

SENATOR E. L. BARTLETT'S REMARKS

before the

JOINT SESSION OF THE FIRST STATE LEGISLATURE

February 11, 1959

Mr. Speaker, Mr. President, Members of the Senate, Members of the House, fellow citizens of the State of Alaska:

This is a great honor which you have conferred upon me this day, and I shall forever remember and appreciate it. It is a thrill to come to Juneau and to discover in session the first State Legislature. It is a goal toward which we aimed and struggled for so long. These are thrilling and dramatic days and there will be challenging days and months and years ahead.

I have a speech here, written out in note form, and I am happy to note that what I have to say is being recorded for future reference, although I suspect that my remarks will not be so momentous as to require any great analysis later on. It has been suggested to me that I came to Alaska at this time, with the Congress of the United States, the Senate of the United States, in session, as the Senate and House here are in session, on what must have been extraordinarily important business.

It was suggested to me in Ketchikan or Petersburg, or here, that perhaps I had appeared on the scene as a secret emissary from Secretary of the Interior, Fred A. Seaton on matters relating to the fisheries. That is not so. It was suggested to me somewhere along the line of march, that I might have come here to urge Governor Wade to approve the salary increase bill for the members of the Legislature. That is not so. It was suggested to me that I might have come here to urge Governor Wade to veto the salary increase bill and that is not the case. Now the plain fact of the matter is much simpler than all of that. I am here by the grace of the Republican Party which had taken off from Washington on this week of Lincoln's birthday and spread abroad throughout the land making Lincoln Day speeches. And in accord with ancient custom and tradition this means there will be no votes in the Senate this week and so I came to Juneau-which I think is a very proper objective at any time and especially now.

Truth to tell in all seriousness I did have a particular piece of business which brought me here and it is one that I would desire to discuss with you in general terms this afternoon because it is weighted with significance in respect to the launching of the career of the State of Alaska, and that has to do with the proposal shortly to be made by the National Administration in connection with the transition process, as we start on the career of Statehood.

The Administration is about prepared to submit its recommendations to the Congress and I want to, with your permission, discuss these matters with you in broad outline this afternoon so that you as the legislators responsible, will have a more intimate knowledge than you could have had before, of what is planned in connection with the federal government's participation in our affairs in the years immediately ahead.

Before coming to that proposal which I believe will probably go before the Congress in March in the form of a draft bill, I would like with your permission to discuss briefly the subject of the mental health program in Alaska. Since I have spoken on that subject elsewhere since arriving here, and before, and expect to discuss it later, I shall try to abbreviate my remarks and to say only that it is my conclusion, we ought to go ahead and implement without any delay at all the Alaska Mental Health law by constructing in the State of Alaska physical facilities for the care of our mentally ill.

I confess, gladly, that I have to a degree an emotional approach to the problem, and my emotional response arises on account of the fact that between the years from 1949 to 1956 I lived very closely with this problem, in those years. We pleaded with, begged and browbeat the Congress to the point where it finally passed the Mental Health Bill which was subsequently signed into law by President Eisenhower. You will remember, that the desire for such legislation had within Alaska unanimity of a kind and a degree that perhaps we had never experienced before in respect to any other legislative proposal.

Our mentally ill had been cared for over a long period in a contract hospital, far removed from Alaska. Psychiatrists, as well as other experts in this field, told us that a patient's mental health would be improved if he were closer to his relatives and to people he knew; if he lived in a country where he had residence, a country he knew. It was also said, and this was of course an obvious fact, that a contract institution is not on balance the best place to keep mentally ill people because this is an institution for profit and the two should not be related. And back in 1949 when the Interior Department sent a group of observers to Alaska to inquire into this matter, headed by the eminent psychiatrist, Dr. Overholser, Superintendent of St. Elizabeth's hospital in Washington, D. C., the facilities in Morningside were adequate and no more. There wasn't even one board psychiatrist there; there was one part-time man, and over the years since then the physical facilities have been improved and the medical care has been improved. But still the goal which we all would desire has not been met and will not be met, I suggest, until we have an operating institution right within the boundaries of the State of Alaska. (applause)

Now we told the Congress of our desire for this, time after time, on occasion after occasion, and we pleaded for

action there and you all remember what happened with the mental health bill. One of its provisions contained a grant of a million acres of land to the then Territory of Alaska. The sole purpose for the grant of land was to produce for the Territory, through leases and sales of the granted land, revenues to support the mental health program.

