for the psychiatrist, and he would never be able to handle them.

So we may say, I think, that the politician in his discovery of the basic motivation of human nature, and in his well sustained and artistic efforts to satisfy the deepest hungers of human nature, is the secular priest of humanity, sacrificed all too often to satisfy the hungers of the people.

Magnanimity

The second virtue that seems to me to belong, in extraordinary degree, to the politician, as such, is the virtue of *magnanimity*.

Vacationing some months ago in the Ozarks, I camped for two days with an old Arkansas farmer, who had tobacco juice running down both corners of his mouth, and who, in the course of forty-eight hours, got pretty friendly and told me the story of his life. The last hour we spent together was a revelation to me of what human life lacks and, therefore, what this virtue of the politician serves. To make a long story short—it was an extremely interesting story to me—he told me of a neighbor who, fifteen years before, had moved his fence over on my friend's land three inches, from one end to the other. He said, "I got out my shotgun, as any self-respecting man would and started out to make him put the fence back over where it belonged."

That was an old story to me, born on a Texas farm and reared on a Texas farm. This is, as perhaps not all city slickers know, the perennial problem of the farm—

where the fence belongs—and three inches is as good, or as bad, as a mile.

He said, "My wife caught me before I got out of the house and made me put up the gun, and rather than have trouble with her I finally decided not to have the trouble with my neighbor. But I vowed then and there I would get even with him, if it took me all my life. That was fifteen years ago, professor, and last month he got what was coming to him."

"He was something of a horse fancier. He couldn't afford to own anything except just work horses, but he was crazy about race horses. I came into possession of a young horse that could do four gaits almost perfectly, when he was in the mood, which was not often. Every time I caught him in the mood I rode him by my neighbor's house, up and down the road, as many times a day as I could find an excuse for doing so. Finally, I found the poison was working. I caught my neighbor looking at this horse from under the corner of the barn one day, and I knew the arrow had struck home."

"Two weeks later he came over to me, for we were still on distant speaking terms, and talked about horses. Finally he came to the question, and wanted to know if I would trade the horse. I said I would not. My neighbor had one of the best work horses in the Ozarks, without a doubt, and I needed a good work horse. My horse was good for nothing but going through the saddle paces on 'fair' days. I nursed him along for several days and then he offered to trade even. That was a gorgeous trade but I would hear nothing of it whatsoever. Finally, he was willing to give me a substantial 'boot,' but I wouldn't listen to his talk. I waited until horse trading on Monday, in town, when all our neighbors and friends were there, then I let this fellow drive a bargain with me to give me twenty-five dollars to boot and trade these horses."

Again, I'm not sure you city slickers know that twenty-five dollars, in the Ozarks, is worth almost a holding company job in the utilities. It is money, big money.

My friend said, "I took it, but that is not the point. This was 'off day' for the horse. I had seen to that. My neighbor got on the horse to ride him away. The horse balked. He spurred him a little and he kicked him off. He had to go through the humiliation of paying a man a dollar

to lead this fine riding horse home. I tell you, professor, it was the finest day's work of my life."

The politician learns very quickly not to harbour grudges. Even Carter Glass and Huey Long, so the press reports say, had their arms around each other the day before yesterday. The politician learns, first, by behaving as though he liked the guy, and, finally, he does learn to like him. As Carlyle long ago pointed out, "I have had dinner with him, a man whom I despised, but never had breakfast with one whom I disliked."

The great fatality of this human existence ordinarily is that if you subject yourself to one another for a little while you get even to where you understand the other fellow's vices so well, they lose their stain, and you rather sympathize with him. As Clarence Darrow once remarked, "I drag out my murder trials as long as possible because many a man will hang a stranger but not one man in a thousand will hang a friend." The politician learns, if not instinctively, very early—by hard knocks—not to harbour grudges. He acts as though he likes his fellow politicians, and pretty soon he finds he does like them and it is impossible not to like them. In a very small way, perhaps too humble for your sophistication, but in a sense that is very real to me, he possesses the greatest human virtue, the virtue of magnanimity.

A Corner on Virtue

I submit to you that a man whose professional business is to feed everybody else with the deference for which they are hungry, and to act toward his colleagues with whom he is associated in terms of the highest human virtue, that of magnanimity—such a man has the corner on the moral virtues of modern men.

After all, I imagine your experience follows mine fairly closely. In my brief experience the problem is not how to get along with bad men. It has been the problem of how to get along with good men, men who insisted on being good—in such cussedly queer ways, rather than in my way—that it seems impossible to get along with them until you come to recognize there are almost infinite orders of goodness, as there are orders of ability, that each one has to be regarded as *sui generis*, as it were, and each

one looked upon as a phenomenon in its own right.

The politician has achieved the supreme virtue of taking all interests as legitimate, of setting himself to the task, in the light of discredit, by that tolerant recognition of bringing to pass a compromise between conflicting interests, all of which are equally legitimate, at least at the start. He is, in fact, in my opinion, a man who learns to compromise an issue without compromising himself. He is a man who learns to give away an issue in a pinch, without giving himself away, and in a civilization, even in the western world, in which very rapidly we come to the impasse described by one of our New England poets, Robert Frost, who said:

Some say the world will end in fire,
Some say in ice
From what I have tasted of desire,
I think I would hold
With those who favor fire.
But if I had to perish twice,
I think I know enough of hate
To say that for destruction
Ice is also great
And would suffice.

Between the developing lines of the revolutionary spirit, the incarnation, politically, of fire, and the lion's holding of wealth, and distinction, reserved as ice, unless we can grow more of this breed of politicians who can compromise an issue without compromising themselves, we shall find ourselves in worse plight than I expect ourselves to be found in. For the politician, with his determination to feed the deferent hungry, knows how to call upon other men so as to find them there and knows himself well enough so that when he calls upon himself, he finds himself at home.

I will say then, if I may, that in my estimation the politician, whose virtues in one way or another we shall all celebrate tonight, is the man who pours oil, crude or refined, upon the troubled waters of this human life.

I am going to turn now to a man who can speak for all classes alike, a man who needs no introduction to this group, the Executive Director of the Public Administration Clearing House, Louis Brownlow, the intangible Brownlow, academic amateur, intellectual

gallant, administrative practitioner of the highest strategy, true cosmopolite!

MR. LOUIS BROWNLOW: It is difficult to attempt to say anything after such a devastating introduction as that. I avoid, of course, admitting that I am a politician. I have avoided with equal skill any charge, which never yet has been made, that I am a professor, by pretending to be, at any rate, an administrator. Administrators, of course, are sometimes known as those persons who attempt to protect the processes of government from the evil machinations of the politicians and also they are those who, because of their ineptitude, have prevented government from enjoying to the full the curative and remedial properties of prescriptions that have been written by the professors, especially those of political science, because very few of us heretofore have had the opportunity to hear a professor of philosophy in full flight.

Novel Problems

As I sat this morning at the meeting of the Council of State Governments, seeing and hearing men and women who are members of commissions or committees on interstate coöperation, hearing only too briefly because they mentioned by title some of the problems that are coming before these commissions and committees; as I heard them one after another, it occurred to me that practically all of these were problems that no one knew anything about when the Constitution of the United States was written.

We are now faced with problems that have come about because of the advance in the use of machinery, the extension of power of mankind, and of animal kind, by the use of the machine in a period which we call the machine age. As we went around the table in that conference, which is to be resumed tomorrow, we heard much about machinery. We heard from one man that this Council of State Governments ought to confine itself, perhaps, to the problem of machinery. We heard throughout all of the discussion the need for developing new machinery by which the forty-eight states could arrange more effective coöperation than they have yet had.

As I listened, it seemed to me that perhaps one of the things we have talked too little about when we are considering ma-

chinery is that all machinery is a conflict, that its very operation is built upon a conflict of interests, that there are, as Senator Smith said, a great variety of conflicting interests that are, at least in the beginning, legitimate. It is perfectly legitimate for one piece of metal to resist being abraded against another piece of metal. And the machine age, after all, without taking away any of the deference that has been due to the great contrivers and inventors, never achieved its important place in the social life of the world until we discovered great reservoirs of lubricants.

Senator Smith has told us that the politician is the one who pours oil on the troubled waters. May I take a figure of speech from the pre-machine age, when there were rude tools with which men fashioned ships, rude looms upon which men wove sails? Men trusted that vessel in those days with naïve ingenuity, dependent as it was upon the use to which he put the winds of heaven. Now he drives his vessel through the waters, or over the earth, or through the air by machinery. That machinery depends always upon the reduction in friction which is accomplished by lubrication.

In the political world, I think the word we have used, for lack of a better word to represent this function of lubrication, is coöperation. Coöperation is not a very good word. Some one said to me a long while ago, and I have repeated it very often, that coöperation is that sort of operation in which the other fellow operates while you are expected to coo. And too often it certainly is an approach, from one side or the other, in that spirit.

Grease on the Axle

After all, we cannot compose our differences. We cannot compromise our conflicting interests. We cannot make the thing go at all unless it is well bridged, and that is the job we have before us, when we attempt to set up machinery for better coöperation. We have to remember that what we are trying to do is to reduce friction. We are not trying to destroy any of the component parts of the machine. There are a few of you who are old enough and rural enough to know what I mean when I say what is needed is grease on the axle. If you destroy either the wheel or

the axle, each of which is screaming at the other in pain and conflict, the wagon is destroyed.

When we talk today about state government, we hear much about the destruction of states by the encroachment of the power of the federal government. If any of you ever were, as sometimes I suspect in meetings of Senator Toll's organization none of you has ever been, a citizen of a county or a municipality, you perhaps would hear also how the encroaching power of the state capital is destroying local self government. It is very odd, of course, to see the attitudes we take at different times of the day with respect to these problems.

You are a citizen of a local government, of a state government, and of the federal government. While you may escape it, yet few of us have endeavored to escape our rights and privileges and to demand services from all three of these levels of government.

What I think we have failed to do so absurdly in this country is, in the first place, on what I call the horizontal level, to have no machinery whatsoever for coöperation among these forty-eight states. As Senator Toll and others of this organization have pointed out, there is more and better machinery for coöperation between the government of the state of Texas and that of the kingdom of Sweden than there is between the state of Texas and its neighboring state of Louisiana or Oklahoma. We have sent senators and representatives to Washington but we have not a diplomatic corps in the states.

In every community there is a total sum of government. One part of that, whether it be a great part or small part, you may put as a column down on the left hand side labeled, "functions performed by the federal government," and the rest is performed by the forty-eight state governments and their political subdivisions. With respect to that area outside the sphere of the federal government, those forty-eight states are sovereign, independent nations. Yet they are the only forty-eight sovereign, independent nations in the world no one of which had a department of foreign affairs until these commissions and committees on interstate coöperation were appointed, most of them in the year 1935.

That is your job. That is the job of the Council of State Governments. I believe

it is a job in which a great deal of good can be done. I believe you are attacking it in the right way. I have been tremendously impressed by what I have already heard at this meeting, greatly impressed by some of the other things, such as the Tax Revision Council, in which for the first time, federal, state, and local governmental representatives are assembled in one body to study the problem not only of taxation, but of the proper allocation of the functions and services of government among these three levels.

Vertical Coöperation

Partly because I have had some little experience as an administrator in the federal government and partly because I have never been associated with state government, I believe I shall, nevertheless, hazard this warning, that in your work of facilitating the coöperation among state governments you will do well to remember one thing. In our complex social, economic, and political situation, whatever good you may do will not be the full good of which you are capable unless you realize that there is a possibility of coöperation in the vertical plane as well as the horizontal.

I believe we are going to get further if we do not consider that everything a state government is doing is necessarily inimical to the interests of the federal government, or of the local government, and the same thing is true, viewed from the point of view of either the upper or lower of these three levels. Each of us is a citizen of all three. Each is going to live under all three. Each of us is going to demand the services of all three, and each of the three levels of government is entitled to call upon us to perform and discharge our duties as citizens. Let us then think rather in terms of federal, state, and local government. Perhaps some services would be better performed if the responsibility were divided among all three.

The odd thing about all this is that we have gone on from 1789 until 1935 and this is the first time an attempt has been made to set up machinery to explore the possibilities of coöperation among the forty-eight states of this union. It is not oil—crude or refined—upon the troubled waters that you are required now to deliver, but it is a full quantity of the highest quality

of lubricant in the forty-eight cylinders.

TOASTMASTER SMITH: I am glad, ladies and gentlemen, that this is rather a high-brow assembly, because I am afraid at least one metaphor of our distinguished speaker might be misunderstood as some of my early letters to my constituents were. He spoke of grease on the axle. That would be understood, in some legislative circles, as grease in the palm, but he does not mean that any more than when I replied to certain letters relative to a certain issue, that my mind was not yet made up in regard to the issue, that I required further persuasion. I began to get, indirectly, intimations of types of persuasion that I had not intended at all. We have to temper our language according to the levels of life.

I now desire to present Senator Joseph Wolber, of New Jersey, who I am informed, if the legislature of New Jersey ever adjourns, is to become judge of the circuit court in his state.

SENATOR WOLBER: I was very much interested in what the toastmaster had to say about the politician. I find that at the close of a political career, the professor of philosophy has given me the answer I have had so much difficulty in propounding to my political audiences during my campaigns, relative to the politician. I remember very well when you would address a so-called highbrow audience you would like to avoid reference to the politician, because that usually carried with it a shrug of the shoulder or a raising of the eyebrows. In order to withstand the effect of that reaction of your audience, you would say, "Well, I mean the politician in a broader sense, not in a narrow sense."

I am not one of those who think that by the splendid interest in state coöperation, or shall we better call it friendliness between forty-eight states of the union, we have all to go back to the horse and buggy stage. I come from a state which has participated for many years in the use of the compact clause of the federal constitution in trying to promote friendliness among our neighboring states. It was the state of New York and the state of New Jersey, back in 1833, who determined by compact the question of jurisdiction over crimes committed on the Hudson River.

It goes to show how wise the forefathers were when they adopted the federal con-

stitution. New Jersey, notwithstanding the boundary line extended to the center of the Hudson River, let New York assume the jurisdiction over criminal law violations in that waterway, and it is not altogether a long cry from 1833 to 1935, when right in our own legislature in New Jersey, my colleague, Senator Leap, is trying to settle the same question of jurisdiction with the neighboring state of Delaware.

About twenty-five years ago we had a sewage disposal problem in the state of New Jersey. Our neighboring state of New York called us into the United States Supreme Court. While we were permitted to continue a specified amount of treated sewage disposal into New York Harbor, the opinion of the United States Supreme Court in that case admonished us that if the time ever arose when the discharge of that system into waters of New York Bay became inimical or injurious to the interests of the people of the state of New York they would have a right to come back into the Supreme Court to secure relief.

Litigation Not the Best Way

Today, with all the litigation, after trying to use the technical means of protecting what seemed to be our legal rights, we find ourselves in the position of recognizing that the only fair, practical way in which these rights can be handled must be on the basis of neighborliness and coöperation among the states involved.

