

## CHAPTER XX

# The Interstate Commission on Social Security

*Incosec*

**T**HE Interstate Commission on Social Security was established in conformity with a resolution adopted at the Second Interstate Assembly of Commissioners on Interstate Cooperation, held in Chicago on April 18, 1936. At that time the



WILLIAM J. ELLIS  
*Chairman*

states were alarmed over the task of maintaining a program of social security which, after six years of depression, had become one of the critical issues of the day. Problems which had heretofore been ignored, or been treated as merely one of many, were beginning to clarify themselves, and were recognizable as of major and immediate importance. The Federal Social Security Act had gone into effect in August, 1935, and the states were faced with the further problem of organizing their programs to conform to the requirements of that act.

At the Second Interstate Assembly the resolution requesting the Board of Managers of the Council to establish a Commission on Social Security was passed unanimously. Accordingly, in the establishment of such a commission, the states were asked to participate by appointing their official members, and on June 26, 27, 1936, an organization meeting was held in Atlantic City at which representatives from twelve states and the Federal Social Security Board

were present. (For minutes of this meeting see Book Two.)

### *Organization Meeting*

The purpose of this meeting was to isolate and clarify the responsibilities of the states under the Federal Social Security Act. The forty-eight individual states were tackling new problems upon which even expert opinion was varied, and it was essential that means be found by which each state could benefit from the counsel and experience of her sister states. It was conceded that a great deal of the confusion and difficulty in administering social security in the various states arose from the interstate character of the problems. Uniformity in administrative procedure was equally important with uniformity in legislation.

### *An Outline of Interstate Problems*

The commission, therefore, attempted to outline at this meeting some of the most pressing interstate problems. A number of points at which administration of the public assistance laws could be benefited by a formal plan of interstate cooperation were outlined as follows:

1. At that time there was no method of compelling legally responsible relatives, living in another state and financially able, to contribute to the support of their indigent kin. Granting the desirability of continuing the legal responsibility of members of a family group to support one another, it then follows that this responsibility should be enforceable over state lines.

2. Records of vital statistics probably should be made available reciprocally to public welfare departments of other states without charge. But the cost of preparing certificates should be considered.

3. The question of permitting recipients of public assistance to establish legal residence in other states without losing, in the meantime, their rights to the public assistance granted should be considered. Such arrangements would enable clients subject to physical ailments to live in beneficial climates and would permit family groups to be reunited. The administrative, as well as social aspects, of such arrangements should be considered. For instance, should one state agency assume responsibility for supervising a client while another state is paying the assistance? Should settlement be "frozen" under this type of arrangement?

4. It is one thing for states to agree to exchange information about clients and their families, but how will such agreement be practical unless the standards of social casework performed by the respective agencies are substantially equal?

Two specific problems which were considered in some detail by the commission were the transient problem and the one of cooperation with respect to unemployment compensation.

Analysis of the transient question led to the conclusion that the problem of the stranded transient required federal, state, and local cooperation. A pattern for legislation among the states should be laid out providing for a uniform residence requirement, for the retaining of settlement in one state until a new one is acquired in another state, and for adequate relief wherever need arose. In this connection it was recommended that the states adopt the Uniform Transfer of Dependents Act and the One-Year Uniform Settlement Act.

In most states the newest development in social security administration is concerned with unemployment compensation. To a great extent the effectiveness of the federal-state system of unemployment compensation will depend on the degree of cooperation between the various states. Two important problems requiring interstate cooperation are, namely: (1) Protection of the worker who performs service in more than one state in the course of his benefit year; and (2) coverage without duplication of the company which does business in two or more states.

### *The January Meeting*

The commission met on the day preceding the convening of the Third General Assembly in Washington, D. C., January 20-24, 1937, and the chairman of the commission, Hon. William J. Ellis of New Jersey, presented a report for that body, embodying these principles. The commission then presented the following resolutions which were adopted by the assembly:

#### I

RESOLVED, That it is the desire of the Third General Assembly that uniform-settlement laws be enacted, providing for:

- (a) A period of one year's residence as a requirement for gaining settlement;
- (b) A provision for the retaining of settlement in one state until a new one is acquired in another state;
- (c) Relief and service to unsettled persons, in accordance with the local standards of relief, wherever they may be found in need and until such time as the necessary investigations regarding settlement are completed;
- (d) Vestment in the state department of public welfare, the power to determine the final decision as to the retention of an unsettled person in the state, or the return of such person to his place of legal residence;
- (e) Authorization of state departments of public welfare, or the corresponding agency, to reimburse the local units for the costs of relief and service given to the person without legal settlement;
- (f) Authorization of state departments of public welfare, or the corresponding agency, to provide relief and service for transients—interstate and intrastate—as an integral part of the general relief and service department.

