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THE STATE EMPLOYEE

Volume 2

OCTOBER 1933

Number 9-10

Annual Meeting Held October 3rd

In quick succession the members of the Association present at the Annual Meeting of the Association held in the State Office Building, on the evening of October 3rd, heard unfolded the chief events in the most active year which the Association has enjoyed. In addition to reviewing the activities of the Association year, the Constitution of the Association was changed to make it possible for all members wherever located to vote by ballot at future annual elections of officers, and also to permit closer organization with the greater development of usefulness of the Association headquarters.

The following six-point program was put forward as embodying the major matters upon which civil service employees should concentrate their efforts:

1. Economical and Efficient State Service.
2. Safeguarding of Civil Service Rights.
3. Early Abandonment of Salary Cuts to Meet Advancing Living Costs.
4. Abolition of Long Day and Week.
5. Protection of Retirement System.
6. Complete Organization of All State Employees.

The following officers were elected by unanimous vote:

W. F. McDonough, President,
Dept. of Agriculture and Markets

Beulah Bailey, Vice President,
Dept. of Education

Helen E. O'Neill, Secretary,
Dept. of Agriculture and Markets

Frank O. Bauer, Treasurer,
Dept. of Mental Hygiene

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Patriotism First

Samuel Gompers, the great leader of organized workers for many years, was recently honored by a monument memorial erected in the City of Washington. Speaking at the dedication of the Memorial, President Roosevelt said with reference to Mr. Gompers' loyalty during the war period:

"We are engaged in another war, and I believe from the bottom of my heart that organized labor is doing its share to win this war. The whole of the country has a common enemy; industry, agriculture, capital, labor all are engaged in fighting it. Just as in 1917, we are seeking to pull in harness. In the field of organized labor there are problems which have to be settled quickly and effectively in order to prevent the slowing up of the general program. There are problems of selfish individuals who seek personal gain by running counter to the calm judgment of sound leadership. There are hotheads who think that results can be obtained by noise or violence; there are insidious voices seeking to instill methods or principles which are wholly foreign to the American form of democratic government. There are those who think in terms of dollars and cents instead of human lives. The overwhelming majority of the workers

understand as do the overwhelming majority of the employers of the country, that this is no time to seek special privilege, undue advantage, or personal gain because of the fact of a crisis. Like the duly constituted officials of your government, we must put and are putting patriotism first."

The sentiments expressed by the President in this special message to organized workers find ready and enthusiastic endorsement in this Association. Unselfishness must prevail if we are to build now the sound foundation of social progress. No need to pass again through the dark valley of distress and want. The slogan "We Do Our Part" is a lie and a deceit unless we stand solidly behind the leaders in nation and state who are planning permanent good for all without class, political, racial or religious discrimination. This Association will always put patriotism first.

Stop Abuse of Veteran's Preference

When the people of this State adopted the Veteran's Preference Amendment to the State Constitution in 1929, they intended honestly to relieve deserving and disabled men whose earning capacity had been curtailed because of war service. They did not intend that the absurd claims for preference based upon flat feet, nervousness, bronchitis, and many other like ailments often incurred long after the war, should serve as a gangplank to public service for those who were unable to qualify on the same basis of merit and fitness required of all who enter civil service.

It is impossible to ignore the

matter longer, for the reason that not content with the amendment referred to and the disgraceful abuses attempted thereunder, there is to be submitted to the voters at the election in November another amendment to the Constitution which would break down the merit and fitness requirements still further and open New York State and municipal positions to those who were not citizens of the State at the time of the war.

The Nation owes a distinct debt to those who suffered disability because of war activities. It should discharge this debt in the proper way. It should not pay it at the

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Be Sure Before You Insure

THOMAS J. CULLEN
Deputy State Superintendent of Insurance

At various times the New York State Insurance Department receives inquiries and complaints concerning organizations which are engaged in the business of insurance but which are not licensed by the Department to transact business in the State of New York.