So I say today that with the Council of State Governments in existence we have a realization greater than ever before, with all the new developments, with the clear enunciation of the distinction between the powers of the federal government and the state governments, a realization that puts us all in a friendly and coöperative spirit. If it were not for that instrumentality how could we, representing the states of the union, understand the viewpoint, the attitude of mind toward those problems which are common to some of us regionally, to all of us as members of one great nation.

Under the Supreme Court decision we must be filled with a wider recognition of the usefulness of the instrument that our forefathers, in their far-seeing wisdom adopted, as it must be applied to our modern conditions, complex and complicated as they may be. I say to you, my

colleagues of the Council of State Governments, here is our opportunity! Let us take advantage of it!

TOASTMASTER SMITH: In a moment I am going to call on representatives of three departments of a university that I shall not name, because it is a great hotbed of radicalism; even of *Redism* in America, and I do not want to break into the press at this inopportune moment.

May I bring back to you those incisive words of Emily Dickinson long ago:

"How dreary to be somebody,
How public like a frog
To tell your name the livelong day
To an admiring bog."

That is the cry, frequently, of the politician, but the preceding speech from a politician who is so soon to be relegated to a judgeship fits in beautifully with the verbal reluctance—on top of the drive for action—that all politicians have.

I have quite enough on the next speaker, but since I cannot command the right set of polysyllables in which to tell it I am going to let him tell it in his own inimitable verbiage. Professor Lasswell, from a certain political science department!

PROFESSOR LASSWELL: Mr. Toastmaster, assembled priests, physicians, psychiatrists, moribund politicians, judges: It gives me pleasure to be here this evening and to hear of this achievement of the new mythology, the mythology which enables this holy and long misunderstood profession to rise at last to the verbal grandeur with which it has been enrobed this evening by Senator Smith.

It seems to me that at last we are dealing with a group of individuals who are coming before us with that proud sense of avowed virtue which they have hitherto left to the professional philosopher, moralist, priest.

Hitherto, politicians, as I understand, have deferred to the sentiments of people whose color is black, yellow, or white; to people whose creeds are eccentric, opulent, profound; to individuals who feel that their local and regional interests must be adequately presented in the high and mighty places.

The forms of collective self appreciation which are competing with one another for

acceptance in the modern world have been our mythologies, with which your mythology must compete. I would surmise that this mythology must undergo some reconstruction, technically. You will notice that point one was: we are the individuals who will defer to you. We are the people who know that you are hungry for deference. We are thirsty for it, and we will undertake to do our best for you.

As mythology, I fear that is rather a poor verbal formula. First of all there is a certain kind of candor about it. There is a certain suggestion that peoples' motives are what they are. There is something that is too simple and human, earthy, obvious, and direct about that sort of thing. Many people, I fear, will be prodded into new forms of self realization under these conditions. I strongly suggest that no mythology that forces people to candid self-understanding is one which offers much for the future of those specialists who hope thereby to profit.

The second point seems to me to be equally vulnerable. This group arises and says, "We have a moral ascendancy. We are magnanimous; we stand for the virtues of generosity and kindness. Please put your head in our mouths." It seems to me that a profession of moral virtue, as a monopoly of any skilled group, is out of fashion in the modern world, that consciously, the future of this mythology would appear to require some supplementation, some achievement of impersonal verbiage which will not provoke people to those heart searchings which are implied in the brutal and vicious self disclosure of this remarkable phraseology.

I therefore suggest, and it is with real, genuine pain that I suggest it, that as I look upon this infant in this new myth, which is lying out before us unwrapped, we should undertake to investigate the possibilities for its survival. There are certain auguries which, as a candid observer of the future of infantile creations of various kinds, I regard with some alarm. I, therefore, suggest that if this infant which has been produced before us is to survive, it will require some form of disguise, some attainment of paternity, by the investing, if necessary, of affiliation with some immutable and impersonal law or principle in the name of which it can exert suzerainty

over the taxes, and the blood, and the deference of our fellow citizens.

TOASTMASTER SMITH: I think you will now understand the penitence I feel at not having shot my bolt. I had counted upon a tactic which I did not disclose, that if I did not quote the formula of Professor Lasswell's recent book, "Politics—The Citizens. Who Gets What, When, and How," he wouldn't recognize the rest of what I was saying as also coming from his recent book. But having been caught up in my own guileless style, I only repeat, in answer to all this polysyllabic diatribe that what I have said is as plain as the nose on your face, and of that nose one of my students recently wrote:

"Thou brave comrade, frontier of the face
Pioneer in darkness and leader of our race
Forerunner of fortune and espion of woe
Lead on, my nose, I'll follow
Where'er thou bidst me go."

I take great pleasure in calling upon another professor from a certain university, Professor Nef of the Department of Economics.

PROFESSOR NEF: Just two things occur to me on the spur of the moment that I might say to you. The gentleman from New Jersey spoke of these troublesome times, this crisis, and that is, I think, quite the fashion now. It is the fashion, I might say, to think of ourselves as being in the midst of a very special and serious crisis. But I wonder whether it has occurred to you, in another way, that this crisis is something which we are not going to escape, in the ordinary sense in which we escaped old crises, at least so it looks. Here I speak with a good deal of deference. I don't feel I have made any special study of the nineteenth century, but at least it looks that way to a mere economic historian who specializes in the sixteenth and seventeenth centuries.

It is common to say that America entered a new epoch when the frontier came to an end. My old and revered teacher, Professor Turner, was, of course, more responsible for that idea than any one else.

There is another sense, I think, in which not only America, but western society as a whole, and here I am speaking of western society not in quite the sense of Senator Smith, but in the sense of that society which

generated in the middle ages and of which we are, I think, very definitely still a part—the sense in which this western society of which we are a part has also reached a parting of the ways. We have all had it bred into us, as Americans, I think, more than Europeans, that economically, especially, we are progressing, that we are going on, and over a long period of time, which probably reached much further back than the so-called period of industrial revolution, which probably goes back to the reformation, we were progressing in an economic sense.

This process reached its culmination in the late nineteenth and early twentieth centuries. There were various factors which explained the reaching of its culmination. One of them was a movement in the growth of population which began, presumably, all over the western world about the middle of the eighteenth century and took in one country after another. It culminated toward the end of the nineteenth century so we can no longer look forward, as we could in that century, to a doubling or tripling of population over a period of a century.

Again a very happy or unhappy (whichever way you happen to look at it, I by no means wish to use the term happy in a giddy sense) set of circumstances which existed in the nineteenth century no longer exists. We have experienced a very rapid change in the basic construction of goods, first of all from wood to iron and then from iron to steel, which meant that we had to build everything over again. We cannot, in any measurable time, I think, look forward to any process of that sort.

Less Rapid Change

I could go on and cite other examples, but the conclusion I wish to draw is that we cannot look forward any longer to progress in the sense in which we have looked forward to it in the past. We are all adjusted to an extraordinarily rapid change. It is almost inborn. We must now change our thinking along these lines.

The second idea which occurs to me in regard to the very profound change that must come about in our way of thinking is that we are going to produce more goods, perhaps, than we produced back in the nineteenth century, but no longer is the rate

of growth going to be more rapid, consequently our whole make-up has to change.

One way in which we have to change, obviously, is a way which I think is in opposition to what was expressed by my predecessors who have spoken tonight. Although I did not hear the address, I believe I could subscribe to every word spoken by the president of the university to which I belong, in delivering the convocation address a few days ago. From what I have heard, he said that corruption is the principal vice which besets us today, and that if we are going to meet this vice we must change our whole way of thinking. We must try to remain what we were like when we were twenty. He was talking largely to men around that age. We must not lose the fresh ideas which we have at that time. More particularly, it is the duty, it seems to me, of men in public office—of which this body is largely made up—not to follow, but to lead. By that I mean we can set a very great example, it seems to me, for the margin with which we have to play. The margin of corruption is no longer what it was. We no longer have the same margin to play with; therefore we can no longer afford not to pay heed to some of these things. I think one of the most abused statements I have heard is that honesty is the best policy. If honesty is nothing but policy, if honest is not a good thing in itself, there is no point in honesty.

TOASTMASTER SMITH: In introducing the next speaker, I must say this one word, by calling attention to professors who are not yet politicians as to what they may do in their period of political inactivity toward the furthering of the standards of human life and the improvement of the machinery of political life.

The gentleman who will next speak to you was called upon some time ago to help Illinois out of a predicament that is almost a halter around its neck. We found it so nearly next to impossible that we dismissed in a short time the possibility of changing our constitution. We were in such a position that in the last election, when we voted on a constitutional amendment, if the total number of votes that had been cast upon the issue had been cast for it we still would have been far from adopting this possibility of change. Seeing this situation, this gentleman communicated with the people who

were active in politics. One of my fellow citizens of Illinois, whom I believe he does not know personally, has oftentimes spoken to me in the highest terms of the help he has had from this gentleman in working out a scheme that would make it possible for Illinois to get a constitutional amendment and a constitutional convention, if any appreciable number of the people wanted to propose it, under a system of counting straight party votes as votes for an amendment or for a constitutional convention, if the party for whom the vote is cast has endorsed the measure.

The measure which he proposed went through the senate with flying colors and would have gone through the house had not the metropolitan press come down like a ton of brick, out of fear of getting an income tax instead of the miserable sales tax on which we spend our time quarrelling. I am happy to introduce, as a politician under the skin if not on the surface, Professor Sears, of the Law School of a certain university.

PROFESSOR SEARS: It seems to me the average American really does not care a whit whether he gets what he wants from the local, state, or federal government. He wants what he wants and the government that gives it to him most quickly and to his best satisfaction will be the one, on that particular proposition, that he will favor. He is not much concerned with logical division of functions.

If the states would be more efficient in their government there would not be so much cry about the federal government usurping power. The federal government, as far as I can see, does not usurp things merely because those back in Washington are so eternally anxious to do it. They do it because of the pressure put upon them to take charge of matters where the feeling is that it is necessary to do it "that way," if we are to have satisfaction.

The last constitution in Illinois was adopted in 1870. In forty-four years we have adopted only one important constitutional amendment. Time after time amendments have been submitted. But Illinois, thanks to the research work published in the magazine *STATE GOVERNMENT*, we find is one of eight states where it is necessary, in order to carry that amendment toward a proposal to call a constitutional convention, that a majority of those going

to the polls on that particular voting day, favor the proposition. All the indifferent and silent votes are counted against it, under the most vicious system of voting which it has ever been my discomfort to know.

On Party Ballots

In studying the matter, I was amazed to find that between 1870 and 1901 in this state, out of five amendments proposed, five were adopted because at that time in the state, the method of voting on constitutional amendments called for no official ballot. There were written ballots, but the ballots were prepared by political parties and passed out at the polls by the workers of those parties. Therefore, all that was necessary, in order to vote for a proposed calling of a constitutional convention, was for the particular political group to write upon its particular poll ballot "Constitutional Amendment," and the person who took the ballot and cast his vote, assented to the proposition. That system seemed to be quite effective and was a system with which those who framed the constitution in 1870 were familiar.

Having had three changes in the law since that time, it occurred to me that it might be well to go back and try the method of voting with which those who framed the constitution were acquainted. That was the genesis of the movement Senator Smith has spoken about.

TOASTMASTER SMITH: To return now from the individual and specific concerns that engross us daily, to the higher levels

of the central note struck in our meeting tonight, let me say simply that we, as politicians, are engaged in a moral enterprise. It is an enterprise of great significance that touches suffering human beings every hour of each of our days. In its furtherance is wrapped up the future hope of our society. May I close by returning to the source from which I have learned all the philosophy I count worth reading, and a source to which not infrequently these days I return, namely, the poets. Rupert Brooke, out of the travail of a world holocaust, has written these simple lines:

THE JOLLY COMPANY

The stars, a jolly company
I envied, straying late and lonely
And cried upon their revelry
"O White Companionship! you only
In love, in faith unbroken dwell
Friends radiant and inseparable!"

Light heart and glad they seemed to me
And merry comrades (even so God out
Of heaven may laugh to see
The happy crowds; and never know
That in his lone obscure distress
Each walketh in a wilderness)

But I, remembering, pitied well
And loved them who with lonely light
In empty infinite space dwell
Disconsolate. For all the night
I heard the thin gnat voices cry
Star to faint star, across the sky.

The meeting adjourned at 10:30 p.m.

Sunday Morning Session

June 16, 1935.

THE meeting was called to order at ten-thirty A.M. by the Chairman, Henry W. Toll.

CHAIRMAN TOLL: I shall call first on Senator Grady, of North Carolina.

SENATOR PAUL D. GRADY (North Carolina): We in North Carolina are very much interested in this Council and in the American Legislators' Association. The matter came up last winter while we were in session. I was sent to Washington to attend the Second Interstate Assembly. On my return, while presenting my report to the General Assembly, I found that they were very much interested in it.

We were in a deadlock in our state for five months wrestling with the problem of the sales tax. While we didn't like it, we had it. We don't believe it will ever be satisfactory if it is to be adopted as a fixed policy of taxation. We think the tax should be limited at the source, collected by the national government, and distributed to the states on some equitable and fair basis. We think that is one of the matters this Council will handle by proper conference and proper committees from various states.

North Carolina is ready and willing to lend its coöperation. Following the last and most hectic session of the state legislature with which I have had the privilege of working (and I have been at that business for quite a long while), we realized that with the rapid means of transportation and of communication, problems that we once thought were only state-wide and which should be handled only on a state basis are no longer state problems. They have become national problems and require a national viewpoint, national solution, giving to each state its opportunity to be heard, to register its opinion and judgment and then, out of the whole, to arrive at some solution that will do equity and justice to all the states and all the sections involved.

With the Council of State Governments

working along hand in hand with the American Legislators' Association, I believe we are getting into motion a type of machinery that is going to answer the very needs and problems which I know have beset those of you from other states. I believe when you all realize that this Council is in earnest and is putting into this matter of coöperation between states all the best thought and the best judgment of men qualified to consider and to arrive at some solution of these problems, one by one your states will come into this Council as a unit, willing to make such concessions as may be necessary so that we may arrive at a solution which will give us the best system and best plan from a national standpoint.

CHAIRMAN TOLL: Mr. Gentry, West Virginia.

HON. JOE G. GENTRY (West Virginia):

I would like to know if there is a means of informing all of the states of the work this organization is setting about to do. I was talking to representatives of our newspapers at home and they are not familiar with this work, so I gave them the 1935 edition of the Book of the States. I think if we could enlighten the electorate of our states as to what we are trying to do, we would get farther and do more good.

I am sure that in our state, with ninety-four members in the house and thirty in the senate, only a very small group in each of the two legislative bodies knows what this organization is trying to do. I have enjoyed meeting with you.

CHAIRMAN TOLL: I think your suggestion is very sound—that in order to make the functioning of an organization of this sort effective there must be some popular understanding, both as to the purpose and motivation of the Council. We are endeavoring to do what we can. I think the sort of thing you have done goes further. Actual contact with the press through someone they know personally is a great deal

more effective than the dropping of letters and releases into mail boxes. It is the personal contact that really interests them and I think that anything you may do in the way of interesting the local press and the people in your community in the work in which we are engaged, will be of great service.

