

# George Hartshorn Hodges

## Message of GOVERNOR GEO. H. HODGES to the KANSAS LEGISLATURE

EXECUTIVE OFFICE,  
TOPEKA, KAN., January 14, 1913.

Gentlemen of the Legislature:

Under and by virtue of the constitution of the state of Kansas it is the duty of the governor to communicate to you such information and to recommend to you such legislation as he may deem proper and expedient touching state affairs.

I therefore call your attention to the fact that the Congress of the United States has submitted to the several states an amendment to the federal constitution providing for the election of United States senators by direct vote of the people. I recommend that you promptly ratify the same and authorize the certification of your ratification to the Secretary of State of these United States.

In conformity with a deep-seated conviction of the Democratic party, I would urge that this Legislature pass a concurrent resolution instructing our senators and requesting our members of the lower branch of Congress to submit a resolution to the Congress of the United States of America, praying for an amendment to our federal constitution, providing for the election of federal judges by a direct vote of the people and for a term period not exceeding six years.

I call your attention the fact that almost every member of this Legislature was elected upon a platform pledge to submit to the people of Kansas, for their adoption or rejection, amendments to our constitution providing for the initiative and referendum in matters of legislation and for the recall of unfaithful public officials. These and all other platform pledges on which any number of this Legislature was elected are solemn contracts with the people and should be as sacredly performed as any contract, the performance of which is demanded by law and business honor. I recommend that the amendments be framed in clear and explicit language and in terms which will make them effectively conform to the will of the people.

I also recommend that you submit to the people of this state an amendment to the constitution providing for quadrennial election of state and county officers. Our elections are a matter of great expense, not only to the public, but to candidates, and in my opinion the public interest will be served by relief from frequent political agitation. Whether disqualification to hold office two successive terms should be added, I leave to your wisdom.

I believe in state aid in building roads and bridges, and recommend that an amendment to section 8 of article 11 of the constitution be submitted to the people, which shall read as follows:

"The state shall never be a party in carrying on any work of internal improvement, except highways and bridges."

In this connection I call your attention to the fact that but three constitutional amendments can be submitted at a general election. I have recommended four. The initiative and referendum and the recall amendments are imperatively demanded by the people and pledged by you. What the other amendment submitted shall be I leave to your wisdom without the expression of choice by me.

I call your especial attention of that Democratic members of this Legislature to the fact that the election of United States senators by direct vote of the people is a fundamental doctrine of our party. No matter whether you signed statement Number One or not, your personal preference must not stand in the way of your party obligation to cast your vote for the candidate who received a plurality of the votes in the state for United States senator at the recent general election. I therefore urge every Democratic member of this Legislature to vote for William H. Thompson for United States senator.

The complications growing out of the recent election point to the necessity for change in our election laws. While I adhere to my faith in the system of nominations by primary elections, I feel that our present primary law is unsatisfactory and inadequate. It is cumbersome and expensive. Members of one party, or of no party, may and have taken part in the nomination of the candidates of a party with which they have never affiliated. This is wrong, and should be remedied by some sort of registration in which party affiliation is declared a reasonable time in advance of the primary.

I also recommend the adoption of the "Massachusetts form of ballots," for which I contended at the last two sessions of the Kansas Legislature. This seems an opportune time to make the change, inasmuch as at least 250,000 women, most of whom have never before cast a ballot, will vote at the next general election. This will greatly increase the vote in every precinct, and I recommend that you make provision by law to facilitate the counting of the vote, either by means of a double election board or otherwise.

It has for years been a matter of complaint in this state that mortgages held by nonresidents, on property in this state, escaped taxation. To remedy this, the legislatures of 1909 and 1911 passed recording mortgage tax laws, which were vetoed by my distinguished predecessor. I call your attention to the fact that every Republican, Progressive and Democrat in this Legislature was elected on platforms pledging the enactment of such a law. I therefore recommend that you pass such a law at the earliest moment consistent with orderly procedure.

I recommend the unconditional repeal of the present inheritance tax law.

Four years ago the Legislature passed an enactment that provided for the optional building of rock roads and a self-assessment by the petitioners for the payment of the same. There is a limited area where there is need of macadamized roads. This is chiefly in the eastern part of the state, where truck gardeners, dairymen and small-fruit farmers market their products daily. In such localities a number of roads have been built and the wisdom of the enactment has been made apparent. In every instance that land abutting upon the improved roadway has increased in value from three to five times the cost per acre of such road work, thus further justifying the enactment. I call your attention to the report made by the state highway engineer, that about \$5,000,000 is spent annually for road work in our state and only a trace of such road work is permanent. Our state needs permanent dirt roads, and an advanced step has been taken the past

two years through the influence of the Good Roads Association and the Good Roads Magazine. The matter of the development of our public highways is so vital to our state that I can not too highly recommend this important subject for your further consideration. I am more than pleased that the state at large is awake to the necessity of the erection of rock or concrete bridges, and I congratulate the state that so many permanent bridges of that construction have been erected during the past two years.

