

History, Purposes, and Activities
of the
Joint State Government Commission
of the
General Assembly of Pennsylvania



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COMMONWEALTH OF PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
OF THE GENERAL ASSEMBLY
ROOM 327 — CAPITOL BUILDING
HARRISBURG

A STATEMENT OF THE HISTORY, PURPOSES, AND ACTIVITIES
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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

Description of the Commission

The Joint State Government Commission has been established by the General Assembly to provide a means for investigating and studying problems of government. It is intended to serve the Legislature as a fact-finding body and as an authoritative source of information. Statistical data and information are being collected in connection with the surveys and studies which the Commission has undertaken and the matters which it is investigating. Recommendations will be made to the General Assembly for its consideration of legislation based upon the results of the inquiries and research. The commission has conferred and cooperated with the Governor and the several departments and commissions of the State government. It has made its offices and information available to those departments of the State government which have called upon it during the short period of its existence.

The Joint State Government Commission is an agency of the General Assembly and is responsible directly to it. Its membership is composed of Senators and Representatives. The present Commission consists of the chairmen of some of the major standing committees of the General Assembly, and the

floor leaders of each of the principal political parties. In selecting the membership consideration was given to the geographical distribution of the various members.

The law which establishes the Joint State Government Commission (Act of July 1, 1937, P. L. 2460) originally provided for thirteen members. The 1939 amendment (Act of June 26, 1939, P.L. 1084) increased the membership and more clearly defined the Commission's duties. Ten members are appointed from the House of Representatives by the Speaker; seven members from the Senate by the President Pro Tempore. The Speaker and the President Pro Tempore are also members of the Commission, making nineteen in all.

Duties of the Commission

The duties of the Joint State Government Commission are these:

1. To investigate departments, boards, commissions, and officers of the State and local governments and to study their legislative, financial, and other problems;
2. To make studies for the use of the legislative branch of the government, seeking to improve the administrative organization of the State and local governments, to eliminate waste and overlapping functions and to institute economies;
3. To suggest ways and means of financing the Commonwealth upon a more scientific and equitable basis;
4. To gather budget information for the use of the General Assembly;
5. To make such other investigations and studies and to gather such other information as may be deemed useful to the General Assembly;
6. To sit during the interim between legislative sessions;

7. From time to time, to report to the General Assembly such findings and recommendations accompanied with such drafts of legislation as it deems necessary for the information of and consideration by the General Assembly.

Advantages of legislative councils

The general speed-up of modern living and the economic dislocation of the past decade have made the complex problems of government vastly more difficult for legislatures everywhere. They are ordinarily in session only a brief span. The intense pressure of activity during sessions precludes calm reasoning based on carefully assembled and thoroughly checked facts. This gives a transitory effect to legislative work and the accomplishments that might come from a program of more sustained continuity often vanish into thin air.

Until recently legislatures have not had any permanent or continuous research or fact-finding agency. Temporary or interim commissions or committees were created to study the increasing problems and upon the completion of some investigation or study they went out of existence. The reports or findings of such committees were not preserved or made available to subsequent agencies established for like or continuing studies.

The legislative council seeks to provide this need for continuity and brings to a legislature the opportunity for planning legislation before-hand, prior to the excitement and rush of the session. An opportunity is afforded the legislators to study, analyze, and consider various

alternative policies and ultimately draft bills in the interim between sessions when a legislative council or the Joint State Government Commission can make the facts and results of research and study available as a basis for sound legislation.

Other advantages are these. Such a Commission can:

- (1) Act as a link between outgoing and incoming legislatures;
- (2) Assemble and preserve for future studies and consideration the reports of all prior legislative committees;
- (3) Coordinate and correlate the investigations, surveys, or studies made by several committees through the larger agency such as a legislative council or the Joint State Government Commission, thereby avoiding duplication or overlapping, and reducing the need for many legislative committees;
- (4) Consider in advance of legislative sessions the problems with which the incoming legislature will be confronted and examine, with the aid of the technical staff, various aspects of such problems, making the essential facts and data available for the legislators;
- (5) Prepare, assemble, and compile, through its research staff, the facts and data which the legislature is unable to gather in the limited period of a regular or special session;
- (6) Supply proper and responsible legislative leadership;
- (7) Consider and study the governor's legislative program in advance of the legislative session, make recommendations thereon and prepare bills for presentation;
- (8) Provide the legislators with an opportunity to study legislative measures in advance of a legislative session and ascertain the views of their constituents;