We do occasionally prepare newspaper releases which are sent to the newspapers in various parts of the country. In connection with this meeting, for instance, there will be two or three releases sent out, but, of course, it takes time for the newspapers to become familiar with it, to discriminate, to know whether it is something of significance or simply a newspaper release that has not any substantial background. Any time anyone wants a newspaper added to our release list, if you will kindly inform us, we shall be glad to comply with your wishes.

I shall next call on Mr. Uible of Ohio.

HON. FRANK R. UIBLE (Ohio): We in Ohio are slowly awakening to the importance of this type of work. In the last session we have become interested, as a legislature, in the possibilities of this Council. It seems to me that the general plans which have been outlined so far in our discussion have been practical and probably the most feasible manner of carrying on this type of work.

CHAIRMAN TOLL: We will now hear from Mr. Belknap of Kentucky.

HON. WILLIAM B. BELKNAP (Kentucky): I have long been impressed with the need for some sort of approach to our neighboring states. I once made the statement, and Mr. Toll has flattered me by using it a number of times since, that it was easier for the state of Kentucky to approach China than it was to approach the state of Indiana, across the river. We could go through the State Department of the Federal Government to get to Japan but we have no governmental machinery to approach Indiana.

In the past twelve or fourteen years, that need has grown tremendously. It has not been met by any other mechanism than the American Legislators' Association, at least not by any other organization which I know.

I have had very few original thoughts in my life and have no particular original thought on this subject. I think all of you

who have been working in this field have been impressed with the necessity for personal work in a regional way. We can make necessary adjustments through regional secretariats. These men won't know all about any one state, maybe they won't know their own state very well, but after two or three years of experience they will know a region pretty well, they will know the leading men, politically, in those regions, who to contact, who to get together, who, if they want to call a conference, will attend, what men will do the talking and what men they can count on to do some really good work. We need that kind of a liaison officer, as we used to call him during the War.

CHAIRMAN TOLL: I desire at this time to call on Senator Mastick.

SENATOR SEABURY C. MASTICK (New York): My friend Senator Berg made some remarks yesterday relative to voluminous reports issued by state commissions. I think he probably had reference to my latest report on local government reorganization, comprising about 700 pages. It is an interesting summary, but I know it is difficult for every one of us to read it. As I looked through some reports yesterday I found one from Indiana, one from Pennsylvania, and one from North Carolina, each on the same problem. That is one of the things I think this Council will need to give more attention to, a central agency to which we can write and determine whether or not we are duplicating effort. It costs money to do research work. That information should be made available through a secretariat such as we have here in Chicago.

The problems of all states are not the same. That is the reason for regional secretariats. The problems of the New York and New England states are largely industrial. The problems of the western states are largely agricultural, but each state has problems with its contiguous states. In New York we have had a successful experience in our Port Authority compact which went into effect in 1920. A comprehensive bill for the development of the Port of New York was presented in 1921, when I was a member of the Assembly. I think the compact had been made a year before. The authority built bridges and tunnels and buildings and has issued bonds for the erection and construction of these various

things and has been generally successful. It is composed of equal representation of authorized members from the state of New Jersey and the state of New York.

We have also coöperated with Pennsylvania and Delaware in the matter of our water supply, and with Connecticut and New Jersey in regard to water pollution. We are coöperating with adjoining states now, on the question of labor. I think we will find, as we go on, that there are many such problems which we can adjust mutually.

Tax Revision Council

I wanted to speak particularly of the question of competitive taxation, the problem of conflicting taxation, and the organization of the Tax Revision Council—although the Tax Revision Council is more interested in fairly allocating taxation than doing away with competitive taxation. In New York, we frequently hear the statement made that some company or individual or industry is going to go away from New York and move to some other state because the taxes are more favorable in the other state. It seems to me that is something to be ironed out by conferences between the different states.

I was impressed at the Tax Revision Council meeting in Washington by the point which was brought out, it may be by way of criticism, that every time a motion was made to take something away from the federal government and give it to the states it went through, but when a proposal was made to take something from the states and give it to the federal government it did not go through. It is an entirely one-sided proposition. You cannot trade when the trading is only one sided. We tried to trade some taxes—tobacco for electric energy or tobacco for gasoline. We found, however, that it was all right to trade only on something where we were going to get the benefit.

There must be give and take in this thing and I think we have to give up the selfish notion that any one state can avoid a proposition which would lead to a proper integration of that most important subject of the proper allocation of taxes and the proper allocation of the burden of taxation on the citizens of the locality, of the state, and of the federal government.

As Mr. Brownlow said yesterday, we are citizens of all three levels of government. All three have their functions to perform and all three must have taxation to support those functions. It must come from you and me because we are the citizens who pay the bill. Therefore, we are interested in seeing how these taxes are integrated and how the functions are allocated. That is the problem the Commission on Conflicting Taxation is trying to settle between the federal government and the states, and that the Tax Revision Council is trying to meet in connection with the three levels of government in this country.

CHAIRMAN TOLL: I think you can see from what Senator Mastick has said that if there is any one problem which we have an organization set up to tackle, it is the tax problem.

I shall call next on Senator Oneal of Texas.

SENATOR ONEAL (Texas): After four months and four days of continuous talk, in a body where there is no limitation on the talking, I shall ask you to notify me when my limit has expired.

When I received the invitation to come here, I was very glad to have it. I came with a question mark in my mind. That question mark didn't mean that I doubted the sincerity or the earnestness of purpose of this meeting, but rather as to what we might be able to do. I think there has never been a more opportune time for representatives of the states to do something than now, immediately after the decision of the United States Supreme Court, which throws back upon the states the matter of coöperating among themselves or of having taken from them, by constitutional amendment, the powers they have had heretofore.

We have had some experience with interstate compacts. Recently, as you men from Colorado, Kansas, and other states know, the oil states entered into a compact with reference to the production of oil. It is probably not all it should be, but we hope it is something that will stave off absolute federal control of the oil business and will permit the oil people to operate their industry. Oklahoma started this movement. Texas joined in it. The meeting was held in Dallas, Texas. Colorado has joined in this compact, has ratified it, and I think Kansas

and California have also done so. It remains for the federal government to enforce that compact. We frequently have had, and now have, compacts with adjoining states, with New Mexico in reference to water on the Pecos River, with Oklahoma in reference to the northern boundary of the state, with Oklahoma, also, in reference to building bridges.

In 1931 when the cotton situation became serious, we had a special session, and if at that time the idea of state compacts had advanced to the present level, I think the cotton states would have put some limitation on production. Texas produces one-third of the cotton in this country and at that time, the marketing price didn't pay for the picking. We passed a statute in Texas limiting the amount that could be produced for two years. In view of the fact that the other states did not follow suit and we did not go at it in the right way and one of our courts held the law unconstitutional, the effort did not produce results.

CHAIRMAN TOLL: Mr. Angell has, as angels should, flown here from Oregon to attend this meeting. It is a great pleasure to call on him.

HON. HOMER D. ANGELL (Oregon): We in Oregon have problems as you have, local problems and regional problems which go across state lines. On the Columbia we have the development of the hydro-electric problem which is not an interstate problem, although the state immediately adjoining it is interested. We have, in addition, the fishing industry which cannot be confined to state lines in connection with those states bordering on the Pacific. It is a large industry in our section of the country and has always been a big industry in the United States. It goes out beyond a single state's sovereignty, as our neighbors, the states of Washington and California know, and so we are all very much interested. We have attempted to solve those problems by cooperation among ourselves, voluntarily, without any outside help. We have not had very much success.

I think we, as an organization, can do a great deal in the way of cooperation and suggestions and advice, but if we become resigned to the fact that we are going to have a great deal more power lodged in the federal government than was intended by the Constitution, I think we will upset the

apple cart completely and be back where we started.

There are many problems, questions of taxation, and trucking legislation, and liquor control,—myriads of problems which a single state cannot solve alone. Yet I think it would be a great mistake indeed for an individual state to give up its sovereign rights over those problems. We in Oregon are very jealous of our rights. I think the states should continue to be jealous of their rights and of their sovereignty. I think we should do nothing as an organization to override that. The farther we proceed along that line, the more we will be defeating our own purpose.

CHAIRMAN TOLL: I shall next call upon Senator Weiss of Indiana.

SENATOR JACOB WEISS (Indiana): The first thought that occurs to me is: how can state compacts be made effective? I don't know of any way in which we can make the observance of a compact compulsory. I don't know how the state of Indiana is going to impose any penalty on the State of Kentucky for not observing interstate agreements. We make truck and bus compacts with the state of Kentucky. We try to cooperate in many different ways.

We have the Ohio River as a boundary line between Indiana and Kentucky. A court once said that the boundary line, as it existed at the time the boundary was fixed, should not be altered by the changing flow of the stream. We have a community in the state of Indiana known as Dade Park. Part of it lies within the city of Evansville in the state of Indiana and the remainder in Kentucky. Dade Park has gambling, horse racing, and every vice which confronts a legislature. We cannot do anything about it. We have tried compacts time and again with the state of Kentucky, without avail.

The thought occurred to me that we are overlooking in this meeting and, generally, in the United States something which has just been brought to the fore as a result of the recent Supreme Court decision. A very important point was made in the Supreme Court decision in the Schechter Case and the oil case that preceded it a month before, in regard to the delegation of power and authority to the executive branch. Are not we, in our discussion here, in our present approach to the question of

state commissions, doing this same thing? I am speaking of Indiana and cannot speak for the condition in any other state in the union. No administrative body, no executive deputy can come before the General Assembly and get anything done. Phil Zoercher has attended your meetings. He has been our tax commissioner for twenty-five years and knows taxes as I believe no other man does, and it is with all due respect for him that I say this, but he couldn't come to the General Assembly of Indiana and get any kind of report adopted.

My suggestion with regard to a set-up for coöperation between the several states is this: that we build legislative machinery. Let us say that the committee on interstate coöperation in the senate, which is now a standing committee by resolution, and a committee on interstate coöperation in the house, which becomes a standing committee by resolution, shall comprise the Indiana Commission on Interstate Coöperation, with a continuing appropriation for its expenses and for the maintenance of whatever it needs in the way of a secretariat.

In Indiana we have a permanent Legislative Reference Bureau. Perhaps this reference bureau could become the permanent secretariat for the permanent commission created by statute. Then if you want the coöperation or need the expert advice of an administrative head or executive head of the several departments of the state, call them in; by law, provide they must assume and perform the delegated job presented to them by this permanent commission on interstate coöperation.

We in Indiana have a practice, and I assume other states follow the same practice, of complying with agreements in which we are a party. I believe that if you can set up a permanent organization of that kind within a state you might be able to get something done. If you drag in the executive or the administrative branches with equal authority on this commission you will get nothing done. I speak with the highest regard for our governor and administrative officials, but I speak from a practical viewpoint.

CHAIRMAN TOLL: I think Senator Weiss has raised some interesting questions. I shall not participate in the discussion as to the present set-up of the commission, which will be a matter of discussion among

the conferees, except to say I think your suggestion as to an integrated relationship between the commission and the Legislative Reference Bureau is very sound.

Senator Graves, of Tennessee, has been active in this field. I might say at the outset that at the Second Interstate Assembly, Senator Graves headed a delegation of eight members, I believe, from the Tennessee Legislature who came to Washington—each man at his own expense—to attend the meeting.

SENATOR ANDREW J. GRAVES (Tennessee): We have not done a great deal about interstate coöperation in Tennessee, but I want to say to you that after that committee of ten visited and attended the conference in Washington there was a great deal of interest manifested upon our return to the legislature.

I found in our legislature, which recently adjourned, that there was a great deal of literature pertaining to the American Legislators' Association and the Council of State Governments. I feel that my state will soon make an appropriation to help take care of the expenses of this organization. I have been working on that for some time. It is a matter of education. You have to educate people as to what you are doing here.

CHAIRMAN TOLL: Apropos of one question raised as to whether the members of the legislature are conscious of the existence and function of the American Legislators' Association, I might say no one is more conscious than I am of the fact that there is great variation among the states. In some states the legislators are hardly aware of the existence of the organization; in others you find a very different situation.

We would like to hear from Senator Maw, President of the Utah Senate.

SENATOR HERBERT B. MAW (Utah): As I have been sitting here, I have been particularly impressed with one or two facts. The first is the need of an association such as this. I shall speak from the standpoint of Utah. Our state has a population of about half a million people, and an area of some eighty-three thousand square miles. Yet in that state we have some of the greatest wealth of the world. They tell us you could close down all the coal mines in the world except those in Utah and we would have enough to supply the world

for five hundred years. Some of the largest coal mines are in Utah, and I think my state leads the United States in the production of silver and many other metals. Some of these mines are owned by outside capital and although enormous wealth is taken from our state, yet every year we get very little of it. For example, one Utah copper mine alone paid in dividends, two or three years ago, thirty-four million dollars. Utah receives almost nothing, in comparison, from taxes on these mines. The primary reason is that a majority of the legislators are afraid to tax them. The same people who own the Utah mines own the Montana mines and the Arizona mines, and if we tax them they threaten to shut down in Utah and operate in Montana. They can go to Montana and say, "You tax us and we will shut down and go to Utah." If, through this organization, the Utah, Montana, and Arizona groups could get together and devise a uniform method of taxing this one industry we would solve a tremendous problem.

I suggest that it should be a duty of whatever committees are appointed, whether they be national or regional, to lay upon the desks of the legislators uniform laws to be passed and let the legislatures pass those laws with whatever variation may be necessary to fit their own particular state. If the mining sections could have uniform laws, the coal groups could have uniform laws, and all the states have uniform tax laws and liquor laws and things of that nature, we could do much to preserve states' rights and we could accomplish a great deal for the people.

CHAIRMAN TOLL: I would like to call next on Mr. Killian who is the chairman of the House Committee on Interstate Cooperation in the Arkansas legislature.

HON. CHARLES A. KILLIAN (Arkansas): It is a source of genuine pleasure to have this opportunity to be here, to listen, and to learn. We have had our troubles in Arkansas, just as you have had them in Colorado and New York. I was impressed by one or two statements made here in this respect. One gentleman referred to the industrial situation. Arkansas is, of course, an agricultural state and, incidentally, we have a small beginning of the textile industry down there. The New England states are highly organized. They have

strong unions. We can work our men and women unlimited hours. We have a state law but our wages are low. It causes a serious situation in competition with the highly organized centers. Directly or indirectly, it is a problem for the different sections of the country to solve.

I think this organization has a wonderful opportunity to get together and formulate plans for bringing the states closer together. They should be willing to cooperate. It is a matter of finding means and methods of doing that.

CHAIRMAN TOLL: We are very pleased to have with us the President of the National Association of Attorneys General. That organization, which has great possibilities, has been given a very distinct impetus during the administration of General Averill.

