

ANNUAL MESSAGE
OF
HIS EXCELLENCY
ROBERT F. BRADFORD
TO
THE TWO BRANCHES
OF THE
LEGISLATURE OF MASSACHUSETTS

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ANNUAL MESSAGE

Delivered Before the General Court, Boston, January 7, 1948

Mr. President, Mr. Speaker, Honorable Members of the General Court of Massachusetts:

Our meeting today marks the beginning of the second year of our joint labors. Awaiting your consideration are even more petitions than were filed with the House and Senate Clerks last year. While some are new, many concern matters taken up at your first session, and others result from the recess commissions created by you to report on problems which required further study after your first session adjourned. In all, thirty-seven commissions and committees have been engaged in such studies. Some have filed their final reports; others have found it impossible to complete their recommendations in the time available and have asked for extensions. These are indications of the stubborn and continuing nature of the problems which face us.

EVICTIONS.

Most pressing of all is the problem of providing further relief for those facing immediate eviction from their homes through no fault of their own. It is a phase of the larger question of adequate housing for our people.

In chapter 78 of the Acts of 1947 you extended the discretion of the District Courts in the matter of postponing the effective date of such evictions. Under normal conditions the maximum period of four months which you provided would be ample. But with the modification of the federal rent control law and the continuing lack of sufficient housing, there are many tenants who, despite their most earnest efforts, are unable to find a place to live. Immediate eviction confronts these families during the severe weather of the next few weeks without any shelter available. This condition cannot be allowed to exist. Some means must be found to protect the tenant under such circumstances, while at the same time dealing fairly with an owner whose tenant willfully refuses to look for another dwelling.

The problem is personal and local. It should be handled locally. The district court judge, being familiar with local conditions and having heard all the facts in a particular case, is in a better position

than anyone else to administer justice between owner and tenant.

I therefore recommend further extension of the discretion of district courts in eviction cases. I recommend that the courts be permitted to postpone evictions, except those based upon non-payment of rent, for a period of twelve months. Such discretionary postponement should be in addition to any that may have already been granted under existing law, provided the total remains within the twelve-month period. I recommend that the act state specifically that the court may grant successive shorter postponements up to a total of twelve months in order that the judge may satisfy himself that the tenant is making every reasonable effort to obtain other shelter.

The present law expires on March 31 of this year. This date should be postponed in the new act to March 31, 1949.

The situation is so critical that I urge you to make such legislation the first item of business of this session.

RENT CONTROL

The present federal rent control law, unless extended, will expire on February 29 of this year. In this uncertainty our people, tenants and landlords alike, do not know what their rights will be after that date. Rent control is a by-product of the whole

housing shortage. No reasonable person can escape the conclusion that great hardship would result if rent controls were suddenly terminated. The problem is national, not local, in scope. But our state government would be failing in its responsibilities if it did not take the necessary steps to prepare for such an eventuality.

I recommend that you pass a state rent control act, to become effective if the federal law is not renewed. Several drafts of legislation to accomplish this end are now before you. In whatever form adopted, such an act should give consideration to landlords who can demonstrate actual hardship if forced to continue without some reasonable increase, and must protect tenants who would be helpless in the face of hold-up prices. The act should provide for a gradual and orderly de-control when the emergency draws to an end.

AIDS TO NEW HOUSING

Protection against harsh evictions and a sudden termination of federal rent control is a partial, although necessary step. The underlying difficulty stems from the critical and nation-wide shortage in the construction of new housing.

Since my special message to you on this subject on April 24, 1947, and the legislation you enacted in response, new housing developments have been

undertaken, and substantial private building is under way. In 1947 approximately 11,500 apartments and homes were completed in Massachusetts. But the greatest of our housing needs remains unmet: the creation of low-cost, multi-family, rental units. Rising costs have so discouraged new building for low-income rental, and evictions have reached such an acute stage that we must do more, much more than we have done in the past, if we are to cope at all effectively with the emergency.

As I reported in my special message last year, the veterans of World War II form the largest single group in need of such housing. We can effectively ease the entire shortage by providing housing for this group. But unless we move quickly in order to take full advantage of the construction year, the problem will become worse, even if private construction continues to increase at the anticipated rate.

