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STATE OF OREGON

Official Voters' Pamphlet

For the

Regular General Election

November 4, 1952



Compiled and Distributed by

EARL T. NEWBRY

Secretary of State

MARION COUNTY

25

FOREWORD

This pamphlet is printed and distributed as provided for and regulated by the statutes hereinafter referred to, and contains the following material and information:

(1) Full texts and ballot titles of (a) proposed constitutional amendments and laws referred to the voters of the state by the 1951 Legislature, (b) Acts of the 1951 Legislature against which referendum petitions were filed, and (c) measures proposed by initiative petition. (Section 81-2109, Oregon Compiled Laws Annotated.)

(2) Estimates computed by the Secretary of State, with the assistance of the State Treasurer, and the Governor's Budget Director, of the amount of expenditure or tax revenue which will be required to meet the provisions of proposed measures "involving the expenditure of public money by the state, or the raising of funds by the state by imposing any tax or incurring any indebtedness." (Chapter 290, Oregon Laws 1951.) Measures subject to this law are Nos. 304-305; 318-319; 320-321; 322-323, the prescribed estimate ("Price Tag") being included in the Ballot Title of each.

(3) "Impartial, understandable statements" not exceeding 500 words in length, explaining each proposed measure and its effect, prepared by committees, two members of each committee being appointed by the Governor (one from among proponents and one from among opponents of the proposal), the third member being designated by these two. (Chapter 546, Oregon Laws 1951.)

(4) Arguments of committees of the Legislature supporting legislative proposals and arguments by others in opposition to these, for which the Legislature has provided space without charge.

(5) Arguments filed by interested parties advocating or opposing certain of the proposals, space being paid for at the prescribed rate of \$300 per page. (Section 81-2109, O. C. L. A.)

(6) A complete list of candidates for national, state and district offices, whose names will appear on the official election ballots. (Chapter 222, Oregon Laws 1951.)

(7) Statements in behalf of candidates, with portrait cuts, space for which was engaged at the rate of \$10 per page for candidates for the Legislature; \$50 per page for all other candidates, excepting political party candidates for President and Vice-President, for which there is no charge. (Section 81-2506, O. C. L. A.)

The Candidates' Section of the Pamphlet Starts on Page 83

BALLOT TITLES OF MEASURES

PROPOSED LEGISLATION TO BE VOTED UPON BY THE PEOPLE OF THE STATE
AT LARGE, NOVEMBER 4, 1952, WILL APPEAR UPON THE OFFICIAL
BALLOTS IN THE FOLLOWING FORM AND ORDER:

REFERRED TO THE PEOPLE BY THE LEGISLATIVE ASSEMBLY

AMENDMENT MAKING SUPERINTENDENT OF PUBLIC INSTRUCTION

APPOINTIVE—Purpose: Repeals section 1, Article VIII of Oregon constitution, which now provides for election of superintendent of public instruction, and enacts in lieu thereof section 1 which provides that the state board of education shall select and employ a superintendent of public instruction as its chief administrative officer, who shall be removable at its discretion; requiring the board to prescribe his powers and duties, except as they may otherwise be prescribed by law. Authorizes board to fix his compensation.

Vote YES or NO

300 **Yes. I vote for the proposed amendment.**

301 **No. I vote against the proposed amendment.**

WORLD WAR VETERANS' STATE AID SINKING FUND REPEAL AMEND-

MENT—Purpose: Repeals Article XI-C of the constitution of the state of Oregon, and provides that all assets of the world war veterans' state aid sinking fund be thereby transferred to the common school fund at such value and under such conditions as shall have been or may hereafter be prescribed by statute.

Vote YES or NO

302 **Yes. I vote for the proposed amendment.**

303 **No. I vote against the proposed amendment.**

ACT AUTHORIZING DOMICILIARY STATE HOSPITAL FOR AGED MEN-

TALLY ILL—Purpose: The act authorizes a domiciliary hospital for the care and treatment of aged persons afflicted with mental illness, and directs hospital be located, constructed, operated and maintained in the area situated within a 20-mile radius of the county courthouse of Multnomah county, Oregon. State board of control is authorized and directed to proceed to locate and construct hospital, cost not to exceed the sum of \$3,000,000, and to operate and maintain such hospital, secure the necessary land therefor when funds are available, in the same manner that said board is authorized and directed to maintain other state hospitals.

(ESTIMATE OF COST—The enactment of this measure would authorize the State to expend \$3,000,000 for construction, and approximately \$750,000 annually for operation of the hospital specified.)

Vote YES or NO

304 **Yes. I vote for the proposed law.**

305 **No. I vote against the proposed law.**

AMENDMENT LEGAL VOTERS OF TAXING UNIT ESTABLISH TAX BASE—Purpose: Amends section 11, Article XI of Oregon constitution, providing unless authorized by a majority of legal voters no taxing unit, state, county, municipality, district or other tax levying body shall in any year raise a greater amount of revenue for given year than amount levied in one of three years immediately preceding, excepting payment of bonded indebtedness or interest thereon, in excess of tax base plus six per centum or amount approved by legal voters establishing tax base, which shall be submitted at general and primary elections and specify in dollars and cents both base in effect and base established.

Vote YES or NO

306 Yes. I vote for the proposed amendment.

307 No. I vote against the proposed amendment.

AMENDMENT TO AUGMENT OREGON WAR VETERANS' FUND—Purpose: Amending Article XI-A of Oregon constitution, providing that credit of state may be loaned and indebtedness incurred not to exceed 4% of assessable property within the state, creating funds for acquisition of farms and homes of residents who actively served in armed forces of United States not less than 90 days between June 25, 1950, and the cessation of military emergency, who was either at time of enlistment a resident of Oregon or a bona fide resident of the state at least two years after his separation from service and honorably discharged therefrom, or furloughed to a reserve.

Vote YES or NO

308 Yes. I vote for the proposed amendment.

309 No. I vote against the proposed amendment.

AMENDMENT CREATING LEGISLATIVE ASSEMBLY EMERGENCY COMMITTEE—Purpose: Amending the Oregon constitution by adding a new section and making it part of Article III, which authorizes legislative assembly to establish a joint committee of members from both houses as an agency to exercise budgetary control over all executive and administrative state officers, departments, boards, commissions and agencies of state government. Provides that said joint committee of members serve from session to session, with power in case of emergency to allocate to any state agency out of an emergency fund for deficiencies in appropriations, and provide for any new activities, between sessions of legislature.

Vote YES or NO

310 Yes. I vote for the proposed amendment.

311 No. I vote against the proposed amendment.

AMENDMENT FIXING ELECTIVE TERMS OF STATE SENATORS AND REPRESENTATIVES—Purpose: To amend section 4 of Article IV of Oregon constitution, providing that the term of every senator and representative shall commence on the first Monday in January following his election, and shall continue for the full period of four years for each senator and two years for each representative, respectively. (The present law provides that the elective term of each commences on date of election.)

