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# JOURNAL

OF THE

## HOUSE OF REPRESENTATIVES



TWENTY-SECOND  
STATE LEGISLATURE  
FIRST REGULAR SESSION

OF THE  
STATE OF ARIZONA

- 1955 -

SESSION CONVENED — JANUARY 10, 1955

SESSION ADJOURNED SINE DIE — 2:50 A.M.,

APRIL 3, 1955

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The Senate roll call was as follows:

Present: Arnold, Bourdon, Brown, Collins, Cook, Corbett, Dove, Giss, Goff, Greer, Haldiman, Hart, Lockhart, Morrow, Orme, Prochnow, Richardson, Simer, Simms, Smith, Smith, Spikes, Stanton, Sullivan, Thompson, Udine, Vyne, Mr. President—28.

The House of Representatives roll call was as follows:

Present: Abels, Ackerman, Alfaro, Andersen, Anderson, Austin, Babbitt, Bagnall, Bailey, Berry, Biles, Bloomquist, Brayton, Brown, Burton, Campbell, Carr, Carreon, Carroll, Cook, Dalton, Dover, Ellis, Ellsworth, Ellsworth, Farr, Franklin, Fridena, Grimes, Harkness, Haugh, Holsclaw, Hostetter, Hunt, Hutcheson, Kartus, Kennedy, Kennedy, Klauer, Larson, Lee, Lentz, Lines, Lowry, McCoy, McRae, Marion, Martin, Matson, Minor, Mitchell, Myers, O'Reilly, Petrie, Phillips, Porter, Pugh, Rafferty, Retzloff, Rhodes, Rogers, Rosenbaum, Rutherford, Schaffer, Schellenberg, Scudder, Sims, Smith, Steward, Stump, Thode, Tidwell, Warner, Wessler, White, Willis, Wilson, Wine, Wood, Mr. Speaker—80.

At 1:56 p. m., the joint Senate and House Organization Committee consisting of Senators Stanton, Sullivan and Thompson and Representatives Ellis, Hutcheson, Hunt, Retzloff, Larson and Anderson (Cochise) returned escorting his Excellency, Ernest W. McFarland, the governor of Arizona.

The governor was introduced by President Carpenter and delivered the following message:

#### GOVERNOR'S MESSAGE

Mr. President, Mr. Speaker, and Members of the Twenty-second Legislature:

I appear before you here today with a profound sense of responsibility. It is a time when democratic processes are being sorely tried all over the world. It is a time in which the democratic way must prove itself by test—prove itself again and again and again—if it is to survive the encroachments of aggressors from without and decay from within.

It can prove itself only by the goals it is able to attain and the advancements it makes and holds.

Thus it is that we face a challenge. And therein lies a responsibility of government with gravest import.

Here in Arizona, we are in the midst of the greatest period of economic expansion this state has ever known. Yet, we are informed by a reliable analyst that while our population has grown some 35 per cent in recent years, our over-all business volume has increased in far lesser ratio.

We are blessed with tremendous natural resources in copper, gold, silver, tungsten, vanadium, magnesium, uranium, and other minerals, in great stands of uncut timber, and in potential water power. We have huge resources in raw materials such as livestock, food and fiber.

Therefore, it follows that our economy must have new industries and growing industries to utilize our natural resources and raw materials, in order to provide the jobs and

produce the supplies which our ever-increasing population requires.

And it further follows that we must have a people's government geared to pulling all of these economic forces together for the common good—for only a people's government is capable of envisioning the people's needs.

This legislature and this administration will be judged not on one measure or one group of measures, but upon the whole pattern of accomplishments which we achieve. The people expect us to lift our eyes above selfish interest and special interest, forget our prejudices, and exercise our vision to build beyond the baser aims.

Those of us who are Democrats were elected on a platform of the Democratic party. It is a constructive platform which, after discussion of paragraph by paragraph and plank by plank, was adopted by a vote of our party council. The Democratic candidates including the members of the legislature participated in the writing of our platform. It was discussed in detail during the campaign and the people placed their stamp of approval on it by electing us. Therefore, it should be looked upon as a mandate. I recommend it as a guide for the adoption of legislation to solve our problems and to bring about a definite plan for the progress of our great state.