Your recess commissions which have separately been considering the situation are in agreement as to the basic measures that are required. I endorse their recommendation that the Commonwealth guarantee to a maximum amount of \$200,000,000 bonds to be issued by local housing authorities for state-approved projects for veterans. I also endorse their further recommendation that the Commonwealth contribute annually not more than 1½ per

cent of the total development cost of each such project, the total contribution in any one year not to exceed \$3,000,000. This annual contribution should be paid out of the Veterans Services Fund, which should be continued to the extent needed for the purpose. To make more remote the possible liability of the Commonwealth on its guarantee, the act should provide specifically that the proceeds of each contribution shall be first applied to pay the interest and principal of the bonds.

This legislation will provide the opportunity to build 20,000 low-rental units in 1948. If the cities and towns act promptly upon passage of these measures, we can break the housing shortage in Massachusetts this year. The eventual cost to the Commonwealth should be far below the mathematical guarantee to which we shall commit ourselves.

Contributions by the federal government, if federal housing aid is enacted, can still further reduce our commitment. But it would be worse than folly to defer action on the basis of federal legislation hoped for at some future date. The problem in Massachusetts must be met. The solution proposed is not more than we can do; no less than we should undertake.

COST OF LIVING AND SALARY STANDARDIZATION

You are fully aware of the sharp and steady increase in living costs which has taken place even since last June. It presents us with a two-fold problem. It has forced up the budgetary requirements for the care of those committed to our institutions. This will be dealt with in my budget message tomorrow. And it has seriously unbalanced the rate of compensation of many state employees. We can hope that today's high tide of prices will recede to lower levels. We can hope that the time will return, as in time past, when a state position will of itself provide sufficient guarantee for a secure future. But hope alone is little help when it comes to paying family bills. We must adjust to meet this present situation, and we must take speedy steps to end the present inequities in our classified service.

A year ago I directed the Division of Personnel to find an answer to the weaknesses in our twenty-year-old plan of classification. It is inequitable in many respects, unwieldy, and, in the light of present conditions, increasingly unworkable. There are more than 300 different salary ranges in the classified service. I am convinced that as at present constituted the Division of Personnel cannot solve the problem soon enough to be effective.

I have therefore asked five individuals, four of

them in the state service, to make recommendations to me as an Advisory Salary Standardization Board. They will serve without compensation in this capacity. They are: Charles E. Shepard, budget director for the Ways and Means Committee; William H. Bixby, the Budget Commissioner; Mrs. Helena R. Spencer of the Department of Mental Health; James L. O'Shea of the Department of Correction; and Earl B. Webb, Personnel Manager, New England Mutual Life Insurance Company.

I have asked this group to submit to me not later than March 1 a plan of salary adjustments and a program to regroup positions in the classified state service into fewer grades. They will also submit an estimate of the cost of their proposals and their suggestion as to a feasible date for putting them into effect. Upon receipt of their report, I shall submit for your consideration my recommendations to accomplish these results.

AVIATION AND LOGAN AIRPORT

The critical stage in the development of aviation in our Commonwealth justifies my making particular mention at this time of this important subject. Last year I suggested that we lend our support to the establishment and improvement of local airports in all parts of the Commonwealth. As a result of the legislation you enacted, the state's financial

aid has been extended to Pittsfield, Worcester, Fitchburg, Gardner, Lawrence, Norwood, Fall River, Provincetown, Martha's Vineyard, and Nantucket. New airports are under construction in Fall River and Provincetown, and improvements are being made at the other locations so that these communities may be fitted into the country's air transportation system.

I also spoke to you a year ago of the great importance of the Logan International Airport. Events since then have confirmed this belief. During the past twelve months, over a million domestic air passengers, nearly ten million pounds of air freight, and over one hundred million pieces of letter mail passed through Logan Field. International passengers are today using this airport at the rate of 30,000 a year.

Based upon past experience, all of these activities should continue to increase for many years to come. Logan Airport is the largest single business enterprise the Commonwealth has undertaken. It is common sense to plan for the completion of this great air terminal as rapidly as possible, if only to permit the maximum revenue to be obtained for the Commonwealth from our investment.

This will require two steps in the near future: first, a further authorization for capital expenditure, sufficient to complete the construction necessary

for operation of the airport on a sound basis; second, a revision of the laws under which business arrangements for the use of this airport are made and its operation managed and controlled. Efficient business management is not to be anticipated, nor is it even possible under the existing statutes.