I call your attention to the fact that a decision of the supreme court has made our grain-inspection laws ineffective. That our farmers and grain men may be given protection in the grading of their grain, and in the matter of weights, I recommend that an effective grain-inspection law be passed.

All parties, in their platforms, have promised the enactment of certain enumerated laws for the protection of laboring men. I urge you to make good these promises by appropriate legislation. The safeguarding of the lives and health of the men who work in mine, factory or other hazardous employment, the more rigid enforcement of the child-labor law, and an enlargement of the power of the Bureau of Labor and Industry are measures to which I invite your special attention.

I recommend to your attention the platform declarations of the Democratic and Republican parties on the subject of the state publication of school textbooks, and I advise that you make careful inquiry as to the expense of such undertaking, and also as to whether the state has power to engage in it without an amendment to our fundamental law. If in your wisdom such an enactment would be constitutional, then I recommend that this Legislature make suitable appropriations for the establishment of a state plant to carry on this work in order that the state may be prepared to furnish school textbooks when our contract for common-school textbooks expires four years hence. I strongly favor the state publication of school text-books and their distribution by the state at actual cost.

In the matter of contingent funds, I recommend that the governor's contingent fund be reduced from \$10,000 per annum to \$5,000, and that all other official contingent funds be scrutinized by you and reduced to what is reasonably necessary. I recommend, however, that the attorney-general be given a contingent fund of \$10,000 per annum as heretofore.

I shall hold sheriffs, county attorneys and mayors of cities responsible for the strict enforcement of the prohibitory law in their respective jurisdictions, and I will cooperate with the attorney-general in seeing that they do their duty. I regard money spent in the enforcement of the prohibitory law as a good investment, and I will not be a party to any false economy which might tend to hamper chief law officer of the state in his efforts to enforce it.

There is a general feeling that our statutes are cumbered with many useless laws and that they contain many conflicting provisions. I therefore recommend that you provide for a commission to prepare a revision and codification of our laws and present it for the consideration of the Legislature at its next regular session.

I would urge that all laws passed by you be drafted in clear, simple language, so definite that they can be readily understood. It is a travesty on justice that laws are drafted in such an ambiguous manner that they require interpretation by expert lawyers to determine their meaning. I call your attention to the fact that the beds of the Kansas and Arkansas rivers and one-half of the bed of the Missouri river belong to the state, and I recommend that the general survey law be extended over these beds and the islands therein, with the right of appeal as in other cases, and that the Executive Council be given control of the sand, gravel and other products in the beds of these rivers.

There has been some agitation concerning the enactment of a "Jim Crow" law in this state. I can see no reason for the enactment of such a law, and would regret that a bill of that character should even be introduced.

The depositors' bank guaranty law, now irrevocably a part of our banking system, has given entire satisfaction and created a public confidence in the security of our state banks which it will be the especial care of this administration to foster. Any act which will strengthen this feature of our banking laws will be cheerfully approved by me as governor.

From personal knowledge I feel warranted in saying that the National Guard of this state is not excelled in efficiency for field service by the guard of any other state. The regiments are composed of a high-grade body of young men, imbued with zeal and patriotism and efficiently officered. The young men of this organization are contributing not only of their time but of their individual means to maintain the present high standard of the organization. They should be the pride of the state and are worthy of your legislative consideration.

I call your attention to the appropriation made for the tuberculosis sanatorium by the last Legislature. I commend this as an advanced step on the part of the state in looking to the future health of our citizens. It will be a pleasant duty I am sure for the Legislature to appropriate sufficient funds to meet the requirements of this newly founded and what I feel will become a highly commended additional health department or our state.

The people of Kansas are looking to this Legislature for relief from the burdens of taxation. I have already recommended the recording mortgage tax and the reducing of election expenses by means of quadrennial elections. I now recommend that the office of state accountant be abolished and the work of that office imposed upon the auditor of state, and that he be given an additional assistant for that purpose if necessary. In this manner the state will get just as effective service at a greatly reduced cost.

I also recommend that the office of live-stock sanitary commissioner be combined with and made a part of the veterinary department of the State Agricultural College, and that the state veterinary be given such assistance as may be necessary. I believe the work can thus be accomplished with greater efficiency and at a greatly reduced cost to the state.

