
Franklin D. Roosevelt — “The Great Communicator”
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Budget Statement

Speeches

[April 12, 1929]

BUDGET STATEMENT.

I have given most careful consideration to the steps which as Governor of the State I should take to settle the controversy over the budget between the executive and legislative branches of the government. The question at issue is one of far-reaching importance. It involves fundamental principles of our American political institutions. It is not merely a personal quarrel between certain legislative leaders and the man who happens to be Governor, nor is it just a controversy over particular items in an appropriation bill.

What was the object of all the agitation, discussion and disinterested service on the part of leading citizens which led up to the reorganization of the State Government and the adoption of the executive budget by constitutional amendments? Was not that object to simplify our administrative machinery, to make the Governor a real responsible executive and to define and fix for all time the functions of the executive and the legislature in budget making? This same movement has gone on all over the country and in the national government at Washington itself. Since 1910 in every part of the country, in every newspaper, in every political platform, and in the program of every civic organization, there has been prominent mention of consolidation of departments under a responsible executive, and of the establishment of an executive budget. The tendency everywhere has been away from the confusing of legislative and executive functions, and toward consolidation of executive authority and responsibility under the Governor. ~~It is not a question of the executive budget and the legislative budget, but of the executive budget and the legislative budget.~~

This subject was thrashed out in the last Constitutional Convention in 1915. Administrative consolidation and the executive budget were advocated upon the insistence of Elihu Root its chairman, who in a memorable speech from the floor insisted that these reforms were the most important of all subjects before the Convention.

The program of this Constitutional Convention for responsible state government was taken up by civic agencies and leaders in the community. After over ten years of discussion, government reorganization was finally written into the constitution of this State by the people by a commanding majority. Then the Hughes Commission was appointed to work out the details and they recommended that the executive budget and four year term be written into the constitution and stated that government reorganization would be weak and ineffective without them. The executive budget amendment was drafted by Henry L. Stimson, now Secretary of State, who headed the budget committee in the 1915 Convention. The people of the State adopted the executive budget amendment in the Fall of 1927. The first constitutional executive budget was submitted by me on January 28th, of this year.

What did the Legislature of 1929, or rather the Finance and Ways and Means Committee Chairmen do with that budget? They simply wrecked it. They violated every principle which was supposed to have been fixed in the State Constitution. I venture to say that neither Senator Root, nor Judge Hughes, nor Colonel Stimson would recognize in this year's executive budget as amended by the Legislature anything remotely resembling the procedure which they wrote into our fundamental law.

What did the two Legislative Chairmen do? Visible, open, responsible budget making was the objective sought by the people in amending the constitution. The Legislative Leaders deliberately messed up and destroyed the executive budget so that no one could understand it. The constitution provides that the items in the Governor's budget may be reduced or cut out by the Legislature, which may then in a separate place add items of their own. The Legislature cut out whole sections of the executive budget without indicating by brackets or in any other way what had been deleted.

They added new items throughout the budget with totally different phraseology in such a way that no one who did not compare hundreds of pages of each bill could figure out what had been done. They not only cut out and reduced items, but altered items and language beyond recognition. If this practice is followed to its logical conclusion, all that any subsequent legislature need do is to cut out all of the Governor's budget the minute it reaches them and start an entirely new one of their own, or by altering the controlling language they may change completely the intent and purpose of every item in the Governor's budget, or set up a control of every administrative agency by the legislative leaders. The first executive budget fell into the hands of legislative leaders who have always been consistently, bitterly and openly hostile to it, who for years kept it from a popular vote and who yielded only because the best minds in their party insisted on it. These same legislative leaders have now made up their minds to nullify this great reform, and to go back to the old system in spite of the constitution.

What is the good of amending the constitution to consolidate the executive branch of the government and to fix responsibility in the Governor, and what is the use of writing the executive budget into our fundamental law if the very first legislature which comes along can nullify and make a joke of the reforms adopted by the people themselves?

There is another important phase of this budget controversy. If there is one thing which distinguishes our American

federal and state governments from other governments throughout the world, which the founders of our institutions debated after the American Revolution, and which we have made part of our fundamental law, it is the division of powers among the executive, the legislative and the judicial branches of the government, and the separate independence of each of these branches. This is the fundamental conception underlying our state and national constitutions. Our whole history shows that whenever one branch of the government has encroached upon another, difficulties and troubles have arisen.

