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ADDRESS

OF

GOVERNOR HOWARD M. GORE

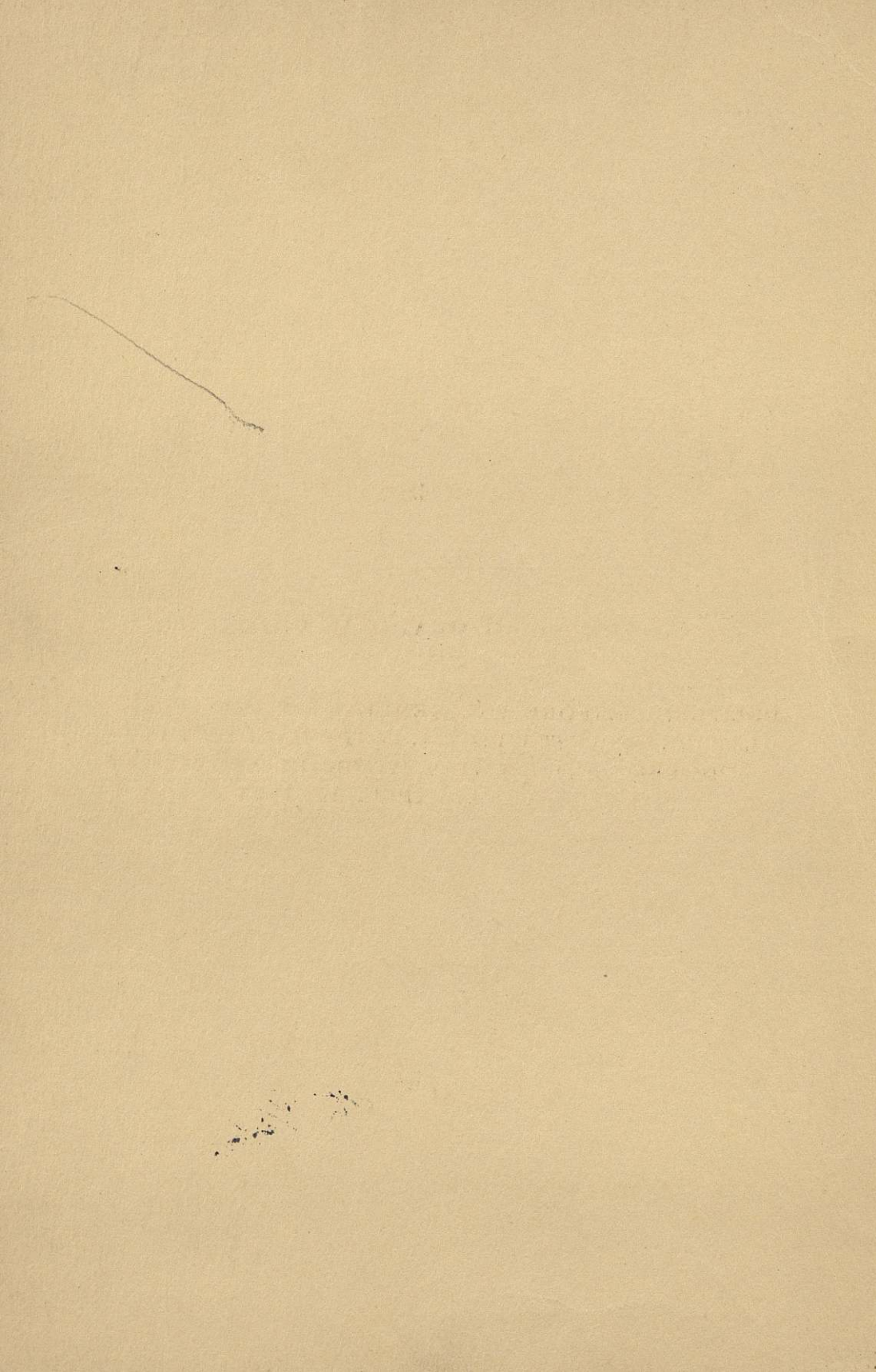
**DELIVERED BEFORE THE MEMBERS OF THE LEGIS-
LATURE OF WEST VIRGINIA IN THE HALL OF THE
HOUSE OF DELEGATES, AT CHARLESTON,
ON WEDNESDAY, APRIL 29, 1925**

W. St. Vickers

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TRIBUNE PRINTING CO., CHARLESTON, W. VA.

ADDRESS BY THE GOVERNOR

TO THE MEMBERS OF THE WEST VIRGINIA LEGISLATURE:

I want to congratulate and commend you for agreeing and acting upon a Budget, covering the general expenses of government, within the State's estimated revenue for these purposes.