Vote YES or NO

312 Yes. I vote for the proposed amendment.

313 No. I vote against the proposed amendment.

[See pages 17-20]

[See pages 21, 22]

[See pages 23-25]

[See pages 26, 27]

AMENDATORY ACT TITLE SUBJECT AMENDMENT—Purpose: To amend section 20 of Article IV of the constitution of Oregon, and construing the amendment so as to permit the inclusion in an amendatory act, under a proper title, of matters otherwise germane to the same general subject, although title or titles of original act or acts may not have been sufficiently broad to have permitted such matter to have been so included in such original act or acts or any of them.

Vote YES or NO

314 Yes. I vote for the proposed amendment.

315 No. I vote against the proposed amendment.

ACT LIMITING STATE PROPERTY TAX—Purpose: That the state of Oregon shall not for any fiscal year collect a state property tax, either directly or by apportionment among the several counties, in any greater sum than the total of an amount equal to six mills multiplied by the total equalized assessed valuation for that year of taxable property in the state, and such additional amount as may be necessary to collect by means of such a property tax for that year to pay bonded indebtedness or interest thereon. Act becomes effective July 1, 1953, and applies to each fiscal year thereafter.

Vote YES or NO

316 Yes. I vote for the proposed law.

317 No. I vote against the proposed law.

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

MOTOR CARRIER HIGHWAY TRANSPORTATION TAX ACT—Purpose: To increase tax imposed upon motor vehicles, used in transportation of persons or property as common, contract and private carriers; amending section 11, chapter 488, Oregon Laws 1949. Tax is additional to all other license fees and taxes imposed by law. Revenue from tax is to be used for administration, maintenance, operation, construction and reconstruction of public highways. Declared combined weight, fuel use and purchase are basis for tax. Mileage and flat fee tables are established according to weight classification. Does not apply to certain vehicles or fuels defined in chapter 303, Oregon Laws 1943, and amendatory acts.

(ESTIMATE OF REVENUE—The enactment of this measure would increase the State taxes on motor vehicles of the class specified, approximately \$1,930,000 annually, for highway purposes.)

Vote YES or NO

318 Yes. I vote for the proposed law.

319 No. I vote against the proposed law.

[See pages 28-30]

[See pages 31-33]

[See pages 34-40]

SCHOOL DISTRICT REORGANIZATION ACT—Purpose: Requiring state board of education to prepare criteria for development of school district reorganization program, for inclusion of all territory in Oregon in unified school districts. Providing for appointment of state commissioner and state advisory committee, election of county committees in all counties except those where entire county is operating under county unit system, for the purpose of carrying out such state-wide program for reorganization, redistricting and unification of such districts. Prescribing procedures for elections; for continuation of small schools; for division of assets; for serial tax levies; and for administration and government of such established unified districts.

(ESTIMATE OF COST—An expenditure of \$60,000 annually, for three years, from the State Basic School Support Fund, would be required to meet the provisions of this measure.)

Vote YES or NO

320 Yes. I vote for the proposed law.

321 No. I vote against the proposed law.

CIGARETTE STAMP TAX REVENUE ACT—Purpose: To provide revenue for state general fund by imposing tax of 1½ cents for each ten cigarettes or major fraction thereof, for privilege of selling, using, consuming, handling, possessing or distributing cigarettes by any person, on or after October 1, 1951. Exempts cigarettes sold to United States to or by voluntary unincorporated organizations of armed forces thereof. Exempts use of 400 cigarettes or less, brought into state or in possession of any person. Tax commission to administer act; collect tax; license wholesale dealers; control retailers; prescribe procedure for issuing stamps; enforce penalties and confiscate illegally possessed cigarettes.

(ESTIMATE OF REVENUE—The tax imposed by this measure would produce approximately \$4,980,000 annually, which would be subject to appropriation by the Legislature for general state purposes.)

Vote YES or NO

322 Yes. I vote for the proposed law.

323 No. I vote against the proposed law.

PROPOSED BY INITIATIVE PETITION

ESTABLISHING UNITED STATES STANDARD TIME IN OREGON—Purpose: Abolishing daylight saving time, repealing chapter 373, Oregon Laws 1949, and establishing United States standard time as established by the Congress of the United States for any given area of Oregon. Would prohibit any department of state, county, city government or other political subdivision from fixing any other time or adopting any statute, ordinance or order providing for the use of any other than United States standard time. Becomes effective 2 o'clock A. M., United States standard Pacific time, on second Sunday following governor's proclamation of approval by the electorate.

Vote YES or NO

324 Yes. I vote for the proposed law.

325 No. I vote against the proposed law.

[See pages 58-64]

CONSTITUTIONAL AMENDMENT PROHIBITING LOTTERIES, BOOK-MAKING, PARI-MUTUEL BETTING ON ANIMAL RACING—Purpose: To amend section 4, Article XV of the constitution, providing that no lotteries shall be authorized by the legislature, and no ticket in any lottery, pari-mutuel betting on result of horse, dog or other animal or vehicle racing shall be bought, offered for sale, or sold within the state. No book-making shall be authorized or any gambling device legalized, "or the remedy, penalty or punishment now provided therefor be in any way diminished."

Vote YES or NO

326 Yes. I vote for the proposed amendment.

327 No. I vote against the proposed amendment.

CONSTITUTIONAL AMENDMENT AUTHORIZING ALCOHOLIC LIQUOR SALE BY INDIVIDUAL GLASS—Purpose: To amend Article I of Oregon constitution by adding section 39 thereto, which would authorize the state to license private clubs, fraternal organizations, veterans' organizations, railroad corporations operating interstate trains, and commercial establishments where food is cooked and served, for purpose of selling alcoholic liquor by individual glass for consumption on premises. Act effective 60 days after adoption. Local option elections in counties and incorporated towns containing population of 500. Legislature shall prescribe procedure for local option at biennial elections in counties or incorporated towns of less population. Act to operate uniformly and be liberally construed.

Vote YES or NO

328 Yes. I vote for the proposed amendment.

329 No. I vote against the proposed amendment.

CONSTITUTIONAL AMENDMENT PROVIDING EQUITABLE TAXING METHOD FOR USE OF HIGHWAYS—Purpose: That Article IX of the Oregon constitution be amended by adding section 3a, providing that after July 1, 1953, all taxes, fees, licenses, assessments or charges levied directly or indirectly for the use of free public highways, roads, streets and bridges shall be assessed equitably and fairly in order that each type of vehicle shall pay its proportionate share of highway costs, such levies to consist of registration fees based on weight and fuel tax based on gallonage. No such fees or taxes shall be levied, assessed or collected by any city, town, county or political subdivision of this state.

Vote YES or NO

330 Yes. I vote for the proposed amendment.

331 No. I vote against the proposed amendment.

[See pages 65-71]

[See pages 68-71]

MILK PRODUCTION AND MARKETING ACT BILL—Purpose: Authorizes governor to appoint milk control administrator, an instrumentality of state, with annual salary of \$7200, vested with power to investigate, supervise and regulate the production of milk for human consumption within the state. Act requires butterfat labeling of milk and licensing of milk dealers. Appropriates license fees for expense of administration. Authorizes administrator to designate marketing areas, require uniform records and accounts to be kept by producers and dealers, fix minimum milk production prices after public hearing, and require bonds of milk dealers. Appeals are provided for and penalties for violations; all existing milk control laws are repealed.