The operations of organizations not authorized to transact business in the State of New York usually take two forms in connection with the approach or contact made with citizens and residents of this State. In the one class may be placed so-called membership associations which carefully avoid the use of the words "insurance", "assurance", "indemnity", etc., in their several titles and which also avoid such words in the circular matter used and the form of contract issued. Most of these so-called membership associations make extravagant and misleading claims as to the advantages offered through enrollment, which claims too often receive favorable response from a too gullible insuring public. The New York State Insurance Department has found it necessary in some instances to proceed against some of these so-called membership associations through court action in order to bring about their dissolution. In others where the domicile is in a State other than New York it is many times difficult to treat the matter. These organizations have at times actually placed representatives within the State of New York to solicit business; and from inquiries coming to the Insurance Department it is evident that citizens and residents of the State have been approached with the end in view of acting as their representatives. The Insurance Department has repeatedly pointed out that to represent any unauthorized insurer in the State of New York in the solicitation or pro-

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Council Lecture

The Council of Women of the State Education Department announces a lecture by Miss Eunice Avery at Chancellor's Hall, Albany, Thursday evening, October 26th, at 8 o'clock. The subject which Miss Avery will discuss is a **WORLD IN TRANSITION**. Tickets at 50 cents each will be on sale at the door.

Miss Avery is one of the most popular lecturers on current events who comes to the Capitol City. She has made two trips to China, Japan and the Philippines, one to South America, one around the world, and thirteen to Europe. This year she studied conditions in Washington, North Carolina, London, Berlin, Munich, Geneva, Paris, Kansas, Nebraska, Iowa and Chicago. Her sources of information range from Foreign Offices to taxi drivers.



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Annual Meeting Held October 3rd.

Continued from Page 1

Under the provisions of the Constitution as adopted, the office of Financial Secretary was abolished and duties formerly performed by this officer become part of the duties of the President. The plan provides greater utilization of Association headquarters.

William J. Pierce, who has filled the office of Financial Secretary for several years, was highly commended not only for excellent services rendered in that office but for his many and constant activities on behalf of the Association since his entry into active Association work.

Increased Membership

The report of the Financial Secretary as to membership, showed a total of 10,643 members enrolled and dues for same transmitted to the Treasurer during the Association year.

The following committee was appointed by the Association of Employees of the Department of Mental Hygiene of the State of New York to cooperate in carrying out the policies of the Association and to assure full attention to the special problems of institutional employees:

Francis J. Keating, Central Islip State Hospital; John Livingstone, Hudson River State Hospital; Guy Campbell, Rockland State Hospital; J. A. McDonald, Rochester State Hospital; F. F. Lawson, Gowanda State Hospital. C. C. Colesanti and Francis J. Keating, President and Vice-President, respectively, of the Association of Employees of the Mental Hygiene Department, also the members of the above committee, were present at the Annual Meeting. Mr. Colesanti, and Mr. Keating ad-

ressed the meeting. John Livingstone of the Hudson River State Hospital was present and spoke upon some important matters.

How the Dues Are Spent

The following report was submitted by Frank O. Bauer, of the Department of Mental Hygiene, the Treasurer of the Association:

Bal. on hand Oct. 4, 1932.. \$7,854.83
Receipts during year, Oct.
4, 1932 to Oct. 3, 1933:
Mem. dues.... \$10,643.00
Adv. in STATE
EMPLOYEE .. 1,165.55
Interest 80.71

Total Receipts 11,889.26

Total \$19,744.09

Expenditures:

Printing \$5,194.70
Mimeographing 259.81
Office Supplies 194.30
Office Equip. 190.93
Postage 673.00
Telegraphic
Messages &
Mes. Serv... 343.88
Tel. Service... 174.59
Counsel 2,523.87
Bus. Sec..... 1,498.50
Fin. Sec..... 1,064.30
Exp., Officers &
Stand. Com. 592.97
State Hospital
Com. Exp... 178.60
Education Com.
Exp. 124.00
50th Anniversary
Dinner 94.15
Advert. Fees.. 132.20
Leg. Index... 125.00
Surety Bonds. 41.65
News Clipp's.. 36.75
Reports & News
Service 20.70
Tax on Checks 3.40

