

*The* **GROWTH** *of*  
**STATE ADMINISTRATION**  
*in Alabama*

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1942

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## CHAPTER VIII

### CONCLUSION

The story of Alabama's administrative growth, in terms of functions, administrative organization and practice, numbers employed, disbursements, and receipts, has been told above in some detail. By way of conclusion it is necessary only to summarize the principal points which have been developed. This may be done under the headings of (a) general observations and (b) trends. Among the former, the following appear to be the most interesting:

1. Few functions once undertaken by the State have been later abandoned. There was no important case of abandonment during the last 60 years preceding 1938. Except in unusual circumstances, then, a service assumed by the State will be carried on thenceforward.

2. While no special effort has been made to relate administrative growth to economic, social, and political conditions, it is clear that such growth is directly affected by collateral factors. The personnel and finance data for 1875 reflect the trials of Reconstruction and the panic of 1873, while the figures for 1935 suggest the effects of the depression of the early 'thirties.

3. A service undertaken on ever so humble a basis usually may be expected to expand steadily and rapidly. Almost always the early modesty soon gives way to an ambitious program which requires more men and money.

4. Although a new function may be assigned at first to an existing administrative agency, normally a demand may shortly be anticipated for new machinery and new employees to take care of the added duties.

5. The bulk of the State's administrative machinery rests on a statutory basis. In 1938 the Constitution provided for

15 agencies out of 127; the Governor had created 1; the Legislature had established the remaining 111.

6. An outstanding feature of the State's administration is the lateness with which it developed. This means that functions, machinery, and means of support are in good part of relatively recent growth.

7. The Federal government has played an important role in the rise of State administration in Alabama. This influence is most readily identified in the fields of highways, unemployment compensation, and employment service, in each of which encouragement and support by the government at Washington have provided a powerful stimulus to development.

Apart from and additional to these general observations, a number of trends of some significance may be identified. Among the most interesting of these are the following:

1. From 1823 to 1938 the number of functions (and reasonably well defined groups of functions) pursued by the State increased from 23 to 84. For the most part, this functional growth was steady and gradual, though not even. The period of greatest growth was that from 1907 to 1938, during which as many functions were added as from 1823 to 1907.

2. Most if not all of the individual functional fields likewise have grown rapidly. Each of the 11 functions examined individually experienced a substantial growth, and some developed at a startling rate.

3. The older functions and those undertaken more recently generally are quite different in character. The earlier functions are personified by those listed under general government, the later are exemplified in the activities relating to highways, health, conservation, charities, and the like.

4. The machinery of administration has grown along with the number of functions performed, though at a more rapid rate. From 1823 to 1938 the number of functions multiplied less than four times, the number of administrative

agencies seven. More such agencies were created the last 15 years than the first 65.

5. In the domain of administrative practice, the Governor has gained ground steadily at the expense of the Legislature, emerging toward the end of the period as the real as well as the nominal head of the State. At the same time the administrative machinery has grown more complex through increasing use of boards and commissions, ex officio service, and over-lapping terms. Terms of office have grown steadily longer. More and more use has been made of citizen service without pay or with a per diem allowance.

6. The number of persons employed by the State has grown rapidly, and most of this expansion has been in administrative personnel. Specifically, the increase was from 13 administrative employes in 1820 to 600 in 1900 and more than 9,000 in 1938. Almost 80 per cent of this growth took place between 1930 and 1938.

7. While the older functions have continued to grow in numbers employed, the big expansion in personnel has been among the newer functions. General government employed 85 per cent of the State's total administrative personnel in 1820; in 1938, with 57 times as many employees, it accounted for only 7 per cent of the total. On the other hand the Highway Department, which in 1920 employed only 8 per cent of all administrative personnel, in 1938 employed almost 45 per cent of the State's total; while highways, public service enterprises, and miscellaneous categories, all late comers, together accounted for almost 60 per cent of the total.

8. Disbursements increased, with declines only in 1875 and 1935, from less than \$50,000 in 1820 to almost \$2,200,000 in 1900 and more than \$62,500,000 in 1938. The bulk of this increase came after 1900. Indeed, from 1930 to 1938 disbursements increased more than during the entire first century of the State's history.