HON. ERNEST L. AVERILL (Connecticut): After attending the last meeting of the Interstate Assembly and before that, the meetings of the Planning Board of the Council of State Governments, it occurred to me that the attorneys general might experiment. So I called into conference the attorneys general of the New England and Middle Atlantic states. Our discussion at that conference was confined to interstate cooperation, and I found there was unanimous opinion among all present that they were heartily in sympathy with this movement. The interstate relationships between attorneys general have always been cordial. They have always stood ready to aid, through their legal departments, any sort of reciprocal agreements which might be devised among the states.

I think probably the most outstanding result of that conference was this: it was the opinion of those present that you can go farther, and can accomplish more, if you can get a group of people together to know each other, and to sit down and talk about their common interests. It impressed them so favorably that we have an invitation from the attorney general of Massachusetts to hold another regional meeting in his state, and the conference voted to accept it.

At the last session of the Connecticut legislature it was provided that the new highway bridge which is to unite New York and Connecticut should be placed in charge of our highway commissioner, who is to

make an agreement with the highway department of New York State, providing for its construction and the allocation of expense. A similar law was passed in New York, so these two states are willing to cooperate.

Provision was also made at the last session that the motor vehicle commissioner might arrange with any other state so that public service motor vehicles might come into our state without registration, providing they would permit ours to go into their states without registration.

We gave our milk administrator the power to confer and to make agreements not only with the federal government but with other states. We have a Boston milk shed and a Providence milk shed. We have a problem with Wisconsin and other mid-western states in regard to cream. So we have put our milk administrator in a position where he has the power to cooperate. We have passed three uniform laws—a uniform narcotic law, a uniform machine gun law, and a uniform excise tax law. In addition, we continued the Tri-State Commission on Long Island Sound and New York Harbor. We passed a bill establishing an interstate compact commission on labor and industry, which is cooperating with other states. It will be composed of one representative of labor, who will probably be our labor commissioner, one representative of the manufacturing industry, and one of the general public. We also provided for an interstate compact commission on waterways, which will apply to all New England states.

SENATOR WEISS: I am very much interested in finding some way out of the problems presented. I think they are very important for the welfare of our several states and the country as a whole. As I said before, I don't know how interstate compacts can be made effective when one of the states refuses to observe the provisions of the compact. Can someone help me with that problem?

GENERAL AVERILL: That question came up at the conference in Providence. In the first place, as I recall, the Supreme Court of the United States has the jurisdiction to enforce any compact between states. There are some compacts which provide that the courts of each state may be open to each of the parties to that compact. In some of the compacts between Vermont and

New York, at least, and perhaps some of the other New York compacts, they have introduced, recently, a provision that in case of any disagreement between the parties it shall be submitted to arbitration. Those are three methods which are in existence for the enforcement of compacts.

CHAIRMAN TOLL: It is a great pleasure to call on Professor Coker of Yale University, President of the American Political Science Association.

PROFESSOR FRANCIS W. COKER (Yale University): I suppose I have the distinction of being the most temporary conferee here. If there is anything an outsider can do for you who are continuing in your immediate relations with this Council and Association it is to evaluate what you have done. Rather from the outside, I think you are entitled to take a much more optimistic view than you do. You have already accomplished a great deal.

Already your regular publications and the reports of your activities are among the most valuable material there is available to students of government, both undergraduates and graduates. They have been utilized with a great deal of interest. To one with at least rather lengthy observation of organizations of various sorts, all the signs seem to indicate that this organization has one of the most promising futures of any organization I have observed in the last twenty-five years.

Our fundamental problems are not much different than they were at the beginning of this country's history, but the entire social, political, economic, and industrial environments are obviously changing, and we are too virulent a people not to solve our problems. The two alternative methods are to solve them by putting all the responsibility in Washington or to leave it with the states. It seems to me there is absolutely no hope of leaving it to the states unless they are going to consult and cooperate in just the way this organization is providing.

CHAIRMAN TOLL: We are also glad to be greeted by the arrival this morning of Dr. Luther Gulick, Director of the Institute of Public Administration, one of the two or three most important active research agencies in the field of government in the United States.

DR. LUTHER GULICK: I was much impressed by the statement made at the very

opening of our session today by Senator Grady of North Carolina, who spoke of the way in which problems grow up in this country. We see a problem arise in some particular area. It may impress itself only upon a given state, a little later we find that it is present in several states, and still later on it becomes what we call a national problem.

These problems don't wait. They boil up and something has to be done at the time the people suddenly become excited about them. If we don't have the machinery to meet these problems when they come to the threshold of public opinion we are going to see them handled by agencies that do exist. That is the greatest danger, as I see it, in the handling of problems by the local elements of our governmental structure.

Therefore, it seems to me as I look into the future, that it is of tremendous importance that there be established through the regional secretariats, through the Council, the American Legislators' Association, the Association of Attorneys General and these other groups, machinery that will be oiled and ready to act when a problem boils up.

The Senator from Indiana referred to problems of control through compact. There we tackle an entirely new problem with which we have not yet had adequate experience. The framing of the federal constitution came as a result, in part, of the failure to deal with economic controls through a confederation which was, in effect, a compact system. It may be that after we have experimented further with the development of control through compacts, particularly in the economic field, we will discover that the most effective and only satisfactory method of enforcement will be through the carrying of those problems into the field of the federal government. I think as state representatives, but as those

who believe the function should be placed where it can most effectively be performed, we want to be prepared to face that situation.

It does not seem to me that that implies giving up any powers which the states can exercise. It means the transfer, to the national administrative mechanism, of the control over powers which the states cannot themselves effectively exercise; therefore, there is no real loss of states' rights provided the institution of the program is so planned as to fit into the manifest needs of the country as a whole.

CHAIRMAN TOLL: Before we adjourn for lunch, I want to call on Mr. Zimmerman of the New York legislature, the author of the resolution which established the standing committee on interstate cooperation in the house and the corresponding committee in the senate of New York State.

HON. FREDERICK L. ZIMMERMAN (New York): I have heard something said about consciousness on the part of the legislatures of our organization. I think, in New York, I might define that as a state of semi-consciousness. Possibly my state is awakening to the usefulness of this organization because we did succeed in getting an appropriation through again this year.

My own personal opinion is that this is one of the most important pieces of work in which the state has engaged and there are others in New York who agree with me. Some of us in the legislature feel that in the process of centralization, or the tendency toward centralization which we have today, possibly the only way of saving some of our states' rights and at the same time solving our problems will be through an organization of this kind. If, after a time, we are willing to admit that we cannot seem to find a solution, then we must submit to centralization.

Recess at twelve-thirty p.m.

Sunday Afternoon Session

June 16, 1935.

THE meeting was called to order at two-thirty P.M. by the Chairman, Henry W. Toll.

CHAIRMAN TOLL: I shall now call on Senator Lazear, chairman of the Wyoming Senate Committee on Interstate Cooperation.

SENATOR EDWARD T. LAZEAR (Wyoming): There is no doubt in my mind but that this body can be one of the most effective organizations in the country. There is no end to the possibilities connected with the purpose of cooperation between the states.

I am very much wrapped up in this work and very enthusiastic. I do regret that under our form of government a man can build up interest and enthusiasm in this project, when he is a member of the senate or the house today, and yet be gone tomorrow. That is unfortunate, I believe. On the other hand, if other people come in and take our places, sooner or later we are to get more and more people interested in the work and it will not be long before Mr. Toll and the rest of his organization will have the whole-hearted interest of all the states. Some day we shall find former members of these committees attending these meetings in other capacities; a constantly growing number of people will be vitally interested and enthusiastic about the work. Then when we go into the different states with these proposals and different measures, gradually we are going to see, in the background, the influence of members of the third house, people whose enthusiasm was built up long ago. As I see it, our whole problem is to keep going along, having regional meetings and national meetings, such as the Interstate Assembly, with the idea of creating interest and enthusiasm.

As some gentleman said this morning, I don't think any newspaper publicity is very effective in a matter of this kind unless

there is personal contact. I would rather have fifty people leave this room enthusiastic than 5,000 people just lukewarm.

CHAIRMAN TOLL: The reference which Senator Lazear made to the Interstate Assembly prompts me to mention this fact. I am not sure whether this relationship is definite in your own minds, whether you realize what is going on here as to the Interstate Assembly. There have been two sessions of the Assembly, one in 1933 and one in 1935. At each of those meetings, each house and each governor was invited to send one or more delegates. At the 1935 meeting forty-eight states, either by legislative action or by the governor, or both, named official delegates to the meeting, and forty-two of the states actually got their delegates there. So it was an unprecedented gathering of the representatives of the states.

When a commission of the New Jersey type is established in a state, you have a chairman of the house committee, a permanent position; you have a corresponding chairman of the senate committee; and you have an administrative official appointed by the governor as chairman of the commission. Those three represent delegates of the type whom we have invited the states to send to the Interstate Assembly in the past. Were there forty-eight commissions of the New Jersey type, the personnel of the Interstate Assembly would be determined in advance, with each man holding a permanent, regular position in his own state. There would not be any occasion to ask the states to name delegates to the Interstate Assembly because there are these three chairmen from each state who would automatically be considered the official delegates.

I would like to call next on Speaker Watenpaugh of Wyoming.

SPEAKER HENRY D. WATENPAUGH (Wyoming): Certainly many problems can

be advantageously discussed at meetings of this type and at regional conferences. It has been brought forcibly to my mind, and I think to the minds of most of you here, that it is strictly up to the states whether we are going to have a continuance of state control, or whether the powers are going to be delegated to an authority entirely outside the states by reason of our failure to cooperate.

In connection with the matter of transportation, I think that motor vehicle regulation is an outstanding example of an instance where the states must cooperate if transportation regulation is not to be taken over by the Interstate Commerce Commission. That is something which is not sectional, although there are sectional problems which do affect each particular region governed by its trade areas, not by state lines, which are altogether man made, but by economic buying-and-selling trade areas.

We in Wyoming and some of the adjoining states would not be interested in some of the things that the eastern or southern states are interested in. However, we do have problems which are just as vital to us as your problems are to you.

A great difficulty in the western states concerns the equitable distribution of water for irrigation purposes. The states of Colorado, Nebraska, and Wyoming are continually having disputes over this question. There are cases in the Supreme Court of the United States now covering the use of water in those states.

Nebraska and Wyoming have had trouble, to a certain extent, over hay control. We have an irrigated district close to the border and hay is produced in Wyoming, Montana, and Nebraska. Wyoming and Nebraska won't let hay be shipped from Torrington, eight miles from the state line, down into the dry land sections of Nebraska, where they need hay. Of course, we know we have superior country in Wyoming, but apparently the alfalfa weevil doesn't infest the Nebraska hay, although the weevil is prevalent in Wyoming hay, according to the Nebraska entomologist.

Another thing which has been mentioned here has been the turnover in legislatures. At the Interstate Assembly in Washington, I learned that the science of government must be conducted by those who have first

mastered the art of getting elected and that after the next election some of us are going to find our political futures behind us. The best we can do is to preach the gospel of cooperation wherever we go, whether we are in the legislature or not.

CHAIRMAN TOLL: I should have said that Speaker Watenpaugh is himself serving as the chairman of the Wyoming House Committee on Interstate Cooperation. It now gives me pleasure to call on the chairman of the House Committee on Interstate Cooperation of the Washington legislature, Mrs. Myers.

MRS. MYERS: In the matter of cooperation, I cannot say that our state has done very well. Our neighboring state of Oregon sent a delegation to our state last winter. Their law calls for a three day lapse between the announcement of a marriage and the marriage itself. They wanted the state of Washington to do the same thing. Portland claims that a lot of so-called "gin marriages" come over into their state from other areas. They wanted us to do something about it. Unfortunately, the Washington legislature was just a bit irritated to have a representative delegation from the neighboring state come over the line, not to dictate to us, but to ask us to do something about their problem. I think the irritation was caused mostly by the fact that they came toward the close of the session, when each of us was trying to do our own particular job as well as we could. At the same time, that irritation did exist. The older members could appreciate what that cooperation meant and what it would mean to themselves and a neighboring state.

CHAIRMAN TOLL: Going from the extreme northwest section of the country to the extreme southeast portion, it gives me pleasure to call on the chairman of the Florida House Committee on Interstate Cooperation, Mr. Robineau.

HON. S. PIERRE ROBINEAU (Florida): This is my maiden appearance at one of your assemblies, therefore I am not versed in your project or purpose except insofar as I have been able to gather it from these discussions. All I can do is to give some impressions I have received from what has been said.

The thing which impresses me more vividly than ever is the fact that we still

have two definite schools of thought with reference to our government, as to whether it is a nation of one sovereignty, or a nation of forty-eight sovereignties, or whether it is a nation of forty-eight sovereignties and one super-sovereignty. As you may gather from my geographical location and from my political faith, it is my opinion that there are forty-eight sovereignties and no more, and that there is one agency to keep those forty-eight sovereignties in a state of amity, mutual coöperation, and protection.

It impresses me that the doctrine of forty-eight sovereignties has proved itself, accommodating itself, as it has, to the individual rights of states, which have been growing by leaps and bounds in economic wealth and political thought, which has provided greater political freedom and a wider distribution of wealth than has ever been enjoyed by any human society in the history of man. It is unreasonable that it could be said to have failed within the short period of a few years, after 150 years of wholesome, progressive, advantageous development.

What are the troubles? Our troubles are that when any two sovereignties adjoin, each is jealous of its rights, prerogatives, privileges, and hopes of expansion. We find conflict between their two purposes, and, of course, the whole theory of universal peace is going to be based on just what we are going to work out. We have demonstrated for 150 years, with one slight unpleasantness, that it has been possible for this family of sovereignties to get along and do so progressively and advantageously. The whole world is sometime going to find out that the thing can be done.

The beginning of that doctrine of universal peace is in the laboratory of American government. It is to be the result of coöperation, a voluntary *entente* carried out between neighboring states so their regional problems can be solved by mutual discussion and earnest desire to reduce conflicting attitudes, which is the only human and sound way it is ever going to be done.

That is not a relinquishment of sovereignty in my opinion. On the contrary, it is an emphasizing of the right to bargain with personalities or states of equal dignity and power. Insofar as our Council is concerned, the problems are largely, in my

opinion, the frontier problems between the states. It is only on the frontiers that you have the acute perplexity. You have the motor vehicle situation. You have the matter of prevention and apprehension of crime. You have extradition of criminals, and so forth. You have the matter of overlapping taxation going from one boundary to the other as emphasized especially by the sales tax where, through the agency of interstate commerce, one non-taxing state gets an advantage, by mail order shipments and interstate commerce shipments, over another state that does not have the sales tax.

To a large extent, it seems to me that these interstate problems, especially among bordering states, can easily be solved by mutual coöperation. There are other things that go further than the regional situation, necessarily, especially those problems of interstate commerce involving the matter of equality and equity in the determination of freight rates. For instance, in the bringing of produce to centralized markets, the differentials imposed by a federal body make the freight rates from one state so different from freight rates in another state, that the same product, with identical production costs, cannot be placed at the same value in those markets.

I am very happy to be here and I hope to participate in further deliberations.

CHAIRMAN TOLL: It gives me pleasure to call upon Senator Green of Nebraska.