- (9) Provide inexperienced legislators with an opportunity to avail themselves of the experience and analyses of the more experienced members;
- (10) Tend to reduce the number of bills introduced;
- (11) Help to shorten the length of the legislative session;
- (12) Reduce the expenses of a legislative session to the extent that it reduces the number of bills introduced and shortens the session;
- (13) Diminish party strife through impartial discussions since both parties are represented in the council;
- (14) Serve as a continuing liaison agency between the legislative and administrative branches of the state government;
- (15) Act as a vital force in assisting the administrative branch to effect economies and improved administration in the departments of the State government through the surveys of its committees and the data prepared by the research staff.

The Joint State Government Commission in no way interferes with the long and splendid service of the Legislative Reference Bureau. The Reference Bureau is an agency established primarily to draft legislation and is concerned with the technique of bill-drafting and existing legislation. A good law must be based upon facts and these facts must be developed from inquiry and authoritative data assembled from many different sources. The Commission is interested in the problems requiring legislative action and in the operation of existing laws; in the organizations and functions of all branches of the State government; and in establishing a sound fiscal policy.

Development of legislative councils

Between 1931 and 1939, twelve such agencies, in addition to this Commission, were established by the legislatures of the several states. They differ in the composition, method of appointment and powers granted, but essentially they are continuous, fact-finding, and research agencies.

In 1931, Wisconsin established an Executive Council. Two years later, legislative councils were instituted in Kansas and Michigan. The same year, Colorado and New Mexico established a Committee on Interim Legislative Committees, a body exercising in a general way some of the functions of a legislative council. In 1935, Virginia established an Advisory Legislative Council and in 1936 Kentucky established a Legislative Council. Several of the states established interim committees, but in 1937 legislative councils were established in Nebraska, Illinois, and Connecticut. In 1939 Legislative Councils were established in Maryland and Rhode Island.

Development in Pennsylvania

The Joint State Government Commission is a continuous fact-finding and research agency for the General Assembly of Pennsylvania and its services can be utilized by other branches and departments of the State government. In 1937 an appropriation of \$10,000 was made to the Joint State Government Commission and in 1939 the Commission received an appropriation of \$30,000.

Twenty legislative commissions were established

in Pennsylvania by the 1937 Session and the Special Session of 1938. These twenty commissions received appropriations of \$460,892. Additional allocations to these commissions amounted to approximately \$250,000 making the total for such legislative commissions \$711,542. Parallel commissions established by the 1939 Regular Session received total appropriations of \$94,000 including the \$30,000 appropriated to the Joint State Government Commission. Therefore, the difference in the sums allotted thus far to legislative commissions in this biennium is \$607,542 less than the prior biennium.

The Commission in 1937 made a study of the costs of legislative printing and a space survey of the departments in Harrisburg. As a result of the printing survey, it was estimated that a saving of \$180,000 was effected. Except for these two surveys, which were made between 1937 and 1939, the Commission did not actually undertake any studies or accumulate any data or information until its organization and its existence as a fact-finding and data-collecting agency has been brief.

Organization of the Commission

The Commission organized on August 16, 1939 by the election of Hon. Ellwood J. Turner, as Chairman; Hon. Frederick T. Gelder, Vice Chairman; Hon. Robert E. Woodside, Jr., Secretary; Hon. William E. Habbyshaw, Treasurer; and A. Alfred Wasserman, Director.

