PART I

Biennial Report of the Council of State Governments
Chapter I

THE ORGANIZATION OF THE COUNCIL

Under the Constitution of the United States of America, the federal government exercises only certain enumerated powers, and all other governmental powers are reserved to the people and governments of the 48 states. Problems frequently arise which are too broad to be solved by any single state, but for which federal action alone may not be suitable—sometimes because the federal government lacks the necessary constitutional power, sometimes because the problem is of regional rather than national interest, and sometimes because federal action needs to be supplemented by cooperative state action. To assist the states in performing these functions and to facilitate the exchange of information concerning internal problems of state administration and state legislation, the Council of State Governments, a joint governmental agency serving the several states, was organized. The Council was founded in 1925 as the American Legislators' Association, and it assumed its present name, with expanded functions, in 1935.

The Council is the secretariat of the Governors' Conference, the American Legislators' Association, the National Association of Attorneys General, and the National Association of Secretaries of State; and it works in close cooperation with the National Conference of Commissioners on Uniform State Laws. It acts as a clearing house and research center for legislators, legislative reference bureaus, state administrators, and for the above national organizations of public officials.

The Council provides a medium through which many federal-state and interstate problems are resolved and a forum for the consideration of an increasing number of problems which overlap state boundaries: Questions of national defense, flood control, pollution, highway safety, interstate truck regulations, conflicting taxation, interstate trade barriers, liquor control, relief, social security, and transiency. All of these matters have been the subject of conference and reports which have been beneficial to each of the states. For instance, at the National Conference on Interstate Trade Barriers some 400 state officials from 43 of the 48 states met in Chicago in April, 1939, adopted resolutions strongly opposing the rapidly developing menace of interstate trade barriers, developed a plan for immediate action with respect thereto, and to all intents and purposes stopped the spread of such barriers throughout the United States.

The component parts of the Council of State Governments are the commissions on interstate cooperation, which have been established by the legislatures in 41 states and by executive action in 3 other states. Through these commissions the Council has demonstrated that this method of cooperation among the several states, and between the states and the federal government, is valuable, practical, and necessary.
A typical commission on interstate cooperation consists of five members of the house of representatives, appointed by the speaker of the house, five senators, appointed by the president of the senate, and five administrative officials, appointed by the governor. One of the governor’s appointees is designated chairman of the entire commission. While a majority of those states which are at present members of the Council of State Governments adhere to this standard pattern, there are individual variations.

Action by the Council of State Governments, as a rule, is undertaken at the request of the several commissions on interstate cooperation. Such subjects as interstate control of commercial fisheries on the Great Lakes, reciprocal agreements regarding interstate shipment of liquor throughout the midwest, and the raising of standards of milk production throughout the entire midwestern area, had to be inaugurated by the individual commissions on interstate cooperation, who had felt the necessity for action to benefit one or more of the states in the area. Commissions on interstate cooperation function continuously during the biennium between legislative sessions and are prepared in advance to place before the several legislatures such a program as may have been agreed upon before the rush of the legislative session.

The Council and the commissions on interstate cooperation have taken an important part in the program for national defense and have rendered valuable services in meeting the many state and local problems which have arisen as a result of defense efforts. In most of the states, cooperation commissions are serving as the legislative committees for state defense councils, and in all states they are cooperating fully with state defense programs.

In several regions where groups of states have specific problems that require continuous local attention, special interstate commissions have been created and provided with headquarters and staffs of their own. Such offices have been set up in Philadelphia and Washington, D. C., to deal with problems of river control and stream pollution. In addition, the Council’s New York regional office works in close cooperation with the cooperation commissions of that area, helping them to arrange conferences and in general supplementing the services provided by the Chicago office for the country as a whole.

Over a period of years, the Council has built up an extensive interstate research and inquiry service for the use of legislators and public officials. Its primary purpose is to serve as an informational clearing house for individual public officials, state legislative reference bureaus, and legislative councils. In addition to the biennial Book of the States, the Council publishes a monthly magazine, State Government, devoted to governmental matters of current interest to state public officials. Special digests and research bulletins are published frequently for the benefit of state reference bureaus and legislative councils, and special digests and research bulletins are also prepared for the national associations affiliated with the Council. In connection with the work of the National Association of Attorneys General, the Council each week publishes a brief Digest of Opinions of particular current interest, rendered by the several attorneys general throughout the country.

In the Council of State Governments the states have set up machinery specifically designed to facilitate the smooth functioning of state interrelationships. They are taking increasing advantage of its help, affording a continuing and encouraging example of interstate cooperation upon every phase of state government.
Chapter 2

CHRONOLOGICAL HISTORY
OF THE COUNCIL

May, 1939–April, 1941

The following chapter traces the chronological development of the Council of State Governments since the date of publication of the last edition of The Book of the States, May, 1939, until the date of publication of the present volume in April, 1941. The 1937 edition of the book contains a record of the history of the Council, and of the American Legislators' Association, from the dates that they were founded, while the 1939-40 edition covers the period August, 1937-May, 1939. Each future volume will outline the developments of the biennium preceding its publication, as does this present book.

1939


September 11. Conference between officials of Indiana and Kentucky on question of policing Green River Island, a part of Kentucky geographically located nearer to Indiana. Louisville, Kentucky.


September 16. Texas Committee on Interstate Cooperation appointed by Attorney General Gerald C. Mann.

September 29-30. Interstate Conference on Truck Problems. Meeting of cooperation commissioners and motor vehicle administrators from Illinois, Indiana, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin to discuss interstate problems arising from the operation of trucks. Offices of the Council of State Governments, Chicago.

October 6-7. Regional Conference on Dairy Problems. Called by the Indiana Commission on Interstate Cooperation and the Council to explore legislation and regulations governing the production of milk and cream in the midwest area. Representatives from Illinois, In-
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Indiana, Iowa, Kentucky, Michigan, Minnesota, Ohio, Tennessee, and Wisconsin. Offices of the Council of State Governments, Chicago.


**October 21.** Governors’ Conference. Executive Committee meeting. Offices of the Council of State Governments, Chicago.

**October 22.** Council of State Governments. Annual meeting of the Board of Managers. Shoreland Hotel, Chicago.

**October 25.** Meeting of representatives of Kansas and Missouri concerning boundary difficulty. Jefferson City, Missouri.


**November 10.** Conference between New York and New Jersey on Hudson River shad. Hackensack, New Jersey.


**November 29.** Nevada Committee on Interstate Cooperation appointed by Governor E. C. Carville.

**December 8-10.** Special Committee on Relief. Conference in connection with annual meeting of the American Public Welfare Association. Wardman Park Hotel, Washington, D. C.

1940

**January 5-6.** Regional Conference on Liquor Control. Meeting to deal with questions of regulation of out-of-state shipments of liquor, trade barriers, and other problems requiring legislative or administrative adjustment. Representatives from Illinois, Indiana, Kentucky, Michigan, New Jersey, New York, Ohio, and Pennsylvania. Hotel Statler, Buffalo.


**January 19.** Missouri Committee on Interstate Cooperation appointed by Governor Lloyd C. Stark.


**January 25-27.** Southern Conference on Interstate Problems. Representatives from Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, Missouri,
CHRONOLOGICAL HISTORY OF THE COUNCIL

North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wisconsin. Andrew Jackson Hotel, Nashville.

**February 5.** Special Relief Committee meeting. Offices of the Council of State Governments, Chicago.

**February 5.** Executive Meeting of the National Association of Secretaries of State. Mayflower Hotel, Washington, D. C.


**February 23.** Southern Marine Fisheries Conference. Representatives from Florida, Georgia, Louisiana, Maryland, North Carolina, South Carolina, and Wisconsin. Hotel Francis Marion, Charleston, South Carolina.


**March 15.** Committee on Dairy Technicians. Representatives from Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Ohio, Tennessee, and Wisconsin. Offices of the Council of State Governments, Chicago.