SENATOR CHARLES D. GREEN (Nebraska): Nebraska, under its unicameral system, will probably present something new and something that you will all watch. I am not going to claim any virtue for it yet. I believe it will expedite the action of the legislature about fifty per cent. As to the quality of legislation, I have nothing to say.

The gentleman from Wyoming remarked a while ago about our alfalfa weevil. We have a little peeve against their state in regard to the North Platte River. As you know, in our section of the country the waters of the streams are valuable assets. In the water shed of the North Platte River we have been spending over sixty million dollars in the development of irrigation works with the result that we produce a large quantity of sugar, which is our only industrial activity.

For the benefit of the gentleman from Indiana, I wish to state we have successfully entered into legislative agreements between the states west of us. We have one with Colorado, dealing with the waters of the South Platte River. The compact is strictly observed since it was wholly satisfactory to the state of Colorado. Colorado got all the water. They observe it strictly. We have no recourse. Wyoming and Nebraska have not yet settled their difficulty and the suit is now pending in the Supreme Court of the United States, trying to establish the water rights on the North Platte River. I don't know how this case will come out but we do hope it will be equitable.

We have the problem with the mountain states on the slope to the west. Living in the western end of Nebraska, my community has identical interests with Colorado and Wyoming. I am closer to the capital of those states than I am to my own. So that the coöperative movement had an appeal to me from the start, and I became active in it two years ago. I am strongly of the opinion we can do a great deal with our regional meetings. Along that line I wish to bring out another idea in the fact that the eastern half of Colorado is similar to Nebraska but the west half of Colorado is essentially mineral. In the organization of a regional meeting, Colorado, Wyoming, Montana, and New Mexico should be in the agricultural states and also in the mineral states meeting in the west, because they have an interest similar to those of the western states and also an interest similar to those of the eastern states.

CHAIRMAN TOLL: I desire at this time to call on the chairman of the House Committee on Interstate Coöperation in Arizona, which incidentally is a very coöperative state. Mr. Rapp.

HON. JOHN H. RAPP (Arizona): In Arizona we are interested in interstate coöperation in various ways. We will be glad to confer with the senator from Utah, at some time, in regard to the matter of taxation and other laws affecting mines. If we did that, it would eliminate one of our major political problems. When we undertake to pass a tax law or any other item of legislation covering these mines we enter into the situation referred to by the senator from Utah. If we apply such legislation

in Arizona, the cry is that they will open the copper mines somewhere else. That situation needs immediate attention.

I would like to take this opportunity to express my appreciation of the work of these various organizations. I think maybe I have pestered the American Legislators' Association for information as much as anybody in the last few years.

From my contact with laboring elements and other groups, I believe the mass of people are going to demand some sort of governmental action aimed at trying to remedy the lack of individual opportunity and the lack of favorable economic conditions. If the states cannot supply that action, they will want the federal government to do it. If the federal government cannot supply it, under the constitution, I am afraid we will have tremendous pressure to go ahead and disregard the constitution and do what many people want done. So we can render a very distinct service in this phase of our economic development by fostering, as much as possible, interstate coöperation and by that means help satisfy the demands of the people for remedial action.

I, personally, am rather skeptical as to just how we are going to come out of the situation in this country. It is going to take a lot of thought and effort. Our prosperity in the last hundred years or more has been a matter of course. In the future I think we are going to be able to obtain the standards we want in America only through a great deal of thought and effort. We cannot continue on a hit or miss plan, but we must have a plan carefully thought out, well directed, and backed up by hard work.

CHAIRMAN TOLL: It is a great pleasure to call on the President of the National Tax Association. I might say, in connection with that Association, that we have had a very close and beneficial relationship with it for a number of years. It is very appropriate that Henry Long, who is the Commissioner of Corporations and Taxation in the Commonwealth of Massachusetts, should be the President of that Association, for there is no state official in the United States who is better known in the tax field than is Mr. Long. It is a pleasure to call on Mr. Long.

HON. HENRY F. LONG: We in New

England have been compelled to do that which you are suggesting here. We have fought in terms of New England and I think, on the whole, we have worked quite harmoniously together. It occurs to me that with New England and New York working harmoniously together we can protect ourselves to a certain extent and, by example, over a long period, we have given to the other states of the union and other sections of the country, a model path which they can follow to even greater heights in cooperation.

The fact that Arkansas now sees that there may be some relationship between the textile industry of New England and their own industrial problem is a growing sign of what is developing generally, with which I am in hearty accord.

The National Tax Association, for about thirty years, has been offering an opportunity to those who had thoughts in respect to tax proposals, some that had been tried, some that had not been tried, some that were wise and a great many more unwise—an opportunity, through annual conferences, to express their views. Those views are embodied permanently, in volumes available for any one who wants to study the problem of taxation. I think you will find, in the proceedings of the National Tax Association, many of the things you are discussing and thinking. It is with a great deal of satisfaction that I thank Director Toll in behalf of the National Association for his acknowledgment of the benefit which the collection of those various addresses has been to him.

I believe thoroughly in what the American Legislators' Association and the Council of State Governments are trying to accomplish under the direction of Mr. Toll. The regional secretary idea is excellent, with the proviso that there must always be contact with the central office, to get the benefit of what is happening in other parts of the union.

There is still wide open opportunity for development along the lines of uniform corporate laws and uniform municipal-accounting laws and uniform reporting, so his able associate, Mr. Martin, cannot again come to a meeting such as this saying that he has found a great paucity of information which ought to be, but which is not, gathered by the states. I suggest those

lines along which states can be very cooperative.

CHAIRMAN TOLL: It is now my privilege to call on the representative of the Florida Senate Committee on Interstate Cooperation, Senator Gillis.

SENATOR D. STUART GILLIS (Florida): I am impressed with the regional idea of cooperation, because in this great nation of ours we have a wide diversity of interests. It might be interesting to you to know that I am now as far from my home city as my home city is from the city in which my distinguished colleague, Mr. Robineau, lives. In other words it is as far from my town to the southernmost part of the state of Florida, as it is from Chicago to the Florida line.

I have said I regard the regional idea as a most valuable one. Although the subject has been banned by the chairman, I cannot help but make this reference to the matter of taxation, because as Senator Mastick of New York said, the principle business of government is collecting and spending money, and the only way we can get the money is by taxation. We have upon our northern boundaries and western boundaries the states of Georgia and Alabama. We have struggled with the same sales tax idea that some of you other gentlemen have mentioned. Neither one of those contiguous states has a sales tax. A Florida sales tax would drive the commercial industries, the business patronage to these other states. We have successfully resisted that movement regardless of the economic soundness of the sales tax idea.

We are also confronted with another subject that has been very interesting to me but not discussed at length. That is liquor traffic. Neither of these adjoining states is wet. Florida is wet. I was told by people who deal in liquor in Florida that the distilleries and breweries in the city of Cincinnati, Ohio, under the permit issued to dealers in my state, ship liquor indiscriminately under those permits to Alabama, Georgia, and Mississippi, without consultation of the permittee, of the man who would be entitled to exercise the right. That is a very serious problem and seems to be one that could be followed up and solved by adjustment between the states most vitally interested.

CHAIRMAN TOLL: I want to call next upon a gentleman from Maryland, who, despite his apparent youth, has been the president of a college, has been a member of the legislature, and is now Assistant United States District Attorney, Mr. Douglas Gordon.

HON. DOUGLAS H. GORDON (Maryland): It seems to me we are agreed, clearly, on the importance of regional work leading to compacts. In the crime convention which was held in Washington last fall, Mr. Toll was very much interested, and so was I, in a speech on compacts. At that time the federal government was still going strong, the NRA was being enforced, and some of us felt that possibly compacts would retain the last vestige of local feeling in the various sections. Now, however, with the NRA clearly out of the way and with an apparent tendency to return to states' rights and state action, certainly the states have their last chance to cooperate if there is not to be a constitutional amendment. With that situation, the compact idea comes very much to the fore. We have heard that word more in the last ninety days than in the previous ninety years. It seems to me the question is, how are we going to start arranging any regional work? When we came here yesterday we represented a good many people from all over the country and even our versatile chairman confused an Oregonian with a Floridian.

However, if these regional conferences are held, there will be a much larger percentage of attendance from the regions. In the second place, each person present will know each other's problems and will be able to get things actually done.

CHAIRMAN TOLL: We now come to the Chairman of the Senate Committee on Interstate Cooperation of Ohio, Mr. Lawrence.

SENATOR KEITH-LAWRENCE (Ohio): I have been enjoying the free and open expression of opinion among the various representatives of the several states. In Ohio, both our house and senate have created, by resolution, a standing committee on interstate cooperation. We hope and expect that the next step taken will be the establishment of a commission on interstate cooperation, either at some special session of the Assembly, or during the next term.

Our interest in the activities, not only of this Council, but of the American Legislators' Association can perhaps best be evidenced by the fact that at the Interstate Assembly in Washington last March, the state of Ohio had ten representatives present. We have four representatives present in Chicago at this meeting, including the Speaker and the Speaker *pro tem* of the House, the chairman of the taxation committee, and the whip of the majority party of the Senate. Speaker Bittinger just arrived this morning after attending the Conference of Governors in Biloxi, Mississippi, as the official representative of Governor Davey of Ohio.

A meeting was held in Cleveland this week which I think may be of more than passing interest. As I was leaving, I read in the newspaper about a gathering of representatives from about fourteen states who were concerned with the administration of the liquor laws. Various commissioners and administrators in the states that have liquor control commissions met there in an effort to get together upon some uniform plan of labelling and branding liquor, establishing standards of quality and that sort of thing. It was occasioned by the breakdown of the code, and it merely illustrates the purposes to which the Council of State Governments can be put in endeavoring to establish uniform regulations and standards on matters of that kind, interfering in no way with states' rights.

CHAIRMAN TOLL: It is a pleasure to call, now, on the distinguished Speaker of the Ohio House, who is also serving as the chairman of the House Committee on Interstate Cooperation, Mr. Bittinger. He is an experienced statesman who has had a long and able governmental career.

HON. J. FREER BITTINGER (Ohio): I think the Supreme Court decision has thrown a bomb shell into the reasoning of a great many state officials. As Senator Lawrence told you, I just came from Biloxi where I attended a meeting of the governors. Their discussion was practically along this same line. However, in my own right, and speaking personally, I do not agree with the regional idea. I might agree with the regional idea if it affects certain kinds of legislation. I am opposed to the regional idea for this reason: I am afraid

if we break up this assembly into four or five regional groups, the first thing you know we will become sectional. I think that is a grave danger.

CHAIRMAN TOLL: I would like to call on another presiding officer. You have heard from Senator Maw, President of the Utah Senate, from Speaker Watenpaugh, presiding officer of the House of Wyoming, and from Mr. Bittinger, Speaker of the House of Representatives of Ohio. I am now happy to call upon Mr. O'Gara, Speaker of the House in Nebraska and chairman of the Nebraska House Committee on Interstate Cooperation.

HON. W. H. O'GARA (Nebraska): There is one feature of a vested law making body which I desire to call to your attention. That is the Legislative Reference Bureau. The value will be fully realized under our new system which is being set up in Nebraska. I believe it was in 1913 that the Legislative Reference Bureau was created. We had no idea at the time that we would ever get away from the two house system. I am sure that every state which does not have a bureau of this type should hasten to create one, to work in harmony with the central clearing house of the American Legislators' Association. We realize now that without this Legislative Reference Bureau we can get nowhere. One of our governors tried for two sessions to dispense with it and refused in his budget to recognize its existence. Still there were those of us who realized its value and insisted on its continuance. We realize now, more than ever, that if legislation is to be successful in the state of Nebraska we must depend upon this fact-finding body and also depend upon it to assist us in the framing of legislation.

With the unicameral legislature, we realize there is not going to be such a great number of bills introduced, and we are likely to develop a continuing legislature. Just how we are going to work this out we don't know, but we do know we can make a success of the unicameral legislature. We are not going to look upon it as many look upon it,—as a passing movement.

I would like to say that this effort in which we are all interested would not have made any progress whatsoever in the state of Nebraska had it not been for the appearance of Mr. Toll during the legislative

session of 1933. I am sure we are all anxious to make progress and that we will make progress as long as we have men with us like Mr. Toll.

CHAIRMAN TOLL: Various references have been made as to the comparative plans of legislative committees, as distinguished from the commission plan of the New Jersey type. I wonder, Senator Wolber, if you care to say anything in that connection?

SENATOR WOLBER: I disassociate the idea of study commissions or temporary commissions, from our Commissions on Interstate Cooperation. In the state of New Jersey we have been active in recent years in using the compact clause of the federal constitution in problems that are geographically allied with those of neighboring states. Mention has been made today by representatives of those neighboring states as to the boundary question, the water and water diversion problem, pollution, and interstate transportation facilities.

New Jersey, by reason of its location with respect to New York, Pennsylvania, and Delaware has problems like that arising all the time. We would set up a special commission, not legislators, but outstanding men and women. They would build up their material, bring it to the legislature, and then the trouble would begin, as you practical legislators know. They would have to sell the soundness of the plan to the members of the legislature. It would take a long time. There is pending, in this session of the New Jersey legislature, a proposed compact between the states of New Jersey, New York, and Connecticut, with reference to the pollution of the waters of the New York Harbor and of Long Island Sound.

I participated in the set-up of a non-legislative commission appointed by the governor with the advice and consent of the senate. If it were not for the interest of some of the members of the legislature in that particular project from the viewpoint of New Jersey we would not be able to put it over. Fortunately, I think this year, with the help of my colleague, Assemblyman Paul, who is participating in this conference, that we are going to be able to do it. In New Jersey, we felt that the compact instrumentality was coming to the front even before the opinion of the

United States Supreme Court in the Schechter case.

A Permanent Agency

We felt in New Jersey that if we set up a permanent agency, which we were able to do under our constitution, we would avoid the duplication of officials who might have to apply themselves to particular problems as they came up, and we would have active members of the legislature representing the senate and the general assembly. Then, in order to complete the picture we needed, the governor's appointments, from the administrative officers of the state.

When the resolution came up for consideration in the legislature of New Jersey, our friends not in the legislature and not in the state service objected to it. I had to spend some little time saying that this was to be an official agency, and that by creating this permanent commission we were to provide for the membership of New Jersey in the American Legislators' Association and in the Council of State Governments. These private citizens, the legislators, and the Governor soon became as enthusiastic as we who proposed the measure.

CHAIRMAN TOLL: I believe this is an appropriate time to make an announcement of a plan not previously announced. We anticipate the establishment in the very near future of a regional secretariat, partly as an experimental and a demonstration project, in the region of New Jersey, New York, Pennsylvania, Connecticut, Delaware, and Maryland. That area is mentioned partly because the need of organized coöperation is more acute in that more metropolitan area and also because three of the states in that region are contributing to this work; namely, New York, New Jersey, and Pennsylvania. Therefore it seems appropriate that the first undertaking of this sort should be in that region. I

hope we will be able to explore the possibilities there and develop some technique which will be useful in other regions.