Total Expenditures.. 13,467.30

Bal. on hand, Oct. 3, 1933 \$6,276.79

Sick Leave

Information received by the Association in a recent canvass indicates that the uniform rules for sick leave in State service as printed in the August issue of **THE STATE EMPLOYEE** are now in effect in practically every Department. Put forward by a Committee appointed by Governor Lehman, they were intended to accord equal justice to all groups of employees wherever located. Their universal adoption through the service as the minimum allowances for sick leave is essential if the object sought, that of uniform treatment of employees is to be attained. They mark a distinct advance over the hit or miss way of dealing with sick leaves under which many employees were severely penalized for even minor necessary absences. There can be no question but that employees throughout the State service should have the same privileges in fundamental concerns such as here involved, and that such treatment adds immeasurably to the up-building of high morale and results in an increase of loyal cooperation and devotion to duties which far outweigh any other considerations. There is little or no additional cost to the State caused by these uniform sick leaves for the reason that those who are in good health are expected to assume the duties of those who must be temporarily absent for the very limited time permitted under the rules. It is but a humane practice, and especially so with modestly paid workers, not to take from such workers who are the victims of illness or accident the salaries so needed in these times for the purchase of the necessities of life, or to take from them rest periods required for the preservation of health. The rules seek to prevent abuses in grants and they likewise prevent any dishonesty among employees in claiming an illness that does not exist.

Letters received from some institutional groups indicate that the rules have not yet been put in force. This Association believes that any delay in adopting the Governor's plan is only one of administrative adjustment. A resolution was adopted at the Annual Meeting of the Association directing inquiry into the matter of uniform adoption of the rules. Inasmuch as the rules were promulgated by Governor Lehman's cabinet, we may be sure that he will give fair consideration to their uniform application.

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THE STATE EMPLOYEE

Established 1929

Published by

The Association of State Civil Service
Employees of the State of New York
Room 156, State Capitol, Albany, N. Y.

OFFICERS

W. F. McDONOUGH.....President
BEULAH BAILEY.....Vice-President
HELEN E. O'NEILL.....Secretary
FRANK O. BAUER.....Treasurer
CHARLES J. TOBIN.....Counsel
JOSEPH D. LOCHNER...Business Secy.

Circulation:  20,000 Copies

Now Is the Time

Civil Service Employees were amazed and astonished last year with the apparent misinformation on the part of large groups of citizens concerning the services actually carried on by the State as distinguished from Federal and municipal activities, and the costs to the people of these State-rendered services, particularly as to costs of personnel. With the first signs of this lack of information upon the part of the public, trade groups, chambers of commerce, taxpayers' associations, manufacturers, and public officials in various jurisdictions, this Association began a campaign of straightforward information. A booklet, "Facts About Salaries Paid State Employees in New York State" which covered the entire field of personnel costs and included numerous charts and tables setting forth the true facts was printed and distributed at a cost to the Association of approximately two thousand dollars. The Association supplemented the bulletin with the personal efforts of officers, special counsel, and active committees, and contacted every trade and social group, the members of the Legislature, and the various branches of executive and administrative government, both State and local on this subject. Many articles were given to the press and radio broadcasts were a weekly feature.

For the first time in the history of the State, well-organized State civil service employees exerted themselves on every front to stem the tide of destructive and uninformed criticism which was working toward the ultimate demoralization of the essential governmental services. The false economy that would halt education, endanger health, weaken protection of life and property, limit care of the helpless wards of the State in State institutions, retard public works of a needed character, and

otherwise turn a people already in distress into hopeless despair and undermine the social advances of the centuries, was thoroughly exposed and largely routed for all time.

It must not be understood, however, that there are not now at work the selfish influences that were active in late 1932 and early 1933. The need for vigilance at this time must not be underestimated. Every candidate for public office will be approached undoubtedly by the well-known reactionary groups. Of all of the citizen and welfare groups interested in maintaining the efficiency of New York State government, none has clearer knowledge and therefore greater responsibility to assist in preserving needed State agencies, than the Association of State Civil Service Employees. Your opportunity and your duty is clear at this time. You will all exercise the right of American citizens to vote at the coming elections. Will you all perform the duty which is plainly yours to confer with the men and women who are to be chosen for public duties and give them the benefit of your intimate knowledge of the needs of such public services and of true economy in dealing with these services? This Association is not affiliated with any political party. Its thousands of members located throughout the election districts of the State are by virtue of their sacred stewardship to the people bound to put patriotism first. Their ideal will always be honest and efficient public service and the selection of public servants on the basis of merit and fitness. Their duty is to help to inform correctly; now is the time to do this with regard to elective officers.

A Real Help

Just before Christmas the Commission for the Blind is planning to hold a sale of articles made by blind workers at the State Office Building, on the corner of Worth and Centre Sts., New York City.

