Radio Address - The 1930 Legislative Session
Radio Address, Albany, March 26, 1930

DISCUSSION OF THE 1930 LEGISLATIVE SESSION

This is my second radio report to the people on the work of the Legislature this year. I had expected to tell you something more of what has gone on at Albany before this, but I am sorry to say there has been little of consequence to report to you until now. The reason for this may be found in the procedure which our Legislature still follows and which I referred to several times last year as "antiquated." There has been a slight improvement in this regard at the present session, but for the most part, our law-making machine still moves with the pace of an ox-cart in the age of the fast automobile and the aeroplane.

I have not changed my views with respect to the need for reform in our methods of making laws. In fact, my early experience as a member of the Legislature and my more recent experience with the last Legislature and the present one has convinced me that not only is this reform needed but that sooner or later the people will demand and secure it. We are now in the closing days of the present session at Albany. Although the Legislature has been meeting since the first of January, little of real importance has been accomplished and most of the important measures are still buried in legislative committees. So far the Legislature has passed 342 bills; and I have acted on 190 measures, which have now either become law or have been vetoed. I am not adopting any policy of vetoing bills just to make a record, but it may interest you to know that I have disapproved 20 bills so far this year on the ground that they were either unnecessary or unwise legislation. For the most part these have been local measures, many of them dealing with matters which never should occupy the time of the State law-making body.

In this connection let me remark that I have felt compelled to veto a large number of local bills which would have increased local government cost for
no apparent good reason. Some of my friends of the other party on the "third floor," which is our designation for the Legislature at Albany, have been annoyed by the veto of their pet bills. You may have noticed something about that in the newspapers, but I am sure that the taxpayers who would have had to pay for these salary increases and relatively unnecessary expenses of other sorts are not going to worry so much about these vetoes.

A few of these local bills were designed to cut the cost of local government in certain localities and these bills I signed most readily. One, for instance, relieved Herkimer County from the obligation to furnish and maintain a horse and cow for the sheriff.

However, I am not so much concerned over the fact that the Legislature has to bother with these unimportant local bills, as I am about the system under which the important legislation is considered. Last year I made several appeals for open consideration of those measures in which the people are really interested, on the floor of the Legislature. I believe that any bill of State-wide interest which has the support of a considerable number of our citizens is entitled to be reported out of committee and debated on the floor of the two houses. That is our theory of Democratic Government; that every citizen has a voice in the making of our laws and that every legislator with a meritorious bill shall have the opportunity of trying to convince the majority through a free discussion of its provisions that it should become law. That makes for a deliberative parliament which our Legislature is supposed to be.

Proposals which have finally become law within recent years, such as the Executive Budget, the reorganization of State Departments and important welfare measures were smothered in committee rooms for session after session and were finally enacted only when the public demand for these laws became so insistent that the little group which controls legislation under our present system no longer dared refuse to allow them to pass. And during most of the time these measures were being introduced and re-introduced and were not receiving a fair hearing, the people of the State as a whole were for them.

I fear that most, if not all, of the measures which fall within this category and which were defeated in committee rooms last year will again be "murdered," and I use the term advisedly. It may be that political exigencies will result in the reporting out of some of these measures, and I hope so, although at this time I am not very sanguine.

I said a moment ago that there has been a slight improvement in the manner of law-making this year. I referred to the debate on the State Budget Bill. It may seem an extraordinary thing to some of my listeners who are not familiar with the method of appropriating money for the support of the State's vast business activities, to learn that never before in this generation has the appropriation bill been debated in detail in the two houses of the Legislature.

Here is what has happened in the past. The chairman of the Finance Committee of the two houses—in the Assembly it is called the Ways and Means Committee—and latterly the Governor, have prepared a general appropriation bill, which we now call the Budget because we are operating under the budget system. The committees hold no real hearings on the bill but the two chairmen made their own amendments and then reported it out. Well, the Budget Bill this year had 635 printed pages and never before did the average member of the Legislature, Senator or Assemblyman, ever open its covers: There were just two men in the whole State who knew what was in the bill. They were the chairmen of the two committees.

