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The State Employee

VOL. 10, Number 3

MARCH, 1941

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Legislative Report of Counsel

As this issue goes to press, on March 18, there is little legislative action to report with reference to bills affecting Civil Service Employees. Very few bills of any kind have been sent to the Governor during the past two months and most of these were of a technical, non-controversial nature. National defense issues in Congress have overshadowed all State legislation with the result that the 1941 session of the Legislature has been unusually late in getting started and singularly free from controversy.

The annual controversy over the budget was comparatively innocuous this year. The attendance at the budget hearing was considerably below that of the past two years, and the only substantial reductions in the budget were those with reference to defense appropriations recommended by the Governor. There was no substantial taxpayer demand for a reduction in State salaries and, as a matter of fact, the budget hearing greatly strengthened the stability of the Feld-Hamilton Law. Of all the speakers who advocated budget reductions of one sort or another, only two even suggested that the increments of State employees be suspended again as they were in 1939. On the other hand, a great many taxpayers' organizations and independent organizations, such as the League of Women Voters, the American Federation of Labor and others, strongly commended the principle and operation of the Feld-Hamilton Law. This support from independent civic and labor organizations, added to the absence of any criticism on the part of taxpayer groups, has strengthened the Feld-Hamilton Law immeasurably and makes the likelihood of further suspension decidedly remote.

The general attitude of members of the Legislature toward the Feld-Hamilton Law is exemplified by the remarks of Assemblyman Moffatt

at the annual dinner, which are printed elsewhere in this issue. Taking all the facts into consideration, the budget hearing was in reality a tribute to the soundness of the principle behind the Feld-Hamilton Law, its continued operation has justified the faith of the Association when it sponsored the Law in 1937.

Every effort to extend the Feld-Hamilton principle to State Departments and Institutions not now covered by its terms will be made at this session. Bills have been introduced to extend the Feld-Hamilton Law to the prisons (Feinberg, Senate Intro. 161), to the State institutions, in the Social Welfare Department, the Health Department and the Education Department (Rapp, Assembly Intro. 1432), to the employees of Cornell University (Shaw, Assembly Intro. 1468). Conferences with reference to its extension to Mental Hygiene Institutions are being had with State officers and a bill to accomplish this extension will be introduced within a few days. None of these bills have as yet been acted upon by any legislative committee, but it is hoped that favorable action will be taken before the close of the session.

Many bills will probably be reported from Committee this week. Assembly Committees will go out of existence on March 20, and the powerful Rules Committee will then take over jurisdiction of all Assembly bills that are not killed in committee. In all probability, adjournment will take place early in April. Despite the fact that few bills have been acted upon, two Association bills have been reported from committee, and one has already passed the Assembly. The Ehrlich Bill, Assembly Intro. 1315, which provides for sick-leave rules for all State institutions, similar to those now in effect in the State departments, was reported favorably by the Assembly Civil Ser-

vice Committee and is now on third reading in the Assembly.

The Fite Bill, Assembly Intro. 918, which creates a procedure for the administrative review of removals, was likewise reported from the Assembly Civil Service Committee and is now on third reading, while the Barrett Bill (Assembly Intro. 621), which extends the eight-hour day to watchmen in State institutions, has passed the Assembly and is now in the Senate Labor Committee. The Barrett Bill and the Ehrlich Bill will be watched with particular interest by mental hygiene employees who have long advocated the extension of the eight-hour day bill to other groups not covered by its terms and who have grounds for just complaint by reason of the fact that the sick-leave rules applicable to departments generally have never been extended to the mental hygiene institutions. It is hoped that these conditions will be remedied by the passage of the above bills.

The Fite Bill has received considerable support and seems to be the most practicable method of handling the troublesome problem of removals in the Civil Service. It is designed to perfect the removal procedure; first, by providing for flexibility in the penalty that may be fixed after charges have been preferred against an employee, and secondly, by providing for a simple effective administrative review by the Civil Service Commission rather than the cumbersome and ineffectual procedure for review by the courts. The plan of administrative review embodied in the Fite Bill has operated successfully in other States and cities, and its passage will go a long way toward correcting the situation that now exists in this State.

The only other Civil Service bills of any importance that have been acted upon in either the Assembly or the Senate are the Sherman bill, Assembly Intro. 333, which extends

Legislative Report

the preference of veterans for transfer in the event of abolition of positions, which has been advanced to third reading in the Assembly, and the Burney bill, Senate Intro. 894, which provides that Civil Service Rules shall not be effective until a hearing has been held by the Civil Service Commission after three days' notice and the rules have been filed in the office of the Secretary of State. This bill was advanced to third reading in the Senate.

Among the Association bills still awaiting action by the various committees of the Senate and the Assembly are the following: The Corning-Ostertag Bill (Senate Intro. 1531, Assembly Intro. 1869), which makes several amendments to the Feld-Hamilton Law. By the terms of this bill, the Salary Standardization Board is extended, the provisions with reference to reclassification of employees who do not hold a standard title is extended, and ambiguity with reference to the payment of salaries upon promotion to a higher grade with overlapping salary schedules is clarified and a sixty-day time limit is placed upon appeals to the Civil Service Commission from a determination of the Classification Division.

The Hampton-Kreinherder Bill (Senate Intro. 1544, Assembly Intro. 1845), amends Section 31 of the Civil Service Law dealing with seniority. This is a bill of major importance which clarifies a number of ambiguous provisions in the Civil Service Law with reference to suspension. It clarifies and defines the procedure to be followed when positions are abolished through lack of work or lack of funds, and it provides that reinstatements shall be made by the certification of lists in the following order:

- (a) Departmental preferred lists.
- (b) Promotion eligible lists.
- (c) General preferred lists.
- (d) Open competitive eligible lists.

It likewise contains a provision restating the present law to the effect that no list shall have preference over a transfer made in accordance with the provisions of the Civil Service Law.

The Crawford Bill (Senate Intro. 1396), extends the time within which employees may join the State

Employees Retirement System and obtain credit for prior service.

The Page Bill (Senate Intro. 1408) provides that employees may retire after forty years of service even though they may not have then attained sixty years of age.

The Rapp Bill (Assembly Intro. 1761), provides salary schedules for the teaching and administrative staff of the New York State School for the Blind at Batavia.

The Condon Bill (Senate Intro. 1530), adds an additional increment for members of the State Police bringing their maximum salary up to \$2,100.

The Barrett Bill (Assembly Intro. 1352), liberalizes the provisions of law relating to commutation by providing that any employee who is permitted to lodge outside the institution shall be entitled to the commutation payments provided by law.

The Wicks Bill (Senate Intro. 1040), provides that Mounted Patrolmen shall receive the same compensation as guards in the State prisons.

Two other major bills on the Association program are in the process of drafting and will be introduced within a few days. The first relates to the extension of the unemployment insurance law to State employees and is being redrafted to incorporate certain technical amendments suggested by the Division of Unemployment Insurance and the Federal Social Security Board. The second is a comprehensive bill dealing with the rights of civil service employees who enter military service. Some thirty or forty bills have already been introduced in the Legislature dealing with various phases of the Civil Service and pension rights of Civil Service employees who enter military service, but none of them is sufficiently comprehensive to cover the problem satisfactorily. The Association is drafting a comprehensive bill on this subject which will be introduced within the next few days.

Lomax at Wingdale

Stan Lomax, Mutual Broadcasting System's sports-caster, was introduced to the audience that watched his team play the Harlem Valley State Hospital Team at Wingdale, March 11, and spoke on his sports experiences during intermission.

The Leader

As an important part of its coverage of New York State Civil Service news, the Civil Service Leader, weekly newspaper, has run in recent weeks a complete tabulation of bills affecting the interests of employees. Included in this listing are the number of the bill, a brief summary of what it would accomplish, and its progress in both houses of the Legislature.

The Civil Service Leader, which presents each week the latest Civil Service news, makes a special \$1-a-year offer to members of the Association, \$2 is the regular price. Among its features are latest certifications, appointments, eligible lists, exam requirements, study material, progress on test rating, and questions-and-answers.

Sing Sing News

More than 500 persons attended the semi-annual dinner dance of the Sing Sing Prison Chapter, March 22, in the Ossining Elks Club, among them many public officials.

At a meeting held previous to the dance, reports were heard from Alfred Werben and Jack Douvarjo, who attended the departmental legislative convention, and Sergt. Theodore Williams, chapter president, who attended the Association's conference in Albany, March 6.

Clement J. Ferling has been named chairman of the Chapter Widows' Fund, and Frank Coty has been made chairman of the Professional Improvement Committee, with William Hine, Vincent Stayter, Fred Reickert and Walter Mosch as assistants.

Westfield Plans Grow

Members of Westfield State Farm Chapter are developing a Cooperative Book Club and talking about a bowling team, consumer study group, debating team and dramatic group.

The executive board has named two new committees: Publicity, Florence Bethel, chairman; Bernice Byfield, Florence Comstock and John J. Corrigan; Program, Ada Ryder, chairman; Florence Tucker, Hope Swann and Thomas McGrath.

New employees entering into the service are: Bess C. Tucker, May D. Elting, Bebe Martin and Grace Thompson. After two decades in the service, Mrs. Peter Quinn has retired.

The Annual Dinner

On March 6th many members of the Association enjoyed with their friends and with appropriate celebration the twenty-third annual Association dinner.

The affair, attended by Governor and Mrs. Lehman, Lieutenant Governor Charles Poletti, Hon. Abbott Low Moffatt, Chairman of the Assembly Ways and Means Committee, Secretary of State Michael Walsh and many prominent officials of the executive and administrative branches of State government, members of the Legislature, gentlemen of the press and some six hundred State civil service workers, upheld its tradition as an outstanding social event

office will always be open to your officers and representatives while I am Governor, for the consideration of any problem affecting efficiency of administration or the welfare of employees."

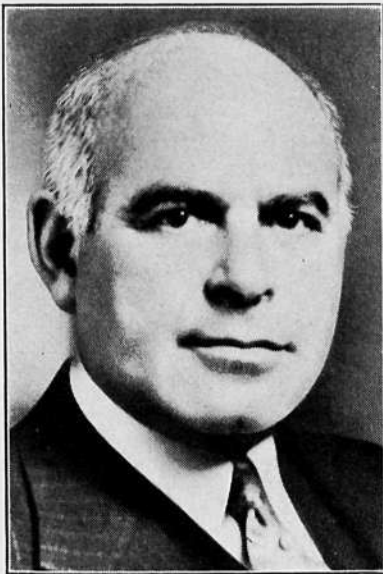
Assemblyman Moffatt evoked applause when he praised the career service law and indicated that public and legislative regard for the salary increment plan has shown a favorable change as proven by the almost negligible opposition displayed at the budget hearing on February 12th last. Mr. Moffatt declared that the character and practices of the Association and its intelligent manner of presenting the employees' side of

tion for over four terms. Mr. Brind expressed his gratitude for the gift, his faith in the Association's ability to realize all of the ambitions of a sound workers' organization, and promised to lend every aid to President Fisher throughout his administration.

Speaking with great sincerity, President Fisher referred to past achievements as an encouraging challenge to extend the career service principles to every unit of State Government.

Said President Fisher:

"I appreciate the high honor our Association has conferred on me and I am grateful to you for your warm



HON. HERBERT H. LEHMAN
Governor of the State of New York

of the year. Many members came from institutions and offices throughout the State, and each of the diverse State activities was well represented.

Governor Lehman following a long custom addressed those present. He praised the Association as an aid to good and efficient State Government, recalled that he attended practically all annual dinners since the first year of his office as Lieutenant Governor thirteen years ago when the membership was only about 800 and had watched with pleasure the steady growth to a present membership of over 35,000. Said the Governor: "The doors of the Executive



HON. MICHAEL F. WALSH
Secretary of State

State problems to the Legislature had aroused a high respect among members of the Legislature generally.

Secretary of State Michael Walsh said his Department was proud to produce the present President of the Association, Mr. Harold J. Fisher. He praised the record of Mr. Fisher as a civil service employee and predicted a successful administration of Association affairs at his hands.

Former President Brind was presented with a fine film camera outfit as a slight token of regard. Mr. Fisher and other speakers praised Mr. Brind and lauded his achievements as President of the Associa-



HON. ABBOTT LOW MOFFATT
Chairman, Assembly Ways and Means Committee

and cordial reception. In return I promise to do all in my power to carry on effectively the sound policies of our Executive Committee to the best of my ability.

"With few exceptions, we as State employees, both as individuals and as an association, realize and appreciate our part and our responsibilities in the government of this great State. We pledge our continued loyalty and best efforts to our Governor, our Legislature and the Judiciary branch of our government.

"We are proud of the loyalty of our 35,000 members; the sound

(Continued on page 93)

The Morality Players

AND THE INCOME TAX

By JOHN J. RONAN

*Administrative Supervisor, Income Tax Bureau
Dept. of Taxation and Finance*

[*AUTHOR'S COMMENT: In erstwhile times, the morality players were wont to spread the gospel of morals through the agency of short intimate acts or scenes, each of which pointed a moral in the line of human conduct. Today human endeavor is circumscribed by problems of taxation which in their every phase so react upon the average individual as to require stress on practical thoughts and ideas which, in the final analysis, can be reduced to a certain code of practical morals as distinguished from the old concept of religious morals. The various scenes which follow attempt to point a moral in some of the ordinary and usual questions which confront the salaried individual.*]

TIME: The present.

PLACE: Fourth Floor, State Office Building, Albany, N. Y., or, at the option of the audience, any of the following District Offices of the Tax Commission:

NEW YORK CITY: State Office Bldg., 80 Centre St.

BROOKLYN: 320 Schermerhorn St.

BUFFALO: State Office Bldg., Niagara Square

ROCHESTER: 55 Broad St.

SYRACUSE: 236 West Genesee St.

UTICA: 200 Oriskany St., East

CAST

(In order of their appearance)

MORALIST	Diogenes
AVERAGE TAXPAYER	John Q. Public
RECEPTIONISTS	{Margaret Mary
TAX OFFICIAL	I. Quizzem
SECOND TAXPAYER	William I. Smith
THIRD TAXPAYER	Miss Steno
FOURTH TAXPAYER	Mrs. Bride
FIFTH TAXPAYER	Mr. State Employee
SIXTH TAXPAYER	Mr. Childs
SISTER OF SIXTH TAXPAYER	Miss Childs

PROLOGUE

(Stage in semi-darkness — Diogenes, stooped in despair, is roaming around the stage with lantern in hand, soliloquizing on the harshness of fate which sentences him to the eternal quest for an honest man. A sudden turn brings him face to face with a figure which impels his instant attention.)

DIOGENES: Wherefore art thou, fellow, and why such strange and unseemly raiment? Where is thy toga and from what race cometh thou with such strange habiliments?

JOHN Q. PUBLIC: I am Mr. Average Taxpayer, who in the year 1941 have constant and onerous troubles with my problems of taxation. I lie awake nights worrying and wondering how I, an honest man, can keep clear with the Tax Authorities in matters of income; and I am sad beset because I wish to bear my share of the public burden, but know not how to make sure that my efforts will not be in vain since I do not lay claim to an expert knowledge of the law. Can'st help me, O Diogenes?

DIOGENES: Eureka, my quest is o'er. I have found my honest man; and if thou wilt but take me to thy peoples, I will try to point out to thee whereby thou may rest easy, if thou wilt but apply what moral lessons I can gather from association with thy authorities. Come, let's haste before the time is too late.

ACT I

Scene 1

MARGARET AND MARY (in chorus): Good Morning Sir, what can we do for you?

JOHN Q. PUBLIC: My name is John Q. Public. I have received this letter asking me why I had not paid my tax for last year. I do not feel that this is a proper inquiry for I not only filed my return but paid my tax.

M. & M.: Will you please be seated, Mr. Public, and we will call one of our officials who will discuss the matter with you? In the meanwhile, we will get your record from the files.

(A few minutes later). (Enter I. Quizzem).

I. QUIZZEM: Good Morning. I note from your record that you filed a return last year showing tax due, but that you have failed to send us a remittance for the amount of your tax. As you undoubtedly know, income taxes must be paid when due or additional charges must be added for the period during which the tax is unpaid.

J. Q. P.: That is just why I am here. I paid my tax and hold a receipt which I neglected to bring with me but which fully attests the fact that I fulfilled my duties as a citizen.

I. Q.: I am sorry Sir, but we have searched our records and fail to find that your remittance was received. Will you bring in your receipt so that we may find where the error lies?

Scene 2

(Following Day)

JOHN Q. PUBLIC: Good Morning. May I speak to Mr. Quizzem with whom I discussed my tax matters yesterday?

MARGARET: Yes Sir, I will call him at once.
(Enter I. Quizzem)

I. QUIZZEM: Good Morning Mr. Public. Did you bring your receipt showing the payment of your taxes for last year?

J. Q. P.: Yes Sir, here it is. I went to the Post Office last year, purchased a Money Order and here is my receipt.

I. Q.: But, Sir, this is not your receipt. This is the original Money Order which you should have sent to us with your return. I see now what happened. You thought that the Post Office would transmit the funds to us for the payment of your taxes and you considered that this blue paper which was handed you was your receipt. It will now be necessary for us to secure a warrant from the Post Office Department to satisfy the amount of your tax. Because the tax was not actually paid when due, additional charges have now accrued but, because of the peculiar circumstances existing in your case, we will take under advisement a possible reduction of the amount thereof and will advise you later.

J. Q. P.: I am very sorry this occurred and can assure you that in the future I will see to it that my remittance is actually made to your Bureau on or before the final due date.