Vote YES or NO

332 Yes. I vote for the proposed law.

333 No. I vote against the proposed law.

CONSTITUTIONAL LEGISLATIVE SENATOR AND REPRESENTATIVE APPORTIONMENT ENFORCEMENT AMENDMENT—Purpose: Amends

section 6, Article IV of the constitution, requiring legislature following each federal census to reapportion legislative representatives among counties of state according to population. The ratios are determined by dividing total population by number of senators and representatives, respectively. When fraction exceeding one-half results such county or district shall be entitled to a member; otherwise such county to be attached to adjoining county or counties. Secretary of state to reapportion if legislature fails to enact. Original jurisdiction vested in supreme court to enforce compliance. Amendment reapportions senators and representatives, which becomes operative for primary and general elections of 1954.

Vote YES or NO

334 Yes. I vote for the proposed amendment.

335 No. I vote against the proposed amendment.

FULL TEXTS OF THE FOREGOING PROPOSALS, WITH AFFIRMATIVE AND NEGATIVE ARGUMENTS THAT HAVE BEEN FILED IN CONNECTION THEREWITH, ARE SET FORTH ON THE PAGES FOLLOWING, AS INDICATED BY THE MARGINAL REFERENCE OPPOSITE EACH BALLOT TITLE.

(On Official Ballot, Nos. 300 and 301)

**AMENDMENT MAKING SUPERINTENDENT OF PUBLIC INSTRUCTION
APPOINTIVE**

Proposed by the Forty-sixth Legislative Assembly by Senate Joint Resolution No. 14, filed in the office of the Secretary of State March 14, 1951, and referred to the people as provided by section 1 of article XVII of the Constitution.

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Senate of the State of Oregon, the House of Representatives jointly concurring:

That section 1, article VIII of the Constitution of the State of Oregon be repealed, and that the following section be enacted in lieu thereof:

Section 1. The State Board of Education shall select and employ a Superintendent of Public Instruction as its chief administrative officer, who shall be removable at its discretion. The board shall prescribe his powers and duties, except as they are otherwise prescribed by law, and shall fix his compensation.

BALLOT TITLE

AMENDMENT MAKING SUPERINTENDENT OF PUBLIC INSTRUCTION APPOINTIVE—Purpose: Repeals section 1, Article VIII of Oregon constitution, which now provides for election of superintendent of public instruction, and enacts in lieu thereof section 1 which provides that the state board of education shall select and employ a superintendent of public instruction as its chief administrative officer, who shall be removable at its discretion; requiring the board to prescribe his powers and duties, except as they may otherwise be prescribed by law. Authorizes board to fix his compensation.

Vote YES or NO

300 Yes. I vote for the proposed amendment.

301 No. I vote against the proposed amendment.

EXPLANATION

**OF AMENDMENT MAKING SUPERINTENDENT OF PUBLIC INSTRUCTION
APPOINTIVE**

(Ballot Nos. 300 and 301)

The proposed constitutional amendment, if enacted, will place the selection of the Superintendent of Public Instruction in the hands of the State Board of Education which also will have the power to prescribe his powers and duties and fix his salary. It repeals Section 1, Article VIII of the Oregon Constitution which presently provides for the election of the Superintendent of Public Instruction.

The office of Superintendent of Public Instruction was established in 1872. It is the principal administrative office of the Oregon System of Public Schools. Since 1942 the office has been filled by election on a nonpartisan ballot. The present law provides that candidates for the office may be presented by individual nominating petitions, or by declaration of candidacy and the payment of filing fees.

The proposed amendment, presented to the people by Senate Joint Resolution No.

14 of the 1951 Legislative Assembly will change this procedure by removing the selection of the Superintendent of Public Instruction from the electorate and directing the State Board of Education to select and supervise the person to occupy such office. It will permit non-residents of the state to qualify for the position.

The State Board of Education consists of seven citizens of the State, appointed by the Governor and subject to confirmation by the Oregon State Senate. The Board is charged with the responsibility for administration of the public schools. The proposed amendment will permit the Board to exercise direct control over its principal administrative official.

TED T. KIRSCH, Sitkum
SARAH H. KNOX, Oswego
FREDERICK, H. TORP, Portland
Committee designated pursuant to
Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by the Legislative Committee provided by Senate Joint Resolution No. 14 of the Forty-sixth Legislative Assembly, in favor of the

AMENDMENT MAKING SUPERINTENDENT OF PUBLIC INSTRUCTION APPOINTIVE (Ballot Nos. 300 and 301)

Members of the last State Legislature recognized the need for reorganization of much of the then-existing Oregon public school structure, and they enacted many laws to effect reorganization.

This proposed constitutional amendment is merely another phase of that reorganization program. By large majorities, both houses of the last legislature voted for it. But because it will amend the state constitution, the public must approve it before it can become effective.

It is desirable legislation and an integral part of the over-all reorganization program. We recommend that Oregon voters support it.

ITS AIMS ARE SIMPLE

This amendment would repeal section 1 of Article VIII of our constitution and substitute instead a new section 1. The old section says that the legislature shall provide for the compensation and the election of the Superintendent of Public Instruction and shall prescribe his powers and duties.

The new section proposes that he shall be selected and employed by the State Board of Education which he shall serve as chief administrative officer. The board would then prescribe the powers and duties (except those set by law), determine his salary, and remove him at its discretion.

The amendment has two simple aims:

1. It seeks to assure Oregon citizens that the most competent person available is chosen to hold our state's most important educational position.

2. It seeks to assure the maintenance of close working relationships between the State Board of Education which represents the public and its chief executive officer who administers school laws and regulations.

BENEFITS ARE OBVIOUS

The position of State Superintendent of Public Instruction calls for an individual who has wide experience in public education, administrative ability, and vision for leadership. This requires unusual professional competence. The position should not be political.

Selection of the State Superintendent by our seven-member State Board of Education would permit the careful study of individuals and their qualifications. Appointment would be dependent upon ability, not upon vote-getting power.

The proposed amendment is in line with the American system of filling all governmental positions where professional qualifications are needed by appointment of persons with professional competence. Ability would become the determining factor.

The second major reason for the pro-

posed amendment is to make sure that the State Superintendent of Public Instruction and the State Board of Education work closely together.

The State Board represents the public in establishing broad educational policies for Oregon. It is sound public policy to make the administrative officer directly responsible to the board. Under our present system of election of the State Superintendent, this responsibility is divided and could result in conflict and division of authority.

A recent nationwide survey conducted by The Shreveport (Louisiana) Times disclosed overwhelming support for the appointment of state superintendents rather than their election. The legislative advisory committee which completed its extensive study of Oregon's public elementary and secondary schools in 1950, also affirmed its belief in the importance of appointment of our State Superintendent. Its report said:

" . . . (the) State Board of Education should be given the responsibility of selecting the best qualified person available as Superintendent of Public Instruction."

