

Frank Carlson

MESSAGE OF GOVERNOR FRANK CARLSON TO THE KANSAS LEGISLATURE JANUARY 12, 1949

Mr. President, Mr. Speaker and Members of the Legislature of the State of Kansas:

The primary task which faces us today is that of broadening our services so that our state government may more nearly meet the present and future needs of our growing state. This goal toward which we should direct our efforts is not in the direction of state paternalism. What we seek, rather, are more equitable and more realistic laws and more efficient administration of those laws.

Our basic enterprises of agriculture and industry are today generally in a sound condition. We must exercise every means in our power as a state to encourage and promote these twin cornerstones of Kansas prosperity. We have taken a few hard blows on the industrial front, but these disappointments have been readily absorbed and the general trend continues forward. We must in no way neglect these vital endeavors, but there are other subjects which also urgently demand the attention of this legislature. The people are looking to us for fuller participation in such fields as schools, highways, public health and public welfare. Your Legislative Council and other committees have completed careful studies of these and other important matters and it is certain that the people of Kansas are going to expect positive and constructive action in this session.

Facing us also is the momentous task of determining what is our best course in the regulation and control of liquors. My views on this legislation will be presented in this message, rather than in a special message.

Above all, I urge you to at all times uphold the public interest and at no time yield to special interests. The words and phrases of this appeal have been uttered many times, but they have a very plain and significant meaning. They impress on you your deepest duty as legislators in a democracy. You are charged with the duty of making laws for the many, not for the few. You are entrusted with insuring to our citizens true equality before the law. Let this ideal of public interest be the hallmark of our 1949 legislature.

Your responsibilities as a legislator are formidable at any time. But in this session the tasks are particularly heavy, both in number and in magnitude. Your opportunity for service is unmatched in the history of Kansas.

It is to this broad challenge that I urge you to dedicate yourself as I discuss in the remainder of this communication some of the specific items with which we are confronted.

BUDGET AND REVENUE

You have before you the budget that I have approved, together with a statement of our anticipated general revenues. You will note that I have cut \$6,252,364 from the original requests submitted by various agencies, department and institutions. The total approved budget is \$48,067,320.

I want to pledge you my complete cooperation with your committees in the development of a sound fiscal program and policy. I am glad to inform you that, even with this greatly increased

budget recommendation, the proposed expenditures can be financed without new sources of taxation and without increased levies.

To conduct our state government it will not be necessary to add to the tax burdens already on our farms and homes. It will not be necessary for this legislature to create additional taxes or raise tax rates in order to provide the funds indicated in this budget.

This legislative session is confronted with the difficult problem of judiciously voting funds for the operation of our various departments of government for the biennium which ends June 30, 1951. There is some indication that we may be entering into a period in which prices and costs will level off. But it would be imprudent for us to do otherwise than provide for our obligations as they appear today. After all, the voice of prophecy is not speaking with quite the same degree of assurance that it employed before last November.

Our budgets in the last biennium were written on the basis of a possible decline in the economic index. This did not occur. In fact, living costs increased during that period, with the exception of the last few months of 1948. This placed an added burden on the departments, institutions and schools of our state in financing a program which required increased costs and wages. Some of them will be forced into deficit financing before the end of the present fiscal year.

The approved budget recognized these deficits, and I recommend that appropriations be made to meet them.

Based on conservative estimates of prospective anticipated revenues in the general funds, we should have a cash balance on June 30, 1950, of \$10,000,000, and an estimated cash balance on June 30, 1951, of \$4,400,000.

I recommend the reenactment of the statute providing a state emergency fund of \$500,000. I suggest the discontinuance of the emergency fund of \$600,000 per annum voted in the last session of the legislature for school needs.

The budgets approved for the schools of this state are, in my opinion, sufficient to take care of the school needs for the biennium.

I am recommending that we transfer to the general fund one and one-fourth million dollars from the accumulated fees collected by the State Commission of Revenue and Taxation. This fund has accumulated as a result of increased collections and careful administration.

EDUCATION

Two years ago Kansas made two important advances in school legislation. The legislature adopted the principle of allocating state funds to all elementary schools in keeping with the accepted tax practice of a majority of states. It also enacted the county-wide levy for elementary schools, which tends to equalize the school tax. I share with you a pride in these notable accomplishments.