**March 21.** Hudson River Shad Meeting. Representatives from New York, New Jersey, the U. S. Fish and Wildlife Service, and shad fishermen. New York.

**April 15-16.** Midwestern Regional Conference on Relief. Representatives from Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. Offices of the Council of State Governments, Chicago.


**May 1.** Tennessee Valley Authority Inspection Trip. Representatives from Alabama, Connecticut, Indiana, Maryland, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Vermont, and Wisconsin.

**May 17-18.** Southern Regional Conference on Relief. Representatives from Alabama, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. Atlanta Biltmore Hotel, Atlanta.

**June 2-5.** Governors’ Conference. Thirty-second Annual Session. Hotel Duluth, Duluth, Minnesota.


**June 19.** Meeting of the Chairman of the Board of the Council of State Governments, the Chairman of the Governors’ Conference, and the President of the National Association of Attorneys General with the Advisory Commission to the Council of National Defense. Washington, D. C.


**August 2.** Hudson River Shad Meeting. Representatives from New York and the U. S. Fish and Wildlife Service. Albany.

**August 5-6.** Federal-State Conference on Law Enforcement Problems of National Defense. Representatives from all the states and the federal government.
were invited. Department of Justice, Washington, D. C.

**August 8.** Meeting of the Tax Committee. New York.


**August 23-24.** Pacific Coast Regional Relief Conference. Representatives from Arizona, California, Nevada, and Utah. Palace Hotel, San Francisco.


**November 15.** The Council of State Governments. Meeting of Board of Managers. Shoreham Hotel, Washington, D. C.


**January 21.** Governors' Conference. Executive Committee meeting. Mayflower Hotel, Washington, D. C.

**January 21-23.** Council of State Governments. Fifth General Assembly, Mayflower Hotel, Washington, D. C.

**January 23.** National Association of Secretaries of State. Executive Committee meeting. Mayflower Hotel, Washington, D. C.

**January 23.** Interstate Commission on the Delaware River Basin. Executive Committee meeting. Mayflower Hotel, Washington, D. C.


March 26. Interstate Water Pollution Conference. To discuss pending Pennsylvania legislation permitting participation by the commonwealth in interstate stream pollution abatement and control programs in Delaware, Ohio, and Potomac River Basins. State Capitol, Harrisburg.
Chapter 3

THE BOARD OF MANAGERS
OF THE COUNCIL

The Council of State Governments is an organization of and for the states. For this reason its Board of Managers is widely representative of the states since every state which appropriates to the Council is entitled to representation on its Board of Managers and to participate directly in the organization and management of the Council. In addition, the Council's Board has serving on it, in an ex-officio capacity, or as managers-at-large, other outstanding public officials.

Each state which contributes to the support of the Council for any year is entitled to name one delegate as a member of the Board for that year. The delegate is chosen by the commission on interstate cooperation of the state. Ex-officio managers are the five members of the Executive Committee of the Governors' Conference, the presidents of the National Conference of Commissioners on Uniform State Laws, the American Legislators' Association, the National Association of Attorneys General, and the National Association of Secretaries of State, and the Executive Director and the Honorary President of the Council of State Governments. In order to provide continuity, and to retain valuable members who may change their governmental position by virtue of which they are members of the Board of Managers, 10 managers-at-large are elected for staggered five-year terms.

The Executive Committee of the Board is composed of the President, who is a governor, the First Vice President, who is a legislator, two other Vice Presidents, an Auditor, who is a state fiscal officer, the Honorary President of the Council, and the Executive Director.

Harold E. Stassen  
Edgar A. Brown  
Frank Bane
The Board of Managers of the Council

The First Vice President serves as Chairman of the Board.

As a body representing the integral parts of the Council, and responsible to them for the effectiveness of the Council's program, the Board of Managers stands as one of the most important units in the structure of the organization.

Stassen, Harold E. Lawyer. County attorney, 1930-38; Governor of Minnesota, 1938--; Chairman, Governor's Conference, 1941--; President, Council of State Governments, 1940--.

Brown, Edgar A. Lawyer. Member, South Carolina House of Representatives, 1921-26; Speaker of the House, 1925-26; Member, Senate 1929--; Chairman, South Carolina Commission on Interstate Cooperation, 1940--; First Vice President and Chairman of the Board of Managers, Council of State Governments, 1940--.

Bane, Frank. Administrator. Director of Public Welfare, Tennessee, 1923-26; Commissioner of Public Welfare, Virginia, 1926-28; Director, American Public Welfare Association, 1933-36; Director, Social Security Board, 1936-38; Executive Director, Council of State Governments, 1938--; Director, Division of State and Local Cooperation, Advisory Commission to the Council of National Defense, 1940--.

Toll, Henry W. Lawyer. Member, Colorado Senate, 1923-31; President of the American Legislators' Association, 1926-28; Executive Director of the American Legislators' Association, 1928-38; Executive Director of the Council of State Governments, 1935-38; Honorary President of the Council of State Governments, 1938--.

James, Ernest K. Lawyer. Member, West Virginia House of Delegates, 1935-37; State Tax Commissioner, 1937-41; Member, West Virginia Commission on Interstate Cooperation, 1937--; Auditor, Council of State Governments, 1940--.

Jones, Charles H. Lawyer. Member, Ohio House of Representatives, 1927-33; Member Joint Legislative Committee on Taxation; Chairman, Ohio School Survey Commission; Assistant Attorney General of Ohio, 1933-37; State Director of Commerce, 1939--; Chairman, Ohio Commission on Interstate Cooperation, 1939--; Vice President, Council of State Governments, 1940--.

Hollis, Arthur W. Insurance Executive. Member, Massachusetts House of Representatives, 1925-29; Member, Massachusetts Senate, 1929--; Chairman, Senate and Joint Committees on Ways and Means; Member, Joint Committees on Metropolitan Affairs and on Mercantile Affairs; Vice President, Council of State Governments, 1940--.
HON. WILLIAM B. BELKNAP
Former President of the American Legislators' Association

HON. THURMAN A. BIDDELLER
Member of Indiana General Assembly

HON. MAUPIN CUMMINGS
Member of Arkansas General Assembly

HON. FRANK N. DIXON
Governor of Alabama

HON. GORDON P. EAGER
Administrator, New Hampshire Unemployment Compensation Commission

HON. FRANK N. GRAASS
Member of Wisconsin Legislature

HON. MARK GRAVES
President, New York State Tax Commission

HON. WINFIELD B. HALE
Chairman, Tennessee Cooperation Commission

JUDGE RICHARD HARTSHORNE
Court of Common Pleas, New Jersey

SENATOR ROBERT C. HENDRICKSON
Member of New Jersey Legislature

HON. WALTER HOWE
Member of Connecticut General Assembly

HON. HAROLD I. HUEY
Member of Rhode Island General Assembly

HON. ELMER M. JACKSON, JR.
Member of Maryland General Assembly

HON. KEEN JOHNSON
Governor of Kentucky

HON. SIMEON E. LELAND
Former Chairman, Illinois Tax Commission

HON. HENRY F. LONG
Commissioner of Corporations and Taxation of Massachusetts

HON. BURNET R. MAYBANK
Governor of South Carolina

HON. DEAN S. MCGAUGHEY
Member of Illinois General Assembly

HON. PAUL V. MCNUTT
Former Chairman of the Governors' Conference

HON. E. E. MONSON
President, National Association of Secretaries of State

HON. C. H. MORRISSEY
Tax Commissioner of Virginia

HON. HERBERT R. O'CONNOR
Governor of Maryland

HON. HAROLD C. OSTERTAG
Member of New York Legislature

HON. ALAN J. PARKER
Attorney General of Vermont

HON. W. B. PARKER
Director, California Department of Agriculture

SENATOR HENRY PARKMAN, JR.
President, American Legislators' Association

HON. WILLIAM A. SCHNADER
President, National Conference of Commissioners on Uniform State Laws

SENATOR THALE P. SKOVGARD
Member of Kansas Legislature

HON. ELLWOOD J. TURNER
Member of Pennsylvania General Assembly

HON. EARL WARREN
President, National Association of Attorneys General

HON. J. TOM WATSON
Attorney General of Florida

HON. MULFORD WINSOR
Director, Department of Library and Archives of Arizona

SENATOR GEORGE WOODWARD
Member of Pennsylvania General Assembly
Chapter 4

THE GENERAL ASSEMBLY

The General Assembly of the Council of State Governments, meeting once each biennium, provides a forum for the discussion of important problems facing each of the states. Scheduled to coincide with the opening of 43 of the state legislatures convening in January of the "odd" years, the Assembly draws representation from legislators and state officials gathered in state capitals for the session. Each state commission on interstate cooperation is represented by at least one senator, one house member, and one administrative official. In addition, many governors attend and participate in the program. The timing of the Assembly permits legislative action on programs worked out by the conferes.