Your recess commission on Aviation is studying this problem and its recommendations will merit your very careful consideration. The Department of Public Works should be permitted to return its energies to the modernization of our highway system. The Aeronautics Commission should devote its full attention to ever-increasing enforcement responsibilities and to the development of aviation elsewhere in the Commonwealth. But adequate authority to manage and operate state-owned airports must be concentrated in some single agency. I recommend action by you at this session to accomplish this program. In no other way can we be sure of obtaining a full return on the Commonwealth's investment in the least possible time.

HIGHWAY CONSTRUCTION

During the past year I asked the Department of Public Works to prepare a master plan outlining a ten-year program to bring the highway system of the Commonwealth abreast of current needs. I also directed the Commissioner of Public Works, together

with the Chairman of the Metropolitan District Commission and the Chairman of the State Planning Board, acting jointly, to prepare a similar master plan for the metropolitan area. The two plans have been made public. The combined total of their estimated cost is \$677,000,000.

Your recess commission considering these subjects has not yet completed its study of these master plans. I do not wish to make specific recommendations until it has reported. How much of the blueprint we should attempt to convert into reality is a matter for your careful consideration.

But with almost one third of our main routes over twenty years old, with less than eight per cent constructed more recently than ten years ago, with traffic congestion a paralyzing factor in almost every community in our Commonwealth, it is quite evident that a comprehensive, well-rounded attack on the entire highway front cannot be postponed. With Chapter 90 and Chapter 81 work, highway maintenance and other recurring items, any program of new highway construction is at present arbitrarily limited by the revenue available from the proceeds of the gasoline tax.

I have these general recommendations at this time: (1) Any ten-year program for highway construction we may enter upon should be bonded now, so that long-range planning can be undertaken now,

federal funds utilized as made available, and each year of construction laid out with the advance knowledge that it can be carried through to completion. (2) So much of the highway fund as is needed should be set aside for the retirement of the construction bonds. No more equitable tax has been devised than the gasoline tax, provided the proceeds are applied to the improvement of the highway system. By earmarking the revenues so derived for retirement of these bonds, the temptation to divert the highway fund for other uses will be removed for future years. (3) Full consideration should be given to the use of tolls when the character of the project makes their use appropriate. In areas where the cost of land taking is low and intersections few, as we have most recently seen in several of our neighboring New England states, toll roads, bridges, and tunnels can be self-supporting and are an important adjunct to any long-range program.

We meet here today as representatives of the Commonwealth. Yet we are also representatives of the individual communities, metropolitan, urban, and rural, of which the Commonwealth is composed. Without complete freedom of access, without modern, adequate, arterial connections providing each community with a front door on Main Street, the Commonwealth breaks apart into 351 isolated sections. How much of a highway program we can now as-

sume, you will determine. But there will be little disagreement as to the need, nor as to the total inadequacy of our present rate of progress. If Massachusetts is to grow and develop, both as to access from outside and interchange from within, we cannot ignore the high-octane world in which we live. We cannot continue to build highways in reverse, at a rate which makes our old roads obsolete before new ones are complete.

STATE AID TO CITIES AND TOWNS

At the last session of this Legislature we considered at length the difficulties of all our municipalities, hemmed in on every side by rising costs of government and limited as to sources of tax revenue with which to meet their expenses. I suggested to you that without further aid to the cities and towns through state-raised revenues a confiscatory burden would be placed upon the back of local taxpayers. I suggested that the Commonwealth should undertake a remedy; first, by relieving the cities and towns of the necessity of paying a state tax; and second, by increasing state grants in the fields of public welfare, education, and highways — fields in which the Commonwealth as a whole has an over-all interest. I proposed new forms of revenue to make possible such additional state aid, and controls to provide safeguards against careless use of these funds.

The issue was widely debated. It was considered with great care by several legislative committees and by your honorable bodies as a whole. As a result, for the first time since 1852, the budget of the Commonwealth was balanced without charging a deficit upon the cities and towns. Beyond that point, however, it was your decision that no further substitution of state for local expenditures was warranted. I assume that you are still of the same opinion. Acting upon that assumption, I am not reopening the question.

I have endeavored and shall continue to endeavor to cut expenditures in every possible way consistent with the maintenance of the essential services of state government. Nevertheless, in the face of rising costs, it will be a major task to bring about a reduction in the budget figures.