The other members of the Commission are

On the Part of the House:

Hon. Leo A. Achterman (Monroe County)
 Hon. Herbert B. Cohen (York County)
 Hon. Edwin C. Ewing (Allegheny County)
 Hon. Wilson D. Gillette (Bradford County)
 Hon. Thomas Lyons (Mercer County)
 Hon. Charles W. Sweeney (Philadelphia County)
 Hon. John E. Van Allsburg (Erie County)
 Hon. Edwin Winner (Montgomery County)

On the Part of the Senate:

Hon. Charles E. Ealy (Somerset County)
 Hon. Edward R. Frey (Allegheny County)
 Hon. James A. Geitz (Allegheny County)
 Hon. Frederick L. Homsher (Lancaster County)
 Hon. G. Mason Owlett (Tioga County)
 Hon. Harry Shapiro (Philadelphia County)
 Hon. George Woodward (Philadelphia County)

In addition to numerous meetings of the Committees, the Joint State Government Commission held meetings on August 16, September 27, November 15, 1939, and March 13, 1940.

The Commission created certain committees to study outstanding problems of immediate concern to the General Assembly. The committees and the members thereof are as follows:

Executive Committee

Hon. Ellwood J. Turner
 Hon. Frederick T. Gelder
 Hon. G. Mason Owlett
 Hon. John E. Van Allsburg
 Hon. Robert E. Woodside, Jr.

Committee on Finance

Hon. G. Mason Owlett - Chairman
 Hon. Charles E. Ealy
 Hon. Frederick T. Gelder
 Hon. Herbert B. Cohen

Hon. Wilson D. Gillette
 Hon. Edwin Winner
 Hon. Robert E. Woodside, Jr.

Committee on Relief

Hon. John E. Van Allsburg - Chairman
 Hon. James A. Geltz
 Hon. Frederick L. Homsher
 Hon. George Woodward
 Hon. Leo A. Achterman
 Hon. Ellwood J. Turner
 Hon. Robert E. Woodside, Jr.

Committee on Departmental Organization

Hon. William E. Habbyshaw - Chairman
 Hon. Edward R. Frey
 Hon. G. Mason Owlett
 Hon. George Woodward
 Hon. Leo A. Achterman
 Hon. Wilson D. Gillette
 Hon. Thomas Lyons

Committee on Administrative Law

Hon. Charles W. Sweeney - Chairman
 Hon. Edwin C. Ewing
 Hon. Charles H. Ealy
 Hon. Harry Shapiro
 Hon. Alfred C. Alspach, Cooperating Member

The Commission has established its impartial research staff which meets with the committees for the consideration of the data that the staff gathers. This material is being carefully considered and analyzed by the members of the committees of the Commission so that the members of the Legislature will have ample opportunity to consider this information. The Commission has approved the organization and program of the committees and at its meetings receives reports from each committee, discusses the reports, and acts upon the various recommendations of the committees.

Each Committee has set forth its program in the form of an outline. These programs and the dates of each committee meeting follow.

Program of Committee on Finance:

The Committee on Finance held meetings on September 13, September 27, October 11, November 8, and November 15, 1939.

At its organization meeting, this committee decided to consider preliminarily the following:

1. Present status of any pending litigation attacking the validity of tax legislation which, if adverse to the Commonwealth, would substantially affect the revenues for this biennium.
2. Total amount of revenue the regular and special taxes will yield.
3. Expenditures for 1939-41.
4. Present status of finances of the Commonwealth.
5. Deficiencies which will develop requiring appropriations by any special session.
6. Report on needs for public assistance.
7. Sources used for taxation.
8. Comparative figures on receipts from various revenue sources for the first three months of the present biennium.

This information was obtained and then the Committed decided to consider:

1. Information and data required for a Special Session.
2. Consider the need for revision of the entire tax structure and finances of the Commonwealth.

Under Item 1 the Committee has received considerable data relating to the expenditures for public assistance

to the present date and for the balance of the biennium.

Under Item 2 preliminary tax data have been made available, showing the tax systems, revenues, and the taxes per capita of our Commonwealth and that of comparable states. This material is quite extensive and the Committee is giving it careful consideration.

The several departments of the Commonwealth have offered their facilities and all other available sources are being utilized. The Committee is considering a plan by which it may hear the opinions and views of representatives of all groups and interests that might in any way be affected by the present taxation in this Commonwealth.