However, in taking up its various provisions, I think we should do so in accordance with their importance and urgency. One of the foremost, in my opinion, is immediate relief of the tax situation in our distressed school districts.

In order to provide this relief, I recommend and urge that you immediately increase the average daily attendance allotment on the state and county levels to a minimum of \$175 per pupil. The increase in the state and county rates will not be an increase in the cost of our government. It is merely the equalization of taxes. The state has a much broader tax base than either the counties or the school districts. Thus, the increased state allocation to schools will tend to spread the burden and even it out. Furthermore, it will provide tax revenue from numerous areas in the state which now bear little or none of the school cost load. The distressed districts will thus be materially relieved and the district property tax rate can be correspondingly cut.

I call your attention to the fact that this increase to \$175 per pupil is far less than the average per capita cost of the school districts in the state. It, therefore, will not take away the incentive of the school districts to keep their budgets at a minimum.

The problem will become more acute from year to year with the increase in school attendance in the districts. The proportionate cost in the districts will rise until property will decrease in value because of the confiscatory district school tax burden. The school tax problem should receive constant study and must be adjusted to meet the changes that will occur from year to year.

I also recommend that distribution of the average daily attendance funds be made upon a current basis. There are many districts where the school attendance increases so rapidly that distribution of funds based on the preceding year does not give sufficient money to operate the schools. Placing it, however, on a current basis for distribution in each quarter will greatly relieve this situation. The average daily attendance in our public schools has grown from 35,160 at statehood to 152,898 in 1950. In the last four years it has increased to 159,553, an increase of only 6,655. However, nothing was done by our state to relieve the situation during that period. The cost of schools went up, but the last state and county allotment increase was made in 1947. Now, it is estimated that the average daily attendance will increase to 290,000 in the next six years. It is therefore urgent that we give this relief immediately. This situation has been thoroughly discussed by all of us and should be well understood. I am most hopeful that you will tackle this problem at once and will enact legislation promptly.

I believe there is nothing that would make this legislature stand out as much as enactment of a new school bill in the early days of the session. If you could, within two weeks, have on my desk a bill, it would show a determination on your part to solve our problems and I am sure you would receive the commendation of the people.

Another matter which I place in high priority is that of public welfare.

Many of our aged people have contributed much toward the development of our state. They have paid taxes. They have worked hard—some not receiving proper remuneration for their services. Others, through misfortune, through poor health in the family, or from financial circumstances in many instances beyond their control, have lost most of their life savings. Certainly the people of our state should be willing to give to these courageous pioneers, on their last march westward, the security which they have earned, without the harassment or embarrassment which is brought about by the present law.

The same is true of the unemployed, dependent children, the blind and disabled.

Records show that \$6,740,000 of state funds was paid to welfare recipients in the fiscal year 1949-50, and that in the past fiscal year \$6,635,000 of state funds was paid to the recipients—1.5% less last year than four years ago, despite the increase in the cost of living.

During that time, the number of welfare workers increased from 159 to 207, and the amount paid them jumped from \$375,000 to \$667,000, an increase in the cost of administration of 83%.

These are matters which should receive your study and much of the red tape now entailed in the administration of this law should be eliminated. These welfare workers could be utilized in more worth while work.

I therefore recommend to you the immediate liberalization of the law so that the recipients of assistance grants will not continue to be harassed by perpetual routine checks and re-checks and reports, at a heavy cost to the state.

I further recommend repeal of the so-called lien clause, which is simply an invitation to welfare beneficiaries to evade the law by deeding their homes to someone else. We should rather encourage them to keep their homes. These liens, as a matter of fact, have not been exercised in the past, and the state has realized little or nothing therefrom. If the homes are not encumbered by liens, the small amount of money derived from their sale will, in practically all cases, be needed to pay last illness and funeral expenses. No one should have forced upon him the worry that when he passes from this world he may be buried in a pauper's grave.