(Enter Diogenes)

DIOGENES: I can see from this that many taxpayers who fully intend to meet their legal requirements will either through negligence or through inadvertence, fail to see to it that their remittances are actually sent to the Tax Department; and therefore, subject themselves and the Tax Officials to much unnecessary annoyance. The moral of this is, be sure that your remittance is made out to the State Tax Commission and that it is delivered or mailed to the Commission at one of its offices. Further, to avoid additional charges, see that the remittance is in the mail prior to midnight, April 15th.

ACT II

WILLIAM I. SMITH: I have received a letter from you asking me to file a return for last year. I have filed the return and cannot understand why you cannot locate it.

MARGARET: May I see the last letter which you have received from us?

W. I. S.: Here it is.

M.: (After a short absence in the files) I am sorry, Mr. Smith, but all we find in your record is your return for year before last.

W. I. S.: That's strange. Here is a copy of my last year's return.

M.: (Examining copy) It is clear what has happened. I see from your copy that you filed your return under the name of **W. Irving Smith** which would cause it to be filed under a different code number; and, hence, it could not be associated with your prior record. I have no doubt that we will find the return.

DIOGENES: If you will see to it that your return for each year carries exactly the same name as appearing on prior returns or, if you were married and your name is different than formerly, if you will disclose full information showing the name formerly used much annoyance would be averted.

ACT III

Scene 1

MISS STENO: I am somewhat confused about whether I need file a return for 1940. I understand that the exemptions have been lowered and that I now become subject to the income tax. Is this true?

I. QUIZZEM: How much did you earn last year?

MISS S.: \$950.00.

I. Q.: Are you single or married?

MISS S.: I am single.

I. Q.: No, you do not need to file a return. The State Income Tax Law, unlike the Federal, has NOT been changed either as to the exemptions which are allowable or the gross income requirement.

DIOGENES: I think I should stress the fact that, although many Federal returns will be required to be filed this year with the Collector of Internal Revenue by single persons receiving less than \$1,000.00, and married persons receiving less than \$2,500.00, State returns will not be required to be filed unless net income exceeds these amounts or, if net income is less, unless gross income exceeds \$5,000.00. In this respect, the rules which have been effective for many years still remain in force. The net income limitation of \$1,000.00 applies to all single persons whether or not they may be entitled to an exemption as "head of a family" by reason of which it is possible that no tax may be due. The dependency credit for each dependent person under eighteen years of age or physically or mentally incapable of self-support remains at \$400.00.

Scene 2

MRS. BRIDE: Will you let me know whether my husband and I must file returns and, if so, what exemption we may claim?

I. QUIZZEM: Were you married the entire year?

MRS. B.: No. We were married July 1, 1940. We both have been employed the entire year, my husband earning \$1,300.00 while my earnings amounted to \$1,000.00, the total of which, \$2,300.00, is less than the marital exemption of \$2,500.00, which I understand is allowable.

I. Q.: You are wrong about your exemption. The total aggregate exemption allowed both you and your husband is \$2,250.00 and, since the aggregate income received by both of you exceeds that amount, a return is required.

DIOGENES: The rule in this case is that where during the taxable year the exemption status changes from single to married, the exemptions must be ratably apportioned to each period. In this case, the husband and wife, having been single for six months, are entitled to a single exemption of \$500.00 (one-half the annual exemption of \$1,000.00) each plus a marital exemption of \$1,250.00 (one-half the annual marital exemption of \$2,500.00). As net income of both exceeded this amount, either a joint return or separate returns must be filed. In the event that separate returns are filed, each must claim his or her prorated single exemption of \$500.00, whereas the prorated marital exemption of \$1,250.00 may be claimed in full by either, or it may be divided as desired.

ACT IV

Scene 1

MR. STATE EMPLOYEE: Last year my budget line item salary was \$4,000.00, but I received only \$3,840.00 which I could use for my living expenses. Which amount should I include in my tax return?

I. QUIZZEM: Why did you not receive the entire line item?

MR. S. E.: The balance was withheld from me as a contribution to the Pension System.

I. Q.: You must include your gross salary of \$4,000.00.

DIOGENES: The moral which I wish to point out here is that you have constructively received your entire salary even though only part thereof has been reduced to possession. The amount which you did not receive was invested for you in the purchase of an annuity and, to that extent, has been used in building up an estate from which you will benefit on retirement or which will be returned to you if you leave the service before retirement age. If you should die before the total amount contributed by you has been returned to you, the balance will be paid to your estate.

Scene 2

(A few months later)

MR. STATE EMPLOYEE: You may recall that I recently asked you about the taxability of my contributions to the State Retirement System. Since then I have retired and am receiving a retirement allowance. Is it necessary for me to report this in my State income tax return?

I. QUIZZEM: No, it is not. Specific provisions in the State Employees' Retirement Law state that any payments out of any of the funds established pursuant to that Law shall be exempt from taxes imposed by the State.

MR. S. E.: A friend of mine is a retired teacher and receives a pension from the State Teachers Retirement System. Is that pension taxable?

I. Q.: No, and I might add that any pension paid to retired employees of the State, or any subdivision or agency thereof is not subject to the New York State income tax because of a provision in the New York State Constitution (Article XVI, Section 5).

DIOGENES: I think you will understand, from what you have just heard, the general rule relating to the taxability of pensions of public employees. Although I cannot speak with authority on Federal tax matters, I am informed that the Federal rule differs materially from the State rule and that your pensions are taxable as annuities. I mention this merely to call attention to the fact that there is a difference in the application of the two taxing acts.

ACT V

MR. CONSUMER: May I deduct in my State return all taxes paid by me including real estate taxes, gasoline taxes, income taxes, cigarette taxes, liquor taxes, sales taxes and amusement taxes?

I. QUIZZEM: Not all of these are deductible. You may deduct real estate taxes levied on property owned by you, but not those levied against property owned by some other member of your family,

even though you may have paid the taxes. You may also deduct the gasoline tax imposed by New York State (4c per gallon) but not the Federal tax (1c per gallon). Amusement taxes and sales taxes paid by you may also be deducted. Income taxes, as well as cigarette and liquor taxes, are NOT deductible.

DIOGENES: You will note that with the exception of income taxes, those taxes which you may not deduct are those which, even though passed down to you as a part of the cost of the product, are in fact levied against the manufacturer, distributor, or some other entity. The cigarette taxes are not levied against you, the ultimate consumer. The Federal tax is imposed on the manufacturer who merely includes it in the price of his product and the State tax is levied against the dealer. In this respect, the cigarette tax is no different from the real estate tax which the cigarette manufacturer pays on his factory. In arriving at the cost and sale price of his product, the manufacturer will include all disbursements made by him in his business and will pass all of these, together with his other business expenses, down to you. When you pay the total retail price of cigarettes and any other merchandise, you will, of course, pay all the costs of the manufacturer together with a profit thereon, but you do not pay a tax as such. To draw a distinction between the two types of payments, I mention the New York City Sales Tax which, by the terms of the Law, is levied against you, the consumer, and the Federal cigarette or the Federal gasoline tax which is levied against the distributor, or the manufacturer, as the case may be, and not against you, the consumer.

ACT VI

MR. CHILDS: I wish to protest vigorously the imposition of an additional tax in this assessment which states that I am not the "head of a family." I have brought my sister with me to corroborate what I have to say.

I. QUIZZEM: On what basis do you claim that you are the head of the household?

MR. C.: My household consists of my mother and father and my sister and, inasmuch as I receive a larger income than my sister, we decided, after talking the matter over, that I would claim the increased exemption and that she would claim only the single exemption of \$1,000.00.

I. Q.: I note from the returns filed by each of you that the income received by both is nearly equal. What arrangements have you made as to the support of the household?

MR. C.: We each pay an amount into the family fund for the support of the unit, but, because my income exceeds slightly that of my sister, I feel that I am entitled to the exemption.

I. Q.: Has either your father or mother any income?

MR. C.: No. They are entirely dependent upon us.

I. Q.: Who rents the home?

MR. C.: Although it is rented in the name of my father, who likes to feel that he still has some responsibilities, the rent is actually paid by my sister and myself.

(Continued on page 97)

The Story of a Bill

This article by John V. Bucher, one of Capitol Hill's accredited legislative experts, appeared in The Albany Knickerbocker News. We reprint it because it relates much everyone interested in The Empire State's legal machinery ought to know.

BY JOHN V. BUCHER
of the

Legislative Index Company

In the preparation of legislation it is imperative that the drafting of a bill is carefully done. It is always advisable to submit your legislation to your Senator or Assemblyman with the request that it be examined by the State Bill Drafting Commission to avoid any conflicts with existing laws or with constitutional provisions and that the bill is in its proper form.

If this is not done it may delay the enactment of your legislation as the bill will have to be amended. It has been observed that most of the bills amended are because of inaccuracies, poor construction or wrong references to previous laws. After your bill is introduced this is the course it will follow through the Legislature.

Referred to Committee

When a bill is introduced in the Senate or Assembly it receives its first reading and is referred to a standing committee created to study the particular type of legislation covered in the bill. For instance, if the bill relates to a judicial matter it is referred to the Judiciary Committee; if it carries an appropriation it is referred to the Finance Committee in the Senate and the Ways and Means Committee in the Assembly. If it is a bill amending the Civil Practice Act it will either be referred to the Committee on Codes or, if of a judicial nature to the Committee on Judiciary.

A bill relating to Civil Service or pensions, as the subject implies, would go either to the Committee on Civil Service or Pensions, and so on.

When a bill is reported by a committee in the Senate, either favorably or for consideration, it is referred to the Committee of the

Whole. In the Assembly, it goes to Second Reading and on the following day in either case, will appear on the calendar of the respective house under that order of business. After it is considered by the Committee of the Whole or on Second Reading, if agreed to is advanced to Third Reading. In either house, the Committee on Revision then examines the bill as to language and form and makes any such revisions that are not substantive as is required, after which it is engrossed and made ready for final consideration.

The bill then appears on the calendar on the order of Third Reading and if it is passed in its own



JOHN V. BUCHER
Manager, Legislative Index Company

house, goes to the opposite branch of the Legislature where it takes the same course. It may, however, be substituted for an identical bill of the opposite house which is on the calendar or it may, by unanimous consent, be given immediate consideration and if agreed to, passed. A bill may be reported by a committee in three ways, favorably, adversely or for the consideration of the house.

Notice Must Be Given

If favorably, it advances to the next order of business; if reported adversely and the house agrees to the adverse report, the bill is dead.

If the report is not agreed to, the bill advances to the next order of business. A committee may be ordered by a majority vote of the members elected to report a bill in either house. This is done by moving to discharge a committee from further consideration of the bill. The rules of both houses provide that notice must be given in advance of intention by a member to discharge a committee.

A bill may be amended in committee, in the Committee of the Whole of the Senate or on the order of Second Reading in the Assembly, or while it is on Third Reading in either house. A bill may be amended from the floor and be recommitted to committee. The committee may report a bill with amendments with recommendation for a Second Reading or for reprinting and recommittal.

A Senate bill may be amended in the Assembly after it has passed the Senate and vice versa. In cases where a bill is amended in the opposite house, the amendments must be concurred in by the house in which the bill originated. The Committee on Revision has power to amend a bill only as to its grammatical and legal form.

Once a bill or resolution to amend the Constitution has been ordered to a Third Reading and has had that Third Reading by the reading of the last section, an amendment thereto shall not be made.

Committees Have Charge

During the last ten days or two weeks of the session, the work of the Assembly committees is taken over by the Committee on Rules which makes up the calendars of the Assembly for the balance of the session. Bills reported from Rules Committee of the Assembly are generally ordered to a Special Order on Second and Third Reading. In the Senate, the committees have charge of all bills up to the close of the session.

The Committee on Rules of either house, however, at any time during the session has power to take a bill from a standing committee and place it immediately upon the order of final passage. It may also amend the bill in any particular. Bills must be

(Continued on page 92)

Editorial Page

THE STATE EMPLOYEE

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Bombers Mean Bread

Hitler is starving millions of people in at least seven one-time prosperous Nations of Europe. First, he murdered many thousands, then he robbed all who had possessions, and those he now starves he terrorizes with fear and despair.

Twenty-seven years ago another leader of Germany sought to enslave the rest of the World. As a result of that attack upon civilization, Americans sent billions of dollars of their wealth solely to feed and clothe and rehabilitate the men, women and children distressed by greed and hate. Of course, Americans shudder at the starvation of men and women and weep at the thought of children without nourishment. Of course, Americans know that thousands of the children victims of Hitlerism if they live at all will never have normal, vibrant health. As Hitler has made a shambles of many of God's acres, so he makes a jest of the twitching mouths of starving babies as his satanic frenzy for power burns higher and higher.

There is a way to give bread to starving Europe, and to give hope and eventual happiness as well. It is to destroy Hitlerism and Nazi barbarism forever. It is not Hoover's way, nor Wheeler's way. Not the

way of feeding German victims, but the way of freeing them from the results of German oppression so that fathers and mothers may supply their children and themselves with food and freedom. It is the way of Roosevelt and Willkie and of every red-blooded American.

Billions for armies to free the peoples of seven nations will mean real food and real hope for their people. America and Britain, and only America and Britain, can bring season recurring harvests to Europe. They can do it with the surplus harvests of American farms and American industries dedicated to the halting and destroying of German totalitarianism. Bullets today mean food tomorrow. Not a hand-out, insufficient and only prolonging misery, but a rightful abundance. Bombers today mean peace to the World tomorrow. We have written before that Americans are fore-sworn to the battle of democracy everywhere, and to a world where happy childhood and joyous unselfish living for all is a common possession. The triumph of right over might is as certain as the morning light. Bombers and bullets for England today mean bread and freedom for France and other oppressed Nations tomorrow.

Passport!

A passport in Europe today means a degree of freedom to its possessor—often means life itself. Just what is a passport? Webster has a definition for it: Safe-conduct.

Today the World is getting ready for a new era—the day when Germany is beaten and the blessing of peace with freedom comes to all the earth. We do not say “comes again” because never again shall we see restored the kind of peace, the kind of freedom, the kind of justice that prevailed before World Wars Nos. 1 and 2. It will be a more perfect justice, a more secure peace. For humanity there have been many scourgings, many Calvaries, many resurrections. A renaissance does not last. The new era should bring social progress such as never before dreamed of. Unselfishness should

rule the new day. Each new birth has always meant a higher, nobler vision and the new day will, we feel sure, bear out this tradition. Tomorrow—after the war—the tempo of achievement will need readier, abler men and women to live more abundantly than ever before. Tomorrow's passport will be for better living for many generations to come.

What are you as an individual doing to measure up to today, and to prepare to conquer on the morrow? Remember—you have more with which to upbuild character, and brawn, and mental alertness, than any people on the face of the earth. The means to **know** and to **do** are as easy of access in America as your own will to attain them is strong and steadfast. On every side institutions of learning, libraries, lectures, forums, books, study courses, magazines—learning, wisdom, power are yours for the taking. All of the experience of the centuries is at your mind's door.

If you don't know just how to go about improving your position in life, that is nothing to worry about. The worry would be if you lacked the vision, the interest, the health, the ambition, to press forward.

Go tomorrow to the public library. Over 2,000,000 people registered last year in a single library in this country. Get some books dealing with opportunities in business, engineering, social service, accounting, farming, manufacturing, banking—any one of the hundred things looming large in that new world of tomorrow. For although the world will be new, the age-old sciences will still guide in the building—still furnish the rule and principle and formula for creative endeavor. And after you have drunk deeply of the inspiration of great minds, look in your own backyard—your own department or the fields with which it deals—for the opportunities often called by that simpler word—“openings.” Of course, success is often sheer luck, happy good fortune, veritably stumbling into you, shaking hands, and then going on with you through life like a good friend. But even good luck has to be met up with.

hailed, greeted sensibly. The road to success is not dull—it is alluring, adventurous.

There is no such thing as failure if your soul is keen and your heart is right. What if you don't win? Life is sweeter to the strong, striving heart. You've heard it before—of the valiant being who
"Lives in one hour more than in years do they

Whose fat blood sleeps as it slips along their veins!"

What are you doing about better work? How are you planning to meet the call that's sure to come to you? Are cheap or vulgar pleasures more important, more worth while? If you say "yes" to this, then don't worry but find out quickly how wrong you are. You wouldn't bet your money on a crooked race. Don't bet your time on light, cream-puff literature, recreation, activities. Get the best out of life by thinking nobly, acting high, doing mightily, winning grandly! After the war—and you haven't much time—for already the forces of destruction are wearing out—the period of construction will really start. The doors of the whole world will be open wider than ever before—to an American passport backed up with American ability and American spirit. Career service applies to the world as well as to New York State civil service! And remember your career is of your own making!

Albion News

Employees of Albion State Training School has elected officers for its recently formed Chapter. Elected for 1941 are: President, Mrs. Lula Van Brunt Bell; Vice President, Warner Johnson; Treasurer, Elizabeth Dean; and Secretary, Eleanor McGaffick.

We were represented at the recent Civil Service Conference held in Albany by delegates from our Chapter, Miss Caroline Lathrop and Richard Davis. Both reported the Conference a decided success.

No Issue in April

In accordance with usual practice there will be no issue of The State Employee published during April this year. This notice is inserted therein for the benefit of members who keep a file of the magazine, and relieve members of the inconvenience of writing to Association Headquarters for such issue. The May issue will be published very early in May.

Important Notice

ON ACCIDENT AND HEALTH INSURANCE

Our Health and Accident Insurance became effective July 1, 1936. From that time until February 28, 1941, the Commercial Casualty Insurance Company has paid us \$484,769.71, and we have paid the company \$636,455.89.