These laws symbolize progress and are in keeping with our concept of a broader service in vital fields. We must continue to advance along the same sound lines as we find our schools faced with the difficulties of high costs, swelling enrollments caused by the increased birth rate, and an acute shortage of well-trained teachers.

I earnestly recommend that this legislature provide substantially increased state funds for the common schools from non-ad valorem sources, in keeping with the policy we established in the 1947 legislature. General property—our homes and farms—are already bearing too heavy a share of the school tax load.

I heartily endorse the principle of using supplementary state funds to improve our school system

by encouraging proper-sized classrooms and the employment of better-trained teachers. I further recommend that this legislature enact the school transportation levy law on a permanent basis, strive to improve the qualifications of county superintendents, and consider means of improving the prestige and security of the teaching profession. Such inequities as may have appeared in the teachers' retirement program should be corrected and benefits increased to proper levels.

It is my conviction that this legislature will strive for honesty and impartiality, treating every school pupil and every school district in Kansas with complete fairness.

PUBLIC HEALTH

Great strides have been made in recent years in protecting the health of our people. Many diseases, which were formerly leading causes of sickness and death, have been brought almost entirely under control.

This is resulting in greater general health and vigor and has added years to the expected life of all of us. But it has also brought us new problems and a new and increasing area of danger in such chronic diseases as cancer, mental illness and heart disease which particularly affect our aging population. These problems deserve our unceasing attention.

There is a rapidly mounting death rate from accidents. We have successfully lessened the treat of disease in respect to our children and young people, but we now find that accidents are the leading cause of death in the lower age groups. Accidents constitute one of the most preventable causes of death and measures looking to safety prevention of accidents must not be overlooked. Laboratory services of various state departments are now being rendered under costly and very unsatisfactory conditions. The need for a state laboratory facility to house all of these activities will be called to the attention of the proper committees.

Achievements in the field of health warrant the continuation and strengthening of our protective health services. With today's specific needs in mind I have recommended an increased budget for our State Board of Health.

RURAL HEALTH PROGRAM

We are now and have been for a number of years faced with an alarming and ever-increasing shortage of doctors, nurses and medical technicians. This shortage is particularly acute throughout our rural areas and in our state hospitals and institutions. Far too many of our Kansas communities do not now have any professional medical protection.

At the urgent request of both rural and civic leaders, and others deeply concerned, there has been prepared, after months of study and analysis, a plan known as the Rural Health Program for Kansas. This plan has been given widespread publicity and has met with enthusiastic approval across the entire state. It has been endorsed by farm organizations and many other outstanding groups. It calls for, among other things, increased facilities at the University of Kansas Medical School for training substantially more medical personnel of all classifications.

These increased facilities constitute the most important item in the entire program, and the only one requiring legislative action. Under this Rural Health Program we will take a great forward step in the relief of pain and suffering and the saving of human life. I am wholeheartedly for it, and urge an appropriation sufficient to provide the University of Kansas Medical School the additional facilities required to carry out the program.

STATE HOSPITALS

The condition of our state hospitals with respects to equipment, medical care, humane custody, sanitation and personnel requires immediate positive action.

The original scope of our mental hospitals was limited almost entirely to the custodial care and confinement of the insane. But recent advances in the field of psychiatry and modern methods of treatment for the mentally ill give new hope to those afflicted. Their return to useful active life in the state and community is desirable from every standpoint.

It is estimated that we have an investment valued at thirty-five million dollars in our hospital buildings, grounds and equipment. While it is true that these buildings are not ideally constructed for the new methods of treatment and care of mentally ill patients—it is equally true that we cannot in the immediate future build complete new hospitals plants. We can construct some new buildings, we can provide adequate sanitation, we can remove fire hazards. I recommend that we use as a basis for this building program the report made by the Legislative Council Committee in 1946.

In my budget message to the legislature I am approving a budget of \$14,393,869 for the next biennium for the charitable institutions. To this we must add a deficiency appropriation of \$615,094, making a combined total of over fifteen million dollars. This deficiency is the result of increased maintenance, wages and personnel. The last biennium we voted \$8,134,965 for these same institutions.

The large investment we have in these institutions and the annual expenditures to maintain them warrant the services of a business manager in each of them and I so recommend. This would relieve the superintendents of many administrative details and allow them more time for professional duties.