The Finance Committee will meet again soon to receive extensive reports and data which it has instructed the Director to obtain for further consideration. This information is expected to be made available shortly so that the Committee can proceed without further delay.

Program of the Committee on Relief:

The Committee on Relief held meetings on August 23, September 13, October 19, November 15, November 29, 1939, and January 15, February 1, February 13, February 20, and February 22, 1940.

At its organization meeting, the Committee on Relief decided to engage in the following:

1. Survey of all systems of relief in all states and amounts which are being appropriated.
2. Survey of relief in Pennsylvania since its inception.

3. Study the administration of and expenditures for relief in Pennsylvania.

4. Study methods to be inaugurated to reduce Unemployment in Pennsylvania.

5. Investigate administration of relief to determine the reasonableness of its costs.

The several departments of the Commonwealth and other agencies were requested to assist in furnishing such information as they might have available. Some twenty odd charts on relevant public assistance data and that of comparable states have been prepared.

During deliberations of the Committee, a plan for reemployment was developed and a subcommittee of the Committee on Relief was appointed to confer with the Governor. The subcommittee held meetings on September 18, October 8, October 11, October 16, October 26, 1939, January 31, and March 5, 1940.

The Governor accepted the recommendation of the Committee on Relief for an intensive state-wide drive for reemployment. He appointed a State Job Mobilization Committee, of which the State Chairman is W. D. Fuller and the Executive Director is William A. Hemphill. The last report indicates that some 35,000 jobs were created as a result of the activities of this committee and it is estimated that many thousands more were made possible indirectly. The campaign was launched on November 15, 1939. The most significant development of this campaign is the fact that for the first time the months December and January are not showing an increase in our general assistance case load and comparison with other industrial states indicates an improved

trend for the general assistance case load in Pennsylvania.

At the meetings of February 1st, 20th, and 22nd, the Committee on Relief met with members of various county boards of assistance to discuss relief problems, the administration of relief in their counties, and the activities of the local boards.

The program also includes:

1. Extensive studies of the effect of various provisions in the laws relating to public assistance in Pennsylvania.

2. Survey of Pennsylvania relief expenditures:

(a) State expenditures by county - by years. Grants and Administration - ratio of administrative cost.

(b) Total state plus local expenditures plus WPA expenditures by months - compared to index of employment.

(c) Expenditures by length of domicile and state of origin.

(d) Costs per case and per person, etc.

(e) Relation of state costs and WPA expenditures.

3. Survey of experience in other comparable states and the United States as a whole:

(a) Relief costs - total and per capita compared to Pennsylvania.

(b) Percent of state and local contribution.

(c) Percent of Federal contribution.

(d) Methods of administration.

4. Conference with officials and citizen groups on assistance problems.

The Relief Committee has now available charts showing the following information:

1. Relief in Dollars to Recipients, By Categories, in Pennsylvania (Monthly Average) January 1933 through December 1939.
2. Average Number of Cases Receiving Relief, By categories, in Pennsylvania, January 1933 through December 1939.
3. Average Number of Persons Receiving Relief, By Categories, in Pennsylvania, January 1933 through December 1939.

4. The following charts, covering eleven states, including Pennsylvania, January 1936 through December 1939:

(a) All Types of Relief Cases Per Thousand Population.

(b) General Assistance Cases Per Thousand Population.

(c) Federal Works Program, Cases Per Thousand Population.

(d) Percent of Cases on Federal Works Program.

(e) Special Types of Relief Cases, Per Thousand Population.

(f) General Assistance Grant Per Case.

(g) Federal Works Program Earnings Per Case.

(h) Special Types of Relief Grant Per Case.

5. The following charts, covering eleven states, including Pennsylvania, on an annual basis from 1933 through 1938:

(a) State and Local Expenditures Per Capita for all Forms of Relief (Direct Relief, Special Categories, and Sponsorship of CWA and WPA).

(b) Per Capita State and Local Expenditures for Direct Relief.

(c) Percent of State and Local Expenditures for Direct Relief from State Funds.

