

# Frank Carlson

## MESSAGE OF GOVERNOR FRANK CARLSON to the Kansas Legislature January 15, 1947

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

We, the people of Kansas, stand today on the threshold of a great new era. No spot on earth is more favored. The amazing possibilities in the years immediately ahead for agriculture, for business, for manufacturing, for education, for internal improvement and for transportation are so great as to challenge our imagination and vision.

As we build a bigger state, we would build a more perfect one. Economic growth without spiritual growth will come to naught. We must never lose sight of this eternal truth.

In this first peacetime assembly since a gracious Providence blessed the nation's arms with victory, the legislature begins a new chapter and a new epoch in the history of Kansas. Of this we are all well aware. This legislature is commissioned to begin a great adventure with the future. It is yours to firmly grasp our greatest opportunities since statehood. It is my prayer that you, as planners, and I as your servant, can together pioneer a new era.

In our planning, let us first determine that spiritual progress and material progress are inseparable so that economic justice will be a companion of legal justice. In this manner we will have equality before the law and also equal opportunity to make a living; we will live decently while we enjoy the privileges of freedom.

So let us highly resolve that this session will be free of bigotry, of class or privilege, of favoritism and of intolerance—these seeds of oppression. Let us resolve that no single segment of the Kansas community shall be able to flout the public interest.

My communication to you today is required of me as your governor by the constitution of the state of Kansas. I must report to you the condition of the state government as I find it and recommend to you for legislative action such measures as seem expedient and necessary.

### **BUDGET AND REVENUES**

You have received the report of my distinguished predecessor, Governor Schoeppel, on the prospective budget and the anticipated ordinary revenues. This I commend to you out of deep respect for his wisdom and record. Obviously, I cannot now have sufficient practical knowledge of items therein to discuss the fiscal reports with the fluency I should like, and it is not prudent that I should do so. But with the full appreciation that this is the core of our stewardship, I pledge you my continuing attention and my complete cooperation with your committees in the development of a sound fiscal program and policy. It has ever been my creed that a public budget should operate in balance; that there is danger and discouragement to the business life from overreached credits and burdensome taxes.

### **VETERANS AND YOUTH**

This state's primary concern now centers upon its veterans and its youth. After much study and thought, I find that if we plan well for these we will have solved most of our other problems as well.

What are these problems? Kansas supplied more than 200,000 of her sons and daughters to the nation's first lines of defense. We want them back—every one.

The assimilation of veterans in peacetime pursuits; the provision of educational facilities of all types; the combatting of crime; the building and protection of homes, which are the foundations of our communities, churches and state—all these are but a part of the sum of our concern for veterans and youth.

It is, therefore, our wish that you study the housing problem. Let us facilitate building and financing by every reasonable means, and let this, wherever possible, support our agricultural, industrial and other natural resources.

We have the further obligation, if you find the statutes insufficient, to protect these veterans and the public from the schemes, trickery and artifices of those who practice clever deceits in promotion of business and building. There is no greater expression of faith in Kansas than that of the builder. If the builder is a veteran, he is especially deserving of the least possible inconvenience and the greatest possible encouragement.

Your last session of the legislature admirably provided the Kansas Veterans Administration to facilitate wherever possible peacetime readjustment of those returned from the armed forces. After two years of experience in this operation, with undeniable benefits, it has been demonstrated that this department needs some expansion and correction, especially with regard to the recommendation of the legislative council for the inclusion of certain types of assistance in housing.

Your administration also recognizes and offers complete concurrence to the policy of giving veterans priority in state employment.

Other prospective legislation particularly affecting veterans and youth, and which previously has been discussed by you, are the three-day waiting period for the validation of marriage licenses and the enactment of the juvenile code. I favor both of these measures.

## **AGRICULTURE**

As a farmer and stockman, it is my prime interest that this state should avail itself of every opportunity to improve its rural communities. By education and research and by close cooperation with the federal department of agriculture we must keep abreast of our opportunities. The development of roads and highways, rural electrification, improved rural health and education, and favorable traffic rates and services must ever be promoted by study, by statute and by investment. Our greatest wealth lies in the native ability and productive capacity of our farmers. The economy of the state and nation must never be allowed selfishly to exploit this great body of independent, industrious people who contribute so heavily to our strength.