In September, 1948, I appointed a committee of five members—three doctors and two members of the Kansas legislature—to study our state hospital needs. Their report submitted to me on December 29, 1948, makes recommendations for:

- (a) Proper leadership and direction.
- (b) Adequate financing.
- (c) Guarantee of continuity and stability of these institutions.

This noteworthy report is available to the members of the legislature and I urge your earnest consideration of its recommendations.

STATE BUILDINGS

Your attention is called to the continued need for expansion and rehabilitation of physical plants of our state schools, hospitals and correctional institutions.

Some building items are specifically included in our budget recommendations; others should properly be made a part of any increased building program which the legislature sees fit to adopt. The need for a state office building continues. We must not relax efforts directed toward the construction of such a building with the resulting increase in economy and efficiency which we can surely expect.

LABOR

Dispute and discord have been generally absent from the scene of our increasing industrialization. This is a tribute to the intelligent and fair leadership of both labor and management. The welfare of our state and the fortunes of all our citizens are interwoven with and dependent upon the interests and cooperation of these groups.

To maintain and further promote this spirit of cooperation I recommend that we more clearly define the authority of the state in using its good offices in conciliating controversies between labor and management.

The continuing need for skilled workers in our industries and building trades prompts me to suggest statutory authority designed to encourage training of craftsmen through apprenticeship. There has been complaint that some of our workers are required to work for substandard wages detrimental to their health and morals. I suggest that the legislature authorize and provide for a study of this subject by the Legislative Council to determine the need for a minimum wage law. Encouragement should be given to an agreeable method of equipping way cars used by railroad workers with more adequate lighting to reduce hazards and provide greater convenience to users.

EMPLOYMENT SECURITY

Kansas has had its employment security program for eleven years during which it has played an increasingly important part in the well-being of our people.

During these years ninety million dollars have been accumulated in trust to lessen the economic hardships of involuntary unemployment. It has been necessary to pay to workers in the program only twenty-eight million. Our present reserve in trust is now sixty-two million.

Recent years have seen industrial expansion in our state which, as never before, provides high levels of employment. The solvency of the trust fund together with our present economic circumstances causes me to believe that further accumulation of reserves at the present rate is neither necessary nor wise. We can provide ample protection to our industrial worker and at the same time lessen substantially the tax burden on the employer. I recommend that consideration be given to the establishment of specific limitations on the accumulation of reserves and a tax reduction to be effected in the near future.

Benefits paid under this program have failed to keep pace with the costs of today. In order that this program provide the measure of security intended, I recommend that attention be given to an increase in the maximum benefit in order that these benefits become a better economic cushion for those involuntarily unemployed.

These recommendations are made with the conviction that our objective is to afford maximum protection to the greatest number at the lowest possible cost. I am also convinced that an increase in benefits and a reduction in tax can be effected without jeopardizing our present program.

JUVENILE CODE

The 1947 legislature approved legislation creating a Juvenile Code Commission. Five of our outstanding citizens have unselfishly and gratuitously served on this committee.

This committee, after months of labor, is submitting to the legislature recommendations designed to improve and modernize our methods in dealing with the juvenile problem. I commend the committee's splendid work in producing this comprehensive and exhaustive report for you and urge its serious consideration.

VETERANS

The question of a bonus for World War II veterans has grown in Kansas, as it has in many other states, to a point which demands serious and intelligent consideration.

A bonus, with its inevitable huge attendant financial requirements, involves the interests not only of veterans but of the general public. Therefore, I believe this subject requires a comprehensive and constructive approach from our legislators and our veterans themselves, and particularly from veterans groups and organizations. The best possible thought is necessary to protect the common good.

In all the recommendations to me from veterans and their organizations, there is complete agreement that any bonus should be predicated on a vote of the people.

I recommend the appointment of a committee of legislators and veterans to study a state bonus for World War II veterans. This committee should report its determinations in ample time so that the legislature may have the opportunity of submitting a bonus proposal to the voters at the next general election.

We should continue the Kansas Office of Veterans Affairs, which is rendering very necessary and valuable service. The office's responsibilities have been greatly increased by the curtailment of services previously offered by the national Veterans Administration.