(d) Per Capita Expenditures for Direct Relief from State, Local, and Federal Funds.

(e) Percent of Expenditures for Direct Relief from State and Local Funds.

(f) Percent of State and Local Taxes Used for Direct Relief, Special Categories, and WPA.

(g) Percent of State and Local Taxes for Direct Relief.

All data which might be of value to the Committee and the members of the Legislature are being gathered, assembled and catalogued by the Director and the Research Staff.

Program of the Committee on Departmental Organization:

At its organization meeting, the Committee on Departmental Organization outlined its plan of Studies as follows:

1. Organization and administration of all branches of the State government, including all departments, boards, and commissions.
2. Increase of departments in the State government and expansion of the functions of the State government and its departments for the past two decades.
3. Administration of certain departments in comparable states.
4. Recommendations for changes in departmental Organization with a view to more efficient and economical administration.

The Committee on Departmental Organization has held the following meetings:

September 27, November 15, November 21, 1939, and January 3, January 24, February 7, February 14, March 6, March 20, March 26, and March 27, 1940.

On October 11, 1939, a questionnaire was sent to the various departments, requesting information as to their organization and administration. Replies to the questionnaire have been received by the Committee from all departments except one. These replies are being studied very carefully by the Committee. The Committee is calling into conference department heads or their representatives. To date, the Committee has conferred with the representatives from the following departments:

Agriculture	Pennsylvania Turnpike
Auditor General	Commission
Highways	Commerce
Labor and Industry	Revenue
Milk Control Commission	Forests and Waters
Public Instruction	Insurance
Secretary of the Commonwealth	Health
Treasury	Justice
Internal Affairs	Military Affairs

At these conferences, the Committee discusses the organization and administration of the respective department and its boards, bureaus, and commissions. The activities are surveyed and the Committee receives recommendations for improved administration. Many hours are consumed at these meetings. Additional data and further information are often required. The Committee is also undertaking the study of certain operations which are common

to all departments of the State Government. The Committee on Departmental Organization will continue its investigation throughout the year 1940.

Program of the Committee on Administrative Law:

The Committee on Administrative Law was appointed on February 22, 1940; it held its organization meeting on Tuesday, March 12, 1940 and elected Alfred C. Alspach, Secretary.

It adopted the following program of action:

1. Compile all statutes establishing agencies and tribunals.
2. Investigate the practice and procedure before all administrative agencies and tribunals.
3. Confer with the Administrative Law Committee of the Pennsylvania Bar Association to ascertain what information is available under Items 1 and 2, above.
4. Confer with the administrators of the agencies and tribunals.
5. Segregate the administrative agencies and tribunals.
6. Draft legislation providing for one or more uniform codes of practice and procedure.

The Committee will meet frequently and it will proceed without any delay in conforming to its program.

Program of the Joint Legislative Committee to Study Unemployment Compensation Provisions

Under House Resolution Serial No. 136, the Joint State Government Commission was charged with the study of the Unemployment Compensation Law. By Senate Resolution Serial No. 127, the Joint Legislative Committee to Study Unemployment Compensation Provisions was created, consisting

of four members of the House, appointed by the Speaker, and three members of the Senate, appointed by the President Pro Tempore of the Senate, one of the Senators to be named as Chairman. The Joint State Government Commission requested the Joint Legislative Committee to study the entire question of the revision of the Unemployment Compensation Law, including the matter of merit or experience rating, and offered the services of its Director, which assignment and services were accepted. The Committee, as appointed by the Speaker of the House of Representatives and President Pro Tempore of the Senate, consists of the following:

Hon. Weldon B. Heyburn - Chairman
Hon. John H. Dent
Hon. Robert M. Miller
Hon. Hiram G. Andrews
Hon. Thomas A. Curran
Hon. Harry E. Trout
Hon. Henry I. Wilson

The Joint Legislative Committee to Study Unemployment Compensation Provisions was organized on Wednesday, September 27, 1939, and elected Thomas A. Curran, Secretary. The Committee held additional meetings December 12, 1939 and February 27, 1940. It will expedite its work so that should a Special Session of the Legislature be called and the Governor include the amending of the unemployment compensation law in his call, proposed amendments will be ready for the consideration of the General Assembly.