This is a forward step in practical business administration.

There are certain matters involving the public welfare that in the time within which you had to act did not receive such attention as it would appear the public interest warrants. Many complex questions have challenged your consideration. Some of them are ages old, and under the most favorable circumstances are difficult of satisfactory solution.

I am aware of the constant strain under which you have worked for the past forty-five days. Likewise, that you desire to go home to give needful attention to private affairs. Because of this, I deeply regretted the necessity of calling you in special session. However, in order that the executive officials of the state government may perform their duties satisfactorily to the public and to you, it is necessary that I ask your consideration of certain questions so that your wishes with respect thereto may be clearly understood.

ROADS

The entire sum derived from gasoline tax and automobile license fees having been practically absorbed in meeting the interest on the \$35,000,000.00, now outstanding, and providing the lawful sinking fund for the \$50,000,000.00, and expense of Department, left no funds to meet the interest charges on the \$15,000,000.00 of unsold bonds. The amount necessary to meet this item of interest is approximately \$600,000.00. The Legislature, at its regular session, enacted a law increasing the tax on gasoline 1c per gallon. This additional 1c per gallon is calculated to yield approximately \$600,000.00. This sum would provide the interest on the remaining \$15,000,000.00 of unsold bonds when the same are issued and sold. Furthermore, the funds, as has been pointed out, which were formerly used in road maintenance, are now entirely absorbed

in taking care of the interest, sinking funds and ordinary operating expenses, thereby leaving no available funds with which the State Road Commission can carry on its maintenance work.

This feature is the essence of the road problem to which I am inviting your attention.

It is the plan of the State Road Commission, with which I am in accord, to translate the remaining \$15,000,000.00 of unsold bonds into roads as rapidly as is consistent with practical road building. To abandon, or materially curtail road maintenance, would be indefensible, for obvious reasons. This being true, new revenue must be provided for road maintenance purposes. It is possible that the Board of Public Works could increase the direct tax by levying a tax for interest and sinking fund purposes, and in this way provide the necessary maintenance funds. With the present direct tax standing at 14c, this method of providing a maintenance fund should not be followed. Already, the direct tax for county, district and municipal purposes has been so fully utilized, and reached so commanding a figure, that it would be unwise, in my judgment, for the State to go farther in that method of taxation. The direct tax should be reserved as the method for raising revenue by local taxing units, and not used by the State as a part of its usual, or permanent tax system, but held in reserve only to be used for emergency purposes.

I am informed by the Road Commission that a conservative estimate of the sums needed for road maintenance, would be \$1,250,000.00, for the calendar year 1925, and \$1,500,000.00 for the calendar year 1926. The increase for the calendar year 1926 is made necessary because of the interest charge on bonds which are now unsold, and which will have to be sold if we are to continue road building. It would not be sound public policy for the State to expend \$50,000,000.00 and local political subdivisions spend a similar sum, and then not provide a fund for maintenance.

It is a matter of common knowledge among those experienced in road building and maintenance, that a policy of this character has proved disastrous, both from the stand-point of convenience, durability and economy.

PERMANENT IMPROVEMENTS

Soon after becoming Governor of this State, I sought to find out from the governing boards, and the heads of the various state institutions, insofar as was possible, the amount of money it was believed to be necessary to carry on the respective activities.

I am pleased to report to your Honorable Body, that when the total needs of all institutions, and the lack of revenue therefor, together with the difficult position of the tax payer, was called to the attention of the heads of the various state institutions and activities, they joined earnestly with me and the executive staff in holding the sums to be called to the attention of this special session, to the lowest possible minimum consistent with sound public policy.

There are certain pressing needs at our State institutions for buildings and land, such as the Tuberculosis Sanitarium at Terra Alta, the Deaf and Blind School at Romney; the West Virginia Collegiate Institute; the West Virginia Industrial School for Girls, and a number of other educational and eleemosynary institutions for which revenue should be provided.

It is my judgment that only such expenditures should be made at this time as are necessary to meet the vital needs of these institutions.

In my opinion these needs can be met by an expenditure of not to exceed \$900,000.00 for each of the next two years, authorizing a part of the plan to be carried out and provided for in the third year, thus enabling those carrying out these plans to have certain knowledge of the judgment of this Legislature with respect to the expenditures they authorize.

It is my plan for the future, to insist that buildings undertaken should be completed within the revenue provided, or else not begun.