It has happened that the primary subject before each meeting of the General Assembly has been set by circumstances. The first "Interstate Assembly" convened under the auspices of the American Legislators' Association on February 3, 1933, for a two-day session in Washington. This Assembly was unique, both in composition and in purpose. Its 105 delegates, state legislators and fiscal officials from 39 states, came together to develop a rational plan for reducing tax competition and conflict between the various areas of government within the nation. The first Interstate Assembly created a suitable monument to itself in the form of the Interstate Commission on Conflicting Taxation. The report of the Commission, issued two years later, still remains the most thorough and comprehensive work on the subject.

But much more than this came from the first interstate meeting: It set a pattern which has been followed since that time. In 1935, the second Interstate Assembly convened in Washington on February 28 for a three-day meeting. This time the 153 state legislators and officials who assembled from 41 states discussed the tax dilemma, but other things were on their minds, too. They adopted a plan for the Council of State Governments, an organization of the states more comprehensive in scope than the American Legislators' Association which had originally brought the states together.

Since then General Assemblies of the states have been held by the Council of State Governments every two years in Washington. In 1937, it convened on January 21 for a four-day session with more than 250 public officials from 46 states in attendance. By this time the horizons of the General Assembly were as broad as the field of state government. Problems of interstate relationships, social security, crime control, legislation and administration, as well as taxation, were studied and discussed.

Representatives from 46 states were present at the 1939 General Assembly which met January 18 in Washington. At sessions of the Assembly, delegates discussed the Council's program for interstate and federal-state cooperation, considered the state implications of the federal farm program, studied administrative reorganizations of state governments. But the problem which took the spotlight and which still continues to be...
widely discussed by the general public was that of interstate trade barriers. This problem, although much has been accomplished toward its solution, still remains a matter of concern to all state officials.

Again, in 1941, chance dictated the matters considered by the 308 delegates from 46 states who convened for the Fifth General Assembly in Washington on January 21. Each conference hoped to gain a clearer idea of what he, and his state, might do to help the nation in its defense program.

Speakers connected with national defense outlined the part that states and localities might play to facilitate national effort. William S. Knudsen, Director General of the Office of Production Management, sounded the theme of the Assembly. After explaining defense problems and what is expected not only from the nation's industry but also from its state and local governments, Mr. Knudsen said:

I do not know of anything that could ever be accomplished on a large scale without the cooperation of everybody. If we have faith in one another, if we have confidence in one another, and if we are willing to spend a little sweat for a year or so, then we might save a little blood later on.

Governor Harold E. Stassen of Minnesota, President of the Council, emphasized the part played by the Council in forwarding the national defense program, stressing the fact that all steps that maintain the standing and respect of state governments will not only contribute to the strength of the Union but will constitute added safeguards to individual liberties.

In his address, "The States and the Present Emergency," Governor Herbert H. Lehman of New York pointed out that, while states and localities are anxious to cooperate in the development of plans necessary for protection of the civilian population, they cannot act effectively without direction from federal authorities in such matters as construction of air raid shelters, fire fighting, and the evacuation of civilians. On the other hand, certain precautionary measures for civilian populations can and should be taken by the states on their own initiative; for example, state guards can be organized to replace national guard units called to active duty, and plans for emergency mobilization of police units can be adopted. Such steps have already been taken in New York.

Problems that may confront the Council of State Governments in the future were discussed by Ellwood J. Turner, member of the Pennsylvania legislature and retiring Chairman of the Council's Board of Managers. Describing the work of the Council in the field of relief and welfare, Mr. Turner said that "national defense may relieve us of a part of the financial problem and give us a 'breather' now, but the same problem may in intensified velocity be waiting for us at the end of the armament production." He said the Council must provide the leadership for state governments to build for that day.

Law enforcement problems of national defense were discussed by Governor Herbert R. O'Conor of Maryland, and by U. S. Attorney General Robert H. Jackson. Governor O'Conor gave a detailed description of the work of the Federal-State Conference on Law Enforcement Problems of National Defense, held in Washington, D. C., in August, 1940, and said "those in attendance exhibited an earnestness and singleness of purpose unsurpassed by the membership of any other conference in my experience."

Mr. Jackson described Department of Justice activities in combating military and economic "fifth columns," and outlined the work of the department in preventing sabotage and in controlling foreign propaganda.

The function of the Division of Labor of the National Defense Advisory Commission was described by Isadore Lubin, special aide to Associate Director General Sidney Hillman of the Office of Production Management, in a talk on "Labor Supply and Training in Defense." The Division of Labor, Mr. Lubin said, has the job of seeing to it that the $17,000,000,000 worth of goods needed in the defense program are produced as effectively and efficiently as
labor can possibly do. He pointed out that the combined outstanding order for airplanes, airplane engines, parts and accessories, necessitated employment of 230,000 people, and that to keep up with commitments the industry must step up its labor supply to 450,000 workers before August, 1941.

Paul V. McNutt, Federal Security Administrator and third speaker of the Wednesday morning defense session, discussed the question having to do with health, welfare, and total defense. The tremendous problems of public health involved in serving both civilians and the expanding military forces of the country, and the need of increased scientific knowledge of medical problems relating to defense, both military and industrial, were discussed by Mr. McNutt, who then pointed out how much better governmental agencies are prepared to deal with community problems arising from military and industrial concentration needed in defense than they were in 1916.

Charles E. Merriam, Chairman of the National Resources Planning Board, and Daniel W. Hoan, Associate Director of the Division of State and Local Cooperation of the National Defense Advisory Commission, spoke Wednesday afternoon. Mr. Merriam, discussing "Planning for Defense," stressed particularly the necessity for mobilization for "national morale." He ridiculed complaints that democracies could not act with decisiveness and pointed out that "decisionism" in any government, be it of democratic or autocratic form, rests not on arbitrariness, but on cooperation soundly organized for action.

Mr. Hoan emphasized that preparation for our national defense requires cooperative effort with unity of purpose throughout the country. In reviewing the work of the Division of State and Local Cooperation, Mr. Hoan characterized its method of operation as the essence of the democratic way.

A letter from President Roosevelt, pointing out that "now as never before the utmost cooperation of all levels of government is necessary to provide the nation with total defense," was read by Governor Stassen at the State Dinner Wednesday night to delegates who then heard Secretary Knox speak on "Our First Line of Defense." Secretary Knox characterized the European conflict as "the age-old struggle between human liberty and human slavery... an irreconcilable conflict," and declared that the preservation of liberty and the future of our form of government are now at stake.

Reports of the Council's special committees on relief and on taxation were presented to the General Assembly Tuesday afternoon. The report on relief, which was later adopted by the Assembly, urged the transfer of the administration of relief and welfare programs to the states under general federal supervision and standards, and the establishment of a system of federal grants-in-aid to states in proportion to their needs and ability to participate. The proposal would involve the sharing of the cost of all public assistance and work programs—such as aid to the aged, the handicapped, dependent children, work relief and general relief—according to a fixed formula between federal and state governments.