The Company paid out to us 76.16% of all they took from us and had left \$151,686.18, or 23.84%. At first glance this would seem like a nice little profit to the company. But out of this 23.84% must come first administrative costs, consisting of commissions to the Insurance agency, salary to the claim adjustors, taxes, and general administrative costs. Also out of this 23.84%, claim reserves required by law must be set up. This reserve averages about \$50,000.

Companies in handling such insurance count on a 2½% profit. In the case of our group policy with the Commercial Casualty, instead of a net profit to the company over a period of 4½ years, there has been a loss. To put such an insurance as ours on a sound basis, the loss ratio should not exceed 55%; our average over the 4½ year period is 76%.

The Company has served notice on the Association that they cannot carry our group policy of Accident and Sickness Insurance without some change, either increased rates or a lower loss ratio guarantee. The latter your Committee cannot guarantee, but after a prolonged study of all the facts and a weighing of the advantages of our present group policy with its broad coverage and non-cancelable clause as far as the individual is concerned, the Committee has approved a rate increase of 15% on all new applications or business written on or after April 1, 1941. **All Accident and Sickness Insurance policies now in existence will be continued at the old rate.** Thus a policy that costs present-day holders \$22.80 a year will cost applications accepted on or after April 1, 1941, \$26.40, or \$1.10 semi-monthly instead of \$.95.

It should be remembered that if and when the State employees can improve their health in the aggregate so that the loss ratio can be held at 55% or under, there will be a reduction in the rates. It is our own health that determines our rates.

BEULAH BAILEY THULL,

Chairman, Insurance Committee.

The Front Cover

The photo on the front cover was taken by the Staff Photographer of our magazine, Walter J. Schoonmaker, Assistant State Zoologist of the New York State Museum.

Let's turn back three centuries and sail up the river with Henry Hudson in the Half Moon. Mighty trees crowd the river shore and deer watch from the underbrush. A panther screams and a lordly bull moose belows a mighty challenge. Canoes are launched and friendly Indians paddle out.

About fifteen years later Fort Orange is built and traders course up and down the river. All of this is in the seventeenth century, remember.

Nearly two hundred years slip by

and Fulton's first steamboat labors up the Hudson River. Time leaps ahead; the World is more than a century older and now great ocean going vessels slide up the deepened Hudson to Albany. Gone are the Indians and the moose and the panther. The site of old Fort Orange is now the Hudson River Day Line property. Behind this is the magnificent Delaware and Hudson Building.

From the river, the Capitol may be seen and behind this stands the State Office Building, its tower spearing the blue heavens. This is Albany's river front and its sky-line. No longer is it a tree-fringed river shore, but a mighty thriving city—the Capital of the Empire State.

Story of State Government

CHAPTER XIII: DEPARTMENT OF CIVIL SERVICE

The following article is the thirteenth of a series of articles on New York State Government. This series is in charge of our Editorial Board Member A. K. Getman of the State Education Department Staff. The next article, which will discuss the State Department of Correction, will be contained in the May issue.

BY GRACE A. REAVY
*President,
Civil Service Commission*

Every institution in human history passes through three stages. The first is its inception, when it is merely an idea gaining acceptance in the minds of a few progressive leaders. The second stage is its establishment, when the institution acquires a place in the fabric of human affairs. The third is the stage of recognition, when it is taken for granted as being part of the system by which people get along together.

In the first hundred years of the existence of New York as a completely self-governing State, appointments to office in the civil departments of the State, its cities and other subdivisions, were made without any limitation upon the appointing power. Transfer of political control from one party to another, in Capitol, Court House or City Hall, was invariably accompanied by a corresponding partisan upheaval in personnel, from deputies of department heads down to the most menial places. There were few statutes regulating tenure or qualifications for any offices, but what was more important, there was no substantial body of public sentiment which questioned the efficiency, the democracy, or the wisdom of such practice.

About the year 1880, however, there had developed in the country, and particularly in New York State, a demand for reform in the manner of making appointments and removals in the public service. This movement, culminating in the enactment

of the New York Civil Service Law of 1883, may be regarded as the inception of the merit system as an institution in this State.

The first New York State Civil Service Law was adopted in 1883 when Governor Grover Cleveland signed the bill introduced in the New York Assembly by Theodore Roosevelt. The bill had been sponsored and drafted by the New York Civil Service Reform Association, and was modeled after the new Federal Civil Service Act of 1883, also sponsored by the reform advocates under the leadership of Dorman B. Eaton and George William Curtis.



HON. GRACE A. REAVY

The law originally applied to the State Service alone, providing a system of competitive examinations for appointments and promotions in the Civil Service of the State. It was not inclusive of the cities. While Civil Service Reform had been an important issue in the preceding State Campaign, it is doubtful if the legislators from the larger cities would have supported a bill to extend a new and suspected reform throughout the entire structure of State and Municipal government. The Federal Government had barely begun the first vague steps toward a competitive merit system of employment, and no other State yet had adopted

such a plan. Perhaps, even the advocates of civil service reform were not eager to begin in this State on too broad a scale.

The law of 1883, therefore, applied only to certain classes of State employees, but the way was open for any municipalities which so decided to adopt some system of their own, along the general lines of the State plan. Within two years later, three cities, New York and Brooklyn, which were not then combined, and Albany, had established some sort of civil service commissions. But it was the Constitutional Convention of 1894 which laid the foundation for the system now in effect, whereby not only are the State and all its cities operating under the merit system, but at this late date the Commission is struggling to carry out the mandate of that convention that towns, villages and all other subdivisions must also conform. This constitutional mandate, imposing a duty upon the Legislature to carry out its terms, resulted in the enactment of laws which have been consolidated into our present Civil Service Law. The inadequacy of the original law led to the establishment of the constitutional provision which is beyond the reach of statutory amendment. "Appointments and promotions in the civil service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, as far as practicable, by examinations, which, so far as practicable shall be competitive."

In these words, quoted from Article V, Section 6 of the Constitution of the State of New York, the people of this State, almost a half-century ago, wrote the merit system principle into the fundamental law of the State, the first State in the Union so to do. Provision was made for preference in appointment to Civil War Veterans, regardless of their standing on any eligible list. This preference was extended by constitutional amendment in 1929 to disabled Veterans of any war.

With the reorganization of State Departments in 1927, the Depart-

ment of Civil Service was established.

Administration of the civil service of this State is vested in a Civil Service Commission, consisting of three members appointed for terms of six years by the Governor with the consent of the State Senate. The Commission elects its own President and meets at least twice each month, either in Albany or New York, with occasional meetings in Buffalo. At these times, the Commission considers a variety of matters formally presented on its calendar. In addition, one Commissioner is residing in Buffalo and available for conference and decisions affecting the County of Erie as well as State offices in western New York, and the other two Commissioners consider in Albany or New York, matters requiring attention between calendars.

Functions:

The general functions of the Civil Service Department involve:

- a. The classification of positions.
- b. The recruitment of personnel to fill these positions (which includes competitive examinations).
- c. The certification of eligible lists to appointing officers.
- d. Payroll audit, through which there is control over legality of employment.
- e. Approval of transfers, lay-offs, reinstatements, and
- f. Supervision of the administration of the civil service by the several municipalities of the State.

Jurisdiction of Department:

- a. Entire classified service of the State.
- b. County offices in counties where Civil Service Rules have been extended.
- c. Supervision of Municipal Commissions of the cities of the State.
- d. Three villages, Ilion, Ossining and Port Chester; one school district, in the Town of Eastchester in the County of Westchester; the town of Newburgh; the police departments of the towns of Westchester, Erie and Rockland Counties and in the town of Port Washington, and in various villages in other counties.

Aside from its jurisdiction over the State service proper, all departments, agencies and bureaus of the State government, over county service (other than Nassau, which now has its own Commission), over town and village services as outlined, the State Commission undoubtedly has jurisdiction over the other civil divi-

sions of the State. This obligation the Commission has been unable to assume. The extent of its direct jurisdiction is potentially as follows:

- State service
- 57 county services
- 932 towns and townships
- 550 villages
- 9504 school districts.

Not all of the 57 counties come within the present rules; actually but seventeen are now under them. From time to time the State Commission may extend its rules to the county services with the approval of the Governor.



HON. HOWARD G. E. SMITH
State Civil Service Commissioner

Approximate figures of the numbers of employees in the State, county and village services to which the rules have been extended and in the cities of the State (exclusive of teachers in the public schools) are as follows:

- State service 50,429
- County and village 13,878

These are the figures at the close of the year 1939.

The Civil Service Law and Rules have always provided the machinery for this process of extension of the merit system to the State's subdivisions. The Commission has neither neglected nor refused to extend the benefits of the system which this Commission is entrusted to administer. The question has never seriously been raised that the nature of the duties of positions and the problems of recruitment in the smaller civil divisions rendered application of the merit system inadvisable or

impossible. Extension to subdivisions did not come to a halt because it had gone, in the language of the Constitution, "so far as practicable," but the reason was, rather, a very practical one: THIS COMMISSION SIMPLY DID NOT HAVE STAFF, EQUIPMENT, OR SUFFICIENT FUNDS TO CARRY A BIGGER LOAD THAN IT ALREADY HAD.

The decision rendered by the Court of Appeals in the Geddes case declared that regardless of the inaction of the Civil Service Commission in failing to extend its jurisdiction, that all employees of all civil divisions were, and, since 1894 had been, subject to the civil service mandate of the Constitution.

Under the effect of this decision, approximately 200,000 more employees of counties, villages, towns and school districts became subject to the jurisdiction of this Commission. It was realized that upon the orderliness and skill of the procedure used in effecting the extension would depend the impression of the merit system to be formed by the citizens of these local governments, most of whom would receive their first intimate knowledge of the system when it was applied to their court houses and town halls.

Legislative Commission

This Commission, therefore, in its last report, and the Governor, in his message to the 1939 Legislature, recommended that a commission be created to make a thorough study of, and to recommend the procedure for, the extension of the Civil Service Law and Rules to all civil divisions. This recommendation was adopted by the Legislature, and such commission was created by statute. The commission comprises 12 members, of whom seven are legislators. Of the non-legislative members, two were specified by the statute as officials of organizations of town and village officials, and the remaining three were appointed by the Governor, subject to the qualification that one should be a representative of the State Civil Service Commission, and one of the State Department of Education. The act creating the commission carried an appropriation of \$20,000.

The membership of the Commission on Extension of the Civil Service is as follows: Assemblyman Emerson D. Fite, Chairman; Sen-

ators Karl K. Bechtold, William H. Hampton and Joseph D. Nunan; Assemblymen Harold Armstrong, Edmund R. Lupton and John A. Devany, and Messrs. Howard P. Jones, H. Eliot Kaplan, Charles A. Brind, Jr., Frank C. Moore and William P. Capes.

Senator Bechtold and Assemblyman Fite are the Chairmen of the Committees on Civil Service in their respective Houses of the Legislature. Civil Service Commissioner Howard P. Jones is the representative of this Commission, and Mr. Brind of the Department of Education, of which he was Director of the Law Division, and now is Counsel to the Department of Education. Mr. Kaplan is Executive Secretary of the Civil Reform Association; Mr. Moore, Executive Secretary of the Association of Towns; and Mr. Capes, Executive Secretary of the New York State Conference of Mayors and Other Officials.

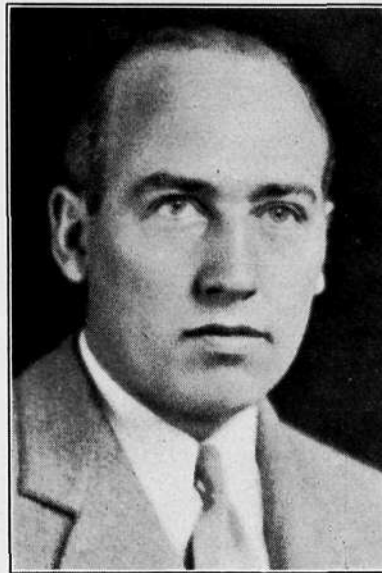
The Commission was organized by the election of the following officers: Chairman, Assemblyman Fite; Vice-Chairman, Senator Bechtold; Secretary, Commissioner Jones. Also elected were Counsel, John T. DeGraff and Research Director, W. Earl Weller. Mr. DeGraff is Counsel of the Association of State Civil Service Employees, Mr. Weller, the Director of the Rochester Bureau of Municipal Research.

After a year's work, this Commission has made its final report to the 1941 session of the Legislature and on Tuesday, March 11, 1941, a public hearing took place in the Assembly Chamber of the Capitol. Under the plan, reported with recommendations to the Legislature by the Fite Commission (named for its Chairman, Assemblyman Emerson D. Fite), each county in the State, outside of Nassau, Westchester and the five counties in New York City, are accorded the option of establishing their own civil service commissions, like the cities, or appointing a personnel officer, like the Westchester County Personnel Officer, or coming under the direct jurisdiction of the State Civil Service Commission. Whatever choices are made, the net result is expected to be a tremendous increase in the amount of classification and examination work and in the supervisory duties of the State Civil Service Commission. To meet this burden, the Fite Commission has recommended an appropriation

of \$80,000 which represents about one-sixth of the Department's regular budget. The action of the Legislature upon the report of the Commission will have a far-reaching effect upon the administration of civil service in this State.

Extension of the Competitive Class

With the exception of positions specifically enumerated by the State Legislature, such as elective offices, legislative offices and teaching positions, as being in the unclassified service of the State and with the exception of certain positions expressly declared by the State Legislature to be exempt, such as deputies of executive officers, secretaries of commissions, clerks of courts and laborers, the State Civil Service Commis-



HON. HOWARD P. JONES
State Civil Service Commissioner

sion, with the approval of the Governor, is empowered to classify all positions under its jurisdiction as either exempt, non-competitive or competitive. Positions which involve policy forming functions are placed in the exempt class because it is deemed impracticable to fill them by either competitive or non-competitive examinations. Positions are placed in the non-competitive class when it is found impracticable to fill them by a competitive examination which will adequately test the relative merit and fitness of candidates to fill such positions. All positions which are not classified as exempt or non-competitive are automatically in the competitive class.

The Non-Competitive Class
As the number and size of State

institutions has grown in the last few decades, the non-competitive service has increased enormously. It has not been that new types of positions have been placed in this class, but thousands of new employees have been added to the services already classified as non-competitive. There were two reasons for the original assignment of these institutional positions to this class: First, at the time, means of competitive examination had not been devised to measure the necessary qualifications on a competitive scale; second, it was felt that these poorly paid positions could best be filled by selection from among residents of the areas in which the institutions were located.

The advancement in examination methods of recent years has called for a reconsideration on a wide scale of the possibility of bringing into the competitive class many positions, which have heretofore been deemed incapable of filling by other than non-competitive examination. Accordingly Governor Lehman, in 1939, created a special committee to examine the possibilities for and to recommend, where feasible, the reduction of the number of positions in the non-competitive class in State institutions.

The committee includes Civil Service Commissioners Grace A. Reavy, Chairman of the Committee; Howard G. E. Smith and Howard P. Jones; H. Eliot Kaplan, Executive Secretary of the Civil Service Reform Association; Lieutenant-Governor Charles Poletti; John T. DeGraff, Counsel to the Association of New York State Civil Service Employees; Hon. Edward P. Mulrooney, formerly Commissioner of Correction; Mr. Earl Brown, Editor, *The Amsterdam News*; Mrs. Douglas Moffett, formerly President, New York State League of Women Voters; Dr. Frederick W. Parsons, formerly Commissioner of Mental Hygiene; Professor Rodney W. Mott, Colgate University; Hon. Homer Folks, Secretary of the State Charities Aid Association.

The non-competitive class of the State service numbered 19,934 persons and after careful study and consideration of the methods that might be adopted in extending the competitive class, it was resolved to reclassify by placing incumbents in the competitive class without further test and filling future vacancies by competition.

The methods rejected were:

1. By subjecting the positions to open competition.
2. By requiring the incumbents to pass non-competitive qualifying tests, with separation from service of those failing in such tests.

Each plan had its disadvantages and since it has been held by the courts that in transfer of positions from the non-competitive to the competitive class, incumbents of the positions are also reclassified, it seemed expedient to accomplish by resolutions approved by the Governor this desirable change without impairing the efficiency of our State institutions or endangering the welfare of the helpless wards of the State. On June 28, 1940, State-wide examinations were held for Hospital Attendant, 15,952 persons competing, after an extraordinary campaign to attract candidates to this humane work. 14,856 persons passed and zones were set up with branch offices in Rochester, Utica and Poughkeepsie, which, with the New York office of the Commission, are centers for the four zones and enable the personnel technicians assigned to these centers to expedite the certification of eligibles on the Hospital Attendant list to the State Institutions requesting them. Through the efforts of this Committee, about 12,000 non-competitive positions in the institutions of the State Department of Mental Hygiene were transferred to the competitive class on January 1, 1941, and the work of this committee will continue for the further study of other non-competitive positions.

I Classification Division

This unit, headed by the Classification Board, was created in 1938 for the purpose of according to the various positions in the State service titles which adequately and accurately describe the duties and responsibilities of such positions so that the incumbents thereof can be placed in the appropriate occupational service and salary grade, set up under the Feld-Hamilton Law. Appeals from the determination of the Classification Board, in classifying these positions, can be taken to the Civil Service Commission for final disposition. This Division also creates job descriptions and passes on the appropriateness of eligible lists to fill vacancies.