Suggestions that this proposed constitutional amendment might lead to political control of the appointment of the State Superintendent of Public Instruction are groundless.

Two safeguards against political control are apparent: (1) The State Board of Education is made up of seven members, one to be appointed annually. It is significant that no governor could appoint the entire board during one term of office. (2) More significant is the fact that every appointment to the board must be confirmed by the Oregon Senate. Such safeguards should assure highly qualified, civic-minded citizens on the board whose only consideration in choosing a State Superintendent would be the welfare of Oregon boys and girls.

The term to which the present State Superintendent was elected in 1950 would not be affected by the proposed change.

THIS AMENDMENT WOULD IMPROVE OUR PRESENT STATE SCHOOL ORGANIZATION. IT HAS THE SUPPORT OF LARGE MAJORITIES OF BOTH HOUSES OF THE LEGISLATURE. IT IS GOOD LEGISLATION!

We recommend
VOTE 300 X YES TO MAKE THE
SUPERINTENDENT OF PUBLIC IN-
STRUCTION APPOINTIVE.

THOMAS PARKINSON
State Senator, Roseburg
ELLIOTT B. CUMMINS
State Representative, McMinnville
MARK HATFIELD
State Representative, Salem

(On Official Ballot, Nos. 302 and 303)

**WORLD WAR VETERANS' STATE AID SINKING FUND
REPEAL AMENDMENT**

Proposed by the Forty-sixth Legislative Assembly by Senate Joint Resolution No. 12, filed in the office of the Secretary of State March 15, 1951, and referred to the people as provided by section 1 of article XVII of the Constitution.

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Senate of the State of Oregon, the House of Representatives jointly concurring:

That article XI-C of the Constitution of the State of Oregon be and the same here-

by is repealed, and that all assets of the World War Veterans' State Aid Sinking Fund be and they hereby are transferred to the Common School Fund at such value and under such conditions as shall have been or may hereafter be prescribed by statute.

BALLOT TITLE

WORLD WAR VETERANS' STATE AID SINKING FUND REPEAL AMENDMENT—
Purpose: Repeals Article XI-C of the constitution of the state of Oregon, and provides that all assets of the world war veterans' state aid sinking fund be thereby transferred to the common school fund at such value and under such conditions as shall have been or may hereafter be prescribed by statute.

Vote YES or NO

302 Yes. I vote for the proposed amendment.

303 No I vote against the proposed amendment

EXPLANATION

OF WORLD WAR VETERANS' STATE AID SINKING FUND REPEAL AMENDMENT

(Ballot Nos. 302 and 303)

Article XI-C of the Constitution of the State of Oregon was adopted by a vote of the people of the State of Oregon on June 7, 1921, and was amended by vote of the people on November 4, 1924 and on July 21, 1933. The Article with amendments authorized the incurring of state indebtedness in an amount not exceeding three (3%) per cent of the assessed valuation of the state for the purpose of paying cash bonuses and of making loans upon first mortgages upon real property, to veterans of World War I, and of making loans upon such mortgages to Spanish American War veterans. The amendment of July 21, 1933, provided that no further cash bonuses should be paid and that the loan privilege should expire on June 30, 1938.

On October 1, 1952, the final installment of state bonds issued under authority of the Article was paid. Assets valued at approximately \$1,700,000 remained in the bond sinking fund after all indebtedness incurred under the authority of the Article

had been met. These assets were lawfully sold to the Common School Fund of the State of Oregon and the proceeds credited to the general fund of the state.

Article XI-C of the Constitution has fully served its purpose. Repeal of the Article will not affect loans made by the state under authority of the Article, that have not yet been completely paid.

The 1951 Legislature has submitted to the people of the state the measure providing for repeal of the Article and its removal from the State Constitution. Repeal of the Article is recommended by the Governor, Secretary of State, State Treasurer, State Director of Veterans Affairs, and the Advisory Committee to the State Director of Veterans Affairs.

W. F. GAARENSTROOM, Salem

KELLY OWENS, Salem

FRED H. PAULUS, Salem

Committee designated pursuant to Chapter 546, Oregon Laws 1951.

ARGUMENT

*Submitted by the Legislative Committee provided by Senate Joint Resolution No. 12
of the Forty-sixth Legislative Assembly, in favor of the*

WORLD WAR VETERANS' STATE AID SINKING FUND REPEAL AMENDMENT

(Ballot Nos. 302 and 303)

The purpose of the proposed joint resolution is to remove from the statute of the State of Oregon a constitutional provision which is no longer needed.

Following World War I, in 1921, the constitution of the State of Oregon was amended to provide for loans to World War I veterans on homes and farms and to pay such veterans a bonus; \$32,850,000.00 in bonds were sold to provide the funds for this, and the World War Veterans State Aid Commission was set up to administer the Act.

Loans were made and repaid and the loans of the World War Veterans State Aid Commission were becoming less and less, the last loan being made in 1939, until in 1943, by Act of the Legislature, all of the assets of this Commission were turned over to the State Land Board for the purpose of liquidation of the outstanding obligations of the Commission, represented by unpaid bonds.

The State Land Board, which is composed of the Governor, Secretary of State, and the State Treasurer, proceeded with the liquidation program and there are now

outstanding bonds in the amount of \$1,000,000.00, which are payable October 1, 1952; the assets of the Sinking Fund derived from the Commission were to be by legislative enactment purchased by the State Land Board after payment of the outstanding bonds, then the balance, consisting of approximately \$1,700,000.00 is to be transferred to the General Fund of the State of Oregon.

Thus, it is apparent that the purpose for which the constitution was amended has served its purpose and in order to remove it from the books, Senate Joint Resolution Number 12 was adopted by the 1951 legislature.

An affirmative vote on the resolution will remove from the statutes a constitutional provision which no longer has any effect.

Respectfully submitted,

REX ELLIS

State Senator, Pendleton

A. C. GOODRICH

State Representative, Bend

C. L. LIEUALLEN

State Representative, Pendleton

(On Official Ballot, Nos. 304 and 305)

ACT AUTHORIZING DOMICILIARY STATE HOSPITAL FOR AGED MENTALLY ILL

Referred to the people by the Forty-sixth Legislative Assembly, as provided by section 1 of article IV of the Constitution.

CHAPTER 195
OREGON LAWS 1951
(House Bill 86, Forty-sixth
Legislative Assembly)

AN ACT

Relating to the location, construction, operation and maintenance by the state of a domiciliary hospital within a 20-mile radius of the Multnomah County courthouse, Multnomah County, Oregon; and providing that this Act shall be referred to the people for their approval or rejection.

Be It Enacted by the People of the State of Oregon:

Section 1. A domiciliary hospital for the care and treatment of persons afflicted with mental illnesses of the aged hereby is authorized and directed to be located,

constructed, operated and maintained in the area situated within a 20-mile radius of the county courthouse of Multnomah County, Oregon, and the State Board of Control is authorized and directed to proceed to locate and construct at a cost not to exceed the sum of \$3,000,000 and to operate and maintain such hospital and to secure the necessary land therefor, when funds are available therefor, in the same manner as said board is authorized and directed to maintain other hospitals in the State of Oregon.