The report of the Special Committee on Taxation was presented by Simeon E. Leland, a member of the Council's Board of Managers and a member of the Board of Directors of the Federal Reserve Bank of Chicago. The report called attention to the maze of conflicting federal, state, and local taxes and recommended that a national tax council be established to work out methods by which federal, state, and local tax systems may be harmonized—a recommendation later urged by resolution of the General Assembly. Particular attention was directed to fiscal policies in relation to defense. Mr. Leland held that defense activities may be financed by loans until virtually full employment has been attained; after that the cost of defense should be met by current revenue from taxation. Mr. Leland urged closer cooperation in all fiscal matters between federal, state, and local governments, and pointed out that the lack of coordination often prevents such policies from achieving desired results.
From the general session on interstate trade barriers, held Thursday morning, January 23, came a suggestion that Congress establish a continuing committee on federal-state relations to study trade barrier problems and various aspects of federal-state relationships. The suggestion was made after Mr. Frank Bane, Executive Director of the Council, read a message to the Assembly from U. S. Representative Hatton W. Sumners of Texas, who was prevented by illness from attending. Mr. Sumners said "there is no more important task for the state governments from the standpoint of their self-preservation as the responsible agencies of democratic government—and the only one which we have or can have in our system of general governmental purposes—than to demonstrate our ability, acting individually and in cooperation with each other, to remove the abuses from what are known as interstate trade barriers." The same note was emphasized by Robert C. Hendrickson, state senator from New Jersey and member of the Council's Board of Managers.

The General Assembly later reaffirmed its stand against interstate trade barriers by adopting two resolutions continuing the campaign against enactment of such barriers and offering its good offices in the drive to eliminate them.

Thus, in 1941, the Fifth General Assembly again demonstrated the practicability of the interchange of information and the spirit of friendly compromise between the conflicting interests of the several state governments which has made the Council of State Governments an effective agency for the solution of interstate problems.
THE COMMISSIONS ON INTERSTATE COOPERATION

The commissions on interstate cooperation make up the framework and machinery through which the Council operates to carry out its program of activities. After five years of growth and development, the commissions are functioning in an increasingly effective manner and are daily demonstrating that they are capable of meeting the interstate and federal-state problems of our American government.

Forty-four states are now officially cooperating in the work of the Council through such commissions. Of these, 41 have been established by legislative action and 3 are official agencies appointed by the governor pending the establishment of a statutory commission. Arizona, Idaho, North Dakota, and Washington still lack commissions, but it is expected that such agencies will be appointed by the governors of two of these states before the end of their current legislative sessions.

The commissions in most of the states are patterned after the model bill drafted by the Council and, with few exceptions, consist of 15 members, including 10 legislators and 5 administrative officials. Five of the legislative members constitute the senate standing committee on interstate cooperation, and 5 make up the house standing committee on interstate cooperation. These committees are appointed as are other standing committees of the legislatures. In most cases the speaker appoints the house members, the president of the senate appoints the senate members, and the governor names the administrative committee, usually from the members of his cabinet.

Notable exceptions to this general pattern are Kentucky and Kansas, which have designated their legislative council to act as the cooperation commission; New York, which provides for a 17-member committee by a joint legislative resolution every year; and Wisconsin, Delaware and Maine, which have commissions of 9 members instead of 15. Tennessee is served by a 5-man commission, the members of which are appointed by the governor. A joint committee composed of appointees of the governor and the attorney general serves in Texas—the forty-second state to establish an agency to cooperate with other states.

In general, the achievements of the commissions have been in direct proportion to the appropriation received from their legislatures. Those commissions which have made the best record have had sufficient funds to employ an executive secretary and, in some cases, a research staff.

Effective action has been demonstrated during the past two years in preventing the erection of trade barriers, in the development of the Council's relief program, and more recently in connection with defense activities, and in carrying out the administrative and legislative recommendations of the Federal-State Conference on Law Enforcement Problems of National Defense.

The commissions have been leaders in initiating investigations toward solving interstate problems. Frequently the commissions call regional conferences themselves, with the assistance of the Council's staff; and often they request the Council to call a conference on a specific
problem. Massachusetts has taken the lead in conferences held in the New England states, and its cooperation commission has been influential in activating other commissions in that region. The New York Joint Legislative Committee on Interstate Cooperation, with the assistance of the Council's New York district office, has called a great many conferences on subjects ranging from conservation of fisheries to banking practices and highway safety. The New Jersey Commission has initiated conferences on transiency and crime control. The Wisconsin Commission requested the Council to arrange a conference of certain midwestern states on conflicting taxation among those states. The Indiana Commission has been particularly active in the midwest, and at its suggestion regional assemblies have been held on interstate trade barriers and on dairy problems. The Tennessee Commission, also active, called the Southern Regional Conference on Trade Barriers, held in Nashville in January, 1940. More significant, the points agreed upon by these groups have been adopted by the states in a gratifying number of instances.

NATIONAL DEFENSE

The active participation of the commissions in the defense program during the past year gave convincing proof of their ability to meet an emergency.

As the entire nation gathered its forces for national defense, channels of interstate and federal-state cooperation became increasingly important. This fact was recognized by the Advisory Commission to the Council of National Defense immediately after it was created in June, 1940. The Commission, composed of outstanding leaders in every field of endeavor, attacked the problem of national defense on a twofold front—the first, to provide speedily the necessary materials, equipment, and men; the second, to devote equal attention to the maintenance of those democratic principles and ideals the nation would defend.

To meet both these obligations effectively, the Advisory Commission early realized that it must have the active cooperation and participation of state and local governments. It therefore requested the Council of State Governments and its affiliated organizations to meet with it and to assist in developing a comprehensive national program.

On June 19, 1940, the Chairman of the Board of Managers of the Council of State Governments, the Chairman of the Governors' Conference, and the President of the National Association of Attorneys General were asked to meet with the Advisory Commission to the Council of National Defense in Washington. At that time they agreed to cooperate with the Commission in developing and operating a program designed to focus all activities of federal, state, and local governments upon this most important problem—national defense. A plan was jointly developed which provided for the establishment of state and local councils of defense, and for the creation of the Division of State and Local Cooperation as an integral part of the National Defense Advisory Commission, designed to integrate the activities of all levels of government.

The foundation laid by the Council and the commissions on interstate cooperation has proved a sound base for meeting the emergency needs of recent months. The fact that most states already had commissions prevented much loss of time in coordinating defense activities. From the beginning the commissions have placed their facilities at the disposal of the state defense councils, and increasingly they have been called upon to undertake a wide variety of tasks. In many states, for example, the commissions have been requested to give attention to defense matters and have served as legislative committees for their state defense councils.

An outstanding problem for cooperative action in the national defense program is that of law enforcement. To map coordinated plans in this field, a Federal-State Conference on Law Enforcement Problems of National Defense was called by the Council of State Governments, the Governors' Conference, the National Association of Attorneys General, and the Interstate Commission on
Crime, in cooperation with the United States Department of Justice. Held in Washington, D. C., on August 5 and 6, this conference was attended by more than 250 public officials and legislators and cooperation commissioners from 46 states and the federal government. Some 26 specific recommendations, involving administrative and legislative action by both the states and the federal government, were unanimously approved by the conference. Many of these have already been carried out. Following the conference, a committee was appointed to draft model state laws dealing with subjects recommended by the conference—sabotage prevention, creation of state guards, regulation of explosives, the protection of interstate public property, and fresh pursuit by military forces. Representatives of the National Conference of Commissioners on Uniform State Laws also assisted with the technical details of drafting. The draft bills were published in a report entitled *A Legislative Program for Defense*, which was sent to governors, attorneys general, and chairmen of commissions on interstate cooperation for their consideration.