## **INDUSTRIAL DEVELOPMENT**

The Kansas Industrial Development Commission has now won its place as an agency vital to the development of Kansas, emphasizing the importance of industry as a team mate to our basic agriculture. Since it was established, more than 400 new industries have gone into operation. Some were born of war, but the vast majority of them still operate profitably and are proving that this state is unexcelled as a business location. The Industrial Commission should play an even more vital role in the critical days of peacetime expansion. Particularly do we need more industrial and farm research. New business will be required to occupy our veterans and youth

and our labor; to keep our children with us. The Industrial Commission already has reported to me that it feels not only must new industry be attracted to Kansas, but manufacturers already in operation must have the benefits of all possible assistance in reaching broader markets and in improving methods and products. Through our industrial growth we shall be able at least partially to solve another vexing problem in conserving, against waste and against export, the natural resources of Kansas for the development of Kansas.

## **AVIATION**

Kansas, with its incomparable topography, climate and skills for the advancement of aviation, must not today fail its future of tomorrow. I endorse the legislative council's suggestion that an aviation section be established within the Kansas Industrial Development Commission.

## **LABOR**

There is no real reason why the splendid achievement of Kansas labor during the war years cannot be continued uninterruptedly. Kansas production reached an all time high; the time lost from work stoppages was commendably low. The war record of both labor and management in our state was a national record.

Today there is a national clamor for restrictive labor legislation. On our past record, it does not seem proper that we should consider Kansas as a part of that picture. Rather, if ways be found to promote the cooperation and understanding between the ranks of labor and management to facilitate the dissolution of dispute or discord, let this be the subject of legislative contemplations. It is our tradition to act constructively, to avoid extremism and weak, defensive acts.

Kansas labor understands that this state's pioneering in labor legislation cannot be interpreted by either labor or management as providing privilege to act against the common welfare. It will be my duty as Governor to prevent any minority group of business, vocation, or combine of any type from trespass upon the public interest. I commend to this assembly a review of our laws covering restraints of trade in the interest of the public's equity.

In behalf of labor we must always safeguard its freedom to work and to bargain collectively; we must always progress in our provisions for healthful and safe working conditions, and for increased security to be derived from protection against injury, illness and unemployment.

## **SMALL LOAN FINANCING**

Our laws on usury now prohibit the payment of interest on small loans which is considered commensurate with the risk. As a result, citizens either are unable to obtain small loans legally or by necessity they are driven into the money "black market" to become victims of the unscrupulous loan "sharks" whose interest rates and collection methods are shockingly harsh. The wage-earners in industrial centers, particularly, must be enabled to obtain loans legally and at reasonable rates. Such laws have been highly successful in many other states, and bear the endorsements of labor, veterans organizations, and business and commercial groups. Legitimate money lenders will welcome the improvement; the loan shark is not entitled to any consideration.

## **SOCIAL WELFARE**

The right of assistance, emphasized by the hardships from the rising scale of living costs, must be recognized in behalf of many of our citizens who are in need because of advanced age or disability. It is our high privilege to help these neighbors not only over the inflationary period but also with respect to livelihoods of decency and health during the period of need. I know that we all accept our obligations to these unfortunate neighbors and further, that we fully expect to give action to this duty. I recommend the apportionment of additional sales tax funds to provide greater state aid and participation in providing for these fellow citizens.

## **LEGISLATIVE PAY**

No Kansan is proud of the constitutional provision of three dollars per day as remuneration for the members of the legislative branch. On the contrary, we are convinced that our people hope that you will speedily remedy this unrealistic situation. The subterfuge of postage and expense allowance is not in the Kansas tradition. Further, such allowances only embarrass you as members and I, as governor, in a practice which borders upon indirect violation of our oaths. Perhaps you will not care to seek constitutional provision for specific salary, in order to facilitate upward or downward revision for succeeding sessions. But I feel certain it is the wish of our people that you should receive a minimum of ten dollars per day for the session as limited by the Constitution. I recommend this amendment to you and our citizens as well.

## **CONSTITUTIONAL AMENDMENT**

Today there is widespread demand that section 10, of article 15 of the state constitution be repealed. Amendment or abridgement of the constitution requires the direct vote of the people. That is their right at any time. It is their right today.

We, therefore, have the obligation to submit this question to a popular vote, and I urge your immediate attention toward providing for the referendum. Moreover, I feel impelled to ask you to consider the form of the amendment to be submitted, so that it shall if adopted insure the regulation and protection we must give the people of Kansas. This should facilitate the free expression of their wishes in this matter as well as provide proper guidance for the subsequent acts of this assembly.

In this respect, I concur with the legislative council's recent report asking the research department to place before this session "the essential facts concerning the laws of other states relating to prohibition or to the regulation and control of the manufacture and sale of intoxicating liquor."

But I should remind you and the citizens of Kansas that it is my sworn duty to enforce the law, and that I shall demand of other officers of this state the same allegiance to their oaths of office.