Section 2. This Act shall be submitted to the people for their approval or rejection at the next regular general biennial election or special election held throughout the state. * * *

Filed in the office of the Secretary of State March 22, 1951.

BALLOT TITLE

ACT AUTHORIZING DOMICILIARY STATE HOSPITAL FOR AGED MENTALLY ILL—Purpose: The act authorizes a domiciliary hospital for the care and treatment of aged persons afflicted with mental illness, and directs hospital be located, constructed, operated and maintained in the area situated within a 20-mile radius of the county courthouse of Multnomah county, Oregon. State board of control is authorized and directed to proceed to locate and construct hospital, cost not to exceed the sum of \$3,000,000, and to operate and maintain such hospital, secure the necessary land therefor when funds are available, in the same manner that said board is authorized and directed to maintain other state hospitals.

(ESTIMATE OF COST—The enactment of this measure would authorize the State to expend \$3,000,000 for construction, and approximately \$750,000 annually for operation of the hospital specified.)

Vote YES or NO

304 Yes. I vote for the proposed law.

305 No. I vote against the proposed law.

EXPLANATION**OF ACT AUTHORIZING DOMICILIARY STATE HOSPITAL FOR
AGED MENTALLY ILL
(Ballot Nos. 304 and 305)**

This act authorizes the construction, maintenance and operation of an additional, independent state mental hospital specializing in the domiciliary care and treatment of persons suffering from mental illnesses attributable to old age.

It was sponsored by 20 representatives and senators and referred to the people by the 1951 legislature with only three dissenting votes. Referral was necessary because the act specifies that the hospital shall be located in one of several counties within 20 miles of the Multnomah county courthouse, whereas the state constitution provides that new state institutions located outside Marion county must receive popular approval.

The legislature passed the referral act (House Bill No. 86) because existing mental hospitals at Salem and Pendleton already are overcrowded and have no special facilities for the care of the aged mentally ill who now make up approximately 30 per cent of the total population of existing mental hospitals. If this hospital is not approved, provision must be made for geriatric wings at existing mental hospitals. Requests for such additions already have been made.

The proposed location was determined because approximately half of the state's population resides within a 20-mile radius of Portland. Multnomah county alone committed to state mental hospitals last year a total of 470 persons, 40 per cent of whom were senile patients of the type that would be accommodated in the proposed new mental hospital.

The proposed geriatrics hospital, serving the entire state, would not be "an old peoples' home". Aged patients would have to be committed in exactly the same manner now required for all mental patients by state commitment laws, that is, on formal complaint of two persons and after examination by two doctors and the courts.

Indigent patients would receive care and treatment without cost, but where patients or relatives are able to pay they would be required to do so on a cost basis determined by the state.

The State Board of Control would be authorized and directed to select the site, secure the necessary land and construct the hospital, as funds are made available by the legislature. This is an authorization measure only; it does not appropriate the necessary tax funds.

No farm land would be required, as most of the patients would be either bedridden or too old for farm work like that performed by patients at Oregon State and Eastern Oregon State hospitals.

The proposed geriatrics hospital would be independent of existing state hospitals, and would thus require its own administrative and medical staff. It would be more convenient for more patients and relatives because of its location near the state's center of population. It could be more readily used for teaching medical students and psychiatric nursing students from the state medical college at Portland. It would be nearer to and could more readily draw upon the faculty and scientific services the medical college affords. It would permit the medical and psychiatric staffs of existing state mental hospitals to concentrate upon younger "treatable" patients who now must vie for attention with "untreatable" patients in senile wards.

Cost: Not to exceed \$3 million, including Federal aid.

Initial capacity: 500 beds.

Type: Minimum security, probably four one-story wards.

DR. F. H. DAMMASCH, Portland
TOM HUMPHREY, Portland
WALTER W. R. MAY, Oswego

Committee designated pursuant to
Chapter 546, Oregon Laws 1951

ARGUMENT

Submitted by the Mental Health Association of Oregon, in favor of the

ACT AUTHORIZING DOMICILIARY STATE HOSPITAL FOR AGED MENTALLY ILL

(Ballot Nos. 304 and 305)

Thirty per cent of the admissions to Oregon's two hospitals for the mentally ill (Salem and Pendleton) are above 60 years of age. The state hospital in Salem now has a population of 3,000. Present and past superintendents agree this is too large a group for a mental hospital. The mental hospital in Pendleton is also overcrowded. Experts in the field of mental illness recommend that institutions for the care and treatment of mentally ill should not attempt to care for more than 1,500. The greatest increase in the patient population in mental hospitals, and this is true in Oregon, has been the aged group. This group does not need the same care and treatment usually provided for mentally ill persons under 60. Fifty per cent of the mentally ill in Oregon originate in Portland-Multnomah County area. An additional hospital to care for the aged mentally ill is needed in order to relieve the increased population, especially of the aged, at both of our state hospitals.

The Oregon Legislature seeks permission of the voters, as required by law, to construct a separate hospital to accommodate all of Oregon's senile mental patients located so as to give maximum service. This bill received the almost unanimous approval of the Legislature. Only two representatives and one senator voted against the bill. In addition, it is supported by the Mental Health Association of Oregon, doctors, judges, teachers, the clergy, and many civic study groups. Its supporters believe the bill offers the following financial, social, and humane advantages:

1. Segregate the aged mentally ill from the younger mental patients who often require so much treatment that little treatment time is left for the aged.
2. Access to patients' families, friends, clergymen, etc. who can materially assist in quicker recovery.
3. Use of volunteer staff for rehabilitation of patients during commitment and following return home; this voluntary pool readily available within the proposed area.
4. Access to the Oregon State Medical School, similarly located, for treatment of patients and case training of students and nurses.
5. Provide shorter treatment and recovery by immediate attention; patients can be returned to active life much more quickly than at present.

From a medical point of view the problem of treating and caring for the aged mentally ill is quite different from the problem of treating and caring for younger mentally ill persons. Today commitments from the Portland-Multnomah County area alone average from 30 to 45 first admissions per month, half of whom are senile. In the past most people did not live long enough to develop mental illness; however, now that the life span is prolonged, the aged mentally ill are much more numerous. Modern day living makes it dangerous for senile persons to live without custodial care. Immediate care must be provided and expansion of existing hospitals is not the answer; on this the experts agree.

IMPROVED CARE, TREATMENT MEANS FASTER RECOVERY

A separate institution with a staff concentrating its attention on the treatment of the aged could make use of the most advanced methods of care and achieve maximum improvement of health for each patient. It is said that in places where intensive treatment with the aged has been done, some are able to return to their homes and take care of themselves.

Today the mentally ill of all ages are housed together to the disadvantage of the senile. These old folks suffer from contact with the seriously disturbed, sometimes violent younger patients. State mental hospitals are set up to treat and cure serious mental illness—a rare symptom of the aged person. Their mental and

physical health requirements are entirely different from younger patients. In the new hospital, all facilities would be designed specifically for the aged. Their primary needs are security, comfort, recreation and watchful supervision. Special care would mean more rapid recovery and return to normal life as well as savings to the state and their families. This is impossible without your "yes" vote.