As another step toward facilitating coordination of defense activities, a series of regional conferences was organized during November and December, 1940. Called by the Division of State and Local Cooperation of the National Defense Advisory Commission in conjunction with state defense councils, commissions on interstate cooperation, and state planning boards, these meetings were held in New York City, Chicago, New Orleans, and Salt Lake City.

**TRADE BARRIERS**

The majority of the delegates in attendance at the National Conference on Interstate Trade Barriers, held on April 5, 6, and 7, 1939, were commissioners on interstate cooperation.

Since the conference was held while a number of legislatures were still in session, it was possible in many instances for the commissioners to return to their states in time to put recommendations of the conference into effect. The 44 state commissions on interstate cooperation thus worked, one with the other and through the Council, in calling attention to trade barrier legislation pending in the several states and in bringing about its defeat.

This national conference has been supplemented, during 1939 and the early part of 1940, by regional conferences on particular types of barriers.

A Regional Liquor Control Conference, held in Buffalo, New York, in January, 1940, brought together cooperation commissioners and other representatives from middle Atlantic and midwestern states. Among other problems, it discussed that of transportation and trade barriers. As a direct outgrowth of this meeting, a Midwest Liquor Transportation Conference was held in Chicago in March. This resulted in an agreement, by the Illinois Liquor Control Commission, to amend its record-keeping in line with the recommendations of conferees from other states, and thus to remove a major difficulty in apprehending illegal liquor shipments.

During this Chicago conference it was brought out that a bill on the transportation and labeling of liquor, passed by the Kentucky Legislature, was highly discriminatory. Governor Johnson vetoed this bill.

The Midwest Dairy Conference, held in Chicago on March 15, was concerned with marketing problems particularly as regards the eastern states. The midwest position is that eastern state markets are unfairly closed by the refusal of those states either to send an inspector west, or to admit milk from uninspected herds, except upon occasion of an eastern shortage. Arrangements were made to communicate this view to the commissions on interstate cooperation in the eastern states, in the hope of working out a mutually satisfactory arrangement.

The Southern Regional Assembly, which met in Nashville, Tennessee, January 25-27 at the call of the Tennessee Cooperation Commission, discussed trade barriers in general and, by resolution, called upon the southern states to eliminate local barriers among themselves. Arrangements were made to call this action of the Nashville conference to the
attention of the legislatures of the southern states which meet in 1941.

At the suggestion of the Indiana Commission on Interstate Cooperation, a joint request of the Council and the Illinois Commission on Intergovernmental Cooperation, whose assistance was secured, prevailed upon the Purchasing Division of the Illinois Department of Finance to agree to consider bids from out-of-state firms.

The Council's New York office has continued to assist the northeastern states in their efforts to eliminate discriminatory practices and to repeal or prevent the passage of trade barrier legislation. It is working with New York and Connecticut on the ice cream mix situation where the Connecticut law is discriminatory; with New Jersey and Pennsylvania on a problem arising from the New Jersey procedure which gives preference in the granting of state contracts to concrete pipe dealers located in New Jersey; and with New Jersey and Delaware in their effort to eliminate the discriminatory provisions of licenses issued in New Jersey to boats engaged in the taking of certain species of fish in Delaware Bay.

At the request of the New York Cooperation Committee, the Council's New York office suggested to the cooperation commissions in the 10 northeastern states that they consult with their appropriate administrative departments regarding laws which are listed as discriminatory in a report by the Marketing Laws Survey of the Work Projects Administration. The aim is to amend or repeal such laws if they are found, in fact, to be discriminatory and not justified police measures.

The New England Committee on Dairy and Agricultural Problems, created in the fall of 1939, has been expanded to include New York, New Jersey, and Pennsylvania. A meeting was held in March, 1940, in Providence, Rhode Island, at which the possibility of establishing uniform inspection standards in the northeastern states was discussed. It was decided that, although uniformity in this field is not now feasible, the steps taken by midwestern states to meet the problem should be explored.

The Council's staff, through correspondence and conferences, brought about the settlement of difficulties having to do with the shipment of poultry between Oregon, California, and Washington. At the request of the Council, Washington withdrew administrative regulations which had previously acted as trade barriers in the shipment of poultry to other states, and a reciprocal agreement satisfactory to all three states was reached and signed.

UNEMPLOYMENT AND RELIEF

Cooperation commissioners have devoted considerable attention to problems having to do with unemployment and relief. To develop a factual background for the discussion of these questions, the Council's Board of Managers in 1939 appointed a Special Committee on Relief, composed of cooperation commissioners and experts in this field.

The Special Committee decided that an adequate appraisal of the relief problem in the states required a twofold approach: compilation of statistical data, and firsthand discussion through regional meetings of interstate commissioners, legislators, and administrators.

At the Committee's request, the Council undertook both projects. Its research staff, working with the close cooperation of the Social Security Board, Work Projects Administration, and the Farm Security Administration, assembled and summarized all available information on the financing and administration of relief in the several states. This material was furnished both to the Special Committee and to the state delegates in advance of regional conferences. The Council arranged five regional conferences—in Chicago, New York, Atlanta, Denver, and San Francisco. One hundred and thirteen legislators and administrators, including cooperation commissioners, officially representing 34 states, participated in these meetings.

The discussions, which were based on a uniform agenda approved by the Special Committee, were marked throughout by frank and sincere efforts to get at the roots of the problems that have long troubled those responsible for relief—both legislators and administrators. One
significant aspect of these discussions was the divergence in regional points of view on federal participation in public assistance financing. The southern states favored variable grants, and federal participation in general relief as well as in the categories now included under the Social Security Act. The northeastern states felt that any basis for federal grants, other than the present equal-matching provision, would tend to subsidize the less able states at the expense of those with more adequate resources. Midwestern legislators urged that the federal government step completely out of the picture, holding that their states have little need for public assistance, and that W.P.A. wages set a standard with which it is unfair to expect farmers to compete. The western meeting placed its emphasis on the problems of migrants, an issue of particular concern to Arizona and California.

The proceedings of the regional conferences were summarized by the Council in a report entitled *This Problem of Relief*, which was later supplemented by a more detailed analysis of the attitudes of the conferees on each item of the agenda. At its November, 1940, meeting the Council's Board of Managers voted to continue the Special Committee. On the basis of its studies and conferences, covering a full year, the Committee prepared recommendations which were submitted to the Fifth General Assembly of the Council of State Governments in January, 1941. (See page 23 for the report of the Special Committee.)

Though action on the Committee's proposals may be temporarily delayed by the emergency problems now confronting the states and the federal government, its work represents a long step toward developing an effective welfare system coordinated on a nationwide base. But this important endeavor is not the only line along which the year saw progress in solving relief and welfare problems. A number of specific questions, relating mainly to state residence requirements, have also been up for consideration and interstate action.

New York and Pennsylvania, as a result of the work of their cooperation commissions, are now cooperating effectively in cases involving state settlement. The Pennsylvania law, as formerly interpreted, ruled that indigent persons who had had a legal settlement in Pennsylvania lost that settlement by migrating, and therefore were not eligible for relief upon their return to that state. This placed a heavy financial burden upon the New York Department of Social Welfare. The points at issue were discussed at a joint meeting of the New York and Pennsylvania cooperation commissions. As a result, the Attorney General of Pennsylvania reviewed the state law, and his reinterpretation makes it possible for New York to return Pennsylvania indigents with the assurance that they will receive relief in their home state.

Within the last year a number of other states in the northeast have worked out interstate agreements for the transfer of dependents. Uniform state settlement laws have been an important item in the program of the Council and have been recommended to legislatures by a number of the state commissions.