Another important matter, which is partially administrative program. I am informed that some of your members have already prepared legislation on this subject. I shall therefore wait until it is presented before determining the advisability of making specific recommendations.

Another important matter, which is partially administrative and partially legislative, is that of efficiency in the administration of our state government. This has already had, and will continue to have, my attention. I assure you that I will do everything in my power to see that each department coming under my jurisdiction is administered in an efficient manner.

You know, however, that there are in existence some 100 boards and commissions. The terms of the membership of these boards and commissions are so staggered that, while an incoming governor has the responsibility, he may find his hands tied in doing the things he would like to accomplish. Appointments may even be made in the last few days of the administration of a defeated governor.

I am doing my best to appoint efficient men on these boards and commissions, and, of course, men who are in sympathy with the objectives of this administration. I need not point out that even though the individuals on a board may be well qualified, if they are not in sympathy with the program of the administration, proper results cannot be achieved.

This is a matter which I feel should be studied by the legislature. As I said in my inaugural address, I want it distinctly understood I shall insist that each board and commission coming under my jurisdiction work toward the objectives of greater efficiency and added loyalty to the people.

In this connection, I may find it necessary to submit some recommendations for legislative action.

The problem of taxation is most important to the people of our state. Taxes in our state have just about reached the saturation point. The increase of average daily attendance allotments for schools cannot be considered an increase in taxes. It is merely a means of equalizing school taxes. An increase in state and county taxes for this purpose will de-

crease the amount of district school taxes and will equalize the over-all ad valorem taxes in the state.

Suggestions have been made that ways and means of raising the money needed to increase the average daily attendance allotment should be tied to the bill providing for the increase. I cannot concur in this view. I do not believe it is good policy to levy specific taxes for specific purposes unless there is a specific and good reason for doing so. If it is, then why not do so for all appropriations? As a matter of fact, I hope there will be enough additional taxes from new and expanded industries, plus efficiency to prevent spiralling governmental costs, to take care of additional money apportioned for schools.

Another thing, in my judgment, that should receive your careful study is equalization of the valuations of property for tax purposes in the various counties. This should continue to be the function of the State Tax Commission, but closer cooperation should be established with the county assessors and I so recommend. A revaluation in one year alone is of little value, because it would soon become obsolete. It must be perpetual in nature to insure a more equitable distribution of the tax burden as constantly and consistently as is possible.

I also recommend the enactment of a use tax. I do not consider this an additional tax, but merely an equalization of taxes.

The people who sell goods in this state should be protected from inequities that result without a use tax. The business man in Arizona not only has to sell his goods to the purchaser who pays the sales tax, but also pays an ad valorem tax on his business and a state income tax on his profits.

Taxation is a subject that should receive the continuous study of both the executive and legislative branches of our government. This applies to the withholding tax enacted by the last legislature. A study should be made to determine how much additional revenue, if any, is derived by the state and whether it is sufficient to justify the increased cost of book-keeping necessary to collect it. Any increase in expense in the collection of taxes which is placed upon the taxpayer himself is in effect a form of taxation, whether or not it is so labeled, and this factor should be taken into consideration.

In a growing state such as ours, there is always a demand for new appropriations. The budget which is being submitted to you is not my budget and I have not had an opportunity to study it in detail.

You and I know that any increase in appropriations calls for an increase in taxation. I have already pointed out that in my judgment over-all taxation has reached a saturation point and that we must largely look for taxes derived from other sources, to meet the increased demands in a growing state and such new demands must be kept to a minimum by greater efficiency in the administration of government. Inasmuch as the cost of our government has gone up some 25 million dollars in the last four years, I respectfully suggest that we hold appropriations to a minimum and give the new revenues a chance to meet the additional demands. Every appropriation

should be carefully weighed and savings made where possible, in order to meet necessary needs in other places.