INTEREST OF FAMILY, FRIENDS, SPEEDS RECOVERY

Second only to scientific care toward the cure of mental patients is the positive interest their families take in their treatment and care. This means frequent and regular visits by patients' families and friends while in the hospital. 1,067 mental patients at Pendleton are from homes over 250 miles away. A trip to Pendleton is long and costly to wage earners already paying for hospitalization. Under such circumstances, tragically few have helpful visits with their loved ones. By building the hospital within the home area of over 50% of the patients, their families, friends, and pastors can give them the love and reassurance that only comes from close and regular contact. This is impossible without your "yes" vote!

USE OF VOLUNTEERS DOUBLES THE VALUE OF TAX DOLLARS

The use of volunteer aid has proved successful elsewhere. Located in a high population center, an immediate program of volunteer aid could be started. The aged mental patient needs the contact and warmth of men and women who can teach him simple but therapeutic handicrafts; read to him; offer simple companionships; and, take a genuine interest in his recovery. Thousands of dollars are saved each year by state hospitals elsewhere which welcome and train volunteer workers. No material estimate is possible of the peace of mind and reduced heartache of patients served by volunteer aids. This is impossible without your "yes" vote.

TAKE ADVANTAGE OF THE OREGON MEDICAL SCHOOL

As new knowledge and techniques in the care and recovery of the aged mentally ill are developed, the source and clearing-house for this information is centered in

Medical Schools. Building the new hospital in the vicinity of the Oregon Medical School will not only make these discoveries immediately available but will offer a training center for students, nurses, volunteers and for the instruction of the families of the mentally ill about to return home. Without this hospital, the Oregon Medical School cannot offer specialization in this field. At present medical students must go outside of Oregon for training in this area; very few return to practice at home. Oregon is one of the few states in the Union which cannot offer a residency in psychiatry.

THE NEED IS URGENT—THE TIME IS NOVEMBER

Oregon law provides that mentally ill patients may be committed to a state hospital and in cases where the families' ability to pay for hospitalization is established the state is reimbursed by the family. Due to the nonsegregation of the senile from other mentally ill individuals relatives, friends, and even the courts hesitate to send older patients to either Salem or Pendleton during the early stages of senility. Postponement may mean the mental illness is aggravated to the extent that it becomes incurable by the time the individual is hospitalized. Also, this may mean the lives of children and grandchildren become unnecessarily complicated. Early and concentrated treatment are essential to recovery. Rapid recovery means untold savings in tax dollars and in human usefulness. Building a domiciliary hospital close to the Oregon Medical School would make it possible to utilize the facilities of the Medical School, would make it possible for frequent family visits and would make possible maximum use of voluntary assistance—all of which contribute to speedy recovery and return to the family.

VOTE 304 X YES—STATE HOSPITAL FOR THE AGED MENTALLY ILL— NOVEMBER.

JAMES C. CAUGHLIN, President
MELVIN L. MURPHY, Executive
Director

MENTAL HEALTH ASSOCIATION OF OREGON

(On Official Ballot, Nos. 306 and 307)

**AMENDMENT LEGAL VOTERS OF TAXING UNIT ESTABLISH
TAX BASE**

Proposed by the Forty-sixth Legislative Assembly by House Joint Resolution No. 9,
filed in the office of the Secretary of State March 29, 1951, and referred to the
people as provided by section 1 of article XVII of the Constitution.

CONSTITUTIONAL AMENDMENT

Be It Resolved by the House of Representatives of the State of Oregon, the Senate jointly concurring:

That section 11, article XI of the Constitution of the State of Oregon be amended to read as follows:

Sec. 11. (1) Unless specifically authorized by a majority of the legal voters voting upon the question [neither the state nor], *no taxing unit, whether it be the state, any county, municipality, district or body to which the power to levy a tax shall have been delegated, shall in any year so exercise that power as to raise a greater amount of revenue for purposes other than the payment of bonded indebtedness or interest thereon than its tax base, as hereinafter defined. The tax base of each said taxing unit for any given year shall be: (a) The total amount of tax lawfully levied by it in any one of the three years immediately preceding for purposes other than the payment of bonded indebtedness or the interest thereon and exclusive of any levy specifically authorized as aforesaid in excess of the tax base, plus [6] six [per centum] percentum [thereof; provided.] of said total amount; or, (b) an amount approved by a majority of the legal voters voting upon the question of establishing a tax base.*

(2) *The question of establishing a tax base shall be submitted at a regular general or primary election. Every such measure shall specify in dollars and cents the amount of the tax base in effect and the amount of the tax base sought to be established, and the new tax base, if adopted, shall first apply to the levy for the fiscal year next following its adoption.*

(3) Whenever any new [county, municipality or other] taxing [district] unit shall be created and shall include property in whole or in any part [property] there-

tofore included in another [county.] like [municipality or other] taxing [district] unit, no greater amount of taxes shall be levied in the first year by either the old or the new [county, municipality or other] taxing [district] unit upon any property included therein than the amount levied thereon in any one of the three years[,] immediately preceding [.] by the [county, municipality or district] taxing unit in which it was then included, plus [6] six [per centum] percentum thereof [; provided further, that the amount of any increase in levy specifically authorized by the legal voters of the state, or of the county, municipality, or other district, shall be excluded in determining the amount of taxes which may be levied in any subsequent year].

(4) *When the boundaries of a taxing unit have been expanded through annexation of territory, the tax base of said taxing unit for the fiscal year next following the annexation shall be increased by an amount equal to the equalized assessed valuation of the taxable property in the annexed territory for the fiscal year of the annexation multiplied by the millage rate within the tax base of the annexing unit for the fiscal year of the annexation, plus six percentum of said amount.*

(5) The prohibition against the creation of debts by counties prescribed in section 10 of article XI of this constitution shall apply and extend to debts hereafter created in the performance of any duties or obligations imposed upon counties by the constitution or laws of the state, and any indebtedness created by any county in violation of such prohibition and any warrants for or other evidences of any such indebtedness and any part of any levy of taxes made by [the state or] any [county, municipality or other] taxing [district or body] unit which shall exceed the limitations fixed hereby shall be void.

NOTE—The foregoing is set forth in accordance with section 81-2109, Oregon Compiled Laws Annotated, which provides that " * * * the text of a proposed amendment to any section of the constitution shall be printed in the pamphlet so as to indicate by the use of brackets the matter that would be deleted from the existing provision, and by italic type the matter that would be added thereto".

BALLOT TITLE

AMENDMENT LEGAL VOTERS OF TAXING UNIT ESTABLISH TAX BASE—Purpose:

Amends section 11, Article XI of Oregon constitution, providing unless authorized by a majority of legal voters no taxing unit, state, county, municipality, district or other tax levying body shall in any year raise a greater amount of revenue for given year than amount levied in one of three years immediately preceding, excepting payment of bonded indebtedness or interest thereon, in excess of tax base plus six percentum or amount approved by legal voters establishing tax base, which shall be submitted at general and primary elections and specify in dollars and cents both base in effect and base established.

