

Governor Bryan's Inaugural Message

"Thursday (Jan. 4) was a big day for the Bryans. Governor Charles W. Bryan shared the honors with his brother, W. J.," said the Lincoln State Journal in its writeup of Nebraska's inaugural ceremonies.

"The house chamber was packed. Unable to gain entrance, the overflow applicants swarmed about in the halls. The gallery was filled to capacity. The space back of the railing much used by lobbyists was packed and people were seated on window sills, telephone booths, rails, tables, and even upon the floor.

"Governor Bryan came into his own at 3:25 p. m., when Chief Justice Morrissey administered the oath. This followed the farewell address by the retiring governor (Samuel R. McKelvie) and preceded the swearing in of the new elective state officers. Charles W. Pool was the only Democrat among them. Lieutenant Governor Barrows presided over the joint session.

"Just before the adjournment of the inaugural session, some one shouted from the rear of the hall the name of 'Bryan.' It spread like a prairie fire over the packed hall and in a few moments it became an insistent shout. Governor Bryan remained in his seat on the platform. W. J. Bryan also remained seated for some moments. When it became apparent that it was he and not the governor who must speak or else permit the shouting to continue, the former Nebraskan, now a citizen of Florida, took the floor. He spoke a few words of praise and mentioned only his brother.

"I appreciate this compliment," he said. "You have expressed confidence in one member of the family. I think he deserves it and am satisfied that he will have given expression, as far as possible, to the sentiment of the people."

"I know him," continued Mr. Bryan in reference to his brother. "I know him probably better than any man. I believe that his conception of his official duty is much the same as that of Lincoln, and that every minute of every day he will realize that he is the hired servant of the people of this state."

"W. J. Bryan and party entered the hall at 1:45 and the commoner was accorded a big ovation. They were given seats reserved for them directly in front of the speaker's desk. At the conclusion of the session, W. J. Bryan and Governor Charles W. Bryan, with backs against the desk, faced the crowd that surged forward. The handshaking was exhaustive."

Governor Bryan's inaugural message, following the administering of the oath of office, was delivered in person and took 35 minutes for its delivery. The message is reproduced in full below.

TO THE MEMBERS OF THE FORTY-SECOND SESSION OF THE LEGISLATURE OF NEBRASKA

Gentlemen:

Although it is my duty and privilege as the incoming governor to speak to you, I shall not at this time attempt to more than outline my views upon questions to which you should direct your attention. The success of our government depends upon the sincere cooperation on the part of the executive and legislative departments, and we should unite in the enactment of only such legislation as is beneficial and necessary to the entire state. It is in this spirit that I address you, and I will be glad to confer with you at any time on any subject.

The recent election was a referendum by the people on the specific issues of the campaign, and I am ready to join with you in carrying out the will of the people as expressed at the polls.

The vote given me at the last election was not due to my personal popularity but rather to a conviction on the part of the people that they desired the enactment of the legislation which I proposed, as the governing policy of our commonwealth.

My first thought is the desire of doing all in my power to bring the state government more directly under the control of the people, to reduce the cost of administering the affairs of the state, and to improve economic conditions which are working an undue hardship on both the producers and consumers.

The members of this legislature and the chief executive were selected by the voters to represent them, without thought of our respective party affiliations, and the recommendations which I shall make to you will be on a broad, independent, non-partisan basis, for the welfare and benefit of the people of the state as a whole,

and I feel sure you will consider them in the same spirit. The people want results regardless of the effect on political parties or political leaders, and regardless of the desires of the lobbyists who try to use political party machinery to thwart the will of the people.

The increase in and distribution of taxes during the last four years has so burdened the agricultural interests, the small business men, wage earners and middle classes of the state that it is imperatively necessary to cut down expenses, not only of the state government, but also of all its various subdivisions. All needless and useless governmental activities and employees must be eliminated. When the cost of government mounts so high that it threatens confiscation of the farms and small homes, the activities of the government must be halted, curtailed and limited. Retrenchment, economy and tax reduction must be the goal for which we should strive.

It is my desire to cooperate with you to sustain and support the various institutions and state activities. We should be neither extravagant or parsimonious, but I shall feel it my duty to use the executive power to disapprove any appropriations that are needless, extravagant, or of doubtful value.

REPEAL OF THE CIVIL ADMINISTRATIVE CODE

My first recommendation deals with the form of government under which the state's affairs have been administered during the past four years and which was the central issue of the recent campaign, namely, the civil administrative code. From the time this measure was enacted, four years ago, until it was made the paramount issue of the recent campaign, the people endeavored to get a referendum that would permit them to express themselves by direct vote on this measure. The candidates for governor of the two major parties took their stand on opposite sides of the question whether the code system of government should be upheld or repealed. An analysis of the vote for governor in any or all of the legislative districts of the state can lead to only one conclusion, viz., the people demand that the code system of government be abolished.

