

The Commonwealth of Massachusetts

FIRST REPORT

OF THE

SPECIAL COMMISSION ON THE STRUCTURE
OF THE STATE GOVERNMENT

CREATED BY CHAPTER 75, RESOLVES OF 1949

JUNE, 1950

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1950

The Commonwealth of Massachusetts

MEMBERS OF COMMISSION.

Appointed—

By the President of the Senate.

Sen. CHESTER A. DOLAN, JR., Jamaica Plain, *Chairman.*

Sen. JOHN E. POWERS, South Boston.

Sen. CORNELIUS F. HALEY, Rowley.

Sen. GEORGE J. EVANS, Wakefield.

By the Speaker of the House.

Rep. FRED C. HARRINGTON, Everett, *Vice-Chairman.*

Rep. JOHN M. SHEA, Worcester.

Rep. EARLE S. BAGLEY, Townsend.

Rep. HOWARD WHITMORE, JR., Newton.

By the Governor.

JOHN H. MEAGHER, JR., Worcester.

EDMOND F. WRIGHT, Cambridge.

WILLIAM H. BIXBY, Newton.

WILLIAM H. HEARN, Cambridge.

THOMAS H. ELIOT, Cambridge, *Executive Director.*

The Commonwealth of Massachusetts

RESOLVE OF AUTHORIZATION.

CHAPTER 75.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO AN EXAMINATION OF THE STRUCTURE OF THE STATE GOVERNMENT WITH A VIEW TO ELIMINATION OF DUPLICATIONS OF FUNCTIONS, IMPROVEMENT OF OPERATIONS AND ABOLISHMENT OR CONSOLIDATION OF AGENCIES THEREBY REDUCING THE COSTS OF GOVERNMENT AND THE BURDEN OF TAXATION.

Resolved, That an unpaid special commission to consist of four members of the senate to be designated by the president thereof, four members of the house of representatives to be designated by the speaker thereof, and four persons to be appointed by the governor, two of whom shall be persons employed in the executive branch of the government and two members of the general public, each of the aforesaid appointments shall be divided so that they equally will represent the two major political parties, is hereby established for the purpose of examining the structure of the state government with a view to the elimination of duplication and overlapping of functions, improvement of operational efficiency by elimination of red tape and the introduction of sound management practices in the day to day operations of the state business, re-examination of all agencies of the government with a view to determine whether or not they are essential, together with recommendations that the unessentials should be abolished, consolidation of agencies which are engaged in similar work and under control of one department head, determination of the possibility of placing any of the state public service operations upon a self-supporting basis by means of the charge of fees or otherwise, and making such other recommendations as will tend to improve the efficiency of operations by whatever state agency is charged with the responsibility therefor. Said commission may call upon any department, commission, board and officer of the commonwealth for such information as it may desire in the course of its investigation. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony under oath of witnesses and the production of books

and papers, may travel within and without the commonwealth and may expend for legal, clerical and other assistance and for expenses such sums as may be appropriated therefor. Said commission shall report from time to time to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect and shall file its final report with the clerk of the house of representatives not later than March thirty-first, nineteen hundred and fifty-one.

Approved August 26, 1949.

The Commonwealth of Massachusetts

FIRST REPORT OF THE SPECIAL COMMISSION ON THE STRUCTURE OF THE STATE GOVERNMENT.

JUNE 7, 1950.

To the Honorable Senate and House of Representatives.

Pursuant to chapter 75 of the Resolves of 1949, the Special Commission on the Structure of the State Government was established by appointments made during the autumn of 1949. The President of the Senate appointed four members of the Senate: Senators Dolan, Evans, Haley and Powers. The Speaker of the House appointed four members of the House: Representatives Bagley, Harrington, Shea and Whitmore. The Governor appointed two persons employed in the executive branch: Messrs. Bixby and Hearn; and two members representing the public, Messrs. Eliot and Wright. Subsequently, Mr. Eliot resigned to become the Executive Director of the Commission, and the Governor appointed Mr. Meagher to serve in his place.

The Commission held an organization meeting on November 9, 1949, at which Senator Dolan was elected chairman and Representative Harrington vice-chairman. The Commission has held twelve meetings. In addition, a four-man subcommittee appointed after the first meeting met four times in late 1949, and a five-man subcommittee has been holding regular weekly meetings, attended by the Executive Director and others, since the first week of April.

I.

The duties imposed upon the Commission are far-reaching. We are called upon to survey the entire struc-

ture of the state government. This is the first such overall survey since the one made by the so-called "Webster Commission" in 1921 and 1922.

The Commission's duties extend to all three branches of the government, not just the executive branch. We are examining the procedure and staffing of the legislative branch, aided by specialists on legislative procedure and former members of the General Court. We will welcome the advice and suggestions of present members. With respect to the judicial branch, we have had in this Commonwealth, for twenty-six years, a Judicial Council charged by law with the responsibility for continuously advising the Legislature concerning the organization of the courts. Hence, the Commission feels that its primary job, in connection with the judicial branch, is to study the relationship between the executive branch and judicial branch, and explore the possibility of clarifying and simplifying the provisions of law pertaining to judicial review of administrative decisions. The great bulk of the Commission's work, of course, pertains to the executive branch, which — not counting numerous boards and commissions which are loosely connected with the state government through gubernatorial appointments and the like — is composed of the twenty constitutional departments and fifty-six other agencies which are placed under the Governor and Council, or in departments but not subject to their control.