## **LAWS ENFORCEMENT AND SAFETY**

Under the Kansas oath of office there can be no question of law enforcement. It is not the prerogative of any officer of the state to choose which laws shall be enforced and which shall not. Disrespect for law or wilful violation of law on the part of any citizen is an unsocial action, for our laws are the essence of good will and harmony among men.

For this administration, therefore, we shall seek the fullest cooperation between the state's law enforcement agencies and those of city, county and township. I hope this legislature will review the postwar problems confronting the state agencies that they may keep pace with the methods and the greater responsibilities now imposed upon them.

Our heavy responsibility we must face is our provision for increased safety of the highways. The safety division reports 440 persons were killed on Kansas roads during 1946, 136 more such fatalities than during 1945. We had less than 3,000 accidents in which about 1,800 received injuries during 1945, but observe that in 1946 they increased to nearly 5,500 accidents in which more than 3,500 were injured. We simply must strive to reduce these tragic losses.

Here I would underscore for your attention the statutes setting forth the qualifications of drivers and the mechanical fitness of vehicles. The Kansas statutes in these respects in my opinion are insufficient. I urge you to take action.

However, we shall not overlook the other phases of safety in the physical improvements of highways, the elimination of hazards better police controls, improved markings, and public education. Beyond this, we must always consider the public welfare expressed in laws concerning liability and negligence.

## **STATE EMPLOYEES**

In the deflation of the dollar throughout the nation, most of us have expected and received higher pay for our produce and our hire. This was recognized in the increases allowed state employees. However, the war-adjusted salaries of state employees extend only to the official end of hostilities on June 30 next. You will certainly want to resurvey with the Civil Service Board the scale of salaries and make proper provision. I should tell you that the Civil Service Board is anxious to devise a method for relating salaries to living costs by which salaries may be increased or reduced according to the level of the state's economy. To this I would append my own concern for those who seek careers in the service of the state.

## **STATE BUILDING**

Extensive surveys have been made by the legislative council and plans and recommendations drawn for the repair of the buildings which house our state schools, hospitals and correctional institutions. In some instances it has been decades since any semblance of physical expansion has been undertaken. Even this overflowing statehouse needs a careful inspection. Sooner or later this body must consider whether the rents now being paid for the overflow are not lost payments which might be made on a state office building, since we may be sure of the continued growth of our state. In the war years of minimum construction, the frugality and foresight of past administrations stood us in good stead. A businesslike reserve was set aside for this day of reconstruction. Today we are not bound alone by our revenues because of past allowances for depreciation.

## **HIGHWAYS**

Wartime restrictions on highway construction were lifted in October, 1945, and Kansas immediately embarked upon a three-year program far greater in scope than the state ever has known. Not only does this program have my full support, but if it falls within my power to give

it further advancement, I will not hesitate to do so.

We must always realize the vast extent of our Kansas highways—close to 10,000 miles of state highways; an authorized 20,000 miles of secondary highways, and almost 100,000 miles of township roads—making a total highway mileage that is the second largest of all the states. Trying to spread our highway money too thin inescapably means lower-type highways. It is surely time that we become realistic in our road thinking. If we want high-type highways, cross-state arteries, and a farm-to-market, farm-to-school and farm-to-church system, then we must raise the money to pay for them. Let us face the future and the fact that our roads are the veins and arteries of our social and economic life.

As we enter the second year of the postwar program, we are utilizing unused federal aid of the war years and new federal aid allocations under the national highway act of 1944. Matched by state funds, the three-year program totals approximately 75 million dollars.

We pause here to observe there is danger that we are developing a policy of using federal aid as the financial yardstick of our highway program. Surely we do not propose ever to limit ourselves to the mileage and improvements that persons in Washington deem acceptable. In the first place, the roads cost no less because of federal aid, indeed they probably cost more. We should always remember that while federal aid comes to Kansas, federal taxes in huge amounts are going out of Kansas.

Therefore, I sincerely hope there is no disagreement between us on the forwarding of this program and that there will be no disposition on your part to reduce the amount of state highway revenues.

In your deliberations, I know that you will with foresight include proper attention to a balanced, long-range program. Let us strive, as we build, also to balance according to maximum needs our allocations respectively for the main traffic arteries and to the secondary roads which lead from the farm to the market, the school and the church.

## **EDUCATION**

In no other field are our opportunities so great or so challenging. The supply of teachers is dangerously low. The level of their salaries retards immediate prospects for improvement. This is our primary responsibility. The teacher is the school, and teaching is one of the highest callings of public service.

Following this, we must consider the condition of school plants. Efforts of the legislature through the 1945 reorganization law to make the administration of elementary schools more efficient and economical were commendable. Now that we have the benefit of two years of experience under that law, some changes and amendments are essential.