Last year a similar sale was held with great success and many men and women who attended the sale were delighted to find a great variety of pretty things at very reasonable prices which could be used for Christmas gifts. Shopping thus was made very convenient. The blind workers are delighted to find this new and generous market for their work.



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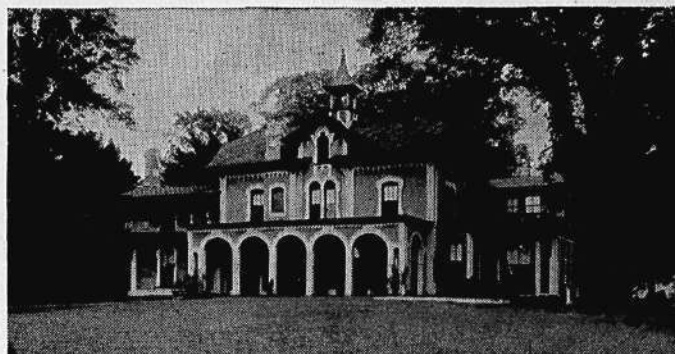
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Annual Legislative Report

CHARLES J. TOBIN
Association Counsel

Report of the work of counsel may be divided into civil service law, legislation, salary reductions, hours of labor in institutions, and general. Counsel, of course, acts only as directed by the general committee.

CIVIL SERVICE LAW: The economic conditions as existing for the past four years and the loss of revenue by the State from its usual sources and a general demand for economy has caused the State to reduce its budget with resulting lay-offs in departments, reductions in pay, demotions and dismissals of employees.

Departmental civil service matters have been watched closely with the purpose to safeguard civil service requirements in any changes of personnel. In the opinion of counsel the spirit, if not the letter, of the Civil Service Law has not at times been observed, and some employees have been compelled to go to court in order to protect their interests. I feel that any time the Civil Service Law is assailed or positive violation appears, your Association should take proper legal steps to protect employees.

Counsel with the various committees has been in close contact with the members of the Civil Service Commission and its staff and has had numerous meetings with them as concerns the action of the department heads in relation to employees and also as to changing the rules of the Civil

Service Commission so as to better protect the employee during this depression time. Likewise, we have contacted Governor Lehman in connection with these matters and recently wrote to the Governor very definitely about the whole matter of changing the Civil Service Law or making rules and regulations for civil service of such character as will definitely protect the civil service employee in demotions and dismissals. I feel quite sure that the present unsatisfactory state of the law and the rules will be cleared up before the end of the year.

LEGISLATION: Counsel, with the legislative committee, examined all the bills introduced in the Legislature of the 1933 session; there were some 2397 bills in the Senate and 2999 in the Assembly. These bills were first examined as to title and then examined when the bill was printed as to content and effect, if any, on the civil service employee. This process of examination is carried on each day that the Legislature is in session and copies of such bills as we believe affect the members of the association are sent to the officers of the Association and to the members of the legislative committee. Once the Legislature establishes a calendar and acts on the legislation before it the daily digest of the progress of the legislation is taken from the official report and sent to the officers of the Association and to the members of the legislative committee. This process is followed up to and including the action on the bills as taken by the Governor down to the day that the Governor signs the last batch of bills. This year we had an extra session of the Legislature, and similar action was taken as at the regular session because, while most extraordinary sessions are called for a particular purpose, the bills that come in to the session are not always confined to the original call as made by the Governor.

There were more than 100 bills introduced during 1933 affecting civil service and the Civil Service Law. These bills had to do with the retirement system, salary reductions, veterans' preferences, classifications and qualifications of appointments, demotions in rank, eligible lists, labor classifications, preferences of widows of veterans, and removals. A large number of bills affected the state retirement system, some of benefit and some

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unsatisfactory. All of these bills were taken up from time to time with the legislative committee and the leaders of the Legislature and the committees in charge of the legislation were advised either of a public hearing or by correspondence of the attitude of the Association toward each particular bill.

The Association promoted directly two important pieces of legislation: One known as the Ross-Sargent bill which had for its purpose a more definite language in the Civil Service Law as concerns demotions and suspensions; the other, the Nunan-Cornaire bill, which had to do with classification of state employees. Both of these bills failed because we could obtain no concerted action on the part of the Legislature towards them, due largely to the fact that the Legislature seemed engaged chiefly with the milk industry legislation and jurisdiction of the State over alcoholic and non-alcoholic beverages. It is expected that both these pieces of civil service legislation will be introduced at the next session and a definite effort made to have them enacted into a law.