We are studying not merely the internal organization of each government agency, but, in addition, the relationships between all the agencies. The vast magnitude of our task was recognized by the Legislature when it set the date for the final report of the Commission as late as March 31, 1951. This was because a partial, hasty job would be worse than useless. We believe that we would not be properly discharging our responsibility if we were to make piecemeal recommendations now, before the entire survey has been completed. Not until then can an adequate, coherent set of findings and recommendations be made. Today, therefore, we are making this first re-

port to inform you how we are organized and how our work is progressing.

II.

The Commission's primary job relates to the "structure" of the state government. We must examine problems of over-all organization — the relationships, conflicts and duplications between the state agencies, as well as the way in which those agencies are internally organized. This does not require a minutely detailed analysis of every single individual operation, although such searching examination is needed in certain areas to find the facts needed for an intelligent decision as to whether the executive branch could be made to operate more efficiently and economically.

The Commission's first subcommittee, consisting of Messrs. Dolan, Eliot, Shea and Wright, was directed to recommend methods for conducting our work. They made a careful and extensive survey of how similar commissions on organization had operated in other jurisdictions. Much information was gathered from the Council of State Governments, which held a meeting attended by representatives of twenty States having commissions or committees with duties more or less similar to ours. Conferences were held with members of the Hoover Commission, with the Executive Director of the Puerto Rican Reorganization Commission, and with the Chairman and Executive Director of the Connecticut Commission.

With every commission of this sort, purely as a mechanical device, it is necessary to break down the survey into a reasonably small number of units, even though the commission eventually has to co-ordinate the findings in each of those study units. For the purpose of getting the job started, therefore, we agreed upon seventeen study units,¹ fifteen of them in the executive branch. These

¹ 1. General Services and Supply.
2. Institutions.
3. Construction.
4. Social Welfare.
5. Regulatory Agencies.
6. Industrial Relations.
7. Natural Resources.
8. Public Works.
9. Education.

10. Defense and Safety.
11. Banking and Insurance.
12. The Governor and Council.
13. Commercial and Developmental Activities.
14. Inter-Governmental Relations.
15. Taxation.
16. Legislative.
17. Judicial.

were set up somewhat along functional lines, but necessarily some agencies were assigned, for study purposes, to a particular study unit, more or less arbitrarily — for it would not have been feasible, as an operating matter, to have seventy-six different study units. It should be emphasized that the establishment of these study units means no more nor less than the term “study unit” implies — a field of operations upon which specialists may concentrate and report.

We then determined to place the survey under the direct charge of an executive director, who would be assisted by a small full-time staff and by a larger group of part-time consultants — persons of recognized competence in particular fields.

Much has been said, in the discussions of the Hoover Commission and other commissions, of the “task force” approach. We are not, however, proceeding on a complete “task force” basis. Independent, unco-ordinated task forces (or “projects”, as they were called in Connecticut) have too frequently made recommendations that conflict squarely with each other. Therefore, while our staff members and consultants are assigned to particular study units, all their work is done in conjunction with the executive director, and any reports that may be made to the Commission itself are not “task force” reports, but rather a set of findings and tentative recommendations representing the combined thinking of the executive director, the permanent staff members and the consultants in the particular field, and consultants and staff members who have worked in other closely related fields.

Upon resigning as a member of the Commission, Mr. Eliot was appointed executive director on January 16, 1950, and the Commission’s office at Room 30 in the State House was opened on February 2, with a full-time staff of nine persons. This staff, including secretarial and clerical help, is being increased to fifteen during the summer months.

During the winter and early spring, the Commission and its executive director spent considerable time and

effort in obtaining the services of outstanding and qualified persons to serve as consultants. We are happy to report that almost without exception there has been an enthusiastic response on the part of individuals who were asked to serve as consultants to the Commission. All the consultants, like all the staff, are residents of Massachusetts. They are drawn from various areas of endeavor, including such persons as a university president, industrial engineers, economists and lawyers, and several former officials of the state government.

III.

This, then, is a report of progress. The preliminary work has been done in almost all the study units, and the more searching examination by the consultants has been commenced in seven study units. In several of those, it is far advanced. We are pushing vigorously ahead to accomplish a big job — a task which the Legislature found necessary, and which we, as a Commission, feel to be vital to the successful functioning of the Commonwealth's government in the years ahead.

Respectfully submitted,

CHESTER A. DOLAN, JR.

Chairman.

FRED C. HARRINGTON.

Vice Chairman.

JOHN E. POWERS.

CORNELIUS F. HALEY.

GEORGE J. EVANS.

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CORNELIUS E. HARRY.

GEORGE A. EVANS.

JOHN M. SHEP.

EARLE S. BOWEN.

HOWARD WHITMORE, JR.

JOHN H. MESSIER, JR.

EDMOND N. WRIGHT.

WILLIAM M. BIXBY.

WILLIAM B. BEARM.