This year we repealed the ears of the budget. I do not mean by that that we took any of their powers away from them, but for the first time there were members in both houses who on the floor asked questions concerning every change made in the budget as submitted by the Executive. Every increase or decrease was scrutinized and the finance chairman called upon to explain, out in the open, the recommendations they did make.
Now, I think this is a very healthy thing. Of course, I do not expect my friends, the two chairmen, to agree with me, for it caused them a few hours of discomfort and inconvenience but it did result in a better understanding of State finances on the part of members of the two houses on both sides of the aisle.

The budget as finally passed totalled roughly $308,000,000, not a sum to be taken lightly. It is nearly a $1,000,000 a working day, and yet, in the past, the attitude of the legislative leaders seemed to be that the budget was not so important as a bill for a bridge over Red Creek or a measure to raise the salary of dog catcher in Painted Post or either of which a debate would be permitted.

And now a word about the Budget Bill itself. You may have read some of the newspaper accounts which indicated that the minority in the Assembly kept that house in session until late in the night trying to keep the majority from cutting $3,000,000 out of the bill. As a matter of fact the budget debate did not until late in the night, but it was only because the Ways and Means Chairman was required to explain the changes in the bill. One and one-half million of the cut was made possible because the Department of Education discovered it could do with less money this year than had been asked. Nearly half a million dollars was saved through a slight change in the plans for the new Wyoming State Prison at Attica which was made, not by the Legislature, but by the state engineer.

Of the remaining items eliminated or reduced some will be covered in separate bills, so that there really was no important change in the Budget at all. In other words, this, the largest Budget in the history of the State was enacted, after full study, by both major political parties. If at some later time someone tries to make political capital out of the increase in this Budget you will be able to judge of his sincerity.

The increases in the Budget were largely of a mandatory nature, a large amount for schools, nearly twice as much more for new State hospitals, and the like. Our State is growing, and the cost of its government must grow in proportion. The increase in cost, must, however, be in proportion to the increased growth, otherwise something is wrong.

For purely technical reasons I was compelled to veto items totalling $11,000,000 in the bill as returned to me by the Legislature. New bills covering these items have been introduced in more correct form and I will sign them when they reach my desk.

There has been a lot of talk this winter, most of it political, about our prison problem. It has been said the State lacks a prison program. That I emphatically deny. A program we certainly have.

This program is divided into four definite parts:

The first part is the physical one. The State now has four great State Prisons—Sing Sing at Ossining; Great Meadow at Comstock in Washington County; Clinton Prison at Dannemora in Clinton County; and Auburn in Cayuga County. A fifth prison at Attica in Wyoming County is under construction and this present Legislature will authorize surveys and options for a new prison site, to be located somewhere within about 75 miles from New York City.

The plan for the use of these prisons is clear. First of all it is proposed to use Sing Sing Prison as a sort of a clearing house where prisoners will go after conviction and where they will be sorted out and given the most careful study in order that they may then be sent to other institutions to fit the needs of the individual case. The new prison, the site of which we shall pick this year, will be designed primarily for real first offenders, and especially the younger men and this prison will be conducted more as a school than a penal institution.

The next prison will be Great Meadow to which will be sent the next grade of prisoners and especially those having comparatively short sentences to serve.

The third prison will be that at Auburn to which will be sent what might be called the middle type of offenders. The other two prisons, Dannemora
and Attica, it is planned to use for the more serious type of offenders. This
definite physical building program cannot, of course, be carried out in one
year but will take three or four years of legislative appropriations to com-
plete it. The actual details of construction must, of course, be decided to fit
each year’s program. For instance, with the proposed use for each of these
prisons must come plans for industrial and farm work for the prisoners. The
details of this plan will be worked out this summer by a special committee for
presentation to the next Legislature.

The second part of the general prison program is the establishment of a
permanent and reorganized parole system. The Legislature is about to pass
an excellent law for the creation of the new Parole Board which will consist
of three full-time commissioners and an adequate staff of parole officers. In
this way we hope that this State will take the lead in the reorganization of
those unfortunate people who have committed crimes of various kinds but
who must, if it is humanly possible, be restored to useful, honest lives in the
community.