9. Once more the most spectacular growth was in the newer functional fields. General government, the object of

98 per cent of all disbursements in 1820, claimed less than 4 per cent in 1938. Highways received only  $3\frac{1}{2}$  per cent of the total disbursements in 1920, but almost 20 per cent in 1938. Highways and schools together accounted for more than 40 per cent of the total disbursements in 1938; while payments to counties and cities, appearing first in 1930, claimed almost 14 per cent of the total eight years later.

10. As in the case of disbursements, receipts grew steadily, with only two set-backs, from less than \$50,000 in 1820 to \$2,650,000 in 1900 and more than \$62,500,000 in 1938. The bulk of this increase occurred between 1900 and 1938, when receipts multiplied approximately 24 times.

11. Among the receipts, taxes have decreased in importance and non-taxes have increased since about 1910. In 1880 taxes contributed almost 86 per cent of the total receipts, while in 1938 the tax yield was only 67 per cent of the total. During the same time, non-taxes increased from less than 3 per cent to more than 22 per cent of the total.

12. While such time-honored taxes as the general property tax, the poll tax, the corporation tax, and the insurance companies tax have increased in yield, the major gains have been made by the newer taxes. The income tax is important, but more important yet are the various sales taxes—the gasoline, the tobacco, and the general sales taxes. Highly productive also is the unemployment compensation tax. The general property tax declined from a high of 88 per cent of the total net receipts in 1870 to less than 8 per cent in 1938; while such sources as the income, gasoline, tobacco, general sales, and unemployment compensation taxes, all appearing in 1920 or later, contributed more than 54 per cent of the total net receipts in 1938.

13. Among the non-taxes, Federal funds, becoming an important factor only since 1900, contributed 21 per cent of the total net receipts in 1935 and 14 per cent in 1938. The Convict Department, formerly a major source of revenue, declined in yield from 21 per cent of the total receipts in 1920

to 2 per cent in 1938. The State liquor store system, established as late as 1937, at once entered the ranks of the big producers, contributing over 5 per cent of the total net receipts in 1938.

14. Two outstanding features of the State's revenue system are the increasing number of sources tapped and the productivity of the newer sources. In 1900 reliance was placed on 7 principal sources of receipts; by 1938 the number had grown to 16. Sources added in 1920 or later contributed almost 60 per cent of the total net receipts in 1938.

15. Every criterion employed indicates a significant change in emphasis in State activities over the last century. In 1820 and for several decades following, Alabama was concerned principally with the functions classified under general government. The protective function was also prominent. Government during those years obviously operated on a minimum basis, and performed the duties characteristic of what has been called the "police state." In the last half-century, and more especially in the last three decades preceding 1938, more and more emphasis has come to be placed on service functions. This is to be seen in the growing attention given to highways, conservation, health, hospitals and eleemosynary institutions, charities, libraries, recreation, public service enterprises, and such miscellaneous functions as employment service and unemployment compensation work. Increasing activity in these fields signalizes the rise of the "service state." The machinery of administration has taken shape around the newer functions, which have claimed the great bulk of the increase in both personnel and disbursements. The older activities continue, of course, but relatively they have lost ground to the newer service functions. Alabama's transition from the police state to the service state doubtless is not yet complete, but it is beyond question well advanced.

## APPENDIX A

### A FUNCTIONAL GROUPING OF STATE ADMINISTRATIVE OFFICERS AND AGENCIES PROVIDED FOR BY LAW ON DECEMBER 31, 1938, WITH LEGAL BASIS AND DATE OF CREATION OF EACH

Certain factors which operate to make the following tabulation somewhat less than 100 per cent accurate should be kept in mind in reading or studying the table. First, reliance was placed on the law in compiling the list. Now and then an agency provided for by law either was never actually created or has become inoperative. There are not many of these. Second, the name of an occasional agency has been changed, sometimes several times, with the result that it is difficult to say what is its legal basis or to fix its date of creation. For example, the State Board of Administration, established in 1919, had for its major function the administration of the Convict Department, which was also the chief task of the Board of Inspectors of Convicts, created in 1839. What date should be assigned to the Board of Administration? Conversely, occasionally an agency which looks and sounds like an earlier one is not the same at all. Thus, to illustrate, the State Docks Commission, set up in 1923, superseded the State Harbor Commission of 1915, though the functions of the two were different in many important respects. Third, an officer or agency here and there came into being under private auspices, to be placed later on a statutory basis. Further, an occasional statutory officer or agency has been "written into" the Constitution, while at least one, the Lieutenant-Governor, passed from a constitutional to a statutory and then back to a constitutional basis. When did such an officer or agency originate, and on what legal basis? Fourth, an agency sometimes has been created, abolished, and

subsequently re-created. What is the status of such an agency, for the purpose of the table? These questions doubtless were not answered with uniform success. But they were answered, with the results recorded in the following table.