SALARY REDUCTIONS: The most imminent matter before your legislative committee and counsel was and is that of salary reductions. It would take a long time to recite all that was done to fix the salary reductions as they were fixed by the Legislature of 1933. Your general committee with counsel began conferences on this matter back in November, 1932; these conferences were had with Governor Lehman direct and they were followed down through January and February until the close of the Legislature with the Governor, the Director of the Budget, the Speaker of the Assembly and the leaders of majority and minority parties in both houses.

Salary reduction matters being of such great importance to all of the employees, it was given first position in the work of the counsel and legislative committee and the legislation affecting it was watched constantly from day to day and during the last days of the session was watched hourly so as to make sure there was no shift that would destroy or lose the advantages previously gained as concerns salary reductions. The task is not entirely done because the matter of salary reductions will come before the Legislature of 1934 and the subject-matter will

have to be watched just as closely as during the session of 1933. Very definite presentations concerning the matter were made to the Budget Advisory Committee and the best pamphlet ever issued on the subject was "Facts About Salaries Paid State Employees of New York State." This was largely responsible for success in the fight against the very drastic salary reductions urged for State employees. This book was prepared under the able direction of Dr. Tolman of the State Department of Education and he deserves general commendation for the excellent job done in connection with it.

HOURS OF LABOR IN INSTITUTIONS: This subject is of utmost importance to the members of this Association who are employed in institutions. Counsel and committee backed with all effort possible the bills that would right the present wrong compelling State employees to work 12 to 14 hours a day, and others 7 days a week. I feel quite sure that the next Legislature will make the changes necessary in order to put all employees of the State on a fair working hours' basis. Governor Lehman is undoubtedly favorable to such a program but with the many perplexing problems of taxation and finance for State services before him and before the Legislature of 1933 it was not taken care of. I feel fairly certain that all of this will be taken care of at the 1934 session and that Governor Lehman will be the first to champion the changes that are needed.

GENERAL: Each day there comes to the office of the counsel questions of one kind or another involving the rights and standing of State employees who are members of the Association. Sometimes the communication is not germane to the work of the Association but irrespective of this fact it is handled as seems best for the worker. We hope to build up a closer contact with the employees and to be able to serve them even more effectively as time goes on.

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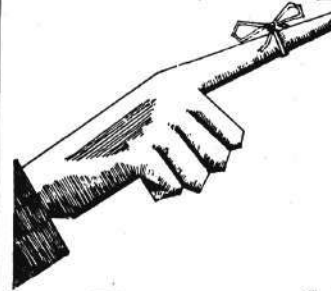
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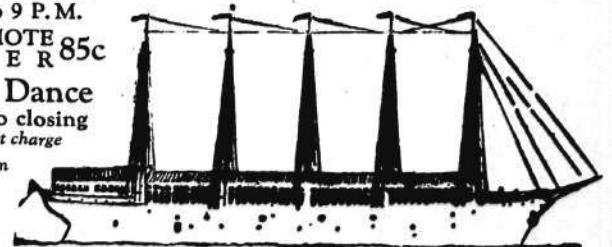
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Stop Abuse of Veteran's Preference

Continued from Page 1

expense of public service. It should not abolish merit and fitness as the requirements for each and every position in public service. Veteran's preference in the case of any but those actually disabled in war service is unfair to the young men and women coming into citizenship who should have the right to serve in civil positions, unfair to the great body of self-respecting veterans who want no such advantage over their fellow citizens at the expense of efficiency and economy in public service and especially unfair to the civil service employee whether he be veteran or not in that he becomes, in obtaining just promotions, the victim of rank abuses in disability claims.

It is a patriotic duty for civil service workers to seek the defeat of the proposed amendment. Vote NO on Amendment No. 2.

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(Note: The Institute is an Extension Center of Syracuse University, and sponsored by the Adult Education Council of the Association of State Civil Service Employees and administered by Director Critchley, who is an appointee of Syracuse University.)