Intelligent economy would not lie in failure to provide, but rather in providing the funds necessary to maintain these institutions healthy, rendering efficient service.

CAPITOL BUILDING

At present, the various state departments are housed in buildings situated in different parts of the city. This has a tendency to defeat the co-ordination of the State's enterprises and lessen efficiency; and in addition the rents now being paid would probably

be but a little less than the interest on the sum necessary to build the second unit of the Capitol.

It is my judgment that the sum to be expended for the building of the second unit should be limited to not exceed \$1,500,000.00.

The State still has unsold the property on which is now situate the governor's old mansion, the temporary capitol and the Board of Control building. This piece of property has an estimated value of possibly not to exceed \$500,000.00. The proceeds from the sale of this property, whatever the price obtained might be, could be used in providing a partial fund for the second capitol unit.

Having presented the situation with respect to the capitol, I stand ready to co-operate with you along whatever line your judgment would indicate we should proceed.

DIRECT TAX

In providing the revenue for road maintenance, and for buildings and lands, heretofore referred to, let me urge you to keep in mind the reduction of the direct state tax, recommended in my former appearance before this Honorable Body.

The reduction in state tax would inure to the benefit of all classes of tax-payers.

I, therefore, earnestly urge that all, or as much as possible, of the present direct tax, not including the Virginia Debt, be eliminated. This form of tax should be used by the State only in case of emergency.

This would have the effect of giving definite relief to all tax-payers.

It is my purpose to seek the co-operation of all public officials in matching the sacrifices of the tax-payers, with a measure of economy and efficiency that will guarantee a generous treasury balance at the end of each succeeding fiscal year, barring the unusual.

Let me assure the members of this Honorable Body that that co-operation will be given.

LAW ENFORCEMENT

It is my judgment that in order for the State to properly safeguard the lives and property of its citizens and to maintain law and order in disturbed industrial areas, certain restrictions should

be placed upon the right of persons, other than duly elected or appointed officers of the law, to bear arms. No person denies the right of any man to protect his life and property. Our law makes suitable provision for authorizing persons, whose lives or property are endangered, or thought to be endangered, to be permitted to carry weapons. Under our statute, it is also permissible for persons whose property may be endangered, to employ others for the purpose of affording protection to their property, and the law provides that persons so employed may be licensed to carry arms.

But the State, functioning through the Governor and such law enforcement agencies as are under his direction, is also charged with the responsibility of protecting life and property, and this too, at times that are trying and fraught with great public concern. Since it has this responsibility, the State should have proper authority to regulate conditions that tend to defeat its efforts in that direction. And, after all, it should be borne in mind that in supreme moments of danger, the consolidated power of the State is the last resort both for protection of life, liberty and property, to all of which the people of West Virginia are irrevocably committed.

In times of industrial unrest, such as we have today in northern West Virginia, there are frequently instances where the conduct of men licensed to bear arms in the protection of the property of others, is such as to defeat the very purpose for which the license was granted, and at the same time prove a very serious obstacle to the preservation of peace and law enforcement by State and local authorities, who have been duly chosen for that purpose. You will frequently find men licensed in one county of the State, to bear arms, operating under this authority in an entirely different section of the State, far from the jurisdiction of the court which granted such license.

Where the conduct of any such persons is such as to threaten a breach of the peace and which interferes with the maintenance of law enforcement, the state's law enforcing officers should have the authority to revoke or suspend their licenses to bear arms, subject to review by the courts.

At first glance, the foregoing suggestions might seem unusual, but it should be remembered that the high sheriffs of the respective counties, who usually are men of outstanding character and ability, and who are required to make heavy bond, are not permitted to exercise in many respects the roving rights that are

practiced by many licensees authorized to carry arms, both within and without the bailiwick of enabling authority.

In a more restricted sense, where the elective police officers are derelict in the performance of their duty according to law, to a degree that threatens the peace, life and property of the political unit that they serve, the chief executive of the state should have the authority to suspend such officer subject to review by the courts.

Unless relief is had from this character of menaces in times of serious disturbance, the result will be not only to render insecure life and property, but to seriously increase the dangers and difficulties to those who lawfully represent you and the State.

When your position on the matters to which I have called your attention, is clearly understood, insofar as they affect the performance of the duties of the chief executive, I shall freely carry out the mandates of this Honorable Body.

In concluding, permit me to thank you for the courteous hearing you have given me.

As you go about your tasks, I would be pleased to have you bear in mind that the sole purpose that prompts me in what I have said here, is the desire to co-operate with you in finding a way that will be just and equitable to all. To that end, I am at your call and service at all times.