**TAXATION**

For some time the Council and the commissions on interstate cooperation have been working on the difficult problem of taxation in an effort to develop a comprehensive and constructive tax program for the federal, state, and local governments. Representatives of the cooperation commissioners have served on the Council's Special Committee on Taxation. In cooperation with the Federation of Tax Administrators, this committee has worked with the Federal Treasury Department in developing a report on the maze of conflicting and overlapping tax measures existing among federal, state, and local governments. This report has been submitted to Congress with a strong recommendation that a national tax commission be created to explore this entire field. Although Congressional concern over the defense emergency postponed consideration of the proposal during 1940, a meeting with representatives of the Senate Finance Committee and the House Ways and Means Committee was held in November, looking toward definite and concrete proposals to be submitted to the
Congress in 1941, and there is some possibility of favorable action.

Meanwhile tax cooperation on the interstate level has also progressed. The eastern commissions on interstate cooperation established a regional tax committee which is working on the problem at issue in a decedent's estate, when two or more states claim domicile. A plan of reciprocal legislation is being developed under which states may voluntarily compromise their differences and prorate the collected taxes or, on failure to compromise, submit the case to arbitration.

A New York-Pennsylvania subcommittee on taxation has been working on problems resulting from conflicts among their state taxes. It has recommended to the Pennsylvania Cooperation Commission that the latter sponsor legislation: (1) permitting the Pennsylvania Department of Revenue to exchange tax information with tax officials of other states, a practice now prohibited by the Pennsylvania statute; and (2) eliminating double taxation of stock transfers on out-of-state exchanges. Legislation along these lines has been introduced in a number of eastern legislatures by their cooperation commissions.

TRANSPORTATION

During 1939-1940, the northeastern states continued to take the lead in efforts to achieve state uniformity in motor vehicle laws and regulations, and to improve highway safety practices. A 10-state Highway Safety Conference was held in New York in February. A result of this conference was the creation of a committee comprised of one legislator and one administrator from each state to study motor vehicle problems and the possibility of achieving uniformity in size and weight regulations in the region.

The Committee's recommendations for state and federal action were adopted at its final meeting on November 30. These included a model act to regulate the transportation of flammable liquids, and a plan for uniform size and weight regulations in northeastern states, based on the existing requirements in the region. These recommendations—together with a statement presented to the Interstate Commerce Commission expressing the opinion of the northeastern states that the regulation of sizes and weights is a state function—have been circulated among the governors, cooperation commission chairmen, motor vehicle administrators, highway officials, attorneys general, and others in this region. Several states have already had bills drafted covering the essential points of the program and the entire project was thoroughly discussed at the Highway Safety Conference held in New York in 1941.

The movement of the National Guard and naval forces into training camps away from their home areas has raised a licensing problem which many states are solving through recognition of drivers' licenses and automobile license plates belonging to out-of-state trainees. Fifteen states at present have followed the precedent set by Indiana and West Virginia. In November, Governor Townsend of Indiana and Governor Holt of West Virginia entered into a reciprocal agreement under which West Virginia guardsmen, arriving in Indiana for military training, will be granted full privileges in the use of their automobiles and drivers' licenses without having to pay an out-of-state fee. Indiana later reached a similar agreement with Mississippi. Most states have taken similar action.

CONSERVATION

At a meeting of cooperation commissioners and conservation officials held in Detroit in 1938, recommendations were made urging the President, the Secretary of State, and the Congress to undertake a survey of the international aspects of the problem of conserving and developing the Great Lakes fisheries. In the past the development of interstate agreements on uniform regulations having to do with the Great Lakes fisheries has been complicated because of the international aspects of this problem, with which both Canada and the United States are concerned. Other conferences, held by the Council and the cooperation commissions since the Detroit meeting, have also recommended that the problem be handled by treaty or agreement between the two governments. As a step in that direction, the Secretary of State in February, 1940, arranged for an exchange
of notes between the two governments, establishing an International Board of Inquiry of four members, with the Assistant Director of the Council of State Governments serving as chairman, to study the taking of fish and to submit recommendations for the preservation and development of the Great Lakes fisheries. This Board has been holding public hearings to explore the problems involved, and to determine the best method of bringing about the full development and conservation of the fisheries. Nearly 400 fishermen and public officials, including cooperation commissioners, attended the 12 hearings held in Canada and the United States in 1940.

On the Atlantic coast, the 10 northeastern states and Maryland, working through their commissions, held their Third Eastern States Conservation Conference in Boston, in January, 1940, to consider revision and approval of the Atlantic States Marine Fisheries Compact. In February, 1940, a meeting of the southern states, held in Charleston, South Carolina, under the auspices of the South Carolina Commission on Interstate Cooperation and the Council, also considered the compact. Later during the year the commissions on interstate cooperation along the Atlantic coast held meetings with representative fishermen to discuss the conservation problem and acquaint them with the compact. By the end of the year the cooperation commissions in Massachusetts, New York, Connecticut, and New Jersey had approved the compact in principle. Final approval was given at a conference held in Boston in January, 1941, and the compact has been introduced in a number of state legislatures during their 1941 sessions. This compact will provide the machinery for bringing together legislators, conservation officials, and fishery representatives along the Atlantic coast in a coordinated conservation effort.

UNIFORM STATE LAWS

The similarity of interests of the National Conference of Commissioners on Uniform State Laws and the Council of State Governments has been recognized for several years. Their organizations complement each other and efforts toward closer relations culminated during 1940. To facilitate legislative consideration of bills drafted by the National Conference of Commissioners on Uniform State Laws, the Council on July 1, 1940, joined with that organization in a program of cooperation.

Cooperation commissions throughout the nation have given intensive consideration to the acts drafted by the National Conference. Several hundred bills have been introduced in this effort to make uniform the statutory law deeply involved in interstate commercial intercourse. Those which have been selected for preferential treatment by the state commissions on interstate cooperation have received legislative impetus which it is expected will net a considerable advance in this important field.

BOUNDARIES

The good offices of the Council have continued to be called upon in efforts to settle the boundary dispute between Indiana and Kentucky concerning the Evansville area. Through field visits and correspondence, staff members have continued to work on this problem. Governor Townsend and the Indiana Commission on Interstate Cooperation met with Governor Johnson and representatives of the Kentucky Commission in November to review the situation. At this meeting, the establishment of a formal boundary commission was approved by both states. This commission will have full authority to arrange a settlement of this long-standing dispute. By thus avoiding litigation both states will save thousands of dollars.

Efforts are being made to settle a similar boundary controversy between Kansas and Missouri, through the good offices of the Council.

RIVER BASINS

Delaware River. The Interstate Commission on the Delaware River Basin, representing New York, New Jersey, Pennsylvania, and Delaware, continues to stand as an outstanding example of the constructive and beneficial work that can be done through interstate
cooperation. The Commission's major achievement during the year was the development of an equitable plan for allocating the Delaware River waters among the four states concerned. One of the country's leading hydraulic engineers has been checking the work of the Commission's Quantity Committee in the formulation of this plan. When finally adopted the plan may obviate the necessity of expensive court litigation on this problem in the future. In spite of certain setbacks due to court action, the Commission has also made definite progress in pollution control, land utilization, and recreational development. The cooperation commissions, as in the past, have continued to participate directly and actively in this work.\footnote{For further information on the Interstate Commission on the Delaware River Basin, see p. 213.}

Potomac River. The past year has seen considerable progress toward putting the Potomac River Commission on a statutory operating basis, due in large part to the work of the cooperation commissions in that area. Previously the interstate compact had been approved by the Maryland General Assembly. Since the Council began to work with the Commission, the compact has been approved by the Virginia General Assembly, the Commissioners of the District of Columbia, and the Congress of the United States, and appropriations have been made for both Virginia and the District of Columbia. The 1941 session of the Maryland Legislature is expected to make an appropriation, and the compact has been introduced in the West Virginia Legislature and seems likely to pass. When the Maryland appropriation becomes available, the Commission will be able to proceed with its formal organization and to utilize the considerable amount of technical and other information concerning the Potomac River which the Council's Washington office has gathered during the past year. The end of the 1941 legislative sessions should see the Potomac River Commission go forward with its own program.