The third step in the prison program is the working out of segregation of
prisoners by classes. This is an intricate problem never before tried in this
State. A special commission will report on this this summer and their pro-
gram will be made to fit the number and types of actual institutions which
the State has. It must be remembered, of course, that the State has an
enormous amount of money invested in existing prison buildings and we must
utilize them to the best advantage in view of the fact that it is impossible to
scrap them all and start everything anew. Furthermore, in this question of
segregation, we must remember it is not a rule of thumb manner. For
instance, the State must receive a prisoner who is technically a first offender,
in that he has never been a prisoner of the State before. Nevertheless he
may have a long, criminal history and a proven tendency to commit crime.
At the same time the State may receive a boy who has been in several reform-
s but who may be of the type that can be made to go straight, if prop-
erly educated, trained and looked after by the State. Let us not forget that
these are new problems which must be worked out over a period of years, for
we have little experience in this matter of segregation of types.

The fourth Program of the Prison Program is the development of proper indus-
tries and trades, and occupations for the prisoners. It is not a sufficient
answer to set prisoners to work on manufacturing automobile plates or fur-
ture for the State offices, regardless of the individual characteristics of the
prisoners. Furthermore, we plan a system by which prisoners will receive
more pay than the 1½ cents a day which they now receive for their work in
the prison shops. There are three objectives. The first is to give the prisoner
healthful occupations; the second is to give them useful occupations; and
the third is to make it possible for them either to help support their families
or to save up enough money in prison so that when they leave they will have
more than the $10 which the State now gives to the men who leave its

One word in regard to the so-called Old Age Pension Bill. I am glad to say
that this measure is about to become a law even though I do not think that
the commission which drew it up did the very best job of it.

The trouble with the present bill is two-fold: First of all it allows too much
discretion to the local authorities throughout the State, thus failing to pro-
vide a uniformity of treatment and allowing individual local factors to creep
in to too great an extent. The aged poor, no matter what locality they come
from should have exactly the same kind of consideration and that is why I
want a more centralized control by the State Department of Social Welfare
in Albany.

My other objection to the bill is that it smacks too much of a mere exten-
sion of the present poor laws. A real system of old age security against want
should not have the word “charity” written all over it. Both from the point
of view of the old people themselves, and from the point of view of encourag-
ing savings, we should have started this year some system of contribution by
the younger men and women in every walk of life so as to build up for their
old age not merely a guarantee that they will not be allowed to starve, but
also a guarantee that they will be able to live in some kind of comfort in their old age. Progress comes slowly, of course, and I feel that this law is, at least, a step, even though a small one, towards the desired goal.

"Yesterday, I am glad to say that the bill which I consider may in the future be the outstanding accomplishment of this Legislature, was passed. This is the bill to take the first step towards the development of the State-owned electric power resources of the St. Lawrence river. When the smoke and dust of partisan speeches clear away, the people of this State will realize a simple fact.

"This fact is that the Legislature has after many years of delay, opposition and muddying of the waters, authorized the Governor to appoint five commissioners or trustees who are charged with the primary duty of trying to bring in a definite plan based on a definite policy. The policy is that a direct agency of the State to be known as the Trustees of the St. Lawrence Water Power, shall build a dam, generate the electricity and see that it is sold to the consumer at the lowest possible rate. That is the plain English of the policy and within the next few weeks I shall appoint the five commissioners. I certainly hope and am very confident that their efforts during this summer and autumn will result in a practical plan under this policy so that at least the people will get cheaper electric light and power in their homes."

In closing may I remind you that from now on, our political brethren will be flooding the State with all sorts of wild statements, some with a mere color effect and others made out of whole cloth. You will remember, I know, that this is because we are going to have a State Election this fall. It is a pity for the sake of orderly government that we are compelled to have State Elections every two years. As you know, I have always advocated elections every four years and that those elections should come in the year half way between Presidential Elections. At least this much can be said for the election this fall, that it relates wholly to State officials, and presidential and Federal policies should not enter into the State campaign in any shape, manner or form.