What happened? Why, the most astounding episodes occurred in American political history. A band of zealots, of extremists- spread from California to Maine, from Washington to Florida- arose and attacked this whole mental health proposal on the grounds that it was a political stratagem whereby political figures in the States would send their enemies to slavery in this million acres of land in Alaska which would be literally fenced off. And they termed it Siberia, U.S.A. We overcame that and the bill was enacted. And now it has been proposed that we not proceed now, that we wait awhile, that the cost would be too great. I suggest the cost will always seem large. This is an expensive program. Some states are not spending enough on it per patient. No state, I suppose, is spending enough and even so it is a tremendous burden in every instance upon the state treasury. But we can do no less than any other state of this Union. I don't think we would want to do any less than to keep our mentally-ill people here at home where we can watch over them and do what we can as laymen to see to it that they are cured and returned to society at the first possible moment.

The Congress was exceedingly generous when it passed this bill. It gave us the million acres of land to which I have referred. It gave us additionally an authorization for six million dollars to help Alaska over a 10-year period in paying for the patient care one million dollars in each of the first two years, \$800,000 in each of the second two, and declining at the rate of \$200,000 per biennium until at the end of 10 years we would be on our own. This, of course, was help of a very considerable magnitude. And that wasn't all that Congress did, because Congress in this Alaska Mental Health Act, permitted the people of Alaska through the then Territorial Legislature, to write their own mental health legislation. And this was extremely important because one of our chief complaints was that those mentally ill had to be taken under existing law into court and tried as common criminals, and naturally, we wanted to get away from that.

We did so by virtue of this law, which did one more thing. It made possible the appropriation of six and one-half million dollars for the construction of a hospital. That money is now in the Federal Treasury, available for our use. It is said it will not build a big enough hospital to meet all our needs and I believe that may be true. It is said there are about 400 people at Morningside and only about 225 could be cared for at this proposed hospital. But would it not be better to go ahead with

that now when we have Federal funds available than to let those funds lapse? If they do, I assure you there will be no opportunity for re-appropriation at least that's my conviction. And I suggest further that if we don't use this sum of money granted to us for this hospital after our pleas that it be given us, that we shall fare not too well in other fields as we seek needed Federal aid in the transition process. And it is important to know that not all of the people at Morningside need to be hospitalized. I am informed that about 150 of the patients there are mental defectives who will not be cured by hospitalization. They can be placed in less expensive places for care during the years because they will be a charge upon the government through all the days of their lives.

And then there is one additional point in connection with the Alaska Mental Health Law, and that it is contemplated the establishment of psychiatric clinics, two in number at the start at least, probably at Fairbanks and Juneau, so that a person at the earliest beginning of mental trouble might be taken in and given expert care and guidance with the hope and belief, founded upon experience elsewhere, that that person might never need to be hospitalized but instead might be returned in a few short weeks to a normal life in our society. It has been suggested that to care for a patient in Alaska would cost three and a half times as much as to care for the same patient in Portland. I can't believe that figure. It purports to demonstrate that it costs three and a half times as much to do business in Alaska and that is not so, and I think there is some error in that figure that ought to be examined and corrected and then we can go on from there.

We don't want nor do we need an elaborate structure, one with a lot of frills. I am confident that the Surgeon General, who has final authority in respect to the plans for such an institution, will be amenable to reason if we urge that a plain edifice be constructed, one of utilitarian features only, and granted the fact that Alaskans fought this for so long, granted the fact that every other state takes care of its own mentally ill within its own boundaries, I suggest that we can do no less, and we ought to proceed now to bring that program into being. We have not as bait, but as a very useful contribution, the six and a half million dollars in the Federal appropriation and we ought to take advantage of it.

Now to another subject, the subject which primarily brought me to Alaska--the Omnibus Bill to be proposed by the Administration. I don't have available a copy of this bill and no one without the Federal executive establishment does. Last week, last Thursday afternoon, to be precise, people from the Bureau of the Budget met with Senator Gruening, with Representative Rivers, with me, and with members of our staffs to go through this bill and the

sectional analysis which accompanied it. At the conclusion of the hearing every copy of the bill was carefully taken in by the Bureau of the Budget people and we are without such now. The draft will not become available until the bill is sent up to Congress, but in the meantime this analysis to which I have alluded will tell us pretty much what the bill intends to do and I don't intend to go through all of the many pages of that analysis, numbering 31, but to present to you in outline the principal features only.