II Recruitment

After positions have been classified, the problem of recruiting the personnel to fill these positions becomes the concern of the Examinations Division. Examinations are authorized to fill a vacancy when there are no preferred, promotion or open-competitive lists appropriate for the purpose. When an open-competitive examination appears necessary, the appointing authority in the agency where the vacancy exists is required by the Commission to post a notice for 15 days to the effect that an open competitive examination is to be held. This is designed to permit employees who deem themselves entitled to an opportunity to compete for the position by way of promotion, to present their objections to the open-competitive examination.

When an authorization for an examination is received by the Examinations Division, it is assigned to an examiner expert in the occupational field in which the position involved falls. An announcement is prepared setting forth the duties and responsibilities of the position, the salary attached thereto, the various subjects upon which the candidates will be examined and the weights accorded to each subject. When applications are received, the examiner determines which applicants are qualified to compete and rejects those which lack the announced minimum standards. Fees originally received in the Accounts Bureau, along with all applications submitted, are returned only where an application has been disapproved. Fees received from October, 1939, through February, 1941, totaled \$105,000.

After the examination is prepared by the examiner it is shipped to the examination centers of which there are 34 in which the various candidates have chosen to compete. Where candidates for examinations are outside the State on the examination date, the Department tries to arrange for them to take the examination under the supervision of an examiner stationed nearest the place at which the candidate expects to be. This problem has been accentuated by the selective service program. At present, the cooperation of Army officials has been obtained to permit the State to conduct examinations in Camp Dix, New Jersey, Fort Benning, Georgia, and Fort McClellan, Alabama.

In connection with the conduct of examinations a new finger-printing bureau has been set up which has charge of the finger-printing of all candidates who compete in civil service examinations. This permits a check on the candidate's court record which may not have been disclosed by him on his application. Furthermore, the comparison of an appointee's fingerprints at the time of appointment with those taken at the time of the examination insures that the candidate who was successful in passing the examination is the same one who is being appointed.

After an examination has been conducted, the papers are rated. The use by the Examinations Division of special answer sheets which permit the rating of short answer type questions by machine has greatly expedited the promulgation of eligible lists where competition has been large. Furthermore, the printing of the eligible rosters themselves is now performed by special machinery. This machinery, operating upon cards punched to indicate the data involved, can not only arrange the cards of each candidate in order of standing on the list, but can sort them out according to the place of residence, salaries acceptable, etc., greatly facilitating the work of the Certification Bureau. This Bureau, under the Administration Division, receives requests for lists of persons eligible for appointment to vacancies in the various State, county and village agencies for which lists have been promulgated. After obtaining the title of the appropriate list from the Classification Division, this bureau certifies the names of those persons who are eligible for appointment.

In the rating of promotion examinations a mark, representing a service record rating, must be considered. This rating is given by the appointing officer in whose agency the candidate for promotion is employed. Such ratings are required to be made in accordance with recently promulgated rules and regulations of the department covering this phase of the examination work. The service record ratings are transmitted to the Evaluation Unit in the first instance whence they are forwarded to the Examinations Division. The Evaluation Unit examines the ratings for deviations from the rules and for manifest errors. Improper ratings are ironed out with the ap-

pointing authority before they are used. Provision is made by the rules for the allowance of special service credits for unusually meritorious service. On the other hand, employees whose work during the past year has not been entirely satisfactory may be given a rating of less than 75%, which has the effect of barring promotions and salary increments or adjustments. Where unsatisfactory ratings are given, justification must be shown and the employee aggrieved is given an opportunity to request a revision upward. The use of service record ratings to withhold salary increments from unsatisfactory employees not only saves the State the expenses of rewarding unworthy servants but has the effect of spurring worthy employees to greater effort.

Another element in promotion examinations is "seniority." This is rated on the basis of the time actually served by a candidate in the service, be it State or county, in which he seeks promotion.

In the rating of "training and experience," another subject of examination, due consideration is given to the education and experience which the candidate offers.

For some examinations, oral interviews are conducted for the purpose of checking the statements made on the application and for rating qualities of the candidate which cannot be tested by written examinations.

For tests requiring stringent physical requirements, a medical and physical examination is conducted under the direction of an examiner.

After the final averages are computed, candidates who have established their claims for disabled veteran's preference are placed at the head of the lists in the order of their final marks.

When the list is ready for promulgation, it is submitted to the Executive Director of Administration and Examinations for signature. When a list is promulgated it is in force for at least one year but may be extended for an additional three years.

Upon the announcement of the results of an examination, candidates who feel themselves aggrieved by the ratings received by them are accorded an opportunity to file a memorandum in support of their contentions. This is considered by the Examinations Division which submits a

memorandum on its own behalf. The matter is then submitted to the State Civil Service Commission which assigns the appeal to the Committee on Appeals. The Committee then reports and the Commission either allows or dismisses the appeal.

After lists are promulgated and appointments made therefrom, payroll cards are prepared by the Payroll Division of the Department. These records are kept for the purpose of checking against the payrolls submitted by the various State, county and village agencies subject to the jurisdiction of the Department. These records are also invaluable for the purpose of determining seniority in the event of a promotion examination or of a lay-off. Upon these cards are also noted the Feld-Hamilton service and grade, the salary received, leaves of absences, resignations, etc. When an employee is separated from service, his card is transferred to a permanent file. A project was instituted last year to bring forward upon one card the past service record of every employee now in service.

For the county, village and town services the State Commission holds separate examinations for each such county, village or town to which the rules have been extended. (Very few villages and towns now are under the rules, as already pointed out). The State commission exercises practically the same functions in such civil divisions of the State as it does in the State service proper. At present Nassau County has its own civil service commission whose functions parallel those of the State commission. Westchester County under its new charter adopted last year has a personnel division under the county president, but the State Commission continues its jurisdiction over examinations and classifications.

Each city of the State is required to have its own civil service commission (sec. 11, Civil Service Law), with functions and duties in its local jurisdiction similar to those exercised by the State commission. A bi-partisan commission of three members, appointed by the mayor or other appointing authority of the city, for overlapping terms of three years exists in each city. In New York City, Buffalo and Rochester the municipal commissions have a relatively substantial staff. In the other cities they are generally manned by a clerk or two, and in the small cities the

commission exists in name only. The funds available for the use of these commissions are often scanty.

The Governor may remove any member of the State Commission upon charges after a public hearing. Municipal commissioners may be removed by the mayor or other appointing authority of the city upon charges after a public hearing. The State commission may also remove any municipal commissioner by unanimous vote after a public hearing, and with the approval of the Governor.

The State Commission exercises a supervisory control over municipal commissions, although each municipal commission enjoys virtually complete autonomy in its own jurisdiction. The State commission has a veto power over the rules of any municipal commission and any change in such rules must be approved by the State commission. The same is true with regard to the new county commission in Nassau County. The State Commission by unanimous vote may adopt any rule or change any rule of any of the local commissions. The State commission may investigate the administration of the Civil Service Law in any municipality. Both the State and municipal commissions have power of investigation within their own jurisdictions, and may administer oaths and issue subpoenas for the attendance of witnesses and the production of records and documents. Finally, neither the State Commission nor any municipal commission has ever had appropriations sufficient to carry out the necessary duties prescribed by law, let alone to undertake new tasks.

The annual budget of the Commission for 1940-41 was \$442,500. It has a staff of more than 75 permanent employees and a considerable number of temporaries, serving from one to six months as the needs of the service require. Included in the executive positions are the executive officer, who is the administrative head of the office, the secretary, the chief examiner in charge of examination division, the legal adviser to the commission and the assistant secretary. There are about twenty-five examiners, a few research aids and a fair-sized clerical staff.

Friends of progressive and efficient public administration are grateful for Governor Lehman's vigor

(Continued on page 105)

How 1400 Saves Millions

BY

LT. COL. NICHOLAS W. MULLER
*Executive Director
State Insurance Fund*

How 1,400 State employees, organized in a State agency whose operations are similar in many respects to those of a large mutual insurance company, serve the workmen's compensation insurance needs of labor and industry in New York State, is a unique and colorful story of State government and State service, and an outstanding example of "business in government."

The agency is The State Insurance Fund, which today furnishes compensation insurance protection to more than 44,000 New York State employers and to their million or more employees, with wages of more than one billion dollars annually.

The industrial speed-up resulting from the national and State defense programs has brought added responsibility to employees of the State Fund. In such times accident frequency usually increases greatly, with a consequent increase in the number of compensation claims, and effective accident prevention becomes vitally important in assuring conservation of man power. To meet these conditions the safety activities of the State Fund have been intensified and extended, and a large force of safety engineers is aiding industry in safeguarding workers, giving particular attention to the accident hazards inherent in the defense work.

The men and women in the State service who compose the personnel of the State Fund perform widely diverse duties. Underwriting requires expert and broad knowledge; accident prevention services take many forms; claims work involves investigations, hearings, payments and many related activities; medical services are of all types; acquisition of business, legal problems, actuarial calculations, payroll auditing, investing with safety many millions of dollars—all these call for employees with specialized knowledge.

In addition State Fund employees face a responsibility unusual in State service. On their efforts and performance depends the ability of the State Fund to meet the competition of the largest and best organized

private insurance companies in the country. No employer is required to insure in the State Fund. Therefore the State Fund can be successful in providing its humanitarian and economic benefits only by rendering superior services at lower cost. This it has been able to do.

The employees of the State Fund have a close personal interest in the organization's success also because their salaries are paid out of the State Fund's premium income and are not a State government expense.



LT. COL. NICHOLAS W. MULLER

The State Fund is entirely self-supporting, and its employees therefore, like those of private insurance companies, have a strong incentive to give their best efforts toward maintaining and extending the organization's services.

To aid in the individual development of employees, so that they may fit themselves for larger responsibilities, the management of the State Fund makes available an all-inclusive educational program.

A series of lectures on the many phases of compensation insurance is given during the year in each department, followed by open forums on the subjects presented. These lectures are widely attended, and with the ensuing discussions, constitute an effective means whereby employees may fit themselves for more important positions, and increase the

efficiency of the State Fund's services in general.

All State employees, under a policy held by the State of New York, are covered by the State Fund's insurance. The State policy was issued when State employees were brought under the protection of the workmen's compensation law in 1917, and since that time the State Fund has provided insurance protection to all men and women in the State service. The employees of several hundred municipalities and political subdivisions in the State also are insured in the State Fund.

The State Fund is dedicated wholly to public service. It is a non-political institution, created by the State to furnish compensation insurance protection, mandatory under the law, to ANY employer, at the **LOWEST POSSIBLE COST**, and to guarantee to employees of its policyholders all the benefits to which they are entitled under the law. It makes no profits—all excess of premium and investment income over benefit payments and expenses accrues to the benefit of policyholders.

The State Fund began operations July 1, 1914, and within six months it had enrolled about 7,000 policyholders in spite of the active competition of the best known and most efficiently organized private insurance companies in the United States.

The State Fund had no capital and no guarantee fund at the start, its cost of maintenance being included with the general expense of administering the compensation law. So quickly, however, did the State Fund establish a sound financial position that in 1916 it was placed on a completely self-supporting basis by legislative enactment. Since that date the State Fund's expenses have come out of its own income, and the tax funds of the State have been relieved of any burden on the State Fund's account.

In spite of many unjustified attacks by competitors, the State Fund progressed steadily and in 1928 became the largest carrier of compensation insurance in the State. On a comparable rate basis the State Fund writes a larger volume of compensation premiums in New York

State alone than any private insurance company writes in all states in the country combined.

The State Fund in 1933, in common with all compensation insurance carriers, was faced with a serious problem in arranging coverage for employers for their common law liability for claims arising out of occupational diseases not included in the compensation law, particularly in connection with silicosis. To meet these conditions as effectively as possible the State Fund established a special dust hazard group under a plan that gave equitable treatment to its policyholders entitled to this common law coverage, without endangering the interests of other policyholders who had no such hazards.

Two years later, when occupational diseases became compensable by law, the supreme importance of the availability of the State Fund's coverage became strikingly evident. At that time many employers whose operations involved dust hazards were refused coverage by private insurance companies. Fortunately these employers were able to get the protection required by law from the State Fund. Had they been unable to do so, they might have been forced out of business or compelled to move their operations to some other State, thus throwing thousands of New York State workers out of employment.

Many of these accomplishments of the State Fund in aid of industry are not widely known publicly. It is not generally recognized, to cite an instance, that through the State Fund's special group plans of insurance entire industry groups in the State have been able to lower their insurance costs far below previous figures. Likewise there is little public knowledge of the fact that the State Fund aids industry by supplying a very necessary "yardstick" for compensation premium rates.

Shortly before 1938 the volume of business done by the State Fund became so great that the organization's administrative and service facilities were vastly overtaxed. Also the growing complexities of administration of the State Fund placed too great an added responsibility on the Department of Labor. These conditions were laid before Governor Lehman early in 1938. On his recommendation, the Legislature enacted an amendment to the compensation law, effective July 1 of that

year, under which the management structure of the State Fund was effectively reorganized and placed on the basis necessary for handling the State Fund's extensive services and for providing future expansion.

Under this amendment administration of the State Fund, previously vested in the Labor Department, was made the responsibility of a Board of eight Commissioners appointed by the Governor, each Commissioner being an employer or executive officer of an employer insured in the State Fund. The Commissioners serve three year terms of office. They receive compensation only on a fee basis similar to that used in compensating boards of directors in private business. The In-



REACHING FOR A FALL

dustrial Commissioner also serves as a Commissioner, ex officio. The direct management of the State Fund was assigned to an executive director, assisted by a deputy executive director.

Thus the State Fund today is on an administrative basis adapted to its business needs and elastic enough to deal efficiently with future growth. Policyholders now have a share in the responsibility for the public services of the State Fund—an outstanding example of "business in government."

Industry today is cooperating with the State Fund closely and on a wide scale. Voluntary organizations of policyholders, known as Policyholders' Advisory Councils, have been formed in various districts in the State. The members of these councils, all representative business men, wholeheartedly give their time and

interest in cooperation with the officers of the State Fund in solving mutual problems for the benefit of industry in general.

The State Fund gives an advance discount of 25 per cent on compensation insurance rates to standard risks in the General Group, a benefit made possible by the economy of the State Fund's operations. Since 1914, policyholders in the State Fund have saved more than \$60,000,000 in insurance costs over what they would have paid in non-participating private insurance companies.

Policyholders in the State Fund represent both "small business" and "big business." They range from employers with only one employee to great corporations employing thousands of workers. They represent all lines of business and present a cross section of industry in New York State. These policyholders are served through the State Fund's home office in New York City, its district offices in Albany, Syracuse, Rochester and Buffalo, and its branch offices in Elmira, Binghamton and Newburgh.

The 1,400 State employees who as the personnel of the State Fund render these services may well be proud of their accomplishments.

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The Capitol Beat

A new STATE EMPLOYEE feature, reviewing briskly what's happening on Capitol Hill month by month behind the office desks of department heads.

Seven of every ten persons who lost their lives in traffic accidents in New York State during January were pedestrians, Motor Vehicle Commissioner Carroll E. Mealey announced.

Deaths numbered 182; injuries, 2,608. Eleven children lost their lives, five while playing in the streets, two while crossing between intersections and two while crossing against traffic lights.

★ ★ ★

The State cigarette tax law was 19 months old when the Department of Taxation & Finance recently began its first prosecution of a violator. Charged with possessing for sale an unstamped supply of ciggies, a Brooklyn barber paid the maximum penalty—\$50. Soon after, a cigar store proprietor of the same borough pleaded guilty and coughed up \$5 fine for the same offense.

★ ★ ★

Interest earnings on New York's Unemployment Insurance Fund, since its creation in 1936, have climbed above the eleven and one-half million dollar mark, according to Milton O. Loysen, executive director of the D.P.U.I. During 1940, \$4,651,847 was added to the fund which, added to previously accrued interest, totals \$11,680,259.

★ ★ ★

Out again, in again . . .

Income tax blanks, mailed out by the Department of Taxation & Finance, weighed 36 tons, filled 1,200 mail bags, took a big load off employees' shoulders. There were 1,200,000 of them, mailed at a cost of a cent apiece.

By April 15, deadline for filing, the blanks will be dumped right back on employees' shoulders again. It's a vicious cycle, they say.

★ ★ ★

Drunken driving and public intoxication is less of a problem since repeal of prohibition—or so the State Liquor Authority insists, providing Corrections Department figures to prove it.

During the last three years of the Prohibition experiment, when the 18th amendment was law, intoxicated drivers numbered: 4,678 in 1930, 4,021 in 1931 and 2,869 in 1932. Last year, slightly more than 1,300 tipsy drivers were convicted.

Nor has repeal harmed the soft drink industry, according to the U. S. Census Bureau. Soft drink output in 1939, says the Bureau, climbed to \$362,973,485 from a 1937 level of \$279,676,052.

★ ★ ★

If you had all the money in the banks of the State—you'd have \$12,147,000,000, or something like that.

That's the amount of deposits on hand according to the books of State Superintendent William R. White. The figure represents the close of business October 2, 1940. It's an all time high.

★ ★ ★

The 1940 hunting season in New York State cost 28 human lives and brought varying degrees of injury to 159 others, the Conservation Department reports. And it seems the deer hunters suffered most. Thirteen died.

Of them, three were drowned, two died of heart attacks and eight met death by bullets either from their own guns or from those of companions. Rabbit hunting killed two, injured 41 others.

Pheasant hunting occasioned three fatalities, plus injuries to 30. Safest of all, decided the department, is duck hunting, linked to a sole death during 1940 and that was the passing of a middle-aged man enroute to duck hunting grounds. He died of a heart attack.

★ ★ ★

The 12 months of 1940 saw 16,040 stock companies incorporated in the State, 7,007 of which were credited with a capitalization of \$149,101,903.85. That's against 16,113 in 1939 with a \$179,512,376 aggregate.