Ohio River. The Ohio River Sanitation Compact has been approved by Illinois, Indiana, Kentucky, New York, Ohio, and West Virginia. The effectiveness of the approval of Ohio and West Virginia, however, is contingent upon similar action by Pennsylvania. In that state the opposition of certain industrial interests has held up consideration, but there seems some likelihood that the question may be settled during the 1941 session of the legislature. The cooperation commissions will continue their efforts to place the Ohio River Commission on an operating basis.

Interstate Sanitation Commission. During 1940 the New York and New Jersey commissions on interstate cooperation and the Interstate Sanitation Commission have continued their efforts in behalf of the New Jersey municipalities—their purpose being to finance sewage disposal facilities by allowing the Interstate Sanitation Commission to act as trustee of special sewer bond issues. During 1940 New York passed legislation consenting to such use of the Interstate Sanitation Commission as New Jersey may require for these projects. New Jersey legislation permitting municipalities to work through the Interstate Sanitation Commission is now pending.

The Connecticut Commission on Intergovernmental Cooperation is studying the possibility of that state's becoming a full partner to the Interstate Sanitation Compact. There appears to be a good prospect of such action.

The biennium 1939-1940 has seen the Council of State Governments take its place as an essential part of the governmental machinery of the nation. This machinery which the states have themselves established to solve their mutual problems has proved itself a useful and effective agency in dealing with a multitude of interstate questions. The states have shown their competence to deal with complicated problems affecting numerous units of government. The Council looks forward to continued and increasing service during the next biennium. It willingly assumes its share of the burden imposed upon all governmental agencies to make our democratic federal system function efficiently during the period of critical national emergency.
Your committee on relief has examined the situation with respect to general relief and public assistance through five regional conferences in which state legislators and public officials concerned have participated.

Out of the discussions in these conferences and related information your committee has formulated certain proposals for the consideration of this assembly.

These proposals cover only so much of the present system of administering public relief and assistance as in our opinion urgently requires simplification or revision at the present time. The proposals are:

1. Direct relief should be added as a category to the federal security program to be administered by the states as a part of their general shared relief program.

2. All work relief should be operated by the states as a part of the general shared relief programs. This means a transfer of administrative responsibility for work relief from the federal government to the states.

3. The relief of migratory workers or persons should be handled by the states as a part of their general relief programs, and should be reimbursable by the federal government. To facilitate this proposal the question of uniform state settlement laws should be dealt with at the earliest moment.

4. The same rate of federal reimbursement should be applied to each shared program of public assistance within any state.

5. The rate of federal reimbursement should vary among the states from a minimum of 50 per cent to a maximum of 75 per cent. The schedule upon which federal reimbursements vary should be predetermined and publicly announced by the federal agency concerned. In making up the schedule that agency should give consideration to such factors as the volume of unemployment, costs of living, and per capita income in the several states.

6. All administrative costs of state and local welfare agencies operating the shared programs should be reimbursed by the federal government at the same rate as applies to other reimbursements.

7. The distribution of surplus commodities in any state should be in accordance with plans developed and mutually agreed upon by the federal government and the state agency charged with public assistance in that state.

8. Occupational training of potentially employable persons should be intensified.

9. Rehabilitation through medical care and treatment of physical defects should be intensified and should be a part of the reimbursable program of general relief.

10. There should be a continuing joint congressional committee working with state legislative and administrative groups in planning for new or modified legislation, and for the purpose of providing for research in public assistance.

11. This assembly should provide a legislative counterpart to the joint congressional committee by a continuing committee on relief of the Council of State Governments.

12. It is urged that all public officials recognize the crushing force of the soaring burden of all public relief on the taxpayer, and we recommend vigorous effort on their part for a more efficient and economical administration.

Your committee believes that these proposals if adopted would lead to: (a) better service to the needy person, (b) more efficient administration, and (c) substantial savings to both the states and the federal government.
A FEELING that some thought should be given to conservation of the nation’s resources, rather than thoughtless exploitation, led President Theodore Roosevelt to call the first meeting of the Governors’ Conference, in 1908. Invitations were issued to the governors of the 46 states then existing to confer at the White House. The meeting was well attended, and resulted not only in the creation of state departments of conservation in many of the states, but in the appointment of a continuing committee to consider the possibility of future meetings.

In 1910 the governors again met in Washington, and there laid the foundation of the present Governors’ Conference. In addition to an interest in conservation, the objectives of the conference were broadened to include uniform state laws.

As now constituted, the Governors’ Conference is an association of the governors of the several states and territories of the United States. The affairs of the Conference are managed by an Executive Committee of five governors, each of whom is elected for a period of one year by the Conference at its annual meeting. The Chairman of the Conference is selected by the Executive Committee from its own membership. The Executive Director of the Council of State Governments serves as Secretary-Treasurer, in which capacity he makes necessary arrangements for its annual meeting, handles the accounts of the Conference, and performs other functions requested by the Executive Committee.

The object of the Conference is to facilitate “an exchange of views and experiences on subjects of general importance to the people of the several states, the promotion of greater uniformity in state legislation, and the attainment of greater efficiency in state administration.” In addition, it cooperates with other organizations, societies, and agencies designed to promote uniformity of legislation and administrative practice.

Since the organization of the Conference, annual meetings have been held in various sections of the country. Papers are read by the governors, round-table discussions are conducted without formal procedure, matters of common interest are explored, but no resolutions or official expressions of opinion are adopted.

Because of their feeling that the subjects are of vital importance to the welfare of the nation, the governors dur-
The Conference makes use of the research facilities of the Council of State Governments, and its Executive Committee serves on the Board of Managers of the Council of State Governments. Individually, its members avail themselves of the inquiry service of the Council and further cooperate with it through their administrative appointees to the state commissions on interstate cooperation. Proceedings of the Governors' Conference are published annually for distribution to the governors, state libraries, and other interested groups and individuals.

THE AMERICAN LEGISLATORS' ASSOCIATION

The American Legislators' Association was instituted in 1925 by Senator Henry W. Toll of Colorado after he encountered difficulty in securing information regarding the experiences of other states on problems similar to those which the Colorado Legislature was then considering. After several trying years, during which encouragement and support were received from a small group of public-minded legislators from widely scattered states who agreed with the objectives, the idea and the Association were firmly established. The Association was organized and operated on a nonpartisan basis. The states were represented through five-member house and senate councils of the American Legislators' Association in each state. Between 1931 and 1937, the Association was officially endorsed by the legislatures of all 48 states. Previous to and during that time it had established and carried on services designed to assist each legislature in performing its work more effectively. One of its primary purposes was to maintain a clearing house of information for the various state legislative reference bureaus and to procure for such bureaus and for legislators themselves whatever information and advice they desired in connection with their problems.

While it was performing a valuable reference service by directing inquiries to the best sources of information, it was also conducting research into the states' legislative processes which contributed most to efficient organization and procedure. In the meantime, the Association organized legislative pre-session conferences in a number of states. This proved a popular and effective method of meeting the situation which exists at the opening of the session, when, without previous preparation, legislators are confronted by a staggering legislative program. At such meetings an attempt is made to outline the major problems to be considered, and to suggest possible solutions.

The American Legislators' Association was the forerunner, and the germ of the idea for the Council of State Governments. From the American Legislators' Association, the services it was performing, and from its objectives of increased cooperation among legislators for their mutual good, grew the idea of a common clearing house for chief administrative officers as well.

Today the American Legislators' Association functions as a Section of the Council. It continues to maintain a clearing house for state legislative reference bureaus, to maintain an inquiry service for legislators, and to conduct studies on legislative organization, techniques, and personnel. It encourages the establishment of reference bureaus in
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those states which do not have them and the improvement and expansion of those which do exist. The Council publishes the monthly magazine State Government, which is successor to the original American Legislator, publication of the American Legislators’ Association.

THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

The National Association of Attorneys General, organized in 1907 in St. Louis, is composed of all the state and territorial attorneys general and their assistants and deputies. It is the medium through which the chief legal executives of the states and territories may cooperate for the better functioning of their several offices.

By a constitutional amendment at the 1940 annual conference, which was held in conjunction with the meeting of the American Bar Association, the Council of State Governments was officially designated as the Secretariat, charged with performing the duties of the Secretary-Treasurer.

During the annual conference, discussion centered on legal problems common to all of the states, and addresses were presented by federal and state officials on subjects of mutual interest.

For the past year, the interim activities of the association have included the sponsorship of the Federal-State Conference on Law Enforcement Problems of National Defense; participation in the drafting of emergency defense statutes; sponsorship of federal legislation providing for the right of intervention by states in certain cases involving validity of the exercise of powers by the United States; and the sponsorship of the so-called Buck Resolution authorizing the application of state sales and use taxes to transactions occurring in whole or in part in federal areas.

Officers for the year 1940-41 are: President, Hon. Earl Warren, Attorney General of California (ex officio a member of the House of Delegates of the American Bar Association); Vice-President, Hon. Abram P. Staples, Attorney General of Virginia; Secretary-Treasurer, the Council of State Governments. In addition to the officers, the members of the Executive Committee are: Hon. Thomas J. Herbert, Attorney General of Ohio; Hon. Francis A. Pallotti, Attorney General of Connecticut; and Hon. Claude T. Reno, Attorney General of Pennsylvania.

The annual dues for the Association are $15 for each active member and $1 for each associate member—provided that the department of the attorney general in any state or territory may in any year pay the dues of all the members from such state or territory by a single payment of $25.

In 1936 the Attorneys General Section of the Council of State Governments was created as a clearing house for the interchange of opinions of the state attorneys general. To facilitate this work, the Council publishes weekly the Digest of Opinions of the several state attorneys general. Since many thousands of opinions are rendered each year, the Digest includes only those which may have a general application. The complete text of any opinion digested is furnished upon request and from time to time the Digest includes opinions in full on important current topics. An index is issued every year to render the material readily available for research purposes. This service is unique in that it is the only medium through which
opinions of the attorneys general are currently publicized. It has for its purpose the uniformity of interpretation so essential to any adequate system of uniform laws.

In addition to the publication of the Digest, the Attorneys General Section performs research services at the request of individual attorneys general and publishes the proceedings of the annual conference of the National Association of Attorneys General.

THE NATIONAL ASSOCIATION OF SECRETARIES OF STATE

The Twenty-second and Twenty-third Conferences of this oldest organization of state public officials, established in 1904, were held in 1939 in New Hampshire and in 1940 in Georgia, respectively. Hon. John B. Wilson, Secretary of State of Georgia, presided at both conferences—at the Twenty-second as Acting President and at the Twenty-third as President. President for 1941 is Hon. E. E. Monson, Secretary of State of Utah.

At the New Hampshire conference a detailed report was made by the Association's Committee on Trade Mark Registration. The Association discussed this matter at length and took an official stand opposing compulsory registration in the states.

At the Twenty-second Conference, Acting President Wilson appointed a standing Committee on Corporation Registration headed by Hon. Sophia M. R. O'Hara, Secretary of the Commonwealth of Pennsylvania. This Committee vigorously opposed proposed compulsory federal licensing of corporations doing an interstate business. The matter of corporation licensing was considered at length at the Georgia meeting and the Association continued the Committee under Miss O'Hara's chairmanship in order that the Association might be ready at all times to oppose such legislation if it was considered by Congress, and might be represented in Congressional hearings on the matter.

The Association has had for many years a standing Committee on Election Procedure. At both the Twenty-second and Twenty-third Conferences the Association adopted the Committee's recommendation that Congress institute a proposed federal statutory amendment which would provide that vacancies in the United States House of Representatives be filled by gubernatorial appointment as now is the case in vacancies in the United States Senate.

In 1941 the Association is looking forward to the suggestion by its Committee on Election Procedure of a uniform election code for adoption in each of the 48 states. At the Association's Executive Committee meeting in January it also decided to investigate the possibilities of uniform as opposed to compulsory state legislation concerning the registration of trade marks.

It is anticipated that tangible recommendations will be made by the Association's standing committees at the 1941 meeting.

In addition to Secretary Monson as President, other officers for 1941 are: Hon. Thad Eure, Secretary of State of North Carolina, Vice-President; Hon. Edward J. Hughes, Secretary of State of Illinois, Recording Secretary; Hon. Sophia M. R. O'Hara, Secretary of the Commonwealth of Pennsylvania, Corresponding Secretary; and Hon. Earl Snell, Secretary of State of Oregon, Treasurer.
THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

The National Conference of Commissioners on Uniform State Laws celebrated its fiftieth anniversary at the 1940 conference, which was held as usual in conjunction with the meeting of the American Bar Association. The Conference has for its purpose the promotion of uniformity in state laws on all subjects where uniformity is deemed desirable and practicable. It is an official body created by state statutes. The three commissioners appointed by the governor of each state or territory are usually members of the bar or teachers in law schools. The procedure of the Conference is such as to inspire confidence in its work. All uniform acts are considered over a period of years and must be approved by the representatives of 20 or more states and by the American Bar Association before release.

During the 50 years of its existence, the Conference has drafted and approved nearly a hundred acts. Some of the earlier acts have been declared obsolete or have been withdrawn, leaving 53 laws, some of which are currently being recommended to the several state legislatures.

The officers of the Conference are: President, William A. Schnader, Philadelphia; Vice-President, W. E. Stanley, Wichita, Kansas; Secretary, Barton H. Kuhns, Omaha, Nebraska; Treasurer, Murray M. Shoemaker, Cincinnati, Ohio; Chairman, Executive Committee, J. C. Pryor, Burlington, Iowa.

The Council of State Governments in 1940 entered into a program of cooperation with the National Conference of Commissioners on Uniform State Laws for the purpose of facilitating the legislative consideration of their acts. The program calls for close integration with the Council’s legal and field services and for the submission of certain selected uniform laws to the commissions on interstate cooperation for their consideration. If, in the commissions’ judgment, the laws are deemed desirable for their respective states, the Council, with the cooperation of legislative reference bureaus and legislative councils, undertakes the technical task of preparing the laws for introduction. Many uniform acts have been considered by 1941 legislatures.

In many states, the Commissioners on Uniform State Laws have closely allied themselves with the commissions on interstate cooperation in order to facilitate their work.
The following national governmental organizations are housed—in the same building as the Council of State Governments, at 1313 East 60th Street, Chicago, Illinois:

**American Municipal Association**  
Earl D. Mallery, Executive Director

**American Public Welfare Association**  
Fred K. Hoehler, Executive Director

**American Public Works Association**  
Frank W. Herring, Executive Director, on leave; Norman Hebden, Acting Executive Director

**American Society of Planning Officials**  
Walter H. Blucher, Executive Director

**Civil Service Assembly of the United States and Canada**  
James M. Mitchell, Acting Director

**Federation of Tax Administrators**  
Albert Lepawsky, Executive Director

**International City Managers' Association**  
Clarence E. Ridley, Executive Director

**Municipal Finance Officers Association**  
Carl H. Chatters, Executive Director

**National Association of State Auditors, Comptrollers, and Treasurers**  
Carl H. Chatters, Chicago Agent

**National Association of Assessing Officials**  
Albert W. Noonan, Executive Director

**National Association of Housing Officials**  
Coleman Woodbury, Executive Director

**Public Administration Clearing House**  
Louis Brownlow, Director

**Public Administration Service**  
David L. Robinson, Jr., Executive Director