Another thing I hope you will be considering in connection with the Council of State Governments is the relationship of this Council to the national associations of state officials. In each state government there are various functional offices with which you might have contact; for example, the public welfare administration, educational activities, functions such as those of the attorney general and the secretary of state. In each state there is this same division of function. On each level we have integration between the state governments. The Governors' Conference pulls the states together in one way. The American Legislators' Association pulls them together in that field, the American Public Welfare Association and the National Association of Attorneys General in those fields. There are more than fifty different functions of the state governments, for each of which there is a national association of state officials. Each of them is working independently of the others.

One function of the Council of State Governments is to try to draw those organizations of state officials closer together and help to integrate their work. In that connection we have not had a more pleasant, more effective indication of coöperation than that with General Averill's organization. A request has been made by the Executive Committee of the Attorneys General Association that in connection with the secretariat of the Council of State Governments there be developed a clearing house of information useful to the attorneys general and especially a clearance for opinions rendered by the various attorneys general, as to subjects which are of concern in the various states.

The meeting recessed at five P.M.



CHICAGO CONFERENCE*

A group of planners, charting a course for coöperation among the states

Monday Morning Session

June 17, 1935.

THE meeting was called to order at ten-thirty A.M. by the Chairman, Henry W. Toll.

CHAIRMAN TOLL: I suggest that we begin a discussion this morning of the possibilities and functions of regional secretariats. That is rather a formidable name for something that would really be a loose and informal type of agency, at least at the outset. I might say that my personal thought in this connection is that, in the beginning, there would be one man within an area whose time would be spent mainly in going from capital to capital, keeping in touch with legislators and administrative officials, aiding where possible, and having some central point of operation in the region.

MR. ROBINEAU (Florida): Will you tell me how you propose to divide or subdivide the nation into regional areas?

CHAIRMAN TOLL: That is a difficult subject. The best evidence of the difficulty is in the fact that the federal government is functioning in areas which have been set apart for specific purposes in more than a hundred different ways. There are over one hundred different maps in Washington on the basis of which various federal agencies are functioning. It is my opinion that in actual operation we will not need to be definitely committed to clean cut areas. For instance, the regional secretary for the New York area would have to work with the Connecticut people, because a substantial part of the metropolitan area is in Connecticut. On the other hand, if we had a regional secretary for the New England states in Boston he would certainly work with the Connecticut government because that is part of New England. There would be that overlapping.

MR. BELKNAP (Kentucky): I do not think we are going to disrupt the country by sectionalism in forming these regional secretariats, because in order to achieve any-

thing we must have a strong centralized agency tying these various units together. There is no way in the world by which you can arrange these regions as separate, distinct sections. Kentucky would most likely be grouped with the southern states and yet, as the gentleman from Indiana explained carefully yesterday, Kentucky's best fights have been with Indiana. Indiana is still angry about some things and Kentucky is angry about others. Kentucky is angry because Indiana agreed not to tax the Louisville-Jeffersonville Bridge and then tried to slap a tax on the Indiana terminal of that bridge, in perfectly bad faith.

Why should we have an extra governmental body doing this particular job which is perhaps one of the most important jobs that has come before the nation, and certainly one of the most difficult jobs? Why should not our main objective be to go to Congress and the states and say, "Form a perfectly new branch of the government. Call it the liaison department, or what you will, to work out this proposition."

Freedom of Action

The answer is that you would lose, by putting under the government these particular activities. Freedom of action is very necessary in attempting to solve shifting problems. To my mind, that is why we can do more as a semi-governmental body, not tied down by statutes or constitutions, performing in a way which could not be done if we were a definite arm of the government.

I think there are certain precise activities that our regional secretary could start to do. Those of you who are lucky enough to have a legislative reference bureau perhaps do not realize what a devil of a fix we are in, in the states having no legislative reference bureau, and those which have good legislative reference bureaus don't realize how much the ones that have

poor legislative reference bureaus are missing. I have been very much impressed in one or two states where I have seen the legislative reference bureau working to its best advantage with the wonderful power for good, not tremendous control power but suggestive power that the legislative reference bureau has. We have several in this nation and where they are continually on the job their influence for good is almost immeasurable.

It seems to me a regional secretary could start with some fairly definite things we already know about and one would be bringing the legislative reference bureaus to the attention of the states which do not have them. He should make an effort to get them established and in those states where they do not operate at top efficiency, he should strive to raise their standards.

CHAIRMAN TOLL: I think we might hear now from the senator from Florida regarding coöperation that might be effected within just one state. We might have problems arising that do not affect two or more states but lie wholly within one state. We will follow his discussion with problems that might arise in various states, not adjoining each other but having similar problems, to be considered as regional difficulties.

SENATOR D. STUART GILLIS (Florida): Those of you who did me the honor of listening yesterday to what I had to say about the state of Florida will remember that in one great section of the state the original settlement was in a district that is fitted for the production of staple farm products. The timber was removed through the saw mill operation and the naval stores operation, with no provision for reforestation. A vast part of the state of Florida is in that condition. It is a strictly agricultural section, fitted for the growing of staple products.

In the peninsular part of the state of Florida it is entirely different. There the products are, almost exclusively, citrus fruits, and other horticultural enterprises. Around Lake Okeechobee, that wonderfully fertile section, the growing of green vegetables is carried on. There is not a month of the year anywhere in Florida, even in my section, where the soil cannot be cultivated and some crops grown, and in the southern part of the state several crops of

the same sort can be raised in the same territory.

Give and Take

Our interests in one section of Florida, as compared to another section, present to the legislature problems that we have very fortunately never differed about. There has been a spirit of give and take, a recognition on our part of the great value of the citrus industry and the wonderful people who have developed it in southern Florida. There has been a similar attitude on the part of the people of south Florida with reference to the western section of the state. Whenever there has arisen the necessity of making an appropriation out of the state treasury to protect the citrus industry from the ravages of insect pests or a disease peculiar to horticultural growth, the people in west Florida or in north Florida, who happen to represent the balance of the legislative power, have never hesitated to make the appropriation. The original pest that almost destroyed the citrus industry in Florida was the canker. While it was of no direct benefit to us whatsoever, we unhesitatingly voted for an appropriation to eradicate that pest.

Some of you probably know from sad experience that just a few years ago we had another pest that invaded that great industry, the Mediterranean fruit fly. We unhesitatingly voted hundreds of thousands of dollars to the agricultural department for eradicating that pest.

On the other hand, the southern part of the state has come to our rescue by appropriating large sums of money to protect the live stock industry from the ravages of the Texas fever tick and the destructive screw worm. Those are problems that we have most fortunately been able to settle by a spirit of give and take, compromise, and kindly feeling among people who do represent diverse interests.

We have a very fortunate population. They work in the spirit of coöperation and I commend my home people to the consideration of this body.

CHAIRMAN TOLL: Referring back to the matter of regional secretariats for awhile, we are anxious to get just as definite recommendations as we can.

I trust that the New York and New Jersey members will pardon me for some rep-

etition on the point I am going to make. When I had lunch with them yesterday I said it seemed to me there would be occasions when a regional secretary could render a type of service that persons connected with any governmental administration in the area could not provide. Suppose there are two states where there is a controversial situation. It might be there is also a difference in the political complexion of the two administrations, jealousy between governors, or something of that sort. An outside organization, when it has established itself in everyone's mind as a strictly impartial, non-partisan, disinterested agency, simply trying to furnish the facilities for coöperation, may come in and help straighten out such situations. The secretary could call in legislative and administrative officials. He could provide the secretarial services, perform the mechanics of such a conference and then, afterward, he could provide for reporting, sending out mimeographed reports to such conferees, arranging for later meetings, and other such matters.

SENATOR JACOB WEISS (Indiana): I don't think there are any here who doubt the virtue or value of such secretariats if and when set up. But I am wondering how such secretariats would be supported, for one thing; also as to whether or not the several commissions on interstate coöperation should not be first set up in advance of the secretariat, or whether the secretariat should be set up before the commissions?

CHAIRMAN TOLL: I think, in general, the commissions should be set up first and the secretariat should follow, so there would be some one for the regional secretary to work with. In the area comprising New York, New Jersey, and Pennsylvania they have, in effect, such commissions. Of course, those are the three states in the union where the problems or the need for harmonizing the policies of the states is most acute. New York has this joint committee which is practically a commission and which has an appropriation and is ready to start functioning as soon as the members are definitely agreed upon by the presiding officers of the legislature. New Jersey and Pennsylvania now have their commissions established, so if such commissions are worth having at all, the theory would be that

secretarial functions should be supported, in time, by the states in the areas.

Of course there would be some cost. You cannot operate government and you cannot operate the work of coördination of government without spending money, but it would probably cost only about ten thousand dollars a year to operate a secretariat of that sort.

The fact is that if you are going to coördinate, if you are going to harmonize forty-eight state governments spread over an area of three million square miles, with 120,000,000 people, and ninety-six legislative bodies made up of 7500 individuals who have to work together with tens of thousands of administrative officials, you cannot do so without people devoting their attention to that problem, and exclusively to that problem, and without all sorts of people getting on all sorts of railroad trains and airplanes going back and forth around the country. It is an expensive governmental function that we cannot neglect, and we have to pay for it.

SENATOR WEISS: I said a moment ago there was no doubt as to the value of these secretariats. We can all see the possibilities of such an arrangement. It occurs to me, in rather a fleeting idea, that you might be able to interest the states in designating one individual to act in this capacity and to be on the payroll of the state.

CHAIRMAN TOLL: That would be a more expensive arrangement. You would be employing in the states, jointly, if there were six states in a region, six people, where I thought in terms of employing only two people. Then there is also this point: the secretary I have in mind would spend this week in Trenton, the next in Harrisburg, the next in Baltimore, and so forth. He is in personal touch with all of these people.

SENATOR LEAP: The question in my mind is whether the proper approach would not be to have secretaries trained along certain lines. If there were a dispute between New York, Pennsylvania, and New Jersey in the matter of taxation, would we not be better off to call on the national organization for a man who had great experience in the matter of taxation? If it were a matter of milk regulation, would it not be better to be able to call on a local man? If it comes to other matters, it occurs to me that we perhaps would be better off if

we could recognize that person more or less as an expert in that particular line.

MR. FROBINEAU (Florida): In your consideration of this question, have you come to a skeleton form for your secretariat? What is the personnel to be, how constituted, how supported, and to whom responsible?

CHAIRMAN TOLL: I know only how my own mind works on that. My thought has been this: in theory, under the ideal set-up, each of the forty-eight states has its commission on interstate coöperation. That is under the direction of the chairman of those various commissions and the legislative committees, which is this body here. The Council of State Governments functions as a nation-wide unifying organization with the purpose, not of regional conflicts, but of regional as well as state coöperation. The Council would be supported by the various state governments.

On that point, I am going to disagree for just a minute as to whether or not that can be done. When the American Legislators' Association was in its earliest stages, every now and then someone would say, "The states can not appropriate money to the Legislators' Association." Maybe they cannot, but New York State is doing it, also Pennsylvania, Kentucky, South Carolina, California, Nebraska, New Jersey and other states.

The legislatures are coördinating everything except their own activities. They are supporting national associations of insurance commissioners, labor commissioners, commissioners on uniform state laws, governors' conferences, and so forth. They are contributing to the support of secretariats and of joint services. Certainly the state government may coöperate with other state governments. You can enter into compacts with other governments. The states of New York and New Jersey can set up a port authority and both can contribute, through some device or other, to its support.

If you are going to have a smoothly functioning agency it is necessary to have all these regional secretaries operating under the direction of the central administrative office of the organization. Otherwise you would have disintegrated, separated regions and there would be a greater risk of what Mr. Bittinger is concerned about, a tend-

ency to say, "This is our region. We are coöperating, we have our regional secretary and we are on our own."

GENERAL AVERILL: I would like to tell you of an experience we had along this line at our regional meeting in connection with the Association of Attorneys General. The expression of opinion of every one there was that they did not dare do anything as a region. The attorney general of Maine and the attorney general of Maryland found they had a great deal in common, socially and intellectually. Both went back home feeling that they knew each other. The ideas that came out at the meeting were expressed in the form of resolutions to be presented at the meeting of our National Association.

When we talk about a regional secretariat we rather frighten the people of the different states. I think it is a little early to attempt to define what the possibilities are for that position, or what their ultimate functions will be. I think at the present moment, if I could call upon Mr. Gallagher, or some other representative of this Association who was located in New York, to run up to Connecticut and meet the commission on the pollution of the Connecticut River—I think he would accomplish more than all the literature you could send out from here, and if any of them wanted information he could tell them where they could get it.

MR. RAPP (Arizona): It seems to me that it would be unwise to set up any definite regions. I think perhaps it would be better to have four or five offices around the country to act as centers for coördinating the work of the national headquarters.

SENATOR MAW (Utah): It is my opinion that this organization is not going to do very much at the present time, at least, in settling controversies between the states. I don't believe, for example, that Arizona and California would ever let any one from the outside decide the matter of the Colorado River controversy. Each state is going to have its delegates there and they are going to fight it out. If they cannot decide between themselves, they are going to take it to court.

From what I have heard of Indiana and Kentucky they will never get together unless their own representatives are present.

Every state thinks its own citizens should decide matters affecting their state's interest. It is very questionable, in my opinion, whether the states are in the proper frame of mind at present to let outside forces decide their own controversies. However, they will very much favor an outside agency which will furnish them reliable information on a subject and then, having received that information, they can better sit down and talk it out among themselves.

The second thought which has occurred to me is this: if the depression has taught us anything, it has taught us that businesses and institutions that expand too fast suffer most. As fine an organization as this is, it is not known yet. In my state, few legislators understand it. There is a psychological moment when the organization should reach out to all groups and that is when the groups want it. The groups do not want it before they know what it is all about.

I think, inasmuch as the organization is in its infancy, great care should be taken in the matter of expansion. Although I am a firm believer in the idea that perhaps in the next ten years this district organization plan will be set up, I don't believe it should be set up in any district until the district seeks it. I don't believe the Rocky Mountain district is ready for it yet because most of the people there don't know about it.

SPEAKER BITTINGER (Ohio): I am sure if this group would continue for years to be headed by Mr. Toll, or a man like Mr. Toll, that regions would not develop into what I fear they might develop into.

I believe this is one of the greatest things that has ever been established to aid the various states. I think Senator Leap said the right thing at the right time. I would go further than Senator Leap has gone. I would not even have a local person in these areas, as he suggested. You could better send to the central office and get a man to come to the state. I think the communication should be, at all times, with the head office and these individuals sent out from the head office—experts in their line—and people familiar with whatever subject is under discussion at the time.

MR. PAUL (New Jersey): I am considerably interested in this matter. I have learned much in the last three days. I

appreciate the situation of the gentleman from Utah, but we in the east, New York, Pennsylvania, Connecticut, Maryland, and Delaware are familiar with this office. We have our organization already set up. We have met, have done our committee work, and we are functioning.