It's a drop of course, but Secretary of State Michael F. Walsh still thought the figures "encouraging, considering the unsettled conditions in the world today.

"They indicate," he surmised, "that business is maintaining a strong, steady level."

Uncle Sam's army may be getting bigger and bigger but it still isn't big enough to eat all the beans.

Total supply throughout the nation, says the State Department of Agriculture & Markets, is estimated at 17,500,000 bags of 100 pounds each, because of good yields and a large carryover from 1939.

This means, said the department, that after allowing for additional requirements of men in military establishments, at least 1,000,000 bags more than last year must be consumed to keep the carryover down to manageable size.

That is why grocers ran that "mid-winter bean sale."

★ ★ ★

Nearly 40 years ago, 1,000 pines and spruces were set out by the old Forest, Fish & Game Commission, forerunner of the Conservation Department, on Wittenberg Mountain in the Catskills.

Since then, reports the department, more than 598 million young forest trees have been sent out from State nurseries for reforestation in all parts of the State.

★ ★ ★

\$60,175.26.

That's what it cost 4,203 persons to violate the Conservation Law during the fiscal year ended last June. Game protectors, who made the arrests, traveled more than 3,541,000 miles, averaging 22,000 miles during the year.

★ ★ ★

Tuberculosis is fighting a losing game in New York State. Resident death rate due to the disease declined again in 1940, continuing a 14-year course.

Dr. Robert E. Plunkett, Health Department's general superintendent of tuberculosis hospitals, said the TB death rate, exclusive of New York City, was 36.3 per 100,000 population in 1940 as compared with 74.6 in 1926.

"Whereas 2,200 persons died of tuberculosis during 1940, had the rate remained the same as 14 years ago, 2,300 additional residents of the State would have succumbed," said he.

★ ★ ★

Sold during 1940—18,000,000 gallons of liquor of the classification

containing more than 24 per cent alcohol. So reports Tax Commissioner Mark Graves. Corresponding gallonage for 1939 was 16,519,328; 1938, 15,807,836; 1937, 16,455,286.

Meanwhile, beer consumption dropped off somewhat, aggregating 248,951,065 gallons, a loss of 7,394,819 compared to the previous months. Beverage tax collections during 1940 totaled \$36,716,760.23, compared to \$30,830,521.86 in 1939.

★ ★ ★

The Unemployment Insurance Benefit Section of the Tax Department handled more than 8,000,000 check transactions involving close to \$99,000,000, during 1940, but balanced its books "to the penny."

Benefit checks aggregating \$265,000,000 cleared the bank during the two years and 11 months since the first unemployment insurance check was issued. Net number of checks issued during that time was 21,247,114.

★ ★ ★

The reported take of game for New York's 1938 hunting season discloses a general upswing in the abundance of most species, particularly cotton tail rabbits, grouse, pheasants and woodcock. In all, over 250,000 pieces of game were listed as killed, says a Conservation Department index.

Fishing during the same year also improved. Information on license stubs, said the department, shows that 6,256,389 fish comprising 10 different species were taken from Empire State waters by 125,000 licensees.

★ ★ ★

Approximately 10 per cent less building construction was projected during 1940, says the the Labor Department. Residential construction was down nearly \$50,000,000 while construction other than betterments held the 1939 level. Dollar volume of permits issued by the department: 1939, \$344,251,086; 1940, \$308,353,905.

"When new construction, especially residential, falls off to any marked degree betterments rise as a counter balance," says the department. "If people cannot build new homes then they spend more on the alteration and repair of old ones."

Betterments in 1940 were \$77,643,487 against \$65,143,171 the year previous. Residential construction was \$167,028,433.

The Story of a Bill

(Continued from page 81)

printed each time amended and cannot be passed in final form in either house unless they have been upon the desks of the members for three legislative calendar days. This is a constitutional requirement. The Governor, however, may send a message dispensing with this three-day requirement and state the facts in his opinion which necessitate the immediate passage, in which case the bill must be upon the desks of all members in final form, but not necessarily printed, before final passage.

This message does not mandate the Legislature to pass the legislation but enables it to overcome the three-day requirement. The Governor, on the other hand, does not commit himself for or against legislation on which he sends this message. It is sent in the interest of expediency only and the legislation is considered by him when he actually receives it.

May Be Recalled

A bill after it has passed both houses of the Legislature may be recalled from the Governor by the introduction and the adoption of a resolution for that purpose. On its return to the Legislature, if the Governor so desires to return same, the bill on reconsideration may be amended or it may be referred back to the committee from which it originated. If it is amended, it is restored to the order of Third Reading and may be repassed and sent to the Governor again in regular order.

A bill may be advanced without regard to regular order in either house, by unanimous consent or by a suspension of the rules up to the point of final passage.

Constitutional Amendments

Concurrent resolutions proposing an amendment to the Constitution must be transmitted in original form and each time amended by the Legislature to the Attorney General for his opinion. The Attorney General is required to report back within twenty days setting forth his opinion as to whether or not the proposed amendment is in conflict with the present Constitution or any other reason he may deem desirable. When this is done, the proposal is considered in the same manner as a bill. It has been held, however, that in

the absence of an opinion from the Attorney General the passage of the proposed amendment is not impaired.

An amendment to the Constitution to this effect has already passed one Legislature and is expected to be acted upon favorably by the present Legislature and if passed, will be submitted to the people at the next general election for consideration. After a proposed amendment to the Constitution is passed by both houses it is sent to the Secretary of State for filing and does not require action by the Governor.

The Secretary of State provides for the publication of such proposed amendment three months before the next general election of Senators and Assemblymen. After it is passed by two separate and consecutive Legislatures, it is submitted to the people at the next general election and if adopted, becomes part of the Constitution, and if rejected, of course, it has no effect.

A resolution to ratify an amendment to the United States Constitution is considered in the same manner as a bill.

10 Day Bills

During the session of the Legislature, the Governor has ten days, exclusive of Sundays, in which to approve or veto a bill. If he does not take action within that time, the bill becomes a law. If it is vetoed by him it may be enacted into law over his veto by a two-thirds vote of each house of the Legislature.

30 Day Bills

All bills passed and delivered to the Governor during the last ten days of the session are treated and are known as thirty-day bills, upon which the Governor has thirty calendar days after the Legislature adjourns sine die within which to take action thereon. All bills not approved by the Governor during that period have no effect and die.

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The Annual Dinner

(Continued from page 77)

leadership in the past and the fact that we have never sponsored any unreasonable program. This has been responsible for our progress.

"The Career Law has operated to great advantage to the employee and the State. This law has developed keener competition for original appointment and promotion. Competitors prepare more zealously. Promotion is the reward of effort. All of this has resulted in a higher standard of efficiency.

"At the recent budget hearing organized groups appeared in great numbers from all parts of the State. Only two or three opposed the employees' increments. This we consider a high compliment to the judgment and action of the Governor and the Legislature in placing the law on the statute books.

"Our Association has been studying for a long time the extension of the Career Law to our co-workers in the institutional service. We shall soon present to the Legislature and then to the Governor our views on this important subject. We confidently expect the same encouraging and helpful consideration heretofore given to us.

"A major contributing factor to our successful accomplishments and the administration of the Association's affairs, for the past six years, has been the unselfish and devoted service and leadership of our former President, Charlie Brind. We are pleased to pay him our highest tribute tonight and express our deep gratitude for his untiring efforts in our behalf. Charlie, we extend every good wish to you in your new position. We hope that you, your charming wife and family will continue to enjoy every happiness in all your efforts.

"On behalf of our Executive Committee and all our members I am privileged to present you with this engrossed resolution, testifying to our esteem and high regard; and this special moving picture equipment which we hope will give you much pleasure. We assure you your wise counsel will always be welcome."

The Social Committee, ably aided by the Executive Secretary, Joseph D. Lochner, brought praise from all present for the excellent arrangements made for their enjoyment.

The following comprised the Social Committee:

Thomas Stowell, Chairman; Francis Griffin, Beulah Bailey Thull, Hazel Ford, Frances Sperry, Jesse McFarland, Grace E. Keck, John J. Joyce, Nini Foran, Mary Meany, Lillian Hyatt, Mildred Meskill.

Chairman Stowell, as master of ceremonies, held the spotlight as on previous occasions and surprised and delighted all with the skit "If we had our way on Capitol Hill" starring charming Annette McCullough, and the versatile Secretary to the Governor, Walter Brown.

Frankie Masters and his nationally famous orchestra featuring Marion Frances and supporting stars, furnished lively entertainment and opportunity for dancing until two a.m.

The Dinner was held at The Club Edgewood, East Greenbush, N. Y.

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Chapter News From

Hudson News

The following officers have been elected for the year 1941 for the Hudson Chapter of the Civil Service Association: Clinton A. Stickles, president; Eleanor Monahan, vice-president; Lela Church, treasurer; Froni Kandiko, secretary.

The following Unit Representatives were elected on January 20 to serve for the year 1941: Farm, Alice Green; Matrons, Mary White; Asst. Matrons, Eliza McGinn; Office, Mildred Bowman; Teachers, Mrs. Eliz. O'Rourke; Grounds and Mechanics, Willard Jensen; Power House, Alexander Schriver; Health, Dr. Mary Wend.

Maurice Taylor, who has been employed in the Grounds and Mechanics Department of the School for over 16 years, was the only man drafted from the staff of this school. He passed all the qualifications in the A-1 class and left for one year's training in the 105th Infantry, Fort McClellan, Alabama, on January 20.

Mr. Taylor is one of six men in his infantry to win a reward recently for marksmanship. He is very enthusiastic about camp life in his letters to friends at the School.

Hudson Chapter Elects

Mrs. Nell Robbins, for over 12 years an employee of the New York State Training School at Hudson, died March 7, in Hudson City Hospital, following an operation.

Mrs. Robbins came to the School in 1928 and worked as Housemother until 1931, when she took the position of Instructor in the Bakery Department. She held this position until her death. She was greatly beloved by all her fellow workers, and was an active member of the Hudson Chapter of the Civil Service Association. She had been planning to retire in about a year.

Mrs. Robbins came to Hudson from Minnesota where for five years she had managed a department store. She has also held positions in Montana as a billing clerk.

After a simple service attended by her many friends in Hudson, the remains were sent to Iowa, where her daughter, Mrs. Mildred Hale, is residing. She is also survived by her son, Daniel Robbins of Montana.

Wassaic Chapter News

Regular monthly meeting of the Chapter was held March 10th. J. Gordon Flannery, Dutchess county judge, was guest speaker who gave a very interesting talk on Unity, touching on subversive activities in this county and the U. S. A.

A Credit Union is being formed by members of the Chapter. More details will be forthcoming later.

The following employees enlisted in Uncle Sam's Army the latter part of 1940: Franklin Selfridge, Everett E. Wilkinson and Arthur B. Carey.

Linwood Bauer and Joseph Kearsey were inducted in February. Linwood is now stationed at Fort Benning, Georgia, and Joe is at Camp Wolters, Texas, for the present. These boys have the laugh on us being 'way down South where the sun shines warm while we are digging ourselves out of a small blizzard.

The boys who were drafted March 13th were: Stephen J. Keseg, Frank Olah, Stanley Bator and Gailaird Wing.

The Chapter sponsored a card party St. Patrick's Day with Rangs-wald Brusie in charge.

The employees' basketball team, The Wassaic Redskins, have won second place in the league and the play-off games with Harlem Valley State Hospital five, holders of first place, will start the week of March 18th.

The following attended the Annual Dinner and Dance of the Association at the Edgewood, March 6th: Alice H. Murtagh, Association Representative; Grace Odell, Chapter Secretary; John O'Brien, Chapter President; Virginia Olmsted, Gladys Heckendorn, John Tasick, John Hayden and Walter Duncan. Mrs. Murtagh also attended the luncheon at noon at the Wellington.

Berkley Mackey was called into the regular Army Reserve in February.

The Nite Hawks won first place in the Men's Bowling League by taking three straight from the mechanics, March 13, 1941.

In the Ladies Bowling League, the Old Golds are in the lead with nine games to go.

Attica Activities

On Wednesday, March 5th, the Guard Personnel of Attica State Prison held a farewell dinner at the Old Stage House in Attica, in honor of Thomas O'Neil, who has resigned his position as industrial foreman in the prison, to accept a similar position with the Federal service in Lewisburg, Pa. There were about fifty employees attending. Robert T. Reed was toastmaster. Short speeches wishing Mr. O'Neil success in his new undertaking were given by Assistant Principal Keeper Fred J. Brummell, Captain Thomas E. Shea, Lieutenant Richard J. Beachman, Reverend Terrell and Reverend Father Mellerski, and others. A handsome 21-jewel Elgin watch and chain was presented to Mr. O'Neil as a token of friendship.

On Tuesday, March 4th, the employees of the industrial departments of the prison also gave a testimonial dinner to Mr. O'Neil at De-nault's Restaurant, at which time he was presented with a radio.

The Attica State Prison Chapter will hold its ninth annual Easter Dance, Monday, April 21st, at the Richmond Hotel in Batavia, N. Y. Dancing will be from 9:30 to 1:00, with music furnished by Dorschied and Fiorella. A record attendance is anticipated.

Syracuse Credit Union

Annual accounting of the Federal Credit Union of the Syracuse State School Employees showed a balance of \$15,312.89 in savings, with loans outstanding for \$15,807.63. Membership now totals 211 and for the third successive year a six per cent dividend was possible on all paid-up \$5 shares.

Andrew Letham, treasurer, said members saved \$6,405 during 1940, whereas loans summed up to \$30,354.52.

Elected for 1941 to the board of directors were Frederick J. Kruman, Albert Stevens and Mr. Letham; to the credit committee, Patrick J. Donohue and Earl J. Mackinstry, and to the supervisory committee, Frank E. Coleman, Bernard J. Colum, and Mrs. Margaret Ashby.

All Over the State

Tax Employees Dance

The Mechanical Division Good Will Association of the Department of Taxation and Finance, Albany, which has in the past sponsored a number of enjoyable social functions, will hold an Easter Dance at the Fort Orange Legion Hall, New Scotland Avenue, Albany, Wednesday evening, April 16th. State workers are invited to attend.

The Committee in charge of arrangements for the dance is headed by George W. Hayes and Robert J. Pauley. Lew Staley's Orchestra will furnish the music.

Tickets for the dance may be secured from the following employees of the Tax Department: Agnes Doyle and Kenneth Clark, Room 523, State Office Building; Florence McEntee, Room 414; Mary Casazza, Room 210; Raymond Hanifan, Income Tax Files; Aaron Winig, Room 212; Gerald Ryan, Annex Building; Frank Devane, Room 809; Alice Walsh, Room 204; Irene Wolcott, Telephone Bldg.; William Wright, Drislane Bldg.; Harry E. Kennedy, Room 501; and Tom Fealey, Annex Bldg.

Letchworth News

State Association dues have been collected from 556 employees in Letchworth Village at Thiells in Rockland County. Of this number, 529 have paid their chapter fees.

At a party March 7, in the club-rooms, prizes were given to those winning recent chapter contests. Prize winners: pool, Joseph Shaler, first; Patrick Gribben, second; and Harry Dardess, third; billiards, William Dunlop, first; Joseph Shaler, second; Harry Dardess, third; ping pong, Dr. Thomas Cassara, first; George Zoobuck, second; Morton Deutsch, third; cribbage, David Clark, first; William Holmes, second; Charles Veal, third; pinochle, Joseph Shaler and Charles Fader, first; David Clarke and Rudolph Hommel, second; James Burr and Mary Kitchen, third.

Another pinochle tourney was started March 17.

Dr. W. T. Watts, president, and Albert Chick, delegate, attended the State Association luncheon meeting March 6 in Albany.

H. R. S. H. Meeting

The regular monthly meeting of the Hudson River State Hospital Employees' Association was held March 19th in the Amusement Hall of the institution. Many important matters were discussed.

Valentine McCourt, an employee in the engineering department of H. R. S. H. has recently been appointed as Senior Stores Clerk in District No. 8 of the Department of Public Works at Poughkeepsie. A testimonial meeting was held and a black and gold pen and pencil set was presented to Mr. McCourt.

George W. Magee is the new commodore of the hospital's Yacht Club. To serve with him are: Paul R. Leonard, vice commodore; Valentine McCourt, secretary; Jack Benjamin, rear commodore; and Mrs. Leonard, treasurer. Carlton C. Nuhn will serve with Mr. Leonard and Mr. Benjamin on the bouy committee.

The chapter's golf group, meeting March 4, named Dr. Wirt C. Groom, president; Dr. William J. Thompson, vice president; and George W. Magee, secretary-treasurer. The golf association has 75 members and plans for next season's tournaments are already underway.

A farewell is to be given March 28 by the Hudson River State Hospital Employees' Association in honor of Thomas Hanlon, Inwood supervisor, who completes 30 years and nine months of service March 31.

Members of the Hudson River State Hospital Employees' Association who attended the State Association's annual dinner at Club Edgewood, East Greenbush, are: Mr. and Mrs. August Eitzen, Mr. and Mrs. Howard Chase, Mr. and Mrs. Raymond A. Joyce, Louis I. Garrison and Mr. and Mrs. James McCollum.

Larrabee Heads Matteawan

Matteawan State Hospital Employees, meeting March 6, named Percy Larrabee, head of the occupational therapy department, president for 1941. New vice president is Roy Hennelly; secretary, Yvonne Lahey; and treasurer, Joseph Keating.