I am able to skip quite a few at the very start. They deal with technical amendments principally. Here is a provision included within the Omnibus Bill of which no news I should think ought to be communicated to Eagle Bill Egan because it proposes that bald eagles shall be protected in the State of Alaska and it is my clear recollection that Eagle Bill dissented from such conclusion while a member of the late Territorial Legislature.

There are provisions here relating to wild-life restoration and fish restoration, these being elements of the so-called Pittman-Robertson and Dingell-Johnson laws. You are aware, of course, of the fact that in these categories the State of Alaska will gain materially in money because the Territorial government was limited by law in respect to each bill to \$75,000 annually. Now as to wild-life restoration we shall now be treated as an equal and full partner in the sisterhood of states, receiving something over \$800,000. As to the Fish Restoration Act, the Dingell-Johnson Act, we shall receive not \$75,000 but approximately a quarter of a million dollars. In each case the amount varies somewhat each year depending upon excise tax collections.

This Legislature, you men and women of the first State Legislature, will be required to enact certain legislation to bring the laws of Alaska into harmony with the Federal law, a painless process in the main, as I understand it. There are a good many provisions here relating to education, which at meetings held in Governor Wade's office this morning and this afternoon we concluded to be fairly innocuous, but we will take out an insurance policy in respect to these provisions by referring them to Commissioner Dafoe for careful analysis.

The grants in respect to many Federal laws will be based on per capita income and no one yet knows what that will be. It has never been measured here by the appropriate agency of the Federal government and hereafter will be. This will take some time to accomplish and the assumption is being made that Alaska will be discovered to be an area of very high per capita income. That may or may not be the case. For my own part I am not so confident it will be. On the one hand I wish it were, for the benefit of all people; for the sake of our grants, it would be just as well if it were a bit down.

Joe Alter of the Department of Health will be hugely pleased, when he learns it, that the Administration proposes to apply to the State of Alaska the act relating to the importation of milk and cream.

There are certain provisions respecting internal revenue taxation. For the benefit of Federal employees I will say that these provisions have nothing to do with their status whatsoever, but relate almost entirely to the transportation tax for travel between the other states and Alaska. They would preclude any change in the existing partial exemption afforded on trips between Alaska and the other States.

There is a very interesting suggestion in this bill which will be of particular interest to the many attorneys in this body: the Court of Appeals for the Ninth Circuit would be required by law to hold sessions annually in that city of Alaska, the State of Alaska, known as Anchorage.

I'm skipping many pages here because they relate again to matters rather technical in nature.

I discover a provision that apparently involves some discrimination. Heretofore the Governor of Alaska has received in both daily and bound form, five copies of the Congressional Record. The Governor of the State of Alaska will receive only one copy. We will receive any protest he wants to submit on that score. And so it is with the Federal Register. A cut-back from five copies to one. Now the administration will propose that there be transferred to the State of Alaska the International Airports at Anchorage and Fairbanks which taken together are now operating at a profit--Anchorage is making money, Fairbanks is losing a little money and I believe, although I do not know, that the suggestion that these airports come to the State rather than being transferred to the municipalities concerned is because of the fact that in their aggregate, they are showing a profit, but the one at Fairbanks is not quite to the profit level yet.

Now we come to the area of transitional grants of more than considerable importance and meaning to us. The Administration under its present proposals will suggest that there be given to the State of Alaska during the next five years \$27,500,000. It is stated that if Alaska had not become a state of the Union, the federal government would have financed capital improvements at the Anchorage and Fairbanks airports of four million five hundred thousand dollars in 1960. And so in connection with the proposal to turn these airports over to the State the Administration will propose a grant of that amount so that the State can accomplish the work proposed instead of its being done by the federal government. It is also to be recommended, that the State take over certain intermediate airports and the federal government proposes

to offer us six hundred thousand dollars a year for the next five years to bear the cost of operating those airports. I am told that there is a margin there, for the operating cost isn't quite up to six hundred thousand dollars at this time.