To the same end I recommend that the present Bureau of Labor and Industry, Bureau of Mining Industries and the Free Employment Bureau be abolished and a new Bureau of Labor and Industry created, which shall be combine these three activities, with enlarged powers, under a

commissioner of labor and industry to be appointed by the governor, by and with the consent of the senate, until the next general election, at which time and at every general election thereafter said commissioner shall be elected by the people. This will not only promote efficiency and reduce expenses, but it will elevate the department of labor to the high rank of other elective state offices, and give all the laboring men of the state a voice in the choice of the head of this department.

I recommend that you scrutinize the necessity for inspectors in the various departments and allow only such number as are necessary for the efficient carrying on of the work of each.

I believe that a classification of the various state institutions and the placing of them under the management of three boards will result in a great saving to the taxpayers, not only in the cost of administration but in the cost of maintenance, and I am sure their efficiency will be increased. I therefore recommend that all the state educational institutions, including the School for the Deaf and the School for the Blind, be placed under the management of a board of regents consisting of three members, who shall be paid a reasonable salary and devote all their time to the interests of the state.

In addition to looking after these schools this board might well be made a board of efficiency and economy, to investigate conditions at state institutions and report to the Executive and the Legislature where duplications may be avoided, efficiency increased and expense minimized. I also recommend that the State Soldiers' Home at Dodge City, the Mother Bickerdyke Home and all other benevolent institutions, except the School for the Deaf and the School for the Blind, be placed under the management of the Board of Control.

I also recommend that all the state penal and reformatory institutions, including the Industrial School for Boys and the Industrial School for Girls, be placed under the management and control of a penal board of three members, who shall receive a salary of \$1000 each per annum and all actual and necessary expenses.

Since the last session of the Legislature fire has destroyed some of the buildings at the State Home for the Feeble-minded at Winfield, and the Industrial Reformatory at Hutchinson. I recommend that suitable appropriations be made to replace these buildings with their equipments. I would also recommend a suitable appropriation for buildings and equipment at the new State Insane Hospital at Larned.

I call your attention to the appropriations asked for by our benevolent and educational institutions. The educational institutions alone are asking \$2,324,574 more than was allowed them by the last Legislature. I am constrained to recommend to you, that while the efficiency of all these institutions should be kept in mind, and the Kansas standard maintained, you should exercise the utmost care and judgement in determining their needs. No good citizen of this commonwealth wants to impair the usefulness of our public institutions, whether benevolent or educational; but after scanning and carefully considering their demands, I am quite clear that the appropriation of such vast sums is altogether out of the question. I believe that you will find on investigation that there are many duplications of work in our state educational institutions, that some departments are of little or no value, and that some cost more than they are worth to the

state. In another part of this message I have recommended the consolidation of the different educational boards. With such a board I believe these objectionable features will be eliminated. With the information now at hand, I do not recommend any appropriations for new buildings at our educational institutions. In the matter of maintenance funds, I recommend that these institutions be treated fairly, but not with prodigality. The people demand economy, and I know of no better service these institutions can render the state than by setting an example of reasonable economy in the administration of their own affairs. I ask you to carefully investigate the needs of these institutions and deal justly by both the schools and the taxpayers.

High-school visitation is costing this state, I am informed, well over \$20,000 a year in salaries, traveling expenses, clerk hire and office expenses. In the opinion of many competent to judge this system of high-school visitation is useless. If this is true the system should be abolished.

I also call your attention to the oft expressed feeling that our method of assessment for taxation is too cumbersome and too expensive, and I urge you to consider carefully the changes that might be made in the interest of economy and efficiency.

I recommend that no state officer, elective or appointive, be paid for time spent in other than the performance of his official duties, with the exception of the allowance of such vacations, not oftener than once each year, as the Legislature may decide upon.

I am sincerely gratified to report to you that our utilities law is a great success and that it needs only slight amendment, if any. In the hands of broad-gauged men it will continue to be an instrument of the highest value for the development and upbuilding of the state. Under its provisions both people and public service corporations are adequately protected and antagonisms eradicated.

I call your attention of the members of this Legislature to the pledges made in the various party platforms to which I have not specifically referred, and reiterate what I have said about the obligations of legislators to observe the terms of their contract with the people. I believe that this Legislature will conscientiously endeavor to keep faith with the electorate, and that when this session is over and you return to your homes your constituency will feel satisfied with the work you have accomplished. Respectfully submitted.

**GEO. H. HODGES,**  
**Governor.**

Transcribed from: Message of Governor Geo. H. Hodges to the Kansas Legislature, January 14, 1913.

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