The chapter paid its respects to Dr. John McNeill, hospital superin-

Canal Employees Dine

First banquet of the Eastern Chapter, State Barge Canal Employees, crammed Amsterdam Elks' Club with diners Washington's Birthday. Talks by John T. DeGraff, Association counsel, and Assemblyman John F. Bennison of Montgomery County, highlighted the affair.

LeRoy C. Hulburd, assistant commissioner of canals and waterways, and Fred R. Lindsey, chief State electrical engineer, also spoke and W. H. Regan delivered an illustrated lecture on the General Electric Company's "House of Magic."

Present were: R. W. Cameron, Frank C. Gerwig, J. W. Moore, Frank J. Dwyer, J. Elliot Pearson, Stephen LaFarr, Ralph H. Clark, Edward Buckwall, Sidney C. Deming, V. R. Warner, John W. Savage, E. J. Foster, H. I. Easman, William Guiney, S. J. Marosek and D. Slocum, all guests, and these chapter members:

S. Tubbs, E. Wondisford, A. W. Blum, W. F. Galbraith, M. J. Cohan, C. A. Dyer, J. J. Ryan, J. J. Hannan, J. H. Dalton, F. C. Hooker, A. A. Jennings, R. P. Crawford, J. Gillespie, T. J. Welsh, T. H. Veditz, F. M. Turnbull, W. Watermann, F. A. Dalton, E. W. Gardinier, E. J. Mullarkey, H. J. Van Buren, P. L. Falar, C. Morris, M. Manning, S. B. Phillips, E. Melick, R. Lipp, L. D. Smith, C. Pizer, W. H. Brado, E. H. Sheldon, F. Giglio, F. Wonn, D. H. Key, A. J. Lenehan, J. H. Lenehan, V. Monturo, H. Craver, E. J. Huffnail, L. J. Mielcarski, H. L. Linden, J. Dalton, D. B. Caswell, R. C. Hullman, J. W. Fox, R. A. Hamilton, C. Bull, H. Cole, W. J. Cady, F. Muirhead, J. Kane, A. W. Van Vliet, M. J. Toombs, and F. McCauley.

tendent, who aided employees during the year toward achieving better working conditions.

An inaugural ball is being planned for April. Last month the chapter's social club served two suppers. A social gathering takes place every Monday night and the guest list is growing week by week.

An Open Letter To State Employees

For the past five years it has been my pleasure to be associated with State employees through the Group Plan of Accident and Sickness Insurance sponsored by The Association of State Civil Service Employees. During this period, as the representative of Ter Bush & Powell, Inc., I have attempted to service this plan to the satisfaction of everyone concerned.

Of course I realize that slight misunderstandings have arisen in some isolated instances, but practically all policyholders in the plan with whom I have come in contact appreciate the value of the plan and know that I am doing my utmost to be fair in all cases.

This plan of accident and sickness insurance was designed for you, by your Association. It is a very broad, low-cost plan of income protection, available exclusively to New York State employees.

You cannot secure such a broad policy anywhere, at any price, or on such an easy payment plan. Don't permit anyone to advise you that there is some other policy just as good . . . get the complete facts before acting.

Many insurance men throughout the State have told State employees that this is the "best buy".

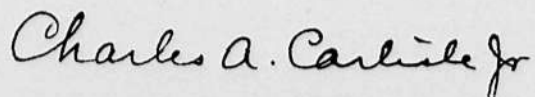
Any policyholder or interested State worker who desires information, on the coverage under the plan, on a particular claim settlement, or anything else, should feel free to write me, and you may be sure that your inquiry will be given my personal attention. If you know of any employee who is not entirely satisfied with his claim settlement or his policy, you could do such an employee a favor—show this letter to him or her and ask that he write me, or you write me for the facts. If I find that our claim adjuster is in error, the matter will be reopened and the claim adjusted to the correct amount. This has been done before, and may be done again.

Above all, encourage your co-workers and friends to investigate this insurance plan now, because it has been of such great benefit to employees unable to work because of accident or sickness, who have received a check every month as a policyholder of this plan. Some day perhaps this friend or co-worker may be disabled.

To you who are insured, permit me to thank you for your cooperation in making the plan an acknowledged success. State workers during periods of accident and sickness disability during the past five years have received more than half a million dollars. This has certainly assisted thousands of families of employees insured under the plan during difficult periods, at times when the bread-winner has been disabled by accident or sickness. It has likewise relieved the policyholder himself of considerable worry and enabled him to recuperate to normal health more rapidly.

Sincerely yours,

TER BUSH & POWELL, INC.
423 State Street
Schenectady, New York



CHARLES A. CARLISLE, JR.

The Morality Players and the Income Tax

(Continued from page 80)

I. Q.: Can you state whether either you or your sister pays substantially more than one-half of the total support of the home?

MR. C.: No, I cannot, but is that important? Isn't one of us entitled to the increased exemption? It would seem to me that where there is a family home being maintained by two or more persons, the increased exemption should be permitted to at least one.

I. Q.: No. That is not so where the facts are such as stated by you.

SISTER OF MR. CHILDS: Do you call that fair? I have permitted my brother to claim the full exemption where, it seems to me, I might have benefited by at least half of the additional amount. Does not the law contemplate that somebody in every family shall be permitted the head of a family exemption?

I. Q.: No, it does not. The Regulations defining the "head of a family" are based on long experience in income tax matters and on a long line of court decisions. The first requisite for the allowance of the exemption is that the person claiming it shall be the CHIEF SUPPORT of some dependent person closely related to him by blood, marriage or adoption. Where two or more persons contribute jointly in approximately equal amounts to the support of one or more persons, it cannot be said that either of such persons is the CHIEF support.

DIOGENES: I am told that erroneous claims for the "head of a family" exemption account for a large proportion of the adjustments made by the Income Tax Bureau on the audit of returns. The claims in large part are based on the thought expressed by Mr. Childs and his sister that, as a matter of right, someone should be allowed the

exemption. This is hardly so where the facts indicate that one person, and one person alone, does not actually furnish the chief support. In the case of divided support, there is no basis for the allowance of an exemption in excess of \$1,000.00.

EPILOGUE

(Stage flooded in light from a bright sun rising in the East—Diogenes, standing erect, has discarded his lantern and is dissertating on the experiences through which he has just passed in 1941 with his new found friend, Mr. Average Tax payer, who has been instrumental in lifting the burden of what might well have been his eternal quest for an honest man.)

DIOGENES: Would that time had permitted me to continue my stay with thee and thy people, but I have seen enough to venture the advice to thee, O Average Taxpayer, to lend thine ear to words of authority regarding thy perplexing problems. Regulations, rules and instructions appear to have been broadcast o'er the land for those who care to lighten their labors in the fulfillment of their duties as citizens. All thou hast to do, in the usual and ordinary case, is to read understandingly the instructions which are forthcoming from the seats of authority so thou may know how best to meet thy duties as a citizen. Had I but more time, it would suit me well to stay with thee and point out lessons concerning many more questions which I know will continue to annoy thee. However, thy authorities will continue to set thee right, if thou wilt but place thy problems with them. So, my friend, Good Bye until we meet again.

(Exeunt)

L. I. Chapter News

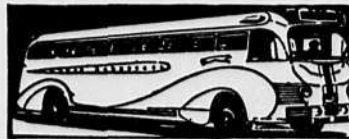
The regular bi-monthly meeting of the Long Island Inter-County State Park Chapter was held at the Wantagh Fire House on Wednesday evening, March 12th. The meeting was called by the president of the Chapter, Clinton Travis. Guest speaker at the meeting was Hon. Judge Norman F. Lent of Rockville Centre, who spoke on the Judicial system. The other speaker was Mr. McKenzie of the photography department of the newspaper, "Newsday." Judge Lent presided over the installation of new officers of the chapter, all of whom were reelected from last year.

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In the Army Now

As the spirit of preparedness overtakes a nation, more and more troops go off to camp for training — and, in them, marches many a State employee. We've listed many who have gone and here are some more you won't be seeing behind departmental desks and wickets until some time in 1941. You'll hear about the conscripts in the next issue.

<i>Name</i>	<i>Department</i>	<i>Date Inducted</i>	<i>Military Organization</i>	<i>Rank</i>
Richard Bacon	Middletown	Sept. 16	Battery D, 156th Field Artillery	Corporal
John Selmes	Middletown	Sept. 16	Battery D, 156th Field Artillery	Private
James Brussel	Pilgrim	Oct. 29	Medical Reserve Corps	1st Lieutenant
Hamilton Emrick	Pilgrim	Jan. 13	Headquarters Company, 102nd Anti-Tank	Private
George Lammel	Pilgrim	Jan. 13	Company B, 102nd Anti-Tank Battalion	Private
Joseph Loeffler	Pilgrim	Jan. 13	Headquarters Co., 102nd Anti-Tank Bn.	Private
Donald Parson	Pilgrim	Dec. 3	Dental Corps, Army Reserve	1st Lieutenant
Alfred Schultz	Pilgrim	Jan. 13	Headquarters Co., 102nd Anti-Tank Bn.	Sergeant
William Whalen	Psychiatric Inst.	Feb. 3	258th Field Artillery	Captain
Thomas Ford	Psychiatric Inst.	Feb. 3	National Guard	Private
Joseph Failo	Psychiatric Inst.	Feb. 3	National Guard	Private
Matthew Ustas	Psychiatric Inst.	Dec. 10	52nd Coast Artillery	2nd Lieutenant
Carlton Schafford	Rochester	Oct. 15	Company A, 102nd Medical Regiment	Corporal
William Walker	Rochester	Oct. 15	Company A, 102nd Medical Regiment	Private, cl. 1
George Green	Rochester	Oct. 15	Company A, 102nd Medical Regiment	Private, cl. 1
Howard Bardwell	Rochester	Oct. 15	Company A, 102nd Medical Regiment	Private
Curtis Rickon	Rochester	Oct. 15	Company A, 102nd Medical Regiment	Private
Donald Witt	Rochester	Oct. 15	Company A, 102nd Medical Regiment	Private
Michael Anthony	Rochester	Oct. 15	Company H, 108th Infantry	Private
Edward Petric	Rochester	Oct. 15	Company A, 102nd Medical Regiment	Private
Roger Preston	Rochester	Oct. 15	Company A, 102nd Medical Regiment	Private
Raymond St. Aubin	Rochester	Nov. 8	Company C, 5th Marines	Private
James Collins	Rockland S. H.	Oct. 15	102nd Engineers, 27th Division	Private
Robert Winne	Rockland S. H.	Oct. 15	102nd Engineers, Company E	Private
Royal Bonville	Rockland S. H.	Jan. 6	Naval Reserve—S.S. Illinois	Corporal
William Walker	Rockland S. H.	Jan. 14	U. S. A. Reserve, West Point, N. Y.	Sr. Dentist
Lafayette Yarwood	Rockland S. H.	Oct. 15	104th Field Artillery	
Charles Cunningham	Rockland S. H.	Feb. 3	National Guard	
John Harrington	Rockland S. H.	Feb. 3	National Guard	
Leslie Howard	Rockland S. H.	Feb. 3	National Guard	
Malcolm Sigourney	Rockland S. H.	Feb. 3	National Guard	
Robert Bautz	Rockland S. H.	Feb. 3	National Guard	
John Ward	Rockland S. H.	Feb. 3	National Guard	
Lloyd Kingston	Rockland S. H.	Feb. 3	National Guard	
Alfred Blakesley	Rockland S. H.	Feb. 3	National Guard	
Phillip Farley	Rockland S. H.	Feb. 3	National Guard	
William Lynch	Rockland S. H.	Jan. 29	Army Reserve	
George H. Petry	Rockland S. H.	Feb. 3	Naval Reserve	
Harry Rainey	St. Lawrence	Nov. 25	Medical Detachment, 26th Infantry	1st Lieutenant
Adolph Desgrosiellier	Utica S. H.	Oct. 15	Company L, 10th Infantry	Private
Sylvester Bissett	Utica S. H.	Jan. 6	Company A, 101st Anti-Tank Battalion	Private
Thomas Hyde	Utica S. H.	Jan. 6	Company A, 101st Anti-Tank Battalion	Private
John Kauth	Utica S. H.	Jan. 6	101st Anti-Tank Battalion	Private
Aubrey Kraeger	Utica S. H.	Jan. 6	101st Anti-Tank Battalion	Private
Orville Mumford	Utica S. H.	Jan. 6	101st Anti-Tank Battalion	Private
Franklin O'Connor	Utica S. H.	Jan. 6	101st Anti-Tank Battalion	Private
Ernest Schreck	Utica S. H.	Jan. 6	101st Anti-Tank Battalion	Private
Russell Suits	Utica S. H.	Jan. 6	101st Anti-Tank Battalion	Private
James Murphy	Willard S. H.	Jan. 27	134th Medical Regiment	1st Lieutenant
Gerald Van Nostrand	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Harold Cuer	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Arthur Christensen	Willard S. H.	Jan. 27	134th Medical Regiment	Private

<i>Name</i>	<i>Department</i>	<i>Date Inducted</i>	<i>Military Organization</i>	<i>Rank</i>
John Doyle	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Arthur Stout	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Wallace Hughey	Willard S. H.	Jan. 27	134th Medical Regiment	Private
E. Grant Baley	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Harold D. Covert	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Elijah L. Grace	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Lewis Brewer	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Walter Van Nostrand	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Frank Rose	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Ettore Morganti	Willard S. H.	Jan. 27	134th Medical Regiment	Private
John Worden	Willard S. H.	Jan. 27	134th Medical Regiment	Private
William Sheldon	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Arthur Bennett	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Joseph Cheroch	Willard S. H.	Jan. 27	134th Medical Regiment	Private
Paul Waters	Willard S. H.	Feb. 10	Battery D, 209th Coast Artillery	Private
Louis Nealon	Willard S. H.	Feb. 10	Medical Detachment, 209th Coast Artillery	Private
Donald Moon	Willard S. H.	Feb. 10	Battery D, 209th Coast Artillery	Private
Glenn Corcoran	Willard S. H.	Feb. 10	Battery H, 209th Coast Artillery	Private
Albert Brown	Willard S. H.	Feb. 10	Battery D, 209th Coast Artillery	Private
George Sullivan	Craig Colony	Jan. 27	Troop B, 101st Cavalry	Private
John Jones	Craig Colony	Jan. 27	Troop B, 101st Cavalry	Private
Maurice Parks	Craig Colony	Jan. 27	Troop B, 101st Cavalry	Private
Daniel Morris	Craig Colony	Jan. 27	Troop B, 101st Cavalry	Private
Walter E. Damon	Craig Colony	Jan. 27	Troop B, 101st Cavalry	Private
Louis Van Trubio	Craig Colony	Jan. 27	209th Coast Artillery	Private
Joseph R. Provino	Craig Colony	Jan. 27	209th Coast Artillery	Private
Frank Eaton	Craig Colony	Jan. 27	209th Coast Artillery	Private
Vernon Graf	Creedmoor	Oct. 16	Headquarters Battery, 104th Field Artillery	Private
W. B. Killen	Creedmoor	Feb. 3	Battery E, 258th Field Artillery	Private
Edward Adams	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
John Amodio	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
James W. Bidwell	Creedmoor	Jan. 13	101st Anti-Tank Battalion	Captain
Haden McGraw	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Robert Thompson	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private, cl. 7
Thomas Cox	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Benjamin Preshev	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Arthur Day	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Leonard Bukosky	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Chester Dolega	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Joseph Fersch	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Frank Carl Rice	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Joseph Devaney	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
William Mayfield	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Thomas Carey	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Elphege Cote	Creedmoor	Feb. 3	Coast Artillery	Private
John Smith	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Leonard Amodio	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Matthew Barnes	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Theodore Chrzanowski	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Fred Coffey	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
James Crilley	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
John de Angelis	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Charles Deller	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Robert Doherty	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Florio Lanzaro	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Coleman McDonough	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Elbert Nelson	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Glen Self	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Clarence Taber	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Benjamin Wade	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
John Woodward	Creedmoor	Jan. 13	102nd Anti-Tank Battalion	Private
Berkley Mackey	Wassaic S. S.	Feb. 10	Regular Army Reserve	Private
H. C. Thomas	Public Service	Nov. 8	U. S. Marine Corps	1st Lieutenant

THIS LIST WILL BE CONTINUED IN THE NEXT ISSUE

Summary of Legislation Pending

The following is a complete list of legislative measures which have been introduced in both houses of the Legislature which affect State workers and are of interest to them, since the publishing of a similar list in the February issue. This summary will be continued in future issues so that a complete record may be had. Record of legislative action on these measures is also noted.