The special grant programs for mental and general health are to be covered in the area of transitional grants. Four million dollars is yet due us under the six million dollar authorization for care of mentally ill patients, that would be provided during the five year period under the Administration's proposal. For that same period we would receive each year \$638,000.00 for the general health program.

And then there is a provision for winding up through federal grants on the order of \$100,000 a year the recreation program commenced by the Bureau of Land Management while we were still in Territorial status. Another section empowers the Governor of Alaska in respect to any of these facilities or operations taken over by the State to request the appropriate federal agency on an interim, reimbursable basis to continue the operating function theretofore performed. A very important section would authorize the President to give the State of Alaska any property owned or held by the United States in Alaska and used in connection with functions performed by the federal government which the State has or will assume. This authority would culminate in 1964.

The concluding substantive section of this proposed act would authorize a claims commission which the President might appoint to settle any dispute between the federal and state governments which could not be settled otherwise, concerning the transfer of property.

Now that concludes the presentation of this analysis except for the last--and in my view the most important--matter before us. We are aware of the fact that throughout most of the years of this century the Alaska Road Commission, initially under the War Department and then under the Department of the Interior, constructed and maintained all our highways on the public domain. It was three years ago, as I recall, that Alaska came, by way of a modified formula, under the federal aid highway program. And this formula provided that one-third of the land area of Alaska (and even that is of some considerable dimensions) would be used in allocating funds to the state. Furthermore, it was provided that the Territory would be especially well treated because it would be required to match only ten percent of the federal allocation. Very uniquely, it was also provided that the federal funds could be used for administration and for maintenance of the highways as well as for their construction. This is true no where else in the United States. And where we suffered on the one hand in not receiving as much money as we would have had were we a full partner under the highway programs, on the

other hand we benefitted hugely by reason of the fact that we did not have to put up money for maintenance which is now running at the very considerable rate of about five million dollars annually.

Now what does the administration propose in respect to the highway program? Well no less than we are a state and we ought to be treated exactly as any other state. This is perhaps a novel suggestion and some of its implications may be a bit frightening because this would require us to put up 13 $\frac{1}{2}$ % of construction funds. It would require us to pay the cost of administering the program now running as I understand it at the rate of about \$800,000 a year and I don't want to be held to that figure because I am not too confident that I am accurate. It would require us to put up about five million dollars a year for maintenance and this would give us 36 million dollars in construction.

The rewards would be great if we were able to afford them. In any case were this to be immediately effective, is it not debatable as to whether we could use any considerable share of the thirty-six million dollars in the next year or two or even three because we would confront these problems? We would have to organize, expand to a very considerable extent, our State Department of Highways which would then take over functions which it now does not perform which are performed by the federal Bureau of Public Roads. We don't have, or so it seems to me, the plans so that this huge amount of money--thirty-six million dollars could be put immediately to use. I want to convey to you my conclusions as to what we ought to seek to do in this important area and I should not use the personal pronoun either in connection with this because this morning in a long meeting in the Office of Acting Governor Wade participated in by several people to be resumed this afternoon it occurred to us that there is perhaps an obligation upon your congressional delegation to seek instead of the proposal made by the administration, a modified formula for the next few years. However, I have had no opportunity to discuss it of course with Senator Gruening or Representative Rivers, but naturally will do so immediately upon my return to Washington. What we propose and this I place before you, the members of the First State Legislature for your consideration and your advice, is that we seek in the Congress a revision of the formula whereby two-thirds of the land area of the State would be used as a basis for allocation of funds and that would give us about twenty-four million dollars a year, that this money be used as it now is for administration, for construction and for maintenance. Now we have two talking points those of us who met agree in presenting our case.

In the first place the thirty-six million dollars would have to come out of money already allocated, in broad general terms for the other states. Every dollar we gain they must lose and of course that would be true

of the twenty-four million dollars, too, as compared with the \$13,500,000 we now receive. But the difference would be that we would be getting more equity in consideration of our land and in return we would surrender that other twelve million dollars. It ought to be stated here with all the emphasis I can bring to bear that the offering of this proposal certainly does not mean it will be accepted by the Congress because no state is exempted from the requirement that it perform its own maintenance of its own roads and if the State of Alaska is to be treated otherwise this would be entirely unique and without precedent in the history of the United States federal aid highway program. We have one more argument, however, on our side in seeking for the next few years at least favorable consideration of this type. That relates directly to the fact that we are not partners in, members of, the interstate highway program, that 90-10 matching program, 90% in federal money, 10% in state money, building these magnificent throughways from one end of the country to the other and from north to south. We pay the taxes on that program, but we derive no benefits from it. So it is, we believe, not improper for us to go before the Administration and before the Congress and plead for special consideration for these next few years until we are firmly established as a state, until we get more of a highway program denied us for so long, for so many years because of the inadequacy of federal appropriations.