Why not, as an experiment, set up the secretariat in New York, where they now have an office available with two or three other affiliated organizations of the same group. We learn by trial and error. Let us try it out there and see what happens. If it is not what we think it should be, let us have a recall and start over again.

We in New Jersey are ready for immediate help. We have our problems. We know what they are. We have our committees formed and we are working. We are simply groping around for somebody to come in and build up contacts for us in these other states.

MR. ROBINEAU (Florida): As I have been listening to the discussion I see the great need for some contact medium between the states of the union, especially contiguous states, which will supplement and solve more readily problems that really, under our constitution, should have rested with the national Congress. Because of the peculiar vagaries that Congress has indulged in, in the past fifty years, largely through political instinct, the establishment of a contact medium between the states is of prime importance in my judgment. Certainly there should be a clearing house of economic-sociological thought and ideas, so that you have the necessary cooperation that should come to a people who are as decentralized as we are, under our form of government, in the forty-eight sovereignties.

While we have these forty-eight sovereignties, nevertheless we have a people genuinely uniform in mentality and social habits, in point of political-governmental view. Whatever difficulties we have, in my judgment, are imposed upon us because of the urge for self-preservation and because our own immediate necessities are of first importance.

While I think the regional secretariat idea has a sound basis of logic, I am wondering if it is not going to shock the pride, and dignity, and self assurance of authority of the various executives in our states who

probably would feel that the compact-making power should reside and repose in them, and that the negotiations, deliberations, and final conclusion of agreements should emanate from and be directed by the chief executive of the state, to be approved, of course, by the legislative body, and services to be rendered by its various administrative sub-agencies.

We have such a variety of things, as the matter unfolds itself in my imagination, that I see a new thought in government, a new adjunct in our federal system. Senator Weiss mentioned the possibilities in law. There is a possibility of interstate diplomatic law being created, a definitely new scope of jurisprudence coming into the picture, as to how state controversies can be settled, if not by compulsion, at least by the compulsion of logic and reason and equity.

This organization has an outstanding utility in information gathering, and certainly it may be an agency that can be employed for the establishment of preliminary contacts between controversial groups. It may be, if not an arbitrator, at least a friend of the contending parties, to bring them together. Those are things that appeal to my logic and direct me in a vision of the future utilitarian purposes. I hope we may make no mistakes but keep it going in a methodical manner.

I am thoroughly convinced that you have here a project that is sound, that is serviceable, whose greatest weakness is probably its infancy. So I am rather inclined to join in the suggestion of Senator Leap, General Averill, and Speaker Bittinger, that we had better maintain the central office as a place for information, as an information gathering agency with such personnel as may be arranged for within the central office for specialization in areas or regions, and specialization in classified problems as they might appear. We can then see whether, out of these specialists that you may develop in your home office, the plan for an actual regional secretariat will not follow.

Those things come into the picture as I sit here thinking. It is very possible that you may have interstate relationship commissions or liaisons between the north and the south. The conditions that brought about the Dred Scott decision and the unto-

ward results thereafter might never have occurred if that personal relationship could have been established by some agency such as this. I am perfectly willing to express myself as being wholly enthused by the idea and am hopeful that our project will be planned in such manner as not to frustrate itself by improper planning.

CHAIRMAN TOLL: It strikes a sympathetic cord with me when the suggestion is made that an organization of this kind must progress in a conservative, orderly, careful way. We set up the facilities for coöperation and then, to the extent the people utilize them, good; to the extent they don't utilize them, they are not ready.

That is my feeling about regional secretariats to a considerable extent, that if we have a field man in a certain area we are not foisting his services upon anybody. We are not insisting that anybody utilize his services; but if somebody in one state finds it convenient to say to him, "When you go to this other state capital, won't you talk to so and so, giving him this message for me," then he can be utilized. If it is properly done, I don't see that there is any question of foisting anything upon anybody. There is no compulsion, we propose only to give them the means, leaving its utilization to them.

The suggestion is made that we wait until those services are demanded from a region. I think, within reason, that is a legitimate suggestion, and yet you don't get demands from regions. In connection with the states of Utah, Colorado, Wyoming, Nebraska, New Mexico—the area from which Senator Maw and I come—those state governments don't all stand up together and say, "Please give us a regional secretariat." It doesn't happen that way. But when you find an area where there are these agencies on interstate coöperation established, as they are in New York, New Jersey, and Pennsylvania, then there is a demand for facilities for contact between them.

I referred this morning to the meeting which is being arranged by the American Public Welfare Association. I would like to ask your opinion as to whether it would be a suitable arrangement for the Council to have a committee which would meet with the regional directors at that time.

SPEAKER BITTINGER: In order to get the matter before this body, I move that a

committee of five be selected to attend that meeting.

The motion was seconded by Mr. Rapp.

CHAIRMAN TOLL: Mr. Bittinger, it occurred to me that in case we desired to have geographical representation it might be preferable to have a committee of seven, five might be too small a number.

SPEAKER BITTINGER: With the consent of the second, I shall change the motion to read that a committee of seven be appointed to attend the meeting of the Welfare Group.

The chairman put the motion, which was carried . . .

General announcements were followed by a recess at twelve-thirty P.M.

Monday Afternoon Session

June 17, 1935.

THE meeting was called to order at two-thirty P.M. by the Chairman, Henry W. Toll.

CHAIRMAN TOLL: I shall first call on Dr. Gulick for a few remarks.

DR. LUTHER GULICK (New York): I was very much impressed with some of the implications of the statement made by our friend from Florida on the fundamental aspect of governmental evolution with which we are confronted at this conference. I suspect there was more behind the concept of the United States Senate than ever developed in the initial drive for the federal constitution. The Senate was constituted of senators selected by the states and there could have developed from that institution an agency of mutual coördination and co-operation between the federal government and the states as organized legal entities. But that disappeared in a period when we did not realize as clearly as we do now the necessity for joint planning and joint administration of activities so that we have lost that very intimate connection which was built into the federal constitution by the fathers when they constructed the federal government.

We are engaged in re-thinking the problem of the interrelation of governmental administration and planning agencies. In the discussion we have had, the number of topics mentioned is really very astounding. I have jotted them down, as each of my colleagues mentioned them, as follows: bridges, trucks, pests, water pollution, corporation taxation, marriage laws, agriculture, cotton, milk, roads, hours of labor, wages, trade practices, child labor, timber, health, crime, prisons, dust and floods, irrigation, liquor, relief, poor and public welfare, economic security, game, oil, minerals, Reds, and Huey Long.

It seems to me that we would do well to select certain of these topics—those in the field of crime, in the field of welfare,

perhaps, in the field of some institutional services, and proceed with the already developing program in the tax field. These are fields in which there is not a foundation of controversy, nor a foundation of disagreement nor the arrayed opposition of entrenched groups. Consequently, they are subjects in which some success can be achieved.

It was suggested by the senator from New Jersey that what we need is an opportunity for the states to call in experts from headquarters. I wish to warn you against the expert in that relationship. What we need in the individual regional areas is a close, friendly relationship which will be cultivated not by an expert but by a man of general knowledge and general understanding of the whole situation. A man who will assist in bringing in experts when a problem arises which demands expert assistance.

CHAIRMAN TOLL: This is not a last fight for state rights, but I think everybody in the country is interested in the maintenance of local self government as far as that is compatible with good government. This is perhaps a last effort to conduct, adequately, under our present allocation of governmental functions, local control and the administration of as many functions as possible locally. But as far as our attitude toward the federal administration is concerned, it is my belief that the function of the Council is one of coöperation and harmonization. What we are trying to do is to get states harmoniously coöperating with each other and then the states harmoniously coöperating with the federal government. We have a most pleasant relationship with many influential members of the administration in Washington.

SENATOR ONEAL (Texas): As I said, I came with a question mark in my mind as to what we were going to do. I agree with you this is not a fight with the ad-

ministration or with the federal government. The Supreme Court of the United States has demonstrated positively there is no fight between the federal government and the states. The Supreme Court stands as a bulwark so that there is not going to be any fight.

The question now is up to the states, knowing positively what their authority is and what the federal government can do. The question is; what are the states going to do about the matters that the federal government cannot now handle, that the states must handle.

GENERAL AVERILL (Connecticut): It is not a question of states against the union, but it is a question of maintaining the American form of government. It is true that the Supreme Court has very forcibly brought to the mind of every one, whether they look at government from the point of view of the union, or whether they look at it from the point of the state, that there are limitations as to the delegated powers of the United States. We know there are limitations upon the reserved powers of states. We know that, once those powers are delegated to the United States, the federal government is supreme. We know that those powers reserved to the states, remain there.

The law officer of every state in the union is besought by every department of government for an opinion as to how he is going to administer the acts which your legislatures have passed. The Attorney General in Wyoming knows nothing about it. Neither does the Attorney General of Texas know anything about it. Why is that so? If you found that because of a structural defect in your law you couldn't operate it, wouldn't you be glad to find out if some other states in the union had solved that particular difficulty? If you were administering the law and you were in difficulty, would you not like to know whether the law department of some other state had found a method whereby it could be administered successfully?

A question came up a short time ago as to converting a building and loan association of a state into a federal home loan savings bank without a statute. The attorneys general ruled differently in different parts of the country. In Wisconsin, they started a suit and the court in that case decided they could not. How many

of the attorneys general know of that decision, although they may have to face the same situation?

I have made this suggestion to Mr. Toll and I am going to present it at the meeting of our National Association, that through the Council of State Governments there be afforded an opportunity whereby the attorneys general can send their opinions to a clearing house in the same building and at the same place where their own administrative office can send for information, where their own legislators can send for information, and find out something about what is going on in the legal departments of the various states.

Insofar as I am concerned, I am not interested in whether the attorney general of Massachusetts said "yes" or "no" to any question. What I am interested in is how he arrived at that conclusion, because my experience has been that there is no man who is big enough to think of all phases of any one problem which is submitted to him. If he can get the thoughts of others he may find that somebody else has had some powers of recognition which he overlooked for the moment. It will help him tremendously in coming to a really honest conclusion.

CHAIRMAN TOLL: If this proposal meets with favor at the annual meeting of attorneys general in Los Angeles, aside from such benefit as it may be to attorneys general it would be of great benefit to legislators.

I was in the office of the Secretary of State of Colorado a few weeks ago. The man in charge of the office had occasion to pick up a little form which had the signature of the Governor of Connecticut, the signature of the Secretary of State of Connecticut, and the deputy secretary and the secretary to the Governor. I asked what it was. He said, "In our office we have all sorts of documents coming through and we have to have some way of checking their authenticity, so we must have the signatures of those officers from each state." I asked whether he got that every year and he said all Secretaries of State had to have the same material, each one signed individually. I said, "Here are forty-eight Secretaries of State, each sending out forty-seven forms. That means

something like 2,256 such forms circulated every year."

He said that was true and that each form had to be sent around to the offices and they had to get four autographs on it. That meant 9,024 of those autographs being secured every year. I asked whether he thought the Secretaries of State might be interested in having a single office send out one copy of that form to each of the states, get photostatic copies made and send them around to the forty-eight Secretaries of State. It would save 9,000 autographs. He said they certainly would, that in getting these forms together the signing was the smallest part, that they had to send out forty-seven forms to get back twenty-seven and send out another twenty forms and get back nine. It took months of repetition and follow-up to secure all the autographs.

Plans for Committees

I want to go back to the committee set-up. I would like to have a list of committees suggested, so that we might consolidate, eliminate, and cut it down to perhaps five standing committees of this Council.

Planning is an important subject for a committee of the Council. During the 1935 session Dr. Merriam of the National Resources Board said that there were thirty states which passed statutes officially establishing state planning boards. It seems to me that there is an important opportunity for this Council. It also occurs to me that perhaps our best fields of experimentation are those which are the least controversial.

Two fields occur to me as meeting that qualification to some extent. One is the matter of crime prevention. No member of the citizenry is openly advocating anything in opposition to crime prevention. That might take in the handling of the probationer and perhaps the joint conduct by various states of correctional institutions.

At the outset these committees would have to function probably as little more than skeleton committees but they would be in correspondence with each other. Their work would probably hinge quite largely on the extent to which the chairman was active. They might be working more by way of getting their thinking somewhat integrated than by way of trying to get actual results.

SENATOR GRADY (North Carolina): There are two things that certainly vitally affect all of the states—legislation affecting industry and labor and a social security program. If we, as states, do not take cognizance of these two major problems, then the national government must take cognizance of them. If we are to prevent some constitutional amendment or some further federal legislation that vitally affects states' rights, then we must act and act at a very early date.

I hope, before we adjourn, we will set up definite committees with definite programs and let them go to work immediately in order that the federal government may know the sovereign states are not asleep at the switch, and that we are awake to our responsibility in connection with these problems and have the capacity and ability to meet them.

SENATOR T. V. SMITH (Illinois): I think I can get less excited than anybody I know of—although my own political inheritance is southern, where states' rights is a shibboleth—about the location of sovereignty in this enterprise of ours. I am afraid it is the disillusionment of perhaps knowing too much about it.

Sovereignty is a philosophical matter. It is not an economic matter. The idea of reviving these old issues and trying to formulate specific policies about them is as irrelevant to our enterprise as anything could conceivably be. A sovereignty actual rather than verbal is not going to follow on the curve of our talk here or elsewhere. Organizations that find themselves able to do a given job are going to do it, and those that think they have the right to do it but are not doing it, and are not setting about to do it, are not going to do it.

Our committees ought to be selected to further the better doing of a job that is now not being very well done. I think we could find such committees. I am not certain what they are, but if we select our committees upon the basis of safeguarding the rights of states or safeguarding any rights of that traditional sort, I for one would have very much less expectation of this enterprise than I do have.

As I see it, we are engaged upon seeking to correct that everlasting disease Thomas Jefferson has so well described in a not too

frequently quoted passage of the Declaration of Independence, when he said, "All experience has shown that mankind is more disposed to suffer while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed."

What I want to say finally, going back to the specific point—let us seek to form committees which are, in the judgment of those colleagues of mine here much better informed specifically than I am on the basis of dealing with living functions that are not now well performed, and select upon that basis rather than the basis of states' rights or any other traditional verbal rights.

CHAIRMAN TOLL: Senator Smith, because I have been thinking a great deal of this question of states' rights, I am going to take the liberty of saying I don't believe you are so far apart from the people who talk about states' rights as you think you are. I want to see if there is not a possibility of translating some of this discussion of states' rights, in which we are using familiar terms, into your thinking. We get into the use of familiar terms. For example, we are all talking about economic security. We talk about departments of public welfare. We get our thoughts necessarily crystallized and use particular phrases which may be more or less accurate, and sometimes are less accurate.

We all know that there are state functions under the existing order and there are certain functions which many of us would like to see administered locally. What you might call the home administration of state functions is a vital matter to the maintenance of some of our social customs, which we treasure as a matter of great importance. As I said at the first session, I am trying to substitute other phrases in lieu of states' rights, which substituted phrases, I think, mean the same to me that the old phrase means to other people.