For one thing, the safe transportation of pupils should be mandatory in cases of obvious need. And I believe we are agreed that certain portions of the law require clarification and clearer definition of responsibilities.

We should consider increasing the benefits under the school retirement law.

In many districts, we have discovered that real property taxes will not provide the full revenues needed for a standard school system. Real estate generally carries too great a school tax load. Therefore, we must seek a more equitable distribution of the cost of our schools, including a greater amount of state aid.

In the specialized fields of education for the adjustment to useful citizenship of persons afflicted with physical infirmities, I would also invite your study of the plight of thousands of children in

Kansas handicapped by impediments of speech. The future of these children now depends upon the charitably inclined. A formal program in their behalf should be begun.

## **HIGHER EDUCATION**

Enrollments in the colleges of this state are the highest in history. The number of students increased from a low of less than 6,000 in 1945 to the record level of nearly 20,000 in 1946. More than half of present enrollment are veterans.

Through emergency facilities for classrooms, laboratories, study halls and living quarters, the schools were able to accept most of those seeking admission. The size of classes, the class hour-load of the faculties now exceed the status considered academically sound. And, of course, the war-end influx demanded additional administration and maintenance services.

To meet additional needs, the schools request appropriations totaling \$15,818,014 for operations during the next two years. This is an increase of \$6,099,771 over the current biennium, and does not include any building requests.

The increase will provide nearly four million dollars for the salary and wage fund. Most of this would go to additional faculty members, although salary increases of 10 to 20 percent is contemplated for faculty members. Such salary adjustments must be met if the state is not to suffer further inroads upon its faculties by other colleges or private employment. Already we have lost some of our ablest faculty members for this reason. The increase provides slightly more than one million dollars to cover greater costs for maintenance, material and equipment, ranging from 30 to 100 percent.

The U. S. Department of Education and Veterans' Bureau estimate the peak of veteran enrollment will be reached in 1949 and 1950. They expect enrollments to continue high for years; that the nation will have three million college students by 1960 compared with the 1,500,000 prior to war.

Even before war, Kansas colleges badly needed additional building. The forecast of greater enrollments demands our attention. The Board of Regents, as required by the Educational Building Fund Law, will submit to you its requests for buildings which are needed.

By all means, let us face these problems without delay in the sure knowledge that provision for our colleges is for the permanent good of Kansas. Parenthetically, I would emphasize the need for student dormitories. In this particular field, if our plans are wisely conceived and administered, the full cost will be amortized in a few years, and we shall receive the return of our expenditures.

## **ADMINISTRATIVE**

In conclusion, I should like to say a word about the general direction I hope my tenure of office will take. My studies convince me that the servicing and maintenance of many of our state institutions would be benefitted by uniform direction and control. Increased efficiency and considerable savings appear possible. Likewise, I think we should seek out all state functions which overlap, duplicate or lack coordination, one with another. The legislative council already has produced recommendations to this end. I shall be most happy to perform any administrative act in the interests of efficiency and economy, and I know you will be eager to grant legislative provision to this end.

It would be the rankest sophistry for me to pretend that I now fully grasp the duties which lie

ahead. Even in this forecast I have drawn heavily upon my prospective assistants, the counsel of many friends, and considerably upon the record of your own worthy legislative council. That I feel personally close to this body is well known. For nearly a score of years, legislation has been my chief interest and calling. Once I was one among you, and I cherish that memory. Some of you were my colleagues; many of you are my close personal friends. Even with those of you who are new to this assembly, I have the common bond in being initiated to office. I welcome the opportunity to meet with you who are my employers and my directors. I am confident that our relations will be most cordial; that we can, and will, work in friendship and close cooperation. Grant me the privilege of frankness and I will strive to be worthy. I pledge you my complete assistance and availability. Together let us serve our state.

## **INTERSTATE AND FEDERAL COOPERATION**

We abhor and resent the tendency of the federal government to legislate in fields properly belonging to the states. From close study, we have concluded that not all of this trend is due to political greed, but also to the failure of the states themselves to develop and keep pace with industrial and scientific progress.

Attempts now are being made to regain for the states this lost sovereignty, notably the efforts of the Conference of Commissioners on Uniform State Laws. A few of the 50 acts prepared by the conference have become the law of this state; some states have as many as 40 such acts.

Although we do not mean to extend our blanket endorsement to these propositions, we do feel that this body might well continue to try to harmonize our statutes with those of the sister states. We should consider in the same light the so-called federal aids available for internal improvements and social welfare. Not in light acquiescence, but upon the consideration that Kansas taxpayers contribute heavily to the federal government must we strive for the return of our money to this state. We send more than 400 million dollars annually to Washington as federal revenues. If we do not reclaim these funds, they will be spent elsewhere.

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