That in broad terms is the Omnibus Bill soon to be presented to the Congress, which will have such an important bearing over the period ahead of the life of the State of Alaska.

I have not expected to have the honor of appearing before the Legislature meeting here in Joint Session and it is a privilege which is ever so meaningful to me and so I did not think I would have the chance to talk to you all about the Omnibus Bill. I am glad that opportunity has been mine. I thought, lacking that opportunity, I would have met with the leadership of the House and of the Senate, and there are many indications that the leadership of these two Houses is vigorous and lively and able and effective, but here it is I can talk to everyone at the same time and that is all the better.

In conclusion I take a special pleasure in bringing you all and each of you personal greetings from Governor Egan. I saw him for some little time in Seattle Sunday. He was solicitous about the welfare and health of each of you, I assure you, and glad that you were in session with the important task ahead of you of setting up the state government. Now I would like to say on a personal basis that I had rather braced myself from what I had heard, expecting to see a Governor of Alaska terribly emaciated and all of that. Bill Egan is certainly thin,

but he looked ever so much better than I expected. Any person who has been through what he has these last few months is not going to recover overnight, and he is a seriously sick man yet, which is happily not the same as a critically sick man. But he has the long climb all ahead of him. And I don't think that we should expect Bill Egan to be back in harness, back on the job at work on the great assignment to which he was chosen by the people of Alaska, for a very considerable time yet; certainly it will be a matter of weeks. But we can be gratified in the sure knowledge now that his recovery will be complete in every particular and when he gets back on the job he is going to be just as well as ever he was and that is very well indeed. I want to say that greetings were extended to you likewise, all of you, by Mrs. Egan, who certainly has played a great role as she stood by Bill in his hours of crisis.

And I think that, granted the fact that you have met under extraordinarily difficult circumstances, much credit can, should, and certainly will be given by me and by many other Alaskans to the Legislative and Executive branches of our government. It has been a most difficult situation in which you have all been placed and I think that you are both, the Legislative on the one hand, the Executive on the other, facing up to the responsibilities which were conferred upon you by the people of Alaska in a manner that will be appreciated from North to South, and from East to West in this great state. No more significant session of this Legislature has ever been held in these halls. Back in 1912 the members of the first Territorial Legislature had a great job to do but the extent and degree of the kind of a job to be done in 1959 is extraordinarily greater not only by reason of the fact that we are now a state but by reason of the fact that modern life has become so much more complex, so much more involved and so much more expensive.

I have enjoyed being in Juneau, as always, and when I return to Washington to do my part there in aiding you in setting the State of Alaska out on a true course, this opportunity to meet with you and to confer with my friend Governor Wade and my other associates in this capital city will stand out and live in memory. I appreciate it and I thank you ever so much.

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HOUSE OF REPRESENTATIVES

FIRST SESSION

EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES  
Juneau, Alaska, February 12, 1959

Pursuant to adjournment, the House was called to order at 10:15 A.M.

Roll call showed all members present.

Prayer was offered by Rev. Samuel A. McPhetras.

At the request of Mr. Kendall and with unanimous consent, the prayer was ordered spread on the Journal.

"Almighty God, our heavenly Father,  
in whose hands are the living and the dead;  
we remember before Thee this day thy servant  
Abraham Lincoln, who having given his best  
for our Country, paid the supreme sacrifice  
with his life.

We look to his humbleness of spirit;  
his strength in silence; his loyalty to  
conviction; his gentleness of character;  
his courage and tirelessness in handling  
the affairs of State regardless of cost to  
himself.

As each generation is in need of strong  
citizens and leaders in government, help us  
to look upon his life, and receive the  
inspiration he imparts.

Through Him who promised in the words of St. Paul:  
"All things work together for good to those that  
love God", and hast shone us the Way of greatness  
through sacrifice, Jesus our crucified Saviour. Amen!"