We must not allow time to dim the appreciation, or dilute the gratitude which we owe to those who have sacrificed so much in the service of us all.

CIVILIAN DEFENSE

The federal government, through a directive of the office of the Secretary of Defense, created the office of Civil Defense Planning. Recommendations are now before the national Congress for the creation of a federal agency on civilian defense. The experience with civil defense during the last war has amply demonstrated that efficient operation cannot be achieved unless the federal government will work through the state governments. The organization, to be effective, must work through the state level to local governmental units and agencies.

We have in our state a coordinated voluntary disaster relief agency. It functions satisfactorily in peace times, but it is not designed to cope with a national emergency.

There is, needed therefore, legislative authority for state and local governments to plan, organize and administer all possible means to secure the safety of our citizens and their properties in the time of a great national emergency.

SOCIAL WELFARE

All of us in Kansas, I know, feel our obligation to those of our citizens who through age or affliction require assistance. We are constantly trying to improve social welfare program and at this session of the legislature I believe great forward measures can be taken.

We are exceedingly fortunate in that the social welfare committee of the Legislative Council has made a careful, detailed and intelligent study of the Kansas public assistance program both internally and in comparison with other states. The excellent findings and recommendations of this committee are at your disposal. I urge your serious consideration of them.

The committee has a solution to the big basic difficulty in our previous social welfare legislation. This difficulty consists in the inequality and uncertainty of our state and county contributions to

the program. The federal government is now contributing one million dollars a month. These funds must be matched by state and county moneys, or they will cease.

Under our present Kansas law, a number of Kansas counties cannot continue to meet their obligations. When one or more of them fails, the federal assistance stops.

To assure continued federal assistance, and to more equitably distribute the cost of welfare among local taxpayers so that no county will be distressed, the Legislative Council's recommendation offers a reasonable and sound solution.

They propose to limit welfare costs to the local taxpayer in any county by a maximum three-mill levy; and for the state, through sales tax funds, to make up the difference on the basis of need. I believe this new conception of our welfare finance problem will prove the solution to an exceedingly critical situation.

In this reference to our needy aged people, I should like to acquaint you with a story that has remained too long untold.

In January, 1942, we hit our peak load for old-age assistance—47,443 persons. By September, 1945, the load was down to 34,969 persons, a reduction of approximately 13,000 persons, and the average age of those remaining on the rolls was approximately seventy-five years. In this 13,000 reduction was a host of aged patriotic people who took jobs in Kansas agriculture and industry to release younger men and women for military service. Many of them are still working. Actually, the old-age assistant load has increased only 5,000 persons since September, 1945. That should reassure all of us as to the worthiness, integrity and patriotism of these deserving fellow Kansans. Our Kansas law plainly states that these citizens should have a standard of living compatible with decency and health. We want them to have it and have conscientiously worked toward that end. During the past few years we have been able to make some increases in their grants, but these increases fall short of the increased costs in living. I earnestly urge you to make available such additional state funds as will provide a realistically decent standard of living for our people who are in need.

RETIREMENT SYSTEM

The state has already found it advisable to create retirement systems for teachers, for the highway patrol and in other instances. Several of our cities have retirement plans. Private industry is today expanding the policy of retirement.

I deem it expedient and timely that we establish a uniform retirement plan for public employees, consistent with the study and findings of the Legislative Council.

Such a program, which offers a suitable reward of security for faithful employment, will more readily attract and retain those who desire careers of public service.

The relatively low average age of present employee groups makes it a financially opportune time to adopt a retirement system.

HIGHWAYS

Significant progress has been made in the postwar years in our Kansas highways, yet there is a general recognition that we must not only maintain but must materially increase our present rate of road building if we are to bring state, county, township and city highway and street systems up to a satisfactory condition.

A splendid study of this problem has just been completed by the Highway Fact-finding and

Research Committee created by a legislative resolution which had my full approval and support. The bi-partisan committee, aided by the services of outstanding independent engineers, has devoted a year and a half to surveys, public meetings, evaluation and deliberation, and has presented an exhaustive report of which we should all be proud.

I accept that report and the needs which it sets out for highway, road and street systems and strongly recommend that we begin at once on the twenty-year program which the committee endorses. All of us would naturally prefer that the job be done in two, three or five years, but this is out of the question both from the physical and financial standpoints.