Committee on Research and Information

It must be realized that a large amount of the work of the staff of the Commission is research and the compilation of necessary data and information upon which legislation can be based.

With its limited funds, it would be impossible for the Commission to attempt the very essential program which it has undertaken. Therefore, the Chairman asked the Presidents of the University of Pittsburgh, University of Pennsylvania, The Pennsylvania State College, Temple University, and Lehigh University whether they would cooperate in research for the committee. All of the Presidents cheerfully responded, expressing their pleasure at the opportunity to offer to the State the facilities of their universities. This has resulted in the designation of a group of sixteen men to assist the various Committees of the Commission.

These men have divided themselves into subcommittees corresponding to the divisions of the Joint State Government Commission and are rendering a valuable service, which should not only be productive of a great saving in money to the Commonwealth because their efforts are given without compensation, but also in materially accelerating the work of the Commission.

The research subcommittees are made up of the following faculty members:

Subcommittee on Relief and Unemployment Compensation

- Dr. Clarence A. Kulp, Chairman
Professor of Insurance
University of Pennsylvania
- Dr. Herbert M. Diamond
Head, Department of Economics and Sociology
Lehigh University
- Dr. Carl W. Hasek
Head, Department of Economics and Sociology
The Pennsylvania State College
- Dean Wilber I. Newstetter
School of Applied Social Sciences
University of Pittsburgh
- Mr. Arthur H. Reede
Assistant Professor of Economics
The Pennsylvania State College
- Mr. Smith Simpson
Assistant Professor of Business Law
University of Pennsylvania
- Dr. J. P. Watson
Acting Director, Bureau of Business Research
University of Pittsburgh

Subcommittee on Departmental Organization

- Dr. W. Brooke Graves, Chairman
Head, Department of Political Science
Temple University
- Dr. Edward W. Carter
Associate Professor of Political Science
University of Pennsylvania
- Dr. Victor S. Karabasz
Associate Professor of Industry
University of Pennsylvania
- Dr. Fred F. Lininger
Head, Department of Agricultural Economics
The Pennsylvania State College
- Dr. Stephen B. Sweeney
Director, Institute of Local and State Government
University of Pennsylvania
- Dr. Jacob Tanger
Head, Department of History and Political Science
The Pennsylvania State College

Subcommittee on Finance

- Dr. Paul H. Wueller, Chairman
Associate Professor of Economics
The Pennsylvania State College
- Dr. Carl W. Hasek
Head, Department of Economics and Sociology
The Pennsylvania State College
- Dr. Fred F. Lininger
Head, Department of Agricultural Economics
The Pennsylvania State College
- Dr. Robert W. Mayer
Assistant Professor of Economics
Lehigh University
- Dr. Marion K. McKay
Professor of Economics
University of Pittsburgh
- Dr. J. P. Watson
Acting Director, Bureau of Business Research
University of Pittsburgh

Other Activities of the Commission:

The Commission has offered the services of the Director to the Commission on Interstate Cooperation, the Committee on Administrative Law of the Pennsylvania Bar Association, and to the various administrative departments of the State Government where the work of these agencies parallels studies and surveys which the Commission is in the course of making. As an example, the Commission has been cooperating with the Department of Agriculture and the Department of Commerce in the study of the possibilities of raising and processing of flax in Pennsylvania. Several meetings have been held for this purpose and research and studies of this matter are now in progress.

This report is an attempt to present a picture of the organization and the program of the Joint State Government Commission. No article of this length could entirely relate the extent of the activities and the great volume of information which has been accumulated. As large as this is, almost every week some phase of State government which needs study and consideration is presented to the Commission. Unfortunately, every subject cannot be considered.

Notwithstanding the amount of intense work that has been done by both the members of the Commission and the staff since organization, the groundwork has just about been laid and the balance of the year, before the convening of the 1941 session, must be employed in shaping legislation found necessary by the study and investigation of the various committees. The next few months, therefore, will be extremely busy ones.