The Institute opened as announced, September 18th, with an enrollment of 1150. Subjects offered being as follows:

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El. Stenography
Prin. of Economics
Dramatics
Bacteriology
Salesmanship
Typing, El.
Public Speaking
Gen. Psychology
Adv. French
1st Year Accounting
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Philosophy
Water Colors
Oils
El. German
Soc. Psychology
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Thomas Julian McCormick, M. S.
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Ethel L. Cornell, Ph. D.
Maxwell DeVoe, M. A.
W. S. Y-Critchley, Ph. D.
Horace A. Eaton, Ph. D.
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Agnes Nolan Underwood, B. A.
Ruth Green, B. S.
A. H. Robertson, Ph. D.
Stuart Swart, B. Mus.
Arthur B. Scherer, M. S.
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Dorothy V. Benitt, B. A.
Ruth Forbes
Harry J. Heltman, A. M.

Registration is definitely closed for the already existing classes but it is hoped, through the cooperation of Dean Mitchell of the College of Applied Science at the university, that extra courses will be offered in the field of engineering.

From November 1st, to the 15th, registration for the second semester will be accepted. Students who are members of the Institute will be given preference to registration for subjects for which they are not now enrolled. After November 15th, until the 18th, if there is room in these new classes, relatives of employees will be allowed.

Students, who have been dropped under the ruling of "unexcused absences", will not be allowed to re-enroll until the opening of the Institute next year.

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Continued from Page 1

curement of business is in violation of law, and the person or persons so violating would be subjecting themselves to the attendant penalties prescribed by law. The Insurance Department in recent months has not hesitated to recommend to place cases of representation of unauthorized carriers within the State in the hands of local district attorneys for proper and appropriate action thereon.

The second type of operation carried on by unauthorized insurance organizations has to do with those companies and associations domiciled in other States but not licensed in the State of New York, which use the medium of the mails as an effort to induce citizens of this State to effect contracts of insurance with them. From time to time such unauthorized insurers advertise their policies in newspapers published in this State. When such instances are called to the attention of the Insurance Department the newspapers are requested to discontinue such advertising, and upon this latter point it is gratifying to note the cooperation which has been received in substantial uniformity from the press throughout the State. The purpose, therefore, of this brief article is to warn persons against effecting contracts of insurance with unauthorized carriers or associations. Many of these organizations receive not an iota of supervision from their domiciliary insurance officials. Consequently, no checkup whatever is made on their operations. To illustrate upon this particular point: Some time ago the New York Insurance Department received advices that an organization was effecting contracts of insurance with citizens and residents of this State through the medium of representatives within the State. As one element looking toward investigation of this matter and its cessation, the Insurance Department placed itself in touch with the Insurance Department

of the State in which the organization claimed to be domiciled. It was found in this particular situation that the organization was one which had been organized under what was apparently an obsolete statute which granted it exemption from insurance supervision, but that at the very time it was presenting to the insuring public not only of this State but of other States extravagant and flowery claims as to its coverage and general benefits of membership, the insurance supervising officials of its State of domicile had already instituted proceedings in the courts of that State looking toward its dissolution as well as the dissolution of several other similar organizations.

Therefore, and in conclusion, it cannot be pointed out too forcibly to citizens and residents of this State who deal with unlicensed insurance companies or associations of other States that the New York Insurance Department is unable to furnish them with the protection of its supervision and that the courts of this State are usually powerless to act in the event of a dispute, because of absence of jurisdiction. The latter imposes upon the insured the obligation of instituting suit in the company's or association's home State and this is, most times, entirely impractical because of the attendant and necessary expense. It is, therefore, most desirable and it is forcefully recommended to citizens of this State who are approached by solicitors offering extravagant and fantastic schemes of protection and coverage in a company which is unfamiliar or unknown to them, or who receive through the medium of the mails or advertisements requests for insurance from companies not known to be licensed in the State of New York, that appropriate inquiry be either directed to the New York Insurance Department or to any licensed insurance agent or broker.

Something New

Your Association is constantly studying new ways of being serviceable to its members. It believes that its present better organization of the Headquarters, at Room 156, State Capitol, Albany, will permit attention to any inquiries which the members may wish to address to it. We have in mind information concerning personal insurance, retirement system questions, educational opportunities, laws and licenses, libraries, and many other everyday subjects. Your Headquarters are at the seat of State government. Every department, bureau, institution and agency of State government is always glad to inform citizens in a helpful way, and we can therefore in every instance place your inquiry in the hands of the person or agency fitted to give you exact and dependable information. We cannot give attention to requests of a general nature; be specific as to the actual information you want in every case.



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