IN SENATE

- Int. 646, Print 725—Senator Riley**—Provides that inmate of institution for mental defectives at Napanoch shall not be paroled before he might have been paroled from another institution under similar charge; this provision now applies only to inmates who have been arraigned, convicted or in custody on a criminal charge. (Same as Assembly 837). Amends Section 445, Correction Law. Passed Senate, in Assembly Penal Institutions Committee.
- Int. 649, Print 772—Senator Riley**—Authorizes prison warden, instead of State comptroller, to appoint and make rules for comptroller's clerks and assistant comptroller's clerk of the prison. (Same as Assembly 839). Amends Section 18, 112, Correction Law. Passed Senate, in Assembly Penal Institutions Committee.
- Int. 693, Print 772—Senator Bewley**—Permits member of State employees' retirement system, his agent, the head of the department in which he is employed, or the dependent of a deceased member to have a report of State medical board in cases of ordinary disability or accidental disability or death, reviewed by a special board whose decision shall supersede report of State board. (Same as Assembly 847). Adds Section 66-a to Civil Service Law. Referred to Pensions Committee.
- Int. 714, Print 802—Senator Coughlin**—Prohibits educational discrimination and preference in civil service competitive or promotional examinations, except where professional or similar requirements are imposed by statute. (Same as Assembly 8). Adds Section 14-c to Civil Service Law. Referred to Civil Service Committee.
- Int. 718, Print 806—Senator Young**—Gives peace officers same right as game protectors, forest rangers and State police to search without warrant for violations of Conservation Law. (Same as Assembly 982). Amends Section 164, Conservation Law. Referred to Conservation Committee.
- Int. 721, Print 809—Senator Coughlin**—Prohibits removal without charges and hearing of person in civil service positions who served as member of local draft board without pay under selective service system during World War. (Same as Assembly 984). Amends Section 22, Civil Service Law. Referred to National Defense Committee.
- Int. 734, Print 826—Senator Coughlin**—Strikes out provision which permits State and municipal civil service commissions to adopt age requirements for positions requiring extraordinary physical effort, except for firemen, policemen and prison guards. Amends Section 25-a, Civil Service Law. Referred to Civil Service Committee.
- Int. 754, Print 846—Senator Coudert**—Continues present exemption from jury duty of members of active militia and permits honorably discharged members to be exempt if they have served five years prior to January 1, 1937. Amends Section 238, Military Law. Referred to National Defense Committee.
- Int. 767, Print 866—Senator Coughlin**—Provides that all persons employed by publicly owned and operated transit facility on date of acquisition or unification, shall be continued in such employment. (Same as Assembly 1476, 1535). Referred to Cities Committee.
- Int. 769, Print 868—Senator Muzzicato**—Changes salary schedule for employees of State hospitals. (Same as Assembly 956). Amends Section 61, Mental Hygiene Law. Referred to Finance Committee.
- Int. 780, Print 883—Senator Desmond**—Requires that governor when submitting budget to Legislature shall submit bills containing appropriations in lump sum form as prescribed by Legislature. Amends Section 3, Article 7, Constitution. Referred to Judiciary Committee.
- Int. 795, Print 911—Senator Wicks**—Permits volunteer firemen entering military service to be absent from duty and to have the time in military service counted in determining period necessary to qualify as exempt volunteer firemen and provides for substitute members of fire department or company. (Same as Assembly 800). Amends Section 200-b General Municipal Law. Referred to Defense Committee.
- Int. 863, Print 988—Senator Schwartzwald**—Requires that workmen and mechanics on public works shall be paid not less than wage rate determined by fiscal officer, to be rate for like classification paid by contractors. (Same as Assembly 617). Amends Section 220, Labor Law. Referred to Labor Committee.
- Int. 872, Print 1013—Senator Coughlin**—Provides that no disbursing officer of State, city or civil division shall pay any salary to provisional appointee holding office longer than four months. Amends Section 15, Civil Service Law. Referred to Civil Service Committee.
- Int. 887, Print 1028—Senator Young**—Increases from five to ten the number of State scholarships for each Assembly district and from \$100 to \$200 the annual payment for each holder thereof and increases maximum scholarships in existence at one time. (Same as Assembly 1069). Amends Sections 70, 77, Education Law. Referred to Education Committee.
- Int. 888, Print 1677—Senator Wicks**—Creates State debt of \$200,000,000 for State and national defense, to provide funds for construction and improvement of State highways and certain State parkways, authorizes State comptroller to provide sinking fund for redemption of bonds issued, by deducting from present motor fuel taxes an amount equal to 1 cent a gallon and provides for referendum to people at next general election. (Same as Assembly 1144). Referred to Finance Committee.
- Int. 893, Print 1034—Senator Williamson**—Appropriates \$10,000 for preparation of plans and specifications by division of architecture, public works dept., for the construction of a field artillery army in Mount Vernon. (Same as Assembly 1301). Referred to Finance Committee.
- Int. 894, Print 1035—Senator Burney**—Provides that rules of civil service commission shall be valid only after public hearing, notice of which has been published for not less than three days setting forth summary of subject matter and requires that all rules, regulations and modifications shall be filed with secretary of State within thirty days after final approval by State civil service commission. (Same as Assembly 1541). Amends Section 11, Civil Service Law. Referred to Civil Service Committee.
- Int. 889, Print 1262—Senator Gutman**—Provides no female shall be employed in servicing, cleaning or the maintenance of office building or loft building between 12 midnight and 6 a. m., except in an emergency. Adds Section 184-a to Labor Law. Referred to Labor Committee.
- Int. 918, Print 1059—Senator Page**—Provides that all military service, including training and national guard service, instead of only in times of war, may be credited in examinations for promotion in civil service. Amends Section 16-b, Civil Service Law. Referred to Defense Committee.
- Int. 919, Print 1249—Senator Page**—Provides that provisional appointment in civil service positions to fill vacancy caused by entry into military service, may be extended until person is discharged from military service and elects not to resume former position. (Same as Assembly 1372). Amends Section 15, Civil Service Law. Referred to Defense Committee.
- Int. 920, Print 1261—Senator Page**—Authorizes motor vehicles bureau within three months after termination of military service of person with chauffeur's or operator's license, to issue a renewal of license without examination, notwithstanding fact that license shall have expired. (Same as Assembly 1373). Referred to Motor Transportation Committee.
- Int. 921, Print 1062—Senator Page**—Provides for leave of absence to volunteer firemen for military service, instead of only for military service during time of war. (Same as Assembly 1376). Referred to Internal Affairs Committee.
- Int. 930, Print 1381—Senator Bechtold**—Provides for optional form of administration of civil service in counties either by county or State civil service commission or by county personnel officer, per-

mits cities to operate under State commission or a municipal commission established by the county; \$80,000 is appropriated. (Same as Assembly 1197). Amends Section 2, 10, Civil Service Law. Adds Section 11-a to Civil Service Law. Referred to Civil Service Committee.

Int. 935, Print 1084—Senator Desmond—Provides that applicants for licenses as chauffeurs and operators of motor vehicles shall be examined by physician at least once every three years to determine physical fitness to drive. (Same as Assembly 1219). Amends Vehicle and Traffic Law, Section 20. Referred to Motor Transportation Committee.

Int. 940, Print 1089—Senator Thompson—Authorizes captain, lieutenant or acting lieutenant of State police assigned to troop in which service summons is made by member of State police, in lieu of arrest for traffic violations, to administer oaths in connection with execution of complaint to be presented in court. (Same as Assembly 1161). Adds Section 95-f to Executive Law. Referred to Judiciary Committee.

Int. 980, Print 1152—Senator Condon—Provides that warden of prisons and chief administrative officer in institutions where felons are confined shall receive minimum annual salaries of \$6,000 with annual increments of \$500 until maximum salary of \$9,000 is reached, and strikes out provision that rations furnished shall be from prison stores. (Same as Assembly 1247). Amends Section 111, Correction Law. Referred to Penal Institutions Committee.

Int. 998, Print 1366—Senator Hammond—Permits civil service employees of State agricultural college and other State agencies under Cornell university to become members of State employees' retirement system on or before January 1, 1942, and receive credit for allowable service rendered prior to January 1, 1921. (Same as Assembly 1248). Amends Section 52, Civil Service Law. Referred to Pensions Committee.

Int. 1040, Print 1221—Senator Wicks—Fixes salaries of mounted patrolmen in Wallkill State prison and Woodbourne institution for defective delinquents at same rates as for guards in State prisons. (Same as Assembly 1345). Amends Sections 114, 436, Correction Law. Referred to Penal Institutions Committee.

Int. 1047, Print 1230—Senator Stokes—Increases by \$5,000 the amount available to agricultural dept. for personal service of regular salaried staff of milk publicity bureau. (Same as Assembly 1358). Referred to Finance Committee.

Int. 1053, Print 1236—Senator Muzzicato—Extends to April 7, 1948, instead of 1943, time for removal of inmates and property of Manhattan State hospital on Ward Island to Pilgrim State hospital on Long Island or to other State hospitals. (Same as Assembly 1311). Amends Section H41-7.0, N. Y. City Administrative Code. Referred to Cities Committee.

Int. 1073, Print 1283—Senator Esquirol—Provides civil service employees shall be allowed at least five days to answer charges of incompetency or misconduct before removal and shall be entitled to hearing and representation by counsel; employee may be suspended for 30 days pending hearing and record of hearing shall be kept on file in department.

Amends Section 22, Civil Service Law. Referred to Civil Service Committee.

Int. 1078, Print 1288—Senator Mahoney—Provides regents, upon their own motion or upon recommendation of board of examiners of nurses, may authorize board to issue nurses' licenses to persons qualified because of experience and who are unable to produce records or meet preliminary or professional requirements, preference to be given to applicants rendering nursing service without personal gain. Amends Section 1377, Education Law. Referred to Education Committee.

Int. 1086, Print 1296—Senator Young—Requires that persons hereafter appointed as county superintendent of highways or county engineer, except those now in office, shall be professional engineers licensed in this State. (Same as Assembly 1359). Amends Section 100, Highway Law. Referred to Internal Affairs Committee.

Int. 1112, Print 1337—Senator Desmond—Creates legislative bureau of efficiency and economy to consist of two commissioners with annual salary of \$8,000 to study and recommend to Legislature and Governor consolidations and economies in State departments and offices, and to assist Senate Finance and Assembly Ways and Means Committees: \$50,000 is appropriated. Amends Section 75. Adds Section 77 to Legislative Law. Referred to Finance Committee.

Int. 1114, Print 1339—Senator Gutman—Establishes a department of consumer in the State government. (Same as Assembly 1397). Amends Section 2, Article 5, of Constitution.

March 3, referred to Attorney General for opinion. March 5, opinion received and referred to Judiciary Committee.

Int. 1115, Print 1657—Senator Gutman—Creates in health dept. a consumer's bureau for registration, advertising control, analysis, scientific research, education, publicity and regulation of manufacture and sale of drugs, cosmetics and health devices, to prevent adulteration or misrepresentation. (Same as Assembly 1398). Amends Article 24 as 25. Adds Article 24 to Public Health Law. Referred to Health Committee.

Int. 1135, Print 1364—Senator Schwartzwald—Creates in executive dept. a division of commerce with industry, publicity and planning bureaus, combines planning division, planning council and publicity bureau therein, for development and protection of business, industry and commerce, to serve as clearing house for industrial problems and to encourage new business and expansion of existing business, reappropriates \$176,523 from items of the budget for bureaus transferred and appropriates \$80,000. (Same as Assembly 1442). Amends Sections 13, 19, Article 12, repeal; Section 19, Article 12, new Executive Law. Amends Article 16-a, repeals Conservation Law. Referred to Finance Committee.

Int. 1138, Print 1385—Senator Desmond—Creates in agriculture dept. a division of meat inspection, authorizes agricultural commissioner to supervise slaughterhouses and places used for manufacture of meat food products, prohibits their operation without Federal, State or municipal inspection service, requires that products shall be labelled, exempts livestock killed on farm of producer for lo-

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cal market and appropriates \$50,000. (Same as Assembly 1454). Amends Sections 91-93 repeal; adds Article 21-a to Agriculture and Markets Law. Referred to Agriculture Committee.

Int. 1148, Print 1395—Senator Hammond—Provides that all employees, except teachers, of State college of Agriculture, of home economics and of State veterinary college and Geneva experiment station, under control of Cornell university, shall be subject to workmen's compensation and their salaries shall be deter-

mined in manner prescribed by salary standardization provisions for State employees. (Same as Assembly 1468). Referred to Finance Committee.

Int. 1225, Print 1499—Senator Mitchell—Gives State health commissioner right to review rules, regulations and determinations of municipalities to ascertain reasonableness and propriety. (Same as Assembly 1556). Amends Section 6-b, Public Health Law. Referred to Health Committee.

Int. 1229, Print 1503—Senator Page—Permits civil service employees to be absent for Federal military service without loss of pension, salary increment, seniority right or other privilege and provides for notification of subsequent appointment from eligible list. (Same as Assembly 751). Amends Sections 22-b, c, d, Civil Service Law. Referred to Defense Committee.

Int. 1321, Print 1632—Senator Condon—Repeals provisions relating to absence of State and municipal officers and employees on military duty. (Same as Assembly 1651). Amends Section 245, Military Law. Referred to Defense Committee.

Int. 1329, Print 1640—Senator Seelye—Permits member of State employees' retirement system when absent in military service, to continue monthly payments into pension fund and to have the same rights in system as if continuously engaged, except that disability or death resulting from defense program duty shall not entitle him or his beneficiary to any pension, retirement or other rights. (Same as Assembly 1310). Amends Section 53, Civil Service Law. Referred to Civil Service Committee.

Int. 1343, Print 1669—Senator Mahoney—Strikes out provision that person in competitive class of civil service may be transferred or assigned to another position, without competitive examination, if he has served with fidelity for at least three years in similar position. Amends Section 14, Civil Service Law. Referred to Civil Service Committee.

Int. 1349, Print 1678—Senator Johnson—Requires that State comptroller shall mail annually to each member of State retirement system, financial statement of year's business with balance sheet showing assets and liabilities. Amends Section 54, Civil Service Law. Referred to Pension Committee.

Int. 1396, Print 1705—Senator Crawford—Allows credit for prior service to persons becoming members of State retirement system on or before January 1, 1942, instead of 1941, as at present. Amends Section 53, Civil Service Law. Referred to Pensions Committee.

Int. 1408, Print 1749—Senator Page—Provides that member of State retirement system may apply for retirement after 40 or more years in State service. Amends Section 62, Civil Service Law. Referred to Pensions Committee.

Int. 1409, Print 1750—Senator Page—Requires that State executive officers shall grant vacations with pay to employees on per diem or hourly basis, for not less than two nor more than three weeks in any year. Adds Section 71-a to Public Officers Law. Referred to Finance Committee.

Int. 1467, Print 1819—Senator Phelps—Provides that length of time on eligible preferred civil service list for employees

Willard Minstrel Show



Here is the cast of the second annual minstrel show of the Willard State Hospital Employees Association, staged February 27 and 28. Included are both patients and employees. The show annually is repeated in neighborhoods bordering Willard, so talented are performers.

separated from or demoted in service, shall be equivalent to number of years of service with minimum of four years. (Same as Assembly 1751). Amends Section 31, Civil Service Law. Referred to Civil Service Committee.

Int. 1486, Print 1862—Senator Bechtold—Allows credit to members of State employees' retirement system for service as U. S. marshal, deputy marshal or collector of customs. (Same as Assembly 1819). Amends Section 52-c, Civil Service Law. Referred to Pensions Committee.

Int. 1502, Print 1878—Senator Halpern—Provides that person appointed to civil service who accepts employment in national defense work outside of city, town or village in which he resides shall continue to be eligible for appointment or employment therein if he shall not have voted in any other place during period of defense work or shall not have made permanent change of residence. (Same as Assembly 1787). Amends Section 25-e, Civil Service Law. Referred to Civil Service Committee.

Int. 1516, Print 1892—Senator Hampton—Provides that if certain veterans while engaged in employment entitling them to receive benefit from any retirement system to which State is contributor and shall have become totally or permanently disabled by loss of sight and retires from his employment, he shall be entitled in addition to retirement benefit to the sum of \$500 annually. Amends Section 2-m, n, Military Law. Referred to Pensions Committee.

Int. 1517, Print 1893—Senator Hampton—Prohibits removal, except for incompetency or misconduct, of veterans and volunteer firemen in temporary or pro-

visional positions in welfare departments or emergency relief bureaus, if employed on or before December 31, 1937. (Same as Assembly 666). Amends Section 22, Civil Service Law. Referred to Civil Service Committee.

Int. 1522, Print 1902—Senator Bechtold—Increase from 50 cents to \$1 the examination fee for civil service positions when salaries are less than \$1,200 and strikes out provision that examination fees not approved by appropriate commission shall be refunded. (Same as Assembly 1842). Amends Section 14, Civil Service Law. Referred to Civil Service Committee.

Int. 1530, Print 1910—Senator Condon—Permits State police to receive salary increments for seven, instead of six years, with maximum annual salary at \$2,100, instead of \$1,900 and gives to members assigned to criminal investigation bureau an additional salary of \$250. (Same as Assembly 451). Amends Sections 94, 94-a, Executive Law. Referred to Finance Committee.

Int. 1531, Print 1911—Senator Corning—Continues the civil service salary standardization board until December 1, 1945, provides that in computing future increments after promotion, employees shall be credited with number of years of service in position which corresponds with rate of compensation and makes other changes. (Same as Assembly 1869). Referred to Finance Committee.

Int. 1544, Print 1924—Senator Hampton—Provides that removals from or demotions in civil service positions shall be made in inverse order of original appointment as compared with other employees holding same title in same salary grade in the department, classifies pre-

Canal Association Officers



This picture was snapped at the Albany Convention of the Barge Canal Civil Service Employees and shows: (front row, left to right) S. Phillips, G. Eddy, Commissioner Guy W. Pinck, R. Bailey, G. Rock, C. Harrier, J. Hannon, G. Flanigan; rear, F. Hooker, T. Connors, F. Dalton, E. Greenfield, G. Cooper and E. Foster.

ferred lists as departmental preferred, promotion eligible, general preferred and open competitive eligible lists. (Same as Assembly 1845). Amends Section 31, Civil Service Law. Referred to Civil Service Committee.

Int. 1550, Print 1930—Senator Ryan—Provides that when civil service employees are separated from or demoted in competitive class of civil service in inverse order of original appointment, it shall be according to title regardless of grade. (Same as Assembly 1729). Amends Section 31, Civil Service Law. Referred to Civil Service Committee.

IN ASSEMBLY

Int. 802, Print 879—Mr. Rapp—(Same as Senate Intro. 75). Adds Section 68-d to Civil Service Law. Referred to Pension Committee.