I propose again to balance the budget without charging a deficit to the cities and towns, and I shall not ask for new or additional taxes. If you determine in your considered judgment that the need for further state aid to our municipalities is more apparent than a year ago in any field, it will be necessary for you to provide new sources of revenue for this purpose. I do not have to emphasize that all our present revenues will be needed to meet our present budget requirements.

CITY OF BOSTON

In a Commonwealth such as ours, each community has from the outset demanded the widest possible latitude in the self-determination of its own affairs. The City of Boston is no exception. Yet because Boston is so large a factor in the economy of Massachusetts, the Legislature has time and again taken an active part in the many and varied problems which confront the largest city in New England, with its nearly one million people. Today Boston faces a staggering rise in its tax rate. Municipal authorities have repeatedly called attention to many causes: increased costs, some of them resulting from legislative mandate; cumbersome machinery of government; services charged to Boston, but performed in reality by the city for the entire metropolitan area. There is clear evidence of an awakened consciousness among the citizens of Boston to the condition of their city and of a demand that waste and extravagance from whatever cause be brought to an end. Before seeking new or different sources of revenue to meet increased city expenditures, they want to be satisfied that there is improvement in the services of their city government. There has been growing and justified criticism that Boston's administrative organization and operation are antiquated. Boston is indeed poorly equipped with

modern tools of government with which to meet present-day needs. With one exception, its charter has not been materially changed since 1909. In the intervening thirty-nine years, new forms of municipal government have developed elsewhere.

Yet without action by you, the people of Boston, alone of the cities of the Commonwealth, are not permitted to vote a change in their own charter.

Demand for revision of the charter — and there has been a great deal of discussion of the question — has resolved itself into two main groups. There is the view that the council-manager type of charter known as Plan E, now in operation in Lowell and Cambridge and adopted this past fall by other Massachusetts municipalities, or some adaptation of the council-manager form, should be introduced in Boston. There is the view favoring a Mayor and Council of nine elected at large, three councillors to be chosen every two years. And it is possible that a majority of the voters of Boston even today desire no charter change whatsoever.

Whatever the view, it is important to emphasize that without action by the Legislature the people of Boston have no power to determine the question for themselves. It would be shutting our eyes to manifest responsibility if we allow this situation to continue longer. It is not our responsibility to dictate to any community its form of government. But it is our duty to simplify the issues and to provide the means

for the voters to make their own choice. The decision must be made by the people of Boston themselves.

I therefore recommend that through your action at this session the voters of Boston be permitted to determine by referendum at the earliest opportunity this year whether they wish a change in the present city charter and, if so, what form of new charter they prefer. Such legislation cannot be postponed if the people of Boston are to have the same opportunity already possessed by every other community in the Commonwealth.

A further step by you at this time to provide a thorough knowledge of the facts and conditions underlying the present difficulties of the city should not await a decision on the question of charter changes. I recommend that you direct the Boston Finance Commission to undertake at once a complete, administrative survey of the over-all structural organization and operation of the city departments, for the purpose of increasing the effectiveness and reducing the costs of the existing form of government. The Commission should be authorized to expend for this special purpose such sums not exceeding \$150,000 as you may determine necessary.

I make these recommendations to provide the people of Boston with an opportunity to work out their own difficulties without the additional burden of further intervention by the Commonwealth in their affairs.

JURY SERVICE FOR WOMEN

In the state election of 1946, the voters of the Commonwealth indicated overwhelmingly by referendum vote their desire to permit women to serve on juries. In past sessions of the General Court this question has been extensively debated in both branches, but no legislation has as yet been enacted. Unless we are to ignore a direct mandate from the people, action should be taken at this session to provide a sound, workable statute, comparable to those in successful operation in many other states. I recommend it for your early consideration.

CONCLUSION

In this message I have discussed only a few subjects which seem to me of immediate importance. Many others, no less important, are before you in the form of petitions and in the reports of recess commissions. As occasion requires I shall have no hesitation in directing your attention to special problems by special message. I welcome this renewal of our joint service.

The best answer to those who would decry our institutions and tear down the foundations of our republic is the active demonstration of a working partnership in government. It is that kind of partnership that I look forward to with confidence for Massachusetts in 1948.