Vote YES or NO

306 Yes. I vote for the proposed amendment.

307 No. I vote against the proposed amendment.

EXPLANATION

OF AMENDMENT LEGAL VOTERS OF TAXING UNIT ESTABLISH TAX BASE
(Ballot Nos. 306 and 307)

The Oregon constitution provides that all tax levying bodies, the State, any municipality, county, school or other districts, are restricted in any one year, to a levy not to exceed a 6% dollars and cents increase over the highest amount it collected in any one of the three immediately preceding years.

As a result of this limitation, each taxing body is held to its original tax levy of the first year of its existence, plus an annual 6% increase without allowance for rapid inflation or rapid population growth such as we have experienced in the past few years. This has made it mandatory upon many taxing bodies such as school districts, to go to the voters with an annual or biennial additional levy at regular or special elections in order to make up the difference between their present operating budgets and the maximum amount of money they are permitted to collect under the constitutional limitation.

The proposed amendment does not authorize any tax increase. It would enable any taxing body so desiring, to submit to its electorate in any primary or general election, a ballot measure authorizing the taxing body to adopt a new tax base geared to its current costs of operation. Such a proposal appearing on the ballot must contain in dollars and cents the amount of the requested tax base. If the new base is accepted by the voters, it automatically becomes subject to the 6% limitation described above.

THIS AMENDMENT DOES NOT DO
AWAY WITH THE 6% LIMITATION

The purpose of this amendment would be to eliminate so far as possible the numerous special levy measures appearing on the ballot at primary, general, and special elections.

It should be noted that this is enabling legislation only. If it is adopted, each taxing body must individually secure the approval of the majority of legal voters voting at a primary or general election before its tax base can be changed. Special elections may not be used for this purpose.

This amendment provides the mechanics for determining the tax base for a newly created tax levying district. It also relates to establishing the tax base of a taxing unit to which has been annexed new territory. This new procedure relates largely to the City of Portland, although not exclusively applicable thereto. In 1950 considerable unincorporated territory south and southwest of Portland, in and out of Multnomah County, was annexed to Portland. About 25,000 new population was added thereby. But Portland's tax base was not affected by the annexation although city services applicable thereto became an increased load on Portland's budget.

MRS. HERBERT M. SCHWAB,
Portland

DAVID B. SIMPSON, Portland
MARSHALL SWEARINGEN, Salem
Committee designated pursuant to
Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by the Legislative Committee provided by House Joint Resolution No. 9 of the Forty-sixth Legislative Assembly, in favor of the

AMENDMENT LEGAL VOTERS OF TAXING UNIT ESTABLISH TAX BASE

(Ballot Nos. 306 and 307)

This proposed change in the six percent limitation amendment to the Oregon Constitution has been referred to the voters by action of the 1951 legislature which passed it with no opposing votes in the House and only one opposing vote in the Senate.

The amendment to the Oregon Constitution known as the six percent limitation was passed in 1914 in an effort by taxpayers to prevent the growth of property taxes at a rate of more than six percent per year.

It is still a popular part of the constitution. It affects all taxing units.

Changes in the state, growing communities, more school expense have rendered it ineffective in many cases. The amendment herewith proposed has been written to preserve and again make workable and effective the six percent limitation.

As an example, school expenses are so much greater than before that nearly every school district in the state levies above the six percent limit. Each district has a special election for that purpose. Few such levies are defeated because voters know that a levy within the six percent limit would be entirely inadequate to maintain the schools.

For that reason the six percent limitation is not working as intended. Costs have grown much faster than taxes permitted and inflation in costs has not been met with flexibility in tax levies.

This amendment, if passed, would permit the voters of any taxing unit to vote a new tax base. Such an election (for a new tax base) would have to be held on regular or primary election days. The ballot would have to specify in dollars and cents the amount of the present tax base and the amount of the proposed tax base.

If, for example, a school district has a base of \$100,000 it can levy that amount

plus six percent additional each year or \$106,000 the next year and \$112,360 the second year. However, if the base is unrealistic and the people demand that more money be spent to insure adequate educational opportunities, the additional amount necessary is then voted outside the six percent limitation. The effect of the limitation is therefore lost.

This measure would permit a new tax base to be voted, after which the six percent limitation would apply. More economy might result if a realistic tax base were established, thereby making the voters less inclined to vote sums outside the six percent limitation.

The measure also clears up some disputes that have existed about the six percent limitation. It provides that no newly established district shall levy more than the property had been paying before. It provides that when new territory is annexed its valuation and levy shall be added to the new district. It also prevents counties from going into debt above the six percent limitation imposed by this measure.

This amendment is an effort to make the six percent limitation work more effectively by bringing levies up to amounts now needed—if the voters desire it. The tax base could also be lowered by vote of the people under this amendment. Thus it gives the people—the voters—an opportunity to adjust their tax base to fit conditions which is impossible under the present inflexible six percent limitation.

FRANK H. HILTON
State Senator, Portland

GILES L. FRENCH
State Representative, Moro

RUDIE WILHELM, JR.
State Representative, Portland

ARGUMENT*Submitted by the Oregon State Federation of Labor, in favor of***AMENDMENT LEGAL VOTERS OF TAXING UNIT ESTABLISH TAX BASE****(Ballot Nos. 306 and 307)****SIMPLIFY AND MAKE THE TAX STRUCTURE MORE WORKABLE**

This measure offers citizens of the state the opportunity to remove an obstacle to proper and common-sense functioning of the fiscal departments of state and local governments. Adoption of this proposed constitutional amendment would give citizens of local units of government—a city, county or school district—the power to fix, by majority vote of its citizens, the base on which property taxes are levied for local government costs. Its adoption would eliminate the necessity of holding special elections each year to authorize special levies, thus eliminating the cost of such elections which a great many local units are now obliged to bear each year. These special elections seldom bring out more than a small percentage of registered voters, and in some cases may not be a true reflection of the wishes of the citizens. Under this proposed amendment, a change of the tax base could be accomplished only at regular general or primary elections, thus reflecting the true will of the people.

BRINGING GOVERNMENT UP-TO-DATE

The provision of the constitution which this amendment would bring down to date was enacted 36 years ago when the economic situation and the tax structure were entirely different from what they are today. It is unsuited to present requirements that have developed over more than a third of a century. Since that period—1916—population has much more than doubled, and tangible wealth has multiplied many times. Yet the clumsy, retarding of the government machinery remains substantially unchanged. The state and its local units of government are trying to

drive down the highway of progress with a horse and buggy device in a motor car age. The existing constitutional provision is geared to the population and wealth that existed before World War 1. No other state in the Union has such an unrealistic restriction as is still maintained in Oregon.