MR. BELKNAP: There are certain ones among us who feel very keenly that 130,000,000 people spread over an appreciable percentage of the globe is too big a unit for efficient administration or even legislation. Therefore, I think we want to be careful not to let nomenclature stand in the way of our clear thinking as to why we are doing certain things. The gentleman from North

Carolina talks about states' rights. I do not care about states' rights as states' rights. But it is different when they start to pass, for example, child labor amendments. I am in sympathy with everything in the child labor amendment, but when I realize that ninety per cent of the pressure on Congress is going to be from the industrial east and that they are going to forget all about the problems of the south with its negro children, New Mexico with its Mexican children, or California with its Japanese children, then I am wildly enthusiastic about states' rights.

MR. ANGELL (Oregon): With reference to the committees, what are they going to do? Are they going to be fact-finding committees or are they going to propose legislation?

I believe we should get away from this discussion as to whether these are problems for the national or local government and determine what we can do as an organization to facilitate more friendliness, greater mutual cooperation. We will then be better able to accomplish the thing we want to do, to get good legislation for our local needs. What is the function of these committees?

CHAIRMAN TOLL: As I see it, we might be concerned with the whole list of subjects that Mr. Gulick read before he left. There are a hundred topics of interstate concern. Right at the present moment we are not prepared to go very fast this month or this week on any of these subjects. We should get some of these groups set up, as skeleton committees, so that as rapidly as possible we can try to breathe life into them.

Last week, in another connection, I had occasion to go through the opinion of the Supreme Court and mark four little passages, each very brief, as to the powers which the states must exercise.

The Supreme Court

The commerce power: "It is not the province of the court to consider the economic advantages or disadvantages of (such) a centralized system. It is sufficient to say that the federal constitution does not provide for it. Our growth and development have called for wide use of the commerce power of the federal government in its

control over the expanded activities of interstate commerce and in protecting that commerce from burdens, interferences and conspiracies to restrain and monopolize it.

"But the authority of the federal government may not be pushed to such an extreme as to destroy the distinction, which the commerce clause itself establishes, between commerce 'among the several states' and the internal concerns of a state. . . ."

Wages and hours: "If the federal government may determine the wages and hours of employees in the internal commerce of a state, because of their relation to cost and prices and their indirect effect upon interstate commerce, it would seem that a similar control might be exerted over other elements of cost also affecting prices. . . ."

"All the processes of production and distribution that enter into cost could likewise be controlled. If the cost of doing an intrastate business is in itself the permitted object of federal control, the extent of the regulation of cost would be a question of discretion and not of power."

Indirect effects: "The distinction between direct and indirect effects has been clearly recognized in the application of the Anti-Trust Act. Where a combination or conspiracy is formed, with the intent to restrain interstate commerce or to monopolize any part of it, the violation of the statute is clear.

"But where that intent is absent and the objectives are limited to intrastate activities the fact that there may be an indirect effect upon interstate commerce does not subject the parties to the federal statute, notwithstanding its broad provisions."

The commerce clause: "But where the effect of intrastate transactions upon interstate commerce is merely indirect, such transactions remain within the domain of state power.

"If the commerce clause were construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the federal authority would embrace practically all the activities of the people and the authority

of the state over its domestic concerns would exist only by sufferance of the federal government. Indeed on such a theory even the development of the state's commercial facilities would be subject to federal control."

In order to bring the matter in hand to a definite focus, Senator Grady do you make a definite motion that there be appointed a committee on economic security and labor and industry?

SENATOR GRADY: I so move. (*Seconded by Mr. Bittinger.*)

CHAIRMAN TOLL: If I may state this motion more fully we will see whether it is satisfactory. It has been moved that the Council proceed to establish a Committee on Economic Security, that arrangements be made for this committee to attend the meeting of the State Relief Directors, if possible. Secondly, that the Council shall establish a Committee on Labor and Industry and that consideration be given to the suggestion that this committee attend the Spring Lake Conference. Is there any further discussion? If not, all in favor say "Aye"; contrary, "No."

The motion carried.

There are two committees upon which I would like especially to have your judgment. One is a committee which might be called a Committee on Crime Prevention. The other might roughly be called a Committee on State Planning Boards. I don't think either one of those terms is quite right, especially the one as to crime prevention.

MR. BELKNAP: I move a Committee on Crime Prevention be established.

The motion was seconded by Senator Grady and carried.

CHAIRMAN TOLL: We come now to a committee, whatever the name may be, which would try to help in the coördination of the state planning boards—part of whose function would be to work with the National Resources Board, a very close inter-relationship.

MR. ROBINEAU: You already have a Planning Board of the Council.

CHAIRMAN TOLL: That is really an executive committee. I think that would not fall within the functions of a planning board committee.

MR. ANGELL: I move that a committee

be created to be known as the State Planning Boards Committee.

The motion was seconded by Mr. Rapp and carried.

CHAIRMAN TOLL: There are two other suggestions on this list. One is public health and the other marketing.

SPEAKER BITTINGER: I move a Committee on Marketing be established.

The motion was seconded by Senator Green, of Nebraska, and carried.

CHAIRMAN TOLL: What is your pleasure in regard to a Committee on Public Health?

SENATOR GREEN: I move it be the sense of the Conference that a Planning Committee be formed and empowered to appoint committees on emergencies that may arise between our regular meetings.

CHAIRMAN TOLL: That refers to the Planning Board Committee?

SENATOR GREEN: Yes.

The motion was seconded by Mr. Rapp of Arizona, and carried.

CHAIRMAN TOLL: I want to devote the next few minutes to calling on some of the members of the staff to tell you about matters which may be of interest to you. First I shall call on Dr. Martin, allotting him ten minutes to tell you something relative to conflicting taxation.

DR. JAMES W. MARTIN: Senator Mastick outlined to you at one of our earlier sessions the general set-up of the Interstate Commission on Conflicting Taxation and of the Tax Revision Council. Statements which have been made by other speakers have indicated the significance of the problem of conflict between the state governments and the federal government and interstate conflicts in the field of taxation.

It seems to me I can best use the time allotted to me by outlining two stories, one of which pertains only partly to the tax problem. These are concrete instances and tie into the program that has been under discussion.

In the field of taxation there is no legislative authorization for any peace whatever between Indiana and Kentucky. It is war to the teeth insofar as the legislation on the statute books of the two states is concerned. Such cooperation as we have in this warfare between the two states on the problem of truck licensing is extra-legal. It is in the nature of informal agreements

between the administrations of the two states, without legislative sanction.

There is the matter of bridges between the two states which has received both legislative and administrative action. That is to say, the administration has considered the problem, has gone to the legislature, and obtained authorization in each of the two states and the problem is settled by amicable administration and legislative arrangement. There, as the gentleman from Indiana pointed out, we are getting on fairly well. He gave a different reason for it and I have no doubt that his is an entirely valid reason. I suggest that one of the reasons why we have fairly amicable relations in regard to the bridges, with the one exception which Mr. Belknap pointed out, is that there has been a normal sanction for the relationships that exist.

The moral I would draw from that illustration is that in matters of conflicting taxation or in matters of conflicting statutes or irregularities of any sort, there is the problem of legislation, but there is also the problem of administering the legislation after it is enacted. All the parties involved in the situation need to be consulted.

Gasoline Taxes

One other illustration has been suggested by General Averill. The states found, a few years ago, that the difficulties of administering the gasoline tax by individual state action were well nigh insurmountable. In practically all the states at the present time there are cooperative relationships between the states on the gas tax problem. For example, it has been found necessary to exchange information as to shipments. The states of Virginia and North Carolina make a regular habit of exchanging full information respecting shipments between those states. Most of the gasoline sold in North Carolina is shipped to Norfolk and is sold from Norfolk to a point in North Carolina. It is necessary to know what the movement is, both at the point of the common carrier and the dealer, in order to keep the situation straight. That has been worked out so that there is excellent cooperation between the state of North Carolina and the state of Virginia. I believe that cooperation now has spread to every state east of the Mississippi. In some instances there

is very cordial coöperation, and in some instances it is not so cordial but nevertheless there is some coöperation.

Death Taxes

In the matter of death taxation, investigation discloses that a dozen or so of the states have passed reciprocal legislation. Washington and Oregon are two of the states which have most recently passed such legislation.

Investigation discloses that reciprocation on that score is not the main problem. The main problem is, in this situation, for the tax administrator to be informed of the death. The administrator in Indiana can miss his claim for a death tax because there is not any probate in Indiana and he does not even know the thing has occurred, although thousands of dollars might be involved. The answer seems to be reciprocation at the administrative level, but since the inheritance taxes are administered by entirely different officials, it helps little in death taxation.

Those are some of the concrete problems with which the Interstate Commission on Conflicting Taxation and the Tax Revision Council must deal. That is what may be called a horizontal problem, strictly an interstate problem. No machinery has yet been developed to deal with it. Some machinery is needed and one of the jobs of the Interstate Commission is to develop machinery whereby that sort of situation may be dealt with.

CHAIRMAN TOLL: I would like, next, to call on Mr. Gallagher to say something about the visit he made recently to the states in the New York-New Jersey area.

MR. HUBERT R. GALLAGHER: Starting out with General Averill's conference of Attorneys General in Hartford, I think my trip may be used as a possible example of what a field man in a particular region or section of the country might do. At that conference, as he pointed out, an interstate compact on crime was approved.

I think one ought to qualify his remarks as to the possibilities of compacts. I realize they are a most unwieldy device and that it takes years to consummate a compact, but in considering the crime compact, I think the situation is somewhat different. Congress, last year, gave blanket authority

to the states to enter into crime compacts, thus eliminating one or two years in the process. Then again the states, through establishment of these commissions and through the work of other commissions, have set up commissioners who can consider the crime compact and recommend it to their legislatures, thereby eliminating another year or two. From that standpoint, a crime compact is one which might immediately be ratified by different states.

From Hartford, I went to Pennsylvania, New Jersey, Delaware, and Maryland. A few of these states did not send delegates to General Averill's conference. Thus it was possible for me to carry the results of General Averill's conference to the Attorney General in Delaware and the Attorney General in Pennsylvania, to the assistant Attorney General in New Jersey, and to renew my acquaintance with General O'Connor of Maryland. I found all the Attorneys General very anxious to ratify this crime compact. I found also that they were most interested in the results of this conference here, and in the possibilities of the commissions on interstate coöperation. Attorney General Green in Delaware told me that the boundary commission in that state, of which he is the chairman, has the authority to initiate a crime compact. That is a commission which can coöperate with the New Jersey and Pennsylvania Commissions on Interstate Coöperation.

In Pennsylvania, when I arrived, a resolution establishing the interstate commission had been passed unanimously by both houses but not signed by the governor. So they called a meeting of the chairmen of the house and senate committees and immediately appointed a sub-committee to call on Governor Earle. On that committee was Attorney General Margiotti and the majority leader of the house. In talking with the Governor, Attorney General Margiotti pointed out that a crime compact was an example of compacts that could immediately be put into operation. Of course, it was not necessary to inform Governor Earle of the possibilities of interstate coöperation. He has, for some time, been interested in the Council of State Governments. He immediately signed the resolution and appointed five members of his

cabinet as the administrative members of the commission.

In each of these states which I visited I found the state officials and the legislators interested in what other states were doing and yet they did not have the time or the sources of information to find out what had been accomplished. For example, Attorney General O'Connor wired the other day that he was taking the sales tax before the Supreme Court. Through Dr. Martin's assistance we were able to furnish him with information of what other states had done in their Supreme Courts on this one question, and also to furnish General O'Connor with studies made of the sales tax by the Interstate Commission.

The chairman of the Tax Commission in Delaware also was interested in receiving our study. The Attorney General in Massachusetts was interested in laws relating to regulation of optometrists and we were able to send him a digest of those laws. The chairman of the Senate Committee of Pennsylvania was interested in sterilization statutes. Through our Chicago office, we were able to furnish him with material on that subject.

Judge Hartshorne, the chairman of the New Jersey Commission, is greatly interested in crime compacts and we were able to furnish him with statutes actually passed in California and Colorado, authorizing a crime compact in those states. We were able to put him in touch with the Department of Justice and other agencies which made studies on this subject.

I wish to point out that in this way there is an opportunity for a field man more or less to decentralize the research and informational facilities of our central office by visiting these people, talking with them, making friends with them. It was amazing to me how much they could give us and also how much we could give to them in the way of information. I think probably that is the best way of doing it because writing letters and sending reports, as has been pointed out, is almost worthless.

CHAIRMAN TOLL: I would now like to allot five minutes to Mr. Benson, who has been acting as Managing Editor of *STATE GOVERNMENT*, and performing other very useful functions at headquarters.

MR. GEORGE C. S. BENSON: As to the

magazine, *STATE GOVERNMENT*, I wish to say that if any of you have been editors you know how easy it is to make mistakes. So if we put your name under some body else's picture or give you a wife when you have not one, or say 1492 when we mean 1942, we did not mean anything damaging. If you write to us regarding the matter, we will make the correction and be grateful to you.

There are several other publications in which we are much interested. One is a roster of state officials, something corresponding to the Congressional Directory, for state governments. Nowhere today can one find adequate lists of the major state officials. We published a list which you will find in the first few pages of this year's issue of the "Book of the States," but it is incomplete because it omits the tax commissioners and a great many other important state officials. We hope to develop something a good deal more complete, although it involves an immense amount of work.

A third publication, still tentative but of extreme importance, is a study of the various yearbooks which go under innumerable names, such as Blue Books, Legislative Manuals, Handbooks, and so forth. Almost every state has some such book of information: they differ greatly in quantity, design, material, and so on, but all contain some valuable information.

We tried an experiment, in the last few months, of sending out research bulletins. These bulletins are generally written by organizations other than ours because we do try to function as a clearing house. We tried sending them to the Speaker of the House, asking him to give the bulletin to the man most interested in a particular matter. The experiment of sending the research bulletin to the presiding officer has proved fairly satisfactory, but it is putting an unnecessary burden on the presiding officer.

We are always glad to serve you and if any information can be found on any subject in which you are interested, we will be pleased to try to secure it for you.

CHAIRMAN TOLL: I cannot tell the members of this group how fortunate they are, as a group, in the interest manifested by the members of the staff. I do not

think any organization has ever had a staff in which the members were as genuinely engrossed in the work in which they are engaged upon as is true of this organization. It is a field where the person entering upon it becomes very much obsessed by it. As one sees the needs of the states and establishes the very interesting and pleasant contacts that are built up, it results in a constant increase of interest. It certainly has been a privilege for me to work with the staff which we have. It is a staff which does not know there is a clock or a calendar.

The members of the staff were presented.

CHAIRMAN TOLL: I believe this com-

pletes the subjects which we have on the agenda. Is there any other subject which any one desires to present at this time? If not, I think I should assume to express the appreciation of the people of this country and of the state governments for the services you are rendering by devoting your time and thought in the way you are doing, in making the effort to take a trip of this sort in order to carry on the work you are all doing, and in trying to devise better governmental organizations for the people of this country.

By motion regularly made, seconded, and carried, the meeting adjourned sine die at five-fifteen P.M.

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