The question before the people of this State in connection with this year's budget appropriations is whether administration is to be in the hands of the Governor elected by all the people to be the head of the executive branch, or whether it is to be in the hands of the Legislature or shared between the Governor and the Legislature in such a way that all responsibility will be lost. The present Legislative Finance Leaders take the view that they should have a definite part in administering the government all the year round. They contend that if furniture is to be bought for the State Capitol, ~~deskxaxaxax~~ they shall decide exactly what chairs, desks and coat hangers each department shall have, how they shall be bought and what shall be ~~xx~~ paid for them. These leaders believe that when a sum of money is appropriated for construction or repair work they shall decide how many carpenters, mechanics or engineers shall be employed, when they shall be employed and at what salary. Every man and woman in this State with practical experience must know what this means. On this theory if Twenty-five Thousand Dollars is appropriated for construction and repair work at a public institution, the head of the department or institution will be allowed to let a contract, but if he wishes to do the work with his own forces he must first have the separate approvals of the Governor and each of the Legislative Finance Chairmen. It is impossible to segregate or detail all of these items in advance. It cannot be ascertained exactly what work can be done by contract and what should be done directly by department heads. No one can foretell what the low ~~bid~~ bid will be in the case of contracts and exactly how much money will be left. It is very difficult at best and impossible in some cases to tell in advance just what forces will be needed to complete the work and when they will be needed. Nothing could be more uneconomical than to force our administrators in all cases to figure out all these things in advance. No sane business man would think of doing it. If two members of the

Legislature elected by only a small proportion of our citizens in one *Assembly* ~~and one Senate district~~ who through seniority happen to become chairmen of committees, must be followed around the State and consulted before every bit of construction work ~~can~~ be progressed, we shall never be able to carry out with reasonable dispatch the great program which we have undertaken nor shall we be able to administer our public improvements when they are completed.

The situation is even worse when there is a body like the State Office Site and Building Commission consisting of the Governor, ~~the~~ Superintendent of Public Works, Commissioner of Architecture and four legislative leaders. This commission was created as a temporary body in connection with the acquisition of sites for new state office buildings. It has gone on in spite of the constitutional provision against the creating of new departments, and the Legislature has written into reappropriations provisions which make this body a continuing one with power to make all kinds of contracts, control construction in state institutions, and even purchase land for prisons and other institutions. Governor Smith repeatedly pointed out the difficulties of calling such a commission together, especially after ^a legislative session. The Governor and his two assistants are in Albany. The other four leaders have to be summoned from four corners of the State. One of them is in the grape orchards of Chautauque County; one is resting on an Adirondack Island; another is on a farm in Central New York and the fourth is in a law office in the Genesee Valley. No two of them can agree on a date for a meeting, and even when they have agreed in the past ~~it~~ has frequently happened that there has not been a quorum present to transact business. A mixed legislative and executive commission of this kind is a deliberate perversion of our constitution.

The checks, balances, controls and approvals now required by law are so numerous that if we have any more of them ~~ix~~ our government

will simply come to a standstill. The public is amply protected without adding two legislators at the head of our executive branch, even assuming that this is constitutional. No one can be appointed without the approval of the Civil Service Commission. Materials can only be bought under most stringent laws and under the supervision of the Division of Standards and Purchase. We have the Comptroller who audits all accounts. We have the Budget Division to supervise expenditures for the Governor. We have the Attorney General advising the Comptroller on audit and advising other departments. We have the Commissioner of Architecture representing the ~~government~~ in all departments on important construction work. We have department heads checking on division heads, and division heads on bureau heads. In numerous cases there are Boards of Visitors or other unpaid boards who also have a hand in checking, visiting or examining. There are also numerous laws, general and special, which control and limit the activities of public officials vested with responsibility for spending the State funds now under controversy, especially institutional funds and funds for construction work. It can safely be said that every conceivable safeguard has been thrown around the expenditure of State funds by public officials.

I am now satisfied that these questions will never be settled by ~~veto~~ by the Governor or by a special session of the Legislature. I believe that they can be settled only by recourse to the courts, and by a determination by the highest court in the State as to just what the new constitutional provisions governing the executive branch of the government and the executive budget really mean. I shall ~~not~~ accept the additional budget bills as submitted by the Legislature with such changes in detail as I consider to be essential, and shall present to the courts the fundamental questions of constitutionality which I am now convinced can only be settled in this way. As these constitutional questions are of the utmost importance to every citizen, I assume that I will have the cooperation

of the Attorney General and of the legislative branch of the government in facilitating their submission in the proper form by a greement so that there can be a judicial determination which will be final and binding on everyone. Both the legislative and executive branches of the State Government have a vital interest in the proper solution of this problem, and both should be represented by eminent counsel. I have designated to represent the Executive Department in this matter _____, who is prepared to consult with the Attorney General and with any special representative who may be designated by the Attorney General or by the Legislature so as to facilitate a prompt disposition of ~~these~~ these questions after the legislative session.