Int. 837, Print 1431—Mr. Peterson—(Same as Senate Intro. 646). Amends Section 445, Correction Law. Referred to Penal Institution Committee.

Int. 847, Print 924—Mr. Suito—(Same as Senate Intro. 693). Adds Section 66-a to Civil Service Law. Referred to Civil Service Committee.

Int. 918, Print 1402—Mr. Fite—Provides that employees in civil service competitive class shall not be removed except for incompetency or misconduct, permits suspension without pay for thirty days pending determination, with right of appeal to the State commission or the court. Amends Section 22, Civil Service Law. Referred to Civil Service Committee.

Int. 954, Print 1049—Mr. Austin—Provides that officers and employees of State



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and municipal corporations or political subdivisions in military service since August 1, 1940, shall receive one-half of difference between salary as employee and pay received from U. S. Amends Section 245, Military Affairs Committee. Referred to Military Affairs Committee.

Int. 956, Print 1051—Mr. Catenaccio—(Same as Senate Intro. 769). Amends Section 61, Mental Hygiene Law. Referred to Ways and Means Committee.

Int. 984, Print 1092—Mr. Bannigan—(Same as Senate Intro. 721). Amends Section 22, Civil Service Law. Referred to Civil Service Committee.

Int. 999, Print 1112—Mr. Owens—Permits widow of guard or employee of Correction Dept. receiving or eligible to receive retirement allowance, at time of death,



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"Hell Bent for Heaven"



"Hell Bent for Heaven" is the title of the play staged March 4 by the Harlem Valley Hospital Dramatic Club in Alfred E. Smith Hall. Characters in this scene (left to right) are: Thomas McGrail, Eugene Spaulding, Gordon Carlisle, Marie Russ, Julian Purdy, Marjorie Morganteen and William Mara.

Adds Section 161-a to Labor Law. Referred to Labor Committee.

Int. 1059, Print 1183—Mr. Steingut—(Same as Senate Intro. 558). Amends Section 18-a, Labor Law. Referred to Labor Committee.

Int. 1134, Print 1288—Mr. Corcoran—(Same as Senate Intro. 541). Amends Section 9, Civil Service Law. Referred to Civil Service Committee.

Int. 1135, Print 1289—Mr. Corcoran—(Same as Senate Intro. 540). Adds Section 22-e to Civil Service Law. Referred to Civil Service Committee.

Int. 1161, Print 1315—Mr. J. D. Bennett—(Same as Senate Intro. 940). Adds Section 95-f to Executive Law. March 5th, Passed. To Governor.

Int. 1176, Print 1332—Mr. McLaughlin—Provides for reinstatement to former or similar position in competitive civil service class of honorably discharged World War veterans, without examination, under certain conditions. Adds Section 21-c to Civil Service Law. Referred to Civil Service Committee.

Int. 1194, Print 1351—Mr. Bannigan—Gives special efficiency rating of 2 per cent to each applicant for civil service competitive or promotion examination with service of five years or more in national guard or State naval militia. Adds Section 15-a to Civil Service Law. Referred to Civil Service Committee.

Int. 1197, Print 1354—Mr. Fite—(Same as Senate Intro. 930). Amends Section 2, 10. Adds Section 11-a to Civil Service Law. Referred to Ways and Means Committee.

Int. 1234, Print 1603—Mr. Steingut—Provides that when vacancy occurs in State Legislature a successor shall be chosen from same political party as former incumbent by majority of all members of respective house, such members to hold office until January 1, following the next general election. Amends Section 42, Public Officers Law. Referred to Judiciary Committee.

Int. 1247, Print 1681—Mr. Ostertag—(Same as Senate Intro. 980). Amends Section 111, Correction Law. Referred to Ways and Means Committee.

Int. 1248, Print 1428—Mr. Shaw—(Same as Senate Intro. 998). Amends Section 52, Civil Service Law. Referred to Pensions Committee.

Int. 1267, Print 1458—Mr. Steingut—(Same as Senate Intro. 1213). Amends Sections 40, 60, Executive Law. Referred to Ways and Means Committee.

Int. 1277, Print 1469—Mr. Andrews—(Same as Senate Intro. 1245). Amends Section 700. Adds Section 701 to Penal Law. Referred to Judiciary Committee.

Int. 1301, Print 1493—Mr. C. Lawrence—(Same as Senate Intro. 893). Referred to Ways and Means Committee.

Int. 1310, Print 1502—Mr. Breed—(Same as Senate Intro. 1329). Amends Section 53, Civil Service Law. Referred to Civil Service Committee.

Int. 1315, Print 1507—Mr. Ehrlich—Provides that employees in public schools, State prisons and hospitals and other State institutions after one year's service, shall be entitled to reasonable sick-leave with pay. Referred to Civil Service Committee.

Int. 1336, Print 1528—Mr. McLaughlin—Makes provision for accidental disability retirement apply to all members of State retirement system, instead of to those

under 60 years of age. Amends Section 65, Civil Service Law. Referred to Pensions Committee.

Int. 1344, Print 1536—Mr. Wachtel—Establishes in State and municipal civil service commissions an appeal board of three persons to review decisions on removal of civil service employees and appropriates \$10,000. Amends Section 22, Civil Service Law. Referred to Ways and Means Committee.

Int. 1345, Print 1537—Mr. Waldin—(Same as Senate Intro. 1040). Amends Sections 114, 436, Correction Law. Referred to Ways and Means Committee.

Int. 1352, Print 1548—Mr. Barrett—Provides that employees of State hospitals in mental hygiene dept. may receive not less than \$32 a month in addition to regular wages, for outside board and lodging whether or not there is lack of accommodations in institution. Amends Section 61, Mental Hygiene Law. Referred to Ways and Means Committee.

Int. 1366, Print 1562—Mr. Steingut—Permits civil service employees, including persons employed by education board, to be absent for Federal military service, with compensation sufficient to cover excess of regular over military pay and without loss or diminution of vacation or holiday privileges or prejudice to promotion, continuance in office or pension or retirement rights. Adds Section 245-a to Military Law. Referred to Ways and Means Committee.

Int. 1372, Print 1577—Mr. Anderson—(Same as Senate Intro. 919). Amends Section 15, Civil Service Law. Referred to Civil Service Committee.

Int. 1380, Print 1585—Mr. Ferril—(Same as Senate Intro. 1282). Amends Section 24, General Construction Law. Referred to General Laws Committee.

Int. 1398, Print 1614—Mr. Wagner—(Same as Senate Intro. 1115). Amends Article 24 as 25. Adds Article 24 of Public Health Law, Chap. 243 of 1934. Referred to Health Committee.

Int. 1432, Print 1658—Mr. Rapp—Provides that special act for periodic increases in salaries of officers and employees in State institutions reporting to standards and purchase division, shall not apply to State employees in competitive and non-competitive classes of classified civil service. Referred to Ways and Means Committee.

Int. 1509, Print 1749—Mr. Crews—(Same as Senate Intro. 15). Adds Section 10-a to Civil Service Law. Referred to Civil Service Committee.

Int. 1522, Print 1762—Mr. McNamara—(Same as Assembly 1638). Repeals provision suspending salary increments of certain persons in State service and provides that salaries shall be computed for year commencing July 1, 1941, on basis of statutory increments. Chapter 910 of 1939. Referred to Ways and Means Committee.

Int. 1537, Print 1786—Mr. Farbstein—Prohibits removal from civil service positions, except for incompetency or misconduct of honorably discharged veterans after one year of military service or service for any period of time in merchant marine training during World War. Amends Section 22, Civil Service Law. Referred to Civil Service Committee.

Int. 1541, Print 1790—Mr. Kreinheder—(Same as Senate Intro. 894). Amends Section 11, Civil Service Law. Referred to Civil Service Committee.

Int. 1603, Print 1877—Mr. Crews—Provides that member of State employees retirement system who is veteran of Spanish-American war or first World War and has been adjudged by U. S. Veterans' administration to be at least 10 per cent disabled and after 20 years in State service, shall be entitled to retire and receive allowance of one-half of average annual salary for past five years. Adds Section 64-a to Civil Service Law. Referred to Pensions Committee.

Int. 1604, Print 1878—Mr. Crews—Provides that civil service employees entering Federal air corps' service shall be included with those persons who are entitled to have their names placed on separate eligible list for civil service positions because of military service. Amends Section 22-a, Civil Service Law. Referred to Civil Service Committee.

Int. 1620, Print 1897—Mr. Ryan—Provides that widow of retired guard or employee of Correction Dept. shall be paid one-third of retirement allowance at time of death if she shall have lived with deceased at least ten years prior to his death and that annuity shall not be paid after widow remarries. Adds Section 470-b to Correction Law. Referred to Pensions Committee.

Int. 1632, Print 1909—Mr. Fite—(Same as Senate Intro. 1337). Referred to Ways and Means Committee. Capter 961 of 1939.

Int. 1638, Print 1922—Mr. Dwyer—Repeals provision suspending salary increments of certain persons in State service and provides that salaries shall be computed for year commencing July 1, 1941, on basis of statutory increments. (Same as Assembly 1522). Referred to Ways and Means Committee.

Int. 1651, Print 1935—Mr. M. Wilson—(Same as Senate Intro. 1321). Amends Section 245, Military Law. Referred to Military Affairs Committee.

Int. 1729, Print 2034—Mr. Jarema—Provides that when civil service employees are separated from or demoted in competitive class of civil service in inverse order of original appointment, it shall be according to title regardless of grade. Amends Section 31, Civil Service Law. Referred to Civil Service Committee.

Int. 1747, Print 2055—Mr. Austin—Provides that promotion list for civil service employees shall be permanent and shall not expire until it is exhausted and that successful competitors in future promotion examinations held for same grade or title shall be placed at end of permanent list. Adds Section 15-a to Civil Service Law. Referred to Civil Service Committee.

Int. 1751, Print 1059—Mr. Crews—(Same as Senate Intro. 1467). Amends Section 31, Civil Service Law. Referred to Civil Service Committee.

Int. 1752, Print 2060—Mr. Downing—Provides that when civil service employees are separated from or demoted in competitive class of civil service in inverse order of original appointment, it shall be according to group but irrespective of grade. Amends Section 31, of Civil Service Law. Referred to Civil Service Committee.

Int. 1787, Print 2127—Mr. Wagner—(Same as Senate Intro. 1502). Amends Section 25-c to Civil Service Law. Referred to Civil Service Committee.

Int. 1819, Print 2173—Mr. Owen—(Same as Senate Intro. 1486). Amends Section 52-c, Civil Service Law. Referred to Pensions Committee.

Int. 1842, Print 2213—Mr. Fite—(Same as Senate Intro. 1522). Amends Section 14, Civil Service Law. Referred to Civil Service Committee.

Int. 1845, Print 2216—Mr. Kreinheder—(Same as Senate Intro. 1544). Amends Section 31, Civil Service Law. Referred to Civil Service Committee.

Int. 1859, Print 2230—Mr. W. R. Williams—(Same as Senate Intro. 1516). Amends Section 2-m, n, Military Law. Referred to Military Affairs Committee.

Int. 1863, Print 2234—Mr. Glancy—Permits civil service employees to be absent from employment on primary election day for period of two hours for purpose of voting. Amends Section 200, Election Law. Referred to Judiciary Committee.

Int. 1869, Print 2240—Mr. Ostertag—(Same as Senate Intro. 1531). Chap. 859 of 1937. Referred to Civil Service Committee.

Int. 1891, Print 2280—Mr. Fite—Repeals provision authorizing State civil service commission upon request of local commission to render service relative to classification of positions and rating of examinations, at expense of municipality. Amends Section 11, Civil Service Law. Referred to Civil Service Committee.

Story of State Government

(Continued from page 88)

ous advocacy of a genuine career service. When this great plan of extension of competitive merit system has been completed, it will be recognized, it is hoped, as a successful attempt to extend internally, toward further application of the competitive principle to the present classified service, and outwardly, to extend administration of the merit system to all branches of local government. Then the State Department of Civil Service may deem itself worthy of its slogan "To recruit for the public service those best qualified to serve."

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FICTION

Delilah, by Marcus Goodrich. Farrar. \$2.75.

Probing constantly and with psychological acumen into the various relationships between the captain, officers and crew of the American destroyer, **Delilah**, attached to the Asiatic fleet during a period of some months before the United States entered the World War, this is not only a brilliant evocation of life abroad the **Delilah**, but of individual men's emotions and reflections and of their response to the spirit of the ship. Again and again, arise situations packed with suspense, and frequently mounting to the wildest violence and fury. While written with great feeling for the significance of words and for atmosphere, the book may occasionally shock the sensitive with its realistic portrayal of brutality and bestiality.

H. M. Pulham, Esquire, by J. P. Marquand. Little. \$2.50.

H. M. Pulham, conventional, wealthy New Englander, etches his own portrait in this narrative of his life since graduation from Harvard twenty-five years before. With consummate art, the reader is made to see the tragedy of Pulham's placid, smug unawareness of what he has lost in life in fitting himself to the mold of family standards and traditions. Humorous relief from the devastation of this penetrating satire is found in the ballyhoo of preparations for a class reunion and in the breezy Bill King, advertising promoter and Pulham's best friend, "here today, gone tomorrow."

Hold Autumn in Your Hand, by G. S. Perry. Viking Press. \$2.

Sam Tucker, homeless, penniless, but full of stubborn, indestructible courage, longs to raise a crop of corn and cotton just once on the good black soil of Texas, instead of sharecropping on poor sand farms. There are humor and insight and a Robinson Crusoe quality about this realistic story of Sam gaining his heart's desire and of his resourcefulness in keeping body and soul together in his infuriating, intolerable old granny, his patient, helpful wife and his

two children, and through it all shines Sam's own philosophy of life, and his innate wisdom and goodness. Occasionally earthy in phrasing.

In This Our Life, by Ellen Glasgow. Harcourt. \$2.50.

His family's Virginia tobacco factory long since swallowed up by big business, Asa Timberlake in 1938, at the age of fifty-nine, and after years of faithful plodding, is not only insecure in his job, but an unhappy drudge at home to his unloved and unloving hypochondriac wife—his only joys being found in his independent, older married daughter, and in his infrequent escapes to the farm of a congenial woman friend. This discerning, ironic, many-faceted story, while recounting all that follows after the beautiful, spoiled younger daughter, herself about to be married, runs away with her sister's husband, is a study of character and of the contrasts between the responses to life today of the older and younger generations. **Keep Murder Quiet**, by Selwyn Jepson. Doubleday. \$2.

Starting from scratch without a bit of evidence or even the slightest clue to any motive, Roger Spain sets out to find the unknown man, who he believes was responsible for his father's death, generally supposed to be accidental. His meticulous search brings him into contact with underworld characters and opens up a corrupt world of gangsterism, of which the man of whom he has become suspicious is the overlord. Most entertaining as well as amazingly clever and with some surprising revelations. Above the average in writing.

King's Masque, by Evan John. Dutton. \$2.50.

At the time when "all Europe was in permanent masquerade," there came into the lives of Louis of France and Marie-Antoinette the young Swedish army officer, Count Axel von Fersen, to offer his life's devotion and love to the queen. Because Fersen, over the increasingly momentous years, was now in France, now in Sweden, the author has been able to introduce Sweden's history and to portray the Swedish King Gustav III and his coterie of

courtiers without in any way detracting from his detailed, authentic portrayal of French diplomacy, intrigue and revolution as Louis and Marie-Antoinette moved toward their tragic fate, from which Fersen was powerless to save them.

NON-FICTION

Ambassador Dodd's Diary, 1933-1938, by W. E. Dodd; ed. by William E. Dodd, Jr., and Martha Dodd. Harcourt. \$3.50.

Mr. Dodd, versed in both American and European history, a scholar, teacher, writer, and servant of the Republic, was chosen as American Ambassador to Germany shortly after Hitler became Chancellor and during the next four and a half years he was behind the scenes in Berlin, the strategic center of the National Socialist movement, and in a position to analyze and interpret events. His journal of these years will be regarded in years to come as a priceless source of primary information and a vibrant, human document illustrating American character in this period. This is not to say Mr. Dodd was always infallible in accuracy or judgments. Adapted from **Introduction** by Charles A. Beard.

Journey to the World's End, by Hakon Mielche; tr. from the Danish by M. A. Michael. Doubleday. \$2.50.

The spirit of wanderlust sent this jovial, adventurous Dane and a companion, on a visit to Tierra del Fuego, the "world's end," in the winter season. Interspersed with lively chapters on history are informal, frequently amusing descriptions of the discomforts of travel, of savage coasts, pampas and sheep country, of delicate tropical birds in the midst of snow and ice, of Beagle channel, Tierra del Fuego's finest jewel, and finally of the voyage around Cape Horn in a dilapidated twenty-five foot cutter in a furious storm.

Vitamins; What They Are and How They Can Benefit You, by Henry Borsook. Viking Press. \$2.

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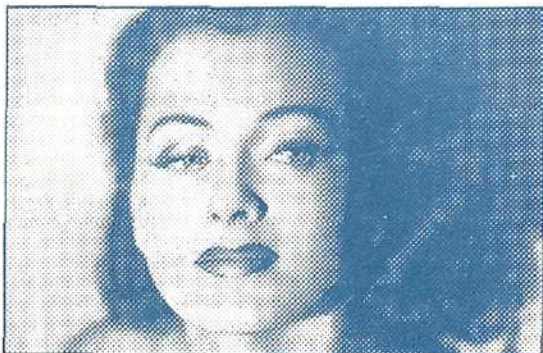
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