Functional Category and Officer or Agency	Legal Basis	Date of Creation (or Authori- zation)*
General Government		
Attorney General	Constitution	1819
Board of Appointment of Regis- trars of Elections	Constitution	1901
Board of Canvassers	Statute	1881
Board of Censors	Statute	1923
Board of Compromise	Statute	1879
Board to Approve Contracts	Constitution	1875
Board to Prepare Revenue Bill	Constitution	1901
Building Commission	Statute	1911
Commission on Uniform State Laws	Governor's order	1920
Commission to Select Contractor for Public Printing	Statute	1889
Commissioners of Deeds	Statute	1833
Governor	Constitution	1819
Highway Bonding Commission	Statute	1927
Keeper of Capitol	Statute	1852
License Inspector	Statute	1935
Lieutenant-Governor	Constitution	1901 <sup>a</sup>
Muscle Shoals Commission	Statute	1927
Secretary of State	Constitution	1819
Sinking Fund Commission	Statute	1935
State Auditor	Constitution	1819
State Board of Adjustment	Statute	1935
State Boundary Commission	Statute	1901
State Comptroller	Statute	1932
State Land Commissioner	Statute	1935
State Planning Commission	Statute	1935
State Tax Commission	Statute	1907
State Treasurer	Constitution	1819
Warrant Commission	Statute	1933

\*Where possible the date of creation is given in the case of a going agency. Occasionally, however, use of the authorization date has been necessary.

<sup>a</sup> A Lieutenant-Governor was provided for in the Constitution of 1868, but not in that of 1875.

Functional Category and Officer or Agency	Legal Basis	Date of Creation (or Authori- zation)
Protection to Person and Property		
Adjutant General	Statute	1820
Alabama Air Service Building		
Commission	Statute	1931
Alabama Athletic Commission	Statute	1927
Alabama Public Service		
Commission	Statute	1881
Armory Commission of Alabama	Statute	1927
Banking Board	Statute	1919
Board of Commissioners of		
State Bar	Statute	1858
Board of Mine Examiners	Statute	1897
Board of Plumber Examination		
and Registration	Statute	1931
Building and Loan Association		
Board	Statute	1937
Building and Loan Commissioner	Statute	1931
Chief of State Highway Patrol	Statute	1935
Commander-in-Chief of Militia and		
Volunteer Forces of Alabama	Constitution	1819
Commissioner of Labor	Statute	1935
Governor's Staff	Statute	1822
Military Advisory Board	Statute	1927
People's Public Service Attorney	Statute	1935
Secret Service Men	Statute	1919
State Board of Mediation and		
Arbitration	Statute	1911
State Board of Public		
Accountancy	Statute	1919
State Board of Registration for		
Professional Engineers and		
Land Surveyors	Statute	1935
State Board of Registration of		
Architects	Statute	1931
State Compensation Commissioner	Statute	1923
State Fire Marshal	Statute	1919
State Law Enforcement Officers	Statute	1920
State Licensing Board for		
General Contractors	Statute	1935
State Milk Control Board	Statute	1935
State Mine Inspectors	Statute	1897
State Pilotage Commission	Statute	1852
State Real Estate Commission	Statute	1927
State Securities Commission	Statute	1919
State Toxicologist	Statute	1935
Superintendent of Banks	Statute	1903
Superintendent of Insurance	Statute	1897