#### II

RESOLVED, That the Third General Assembly recommends the adoption of the Uniform Transfer of Dependents Act, and urges the application of the principle of reciprocal agreements between groups of two or more states having adequate laws

to encourage uniformity of practice between the cooperating states.

BE IT FURTHER RESOLVED, That the Third General Assembly urge the Congress of the United States to develop the necessary legislation and make appropriations to take care of the problems of the transient, the needy, stranded migratory laborer, and other unsettled persons through grants-in-aid to the states on the basis of certain basic requirements.

### III

RESOLVED, That the Third General Assembly urge the federal government to accept full financial responsibility for providing old-age assistance and other forms of relief for Indians, and persons of Indian blood, who, because of their peculiar relationship to the federal government, should be its particular concern.

### IV

RESOLVED, That the Third General As-

## The Membership of the Interstate Commission on Social Security

### ALABAMA

Senator Will O. Walton

### COLORADO

Mr. Charles H. Queary, Director  
Legislative Reference Office

### FLORIDA

Mr. Conrad Van Hyning  
Commissioner of Social Welfare

### INDIANA

Hon. Fred E. Barrett

### KENTUCKY

Senator Ralph W. Gilbert

### MISSISSIPPI

Senator Walter Woldridge Capers

### NEBRASKA

Mr. Milton Murphy  
Assistant Attorney-General

### NEW HAMPSHIRE

Mr. Gordon P. Eager  
Administrator of Unemployment Compensation

### NEW JERSEY

Hon. William J. Ellis  
Commissioner of Institutions and Agencies

### NEW YORK

Senator Earle S. Warner

### NORTH CAROLINA

Mr. T. A. Wilson  
State Industrial Commission

### OHIO

Hon. Orra Chapman  
Director of Industrial Relations

### PENNSYLVANIA

Senator George A. Rupp

### RHODE ISLAND

Hon. John P. Hartigan  
Attorney General

### SOUTH CAROLINA

Hon. M. Hansford Mims

### VIRGINIA

Senator Robert W. Daniel

### WEST VIRGINIA

Hon. Fred L. Fox  
State Tax Commissioner

sembly request the staff of the Council of State Governments to undertake the following studies relative to unemployment compensation, and to report to the Interstate Commission on Social Security, with recommendations, not later than July 1, 1937:

- (a) The problems arising through unemployment in industrial and agricultural areas, which are undergoing fundamental economic changes, with the aim of providing for the retraining of workers or re-location in other areas.
- (b) The subject of uniform determination of wages and of contributions related thereto, including the question of wages that are earned in more than one state.
- (c) The problem of uniform laws on the subject of disqualifications of benefits.

## CHAPTER XXI

# The Interstate Commission on the Ohio Basin

*Incoho*

WHILE flood waters were still rising in the Ohio Valley, officials from forty-five states were gathered in Washington, January 21, 1937, for the Third General Assembly of the Council of State Governments. Upon demands of



JAMES O. MONROE  
*Chairman*

delegates from the affected states, the General Assembly voted to set up an interstate agency to control, regulate, and conserve the resources of the Ohio Basin.

As directed by the Assembly resolutions, Honorable Paul V. McNutt, President of the Council, issued a call for official representatives of the nine basin states to meet at Columbus, Ohio, on February 5 and 6.

At that meeting, together with the state representatives, were members of the National Resources Committee, the Corps of Engineers of the U. S. Army, representatives of the U. S. Forestry Service and of the Ohio Regional Planning Commission. Each of the state planning boards of the nine basin states was represented and the individual state's point of view presented to the conference.

The delegates to the Columbus conference set the date for the organization meeting of "Incoho" as February 19 and 20, at Indianapolis. At that meeting the commission elected Senator James O. Monroe, of Illinois, chairman of the commission.

Articles of organization adopted there provide that each of the nine states shall have three representatives on the commission. These are appointed by the Chairman of the Commission of Interstate Cooperation from among its members—one from the senate, one from the house, and one of the governor's appointees, preferably a planning board member. In any state where there is no Commission on Interstate Cooperation, appointments are made by the governor.

Twenty-one of the twenty-seven members of the commission have been appointed. Terms expire on February 1 annually, but each serves until his successor is appointed.

To coordinate the work of the commission with the Council of State Governments, it is provided that the Council's district representative for district number five shall serve, ex-officio, as chief of staff and secretary-treasurer of the commission.

Specific provision was made for cooperation with federal agencies in working out a program for the basin. The articles provide that the National Resources Committee and the Corps of Engineers of the United States Army shall be requested to send representatives to each meeting of the commission.

### *Resolutions*

The commission, at its first meeting, adopted the following resolutions:

BE IT RESOLVED, That the delegates to this meeting of the Interstate Commission on the Ohio Basin are instructed to undertake, in their respective states, the immediate compilation of studies and plans for the needs of the respective states for the development of the Ohio Basin, including water conservation, flood control, and related matters, for the welfare of the