Highways, and highway safety, is another important subject for your consideration. Last year, this state suffered the appalling toll of 400 deaths on the highways, substantially more than one fatality for each day in the year. This sad record is a challenge to the best thought and action of which both the administrative and legislative branches of our government are capable. Good highways are the measure of the progress of a state, as well as its regard for the safety of its citizens. A special committee study has already been made on this subject and also highway finances, both of which require continued study.

The platforms of both major political parties in last fall's election called for establishment of a full-fledged department of labor in this state. We should not adopt platforms merely for the purpose of getting votes. Since creation of a labor department was pledged by both parties, it should have bi-partisan legislative support. I so recommend and urge.

Another pressing problem is that of juvenile delinquency. I am calling together an unofficial committee composed of representatives of courts, law enforcement agencies, state institutions, educational institutions, churches and civic organizations, in order to coordinate the work on this subject. The increase in juvenile crime in this state and the nation has been appalling. If we find the work cannot be coordinated without additional legislation, recommendations may be made in the future.

I also recommend that a constitutional amendment be submitted to the people which would permit the state of Arizona to take advantage of the exchange of teachers with foreign countries. Such exchange is provided for under the Fulbright act, public law 584, passed in 1946, by the United States Congress, and administered by the Department of State. Every state except Arizona is now participating in the teacher exchange program.

In regard to legislation necessary for remodeling the state capitol building, I would call your attention to the fact that our state is growing by leaps and bounds—that it is estimated that the population will increase to a minimum of 1,300,000 in the next six years. However, we should be certain that any new construction would meet the needs of the state for at least ten years and that there would be room for expansion in the future. In view of this rapid growth, I respectfully suggest that this matter wait at least until next year's session of the legislature in order to better determine whether present plans, which have been submitted, are adequate.

I would also recommend that you give consideration to the advisability of the construction of a state building in Tucson. The state at the present time is renting office space in various parts of the city. The cost of rentals should be compared to the cost of erecting a new building for the consolidation of all of these offices which would be more convenient for the public. While you may not want to launch into a building program there in advance of adequate housing facilities

at our capitol, an appropriate site might be more easily and economically purchased now than at some future date.

There are many other subjects contained in the Democratic platform which should receive your consideration upon which I shall not burden you with detailed recommendations at this time. However, I point out that many subjects such as water and water conservation, dairy, livestock and agriculture must have our attention. Take, for example, the problem of the Khapra beetle eradication and control.

These and other topics are urgent and should have your consideration.

Regardless of political faith, I want every member of this legislature to feel free to confer with me on any subject. I want to be helpful. My door is open to each of you. I have confidence in our democratic system of government. I have confidence in you as a legislative body. God has blessed us with unlimited opportunities. With His help we will go forward.

Without objection, at 2:25 p. m., the joint session of the legislature was dissolved.

CLARENCE L. CARPENTER,  
President of the Senate.

HARRY S. RUPPELIUS,  
Speaker of the House.

ATTEST: LOUISE BRIMHALL,  
Secretary of the Senate.

LAURA M. McRAE,  
Temporary Chief Clerk of the House.

At 2:28 p. m., Mr. Speaker called the House to order.

Motion by Mr. Schaffer, seconded by Mr. Pugh, that the House stand at recess, subject to the call of the gavel. Carried, and at 2:30 p. m., the House stood at recess.

At 4:00 p. m., Mr. Speaker called the House to order.

Messrs. Wilson, Burton and Craig, former members, were accorded the privileges of the floor.

Motion by Mr. Mitchell, seconded by Mr. Steward, that the name of Mrs. Lallah Ruth be placed in nomination for Chief Clerk of the House of Representatives and that she be elected by acclamation. Carried, and the temporary sergeant-at-arms escorted Mrs. Ruth to the Chief Clerk's desk.

Mrs. Ruth thanked the House and presented the Speaker with a gavel and base.

Motion by Mr. Stump, seconded by Mr. Rogers, that the name of Mrs. Ruby Sanders be placed in nomination for Assistant Chief Clerk of the House of Representatives and that she be elected by acclamation. Carried, and the temporary sergeant-at-arms escorted Mrs. Sanders to the Chief Clerk's desk.