Functional Category and Officer or Agency	Legal Basis	Date of Creation (or Authori- zation)
<b>Highways</b>		
Alabama Bridge Authority	Statute	1935
Alabama Highway Corporation	Statute	1935
State Aviation Commission	Statute	1931
State Highway Commission	Statute	1911
<b>Development and Conservation of Natural Resources</b>		
Alabama Industrial Authority	Statute	1935
Alabama Industrial Development Board	Statute	1927
Alabama Oyster Commission	Statute	1935
Board of Compromise for School Lands	Statute	1907
Commissioner of Agriculture and Industries	Constitution	1885 <sup>b</sup>
Commissioner of Conservation of Game, Fish, and Seafoods	Statute	1907
Conservation Board	Statute	1935
Salt Springs Agent	Statute	1819
State Board of Agriculture	Statute	1923
State Chemist	Statute	1885
State Forestry Commission	Statute	1907
State Geologist	Statute	1848
State Veterinarian	Statute	1907
State Veterinary Medical Examination Board	Statute	1915
<b>Health and Sanitation</b>		
Board of Dental Examiners	Statute	1881
Board of Medical Technicians Examiners	Statute	1937
Board of Nurses Examiners	Statute	1915
State Board of Embalming	Statute	1894
State Board of Health	Statute	1875
State Board of Medical Examiners	Statute	1877
State Board of Optometry	Statute	1919
State Board of Pharmacy	Statute	1887
State Committee of Public Health	Statute	1919
State Health Officer	Statute	1879 <sup>c</sup>
State Hotel Inspector	Statute	1919
<b>Hospitals and Institutions for Handicapped</b>		
Board of Commissioners of Alabama Epileptic Colony	Statute	1907

<sup>b</sup> Created by statute in 1885, this official found his way into the Constitution of 1901.

<sup>c</sup> The State Health Officer, provided for by the State Medical Association in 1879, did not acquire legal status until some years later.

Functional Category and Officer or Agency	Legal Basis	Date of Creation (or Authori- zation)
Board of Managers of Partlow State School for Mental Deficients	Statute	1923
Board of Trustees of Alabama Insane Hospitals	Statute	1857
Board of Trustees of Alabama In- stitute for Deaf and Blind	Statute	1860
Board of Trustees of Alabama Sanatorium for Tuberculosis	Statute	1907
Charities		
Alabama Pension Commission	Statute	1899
Board of Control for Confederate Soldiers' Home	Statute	1903
State Board of Public Welfare	Statute	1935
State Service Commissioner	Statute	1927
Correction		
Board of Directors of Alabama Boys' Industrial School	Statute	1899
Board of Pardons	Constitution	1901
Board of Trustees of the Alabama Reform School for Juvenile Negro Law Breakers	Statute	1911
Board of Trustees of the State Training School for Girls	Statute	1911
State Board of Administration	Statute	1919 <sup>d</sup>
Schools		
Board of Trustees of Alabama College	Statute	1892
Board of Trustees of the Alabama Polytechnic Institute	Constitution	1868
Board of Trustees of the University of Alabama	Constitution	1821 <sup>e</sup>
Board for Distribution and De- livery of Dead Bodies	Statute	1923
State Board of Education	Statute	1919
State Council of Education	Statute	1919

d

The Board of Administration, set up in 1919 with the principal duty of administering the Convict Department, had as its original antecedent the Board of Inspectors of Convicts, which was created in 1839.

e

Established in 1821 by statute, the Board of Trustees of the University of Alabama was placed on a constitutional basis in 1868.

Functional Category and Officer or Agency	Legal Basis	Date of Creation (or Authori- zation)
Superintendent of Education	Constitution	1854 <sup>f</sup>
Libraries		
Board of Trustees of Department of Archives and History	Statute	1901
Recreation		
Alabama Art Commission	Statute	1919
Alabama Memorial Commission	Statute	1919
Alabama Monument Commission	Statute	1907
Alabama Patriotic Society	Statute	1919
First White House of the Confederacy Commission	Statute	1919
Public Service Enterprises		
Alabama Alcoholic Beverage Control Board	Statute	1937
Board of Directors of Alabama Rural Electrification Authority	Statute	1935
Highway Bridge Commission	Statute	1935
Public Works Board of Alabama	Statute	1935
State Bridge Corporation	Statute	1927
State Docks Commission	Statute	1923
Miscellaneous		
Alabama State Employment Service	Statute	1935
State Unemployment Compensation Advisory Council	Statute	1935
Unemployment Compensation Commission of Alabama	Statute	1935

<sup>f</sup> Provided for in 1854 by statute, the Superintendent of Education gained constitutional status in 1868.