The one-cent nonexempt gasoline tax has fulfilled its intended function of allowing us to match increased federal aid under the three-year, postwar program. Now is the time to establish a more permanent revenue basis, and I recommend that the special one-cent tax not be renewed upon its expiration.

The new twenty-year highway plan contemplates a far bigger and broader program of annual construction than did the postwar program. Likewise the additional funds necessary to carry it on must be substantially greater than those raised by the one-cent tax.

Whereas, during the postwar program now ending we needed each year approximately six million dollars additional to existing revenues, our committee shows annual needs for the twenty-year plan of twenty-one million additional instead of the six million.

It should be stressed that this program does not envision a state-wide network of super roads, but contemplates only bringing our roads up to the minimum satisfactory standards proper to each segment requiring improvement.

Having recognized and accepted the needs, we must seek the best way of meeting the financial obligations involved.

The committee has recommended to me and to you that we consider a combination of such sources as an increased gasoline tax, a change from an exemption to a prompt refund system, upward revision of the registration fees and ton-mile tax, an appropriation from the general fund for administrative expenses, allocation of sales tax revenue from collections on new and used vehicles and automotive accessories, and allocation of liquor tax revenue to the highway fund.

The total amount which we should dedicate to this program in the first two years and the sources from which we should raise it are of such grave importance that I want to confer on them with the highway committees of both houses and particularly the former chairmen of these committees who are also members of the Fact-Finding Committee, and who undoubtedly will be members of the committees this session. Our decisions will result either in committee bills or, if they desire, in a special message to the legislature.

In any event, I urge that a share of any new revenue be set aside for counties and cities to aid them in overcoming their road and street deficiencies.

In addition I recommend that the county and township road and bridge levies be taken outside of the aggregate and that the statutory limitations now on them be removed. This will enable elected officials to meet more adequately their local needs.

I also recommend the enactment of a drivers' license law in conformity with the requirements of highway safety.

LIQUOR

All of us realize that the outcome of the last general election has made it an obligation for this legislature to enact statutes providing for the sale, transportation and possession of alcoholic

beverages.

In the period since the election I have examined a variety of reports on the subject of liquor control; I have studied the methods and experiences of other states; I have talked to or heard from hundreds of our citizens. Ministers, farmers, business men, editors, housewives, governors of other states are among those who have kindly given me the benefit of their suggestions.

A great variety of opinions and shades of opinions have naturally come to light as we have sought a common denominator in the form of a law which will most nearly give us the results and the conditions which all of us seek regardless of differences in approach.

Of one thing I have become firmly convinced and that is that there is no such thing as a perfect liquor law. Neither is there any doubt that the people of Kansas want rigid controls of liquor.

And to the greatest extent possible, they want a law which will discourage excesses and encourage moderation and temperance.

With all of these factors in mind I have directed that a liquor bill be prepared which contains the features on which most of our citizens seem agreed. Its provisions will not coincide one hundred percent with the thinking of any of us. But I consider it to be a workable, feasible plan, giving us the greatest guarantee possible of the controls which we seek.

My considered judgment is that any liquor statutes which we finally pass should provide for the following:

First, for the creation of a liquor control commission with authority to license manufacturers, wholesalers and retailers of package liquor only.

Second, that licenses be issued only to those who meet the most rigid requirements.

Third, a method of limiting the number of retail package stores to be located in any city or municipality.

Fourth, no licenses be issued outside of cities or municipalities.

Fifth, the citizens of those areas in which licenses may be issued be granted the privilege of voting on whether or not they want a retail liquor store in that community.

Sixth, in order to impose a strict limitation on competition among stores, liquor be sold under the provisions of the "Fair Trade Practices Acts."

Seventh, proper license fees and taxes be levied and the resulting revenues be placed in the state general fund.

I am sure that we all agree on the need for prompt consideration and action on this liquor legislation, so that we may be free to transfer our energies and our attention to other vital problems.

GENERAL

There are a host of other vital subjects on which I have received recommendations in recent weeks. These I will discuss with the proper legislative committees.

Among them are such problems as a nurses' practice act, creation of a board of accountancy, civil rights legislation, aid to speech-handicapped children, regulation of fireworks, and possible adjustments in our public library system.

All of these matters are worthy of your most careful consideration.

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