The present code system centralizes in the chief executive all responsibility for not only executing the administrative policies of the state but also of determining all administrative policies, which include the very important and far-reaching banking matters and the bank guarantee fund operation, also the decision as to public highway development projects, insurance administrative problems and other important functions. Such a centralization of power is unwise, unsafe as a business proposition, and fraught with danger to the general welfare of the people.

Under the provisions of the code system, the state officers, other than governor, are shorn of all but mere clerical authority, although it is physically impossible for the chief executive to be constantly available or prepared to confer and decide important policies coming up from the various code department secretaries, who are employees with no direct responsibility to the taxpayers. It seems to me that it is of utmost importance that the state constitutional officers be given authority to sit as an executive board at least once a week, and oftener when needed, to decide administrative policies and to stand as the people's representative between them and the organized business groups which are to be affected by the laws to be administered.

I do not believe public service or public business will be benefited by the creation of any executive officers in addition to the regularly elected state officers.

I therefore recommend the repeal of the civil administrative code and all amendments as quickly as possible, so that the reorganization work may be carried out without unnecessary delay.

In lieu of the present system I recommend that an executive board, consisting of the Governor, Secretary of State, State Treasurer, State Auditor, and Commissioner of Public Lands and Buildings, be created and that these officers constitute a board of review to be known as "The Executive Council," which shall have power by majority vote to determine the state's administrative policies. (I have not included the Attorney General as a proposed member of this board for the reason that he must be its legal adviser, and, therefore, should not be required to

take sides on any disputed or controverted question).

The Governor is by the constitution made the supreme power to execute and administer the laws of the state. In order that there may be no shifting of responsibility for the execution of the state's administrative policies, and no divided authority over appointees and employees, it is my conviction that all department heads and needed employees should be appointed directly by the governor, and that the appointive power should also have the authority to remove any appointee at will.

I believe the government should be made more compact by curtailing and combining departments, by eliminating duplications of officers and employees connected with the administrative work, and that all educational effort should be discontinued in the state's administrative departments and confined to the state's educational institutions to avoid duplication of effort and unnecessary expense.

When the code law is repealed, useless departments can be abolished, others consolidated so that the number of inspectors, bureaus, commissions and inspections can be greatly reduced and some inspections can be handled by local officials. When the regular state officers again assume the responsibility of recommending to the legislature the needed appropriations for the various state activities, the duplications, fads, theories and isms calling for an endless number of employees, and ever increasing and unnecessary expenditures of the people's money, will cease.

The first step in restoring the government to a business basis is to repeal the code law. Second, regroup the state's necessary departments with authority in the governor to appoint the heads and necessary assistants, and with authority in the Executive Council to determine administrative policies. Third, re-enact separate statutes dealing with the subjects covered by the original enactments which the code superseded, so that the enforcement or administrative provisions thereof may be brought in harmony with the general administrative plan.

REPEAL OF INTANGIBLE TAX PROVISION

The Revenue law, known as Senate File No. 65 (1921 Session), favors one class of taxpayers while it lays unjust and unfair burdens upon others. The owners of stocks, bonds, notes, mortgages, and other property known as "intangible" property, are avoiding their obligations to the government while their less fortunate neighbor, whose wealth is invested in a home or farm or other "tangible" property, bears the added burden.

I recommend that this preferential provision be repealed and that it be replaced by a statute which is in accord with the state motto, "Equality Before the Law."

TAXATION

The shifting of taxes from the rich to the poor must cease, whether it be through hiding intangible property, by increasing assessed valuation on one class of property and lowering on others or by securing low valuations of public utilities for taxation purposes and high valuations for rate making purposes. It is impossible for the assessor to find all intangible property for taxation. I suggest for your consideration the following legislation in order to equalize and to reduce general taxation and so as to more equitably tax each citizen in proportion to the benefits he receives under the law:

Provide for a system of certifying mortgages for taxation purposes from every record office or court in the state to the county assessor in the county where said instruments are recorded.

Public utilities and common carriers should be taxed on their rate making valuations.

In justice to the owners of some tangible property, a constitutional amendment should be submitted by you to the people for their adoption or rejection authorizing the exemption from taxation of such tangible property as unsold grain on the farm.

A STATE INCOME TAX

To offset any loss in revenue that may result from just exemptions, to reach the incomes from tax free securities, and to permit a reduction of taxes on tangible property, I recommend the enactment of a graduated state income tax law modeled after the Wisconsin law, discriminating in favor of earned incomes and using the federal income tax returns as a basis of state assessment.

INHERITANCE TAX

I recommend that the inheritance tax law be amended so as to provide for a graduated inheritance tax running from 1 to 5 per cent.

NO TAX ON GASOLINE

A sale tax is a tax on consumption and is another plan for transferring the taxes from the