OUT-DATED SITUATION IS RECOGNIZED

Many groups and interests that in the past opposed change of the retarding limitation have now been convinced of the desirability of the change proposed in this measure. The tremendous surge forward in the state's economy has been irrefutable support for the change. The interim tax study committee of 1949-1951 submitted and recommended the proposed measure now on the ballot. The 1951 legislature gave its endorsement by referring it to the people, with only one dissenting vote in the 90 members of the legislature. To repeat the purpose of the amendment; it merely gives to the citizens of a taxing unit the authority, by majority vote, to fix the tax base, and bring the tax structure to fit prevailing conditions.

DO NOT BE CONFUSED

This amendment is commonly referred to as affecting the six per cent limitation. Another measure on the ballot is known as a six mill limitation. Similarity of terms may confuse some voters. To vote for the progressive measure discussed in this argument, the voter should mark his ballot

306 X YES

OREGON STATE FEDERATION OF LABOR

J. T. MARR, Executive Secretary
506 Labor Temple
Portland 1

(On Official Ballot, Nos. 308 and 309)

AMENDMENT TO AUGMENT OREGON WAR VETERANS' FUND

Proposed by the Forty-sixth Legislative Assembly by House Joint Resolution No. 14, filed in the office of the Secretary of State April 30, 1951, and referred to the people as provided by section 1 of article XVII of the Constitution.

CONSTITUTIONAL AMENDMENT

Be It Resolved by the House of Representatives of the State of Oregon, the Senate jointly concurring:

That sections 1 and 3, article XIa of the Constitution of the State of Oregon be amended to read as follows:

Sec. 1. Notwithstanding the limits contained in section 7, article XI of the Constitution, the credit of the State of Oregon may be loaned and indebtedness incurred in an amount not to exceed [4] *four* percent of the assessed valuation of all the property in the state, for the purpose of creating a fund to be advanced for the acquisition of farms and homes for the benefit of male and female residents of the State of Oregon who served in the [army, navy or marine corps] *Armed Forces of the United States [or any auxiliary corps thereof]* for a period of not less than 90 days after mobilization therefor, and before the end of actual hostilities with any of the axis powers, *or for a period of not less than 90 days between June 25, 1950, and the cessation of the present national military emergency as determined and proclaimed by the Governor of the State of Oregon, and who are honorably discharged from such service, which fund shall be known as the "Oregon War Veterans' Fund."* Secured repayment thereof shall be and is a prerequisite to the advancement of money from such fund.

Sec. 3. No person shall be eligible to re-

ceive money from said fund except the following:

(1) Any person who resides in the State of Oregon at the time of applying for a loan from said fund, who served honorably in active duty in the [army, navy or marine corps] *Armed Forces of the United States, [or in any auxiliary corps thereof]* for a period of not less than 90 days between September 1, 1940, and September 2, 1945, who was either at the time of his enlistment, induction, warrant or commission a resident of the State of Oregon or who has been a bona fide resident of the State of Oregon for at least two years between the date of his separation from aforementioned service and December 31, 1950, and who has been honorably separated or discharged from said service, or who has been furloughed to a reserve.

(2) *Any person who resides in the State of Oregon at the time of applying for a loan from said fund, who served honorably in active duty in the Armed Forces of the United States for a period of not less than 90 days between June 25, 1950, and the cessation of the present national military emergency as determined and proclaimed by the Governor of the State of Oregon, who was either at the time of his enlistment, induction, warrant or commission a resident of the State of Oregon or who has been a bona fide resident of the State of Oregon for at least two years after the date of his separation from aforementioned service, and who has been honorably separated or discharged from said service, or who has been furloughed to a reserve.*

NOTE—The amendment would delete matter in brackets, and substitute matter in italic type.

BALLOT TITLE

AMENDMENT TO AUGMENT OREGON WAR VETERANS' FUND—Purpose: Amending Article XI-A of Oregon constitution, providing that credit of state may be loaned and indebtedness incurred not to exceed 4% of assessable property within the state, creating funds for acquisition of farms and homes of residents who actively served in armed forces of United States not less than 90 days between June 25, 1950, and the cessation of military emergency, who was either at time of enlistment a resident of Oregon or a bona fide resident of the state at least two years after his separation from service and honorably discharged therefrom, or furloughed to a reserve.

Vote YES or NO

308 Yes. I vote for the proposed amendment.

309 No. I vote against the proposed amendment.

EXPLANATION**OF AMENDMENT TO AUGMENT OREGON WAR VETERANS' FUND
(Ballot Nos. 308 and 309)**

This amendment would extend the privileges of the World War II veterans' home and farm loan program to veterans who had served honorably for 90 days or more on active duty in the Armed Forces during the Korean hostilities. Such service must have been between June 25, 1950, and the termination of the current military emergency, as proclaimed by the Governor.

To be entitled, the veteran would have had to be a resident of Oregon immediately prior to his active service, or have been a resident of Oregon for at least two years after his separation from active service.

The amendment does not authorize the issuance of additional bonds to finance the program.

The Oregon veterans' loan Act authorizes loans from the State of Oregon to qualified war veterans for the acquisition of homes or farms. Loans are made in the amount of 75 percent of the appraised value of the property, within limits prescribed by law and secured by a first mortgage on the property. Loans must be repaid with interest at 4 percent.

SAMUEL BOOTH, Portland

ELBERT L. MIKESELL, Grants
Pass

KELLY OWENS, Salem

Committee designated pursuant to
Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by the Legislative Committee provided by House Joint Resolution No. 14 of the Forty-sixth Legislative Assembly, in favor of the

**AMENDMENT TO AUGMENT OREGON WAR VETERANS' FUND
(Ballot Nos. 308 and 309)**

Briefly, the proposed amendment would extend to all male and female residents in the State of Oregon who served in the armed forces of the United States for a period of not less than 90 days between June 25, 1950, and the cessation of the present national military emergency, as determined and proclaimed by the Governor of the State of Oregon, the privilege of obtaining home loans from the Oregon War Veterans Fund. The program should not cost the taxpayers of Oregon one cent, as all loans are paid by the veterans with interest.

The present state constitution of Oregon, by an amendment or article adopted by the voters at the general election of 1944, authorized the establishment of a war veterans fund for the acquisition of farms and homes for the residents of Oregon who served in the armed forces of the United States between September 1, 1940 and the end of actual hostilities with any of the Axis powers, and authorized the state to incur indebtedness to an amount not in excess of three per cent of the assessed valuation of property in the state with which to establish this fund.

The proposed amendment, extending such loan privileges to Oregon veterans who entered the service after the commencement of the Korean military operation, which has been submitted to the voters by the 1951 legislative assembly

without a single dissenting vote in either house, would amend the present article of the constitution in this one respect.

All loans made to these veterans must, under law, be secured by a first mortgage on real estate of an appraised value 25 per cent greater than the loan, and loans bear 4 per cent interest. The state is securing money for the fund at an average rate of less than 2 per cent interest. The program of loans to veterans, if properly administered, can reasonably be expected to be entirely self-liquidating.

This amendment was advocated in resolutions passed by the 1950 department conventions of the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans. The men and women who are entering the armed forces at the present time are making great personal sacrifices for the safety and welfare of our country. Your legislative committee, appointed to present this argument, respectfully recommends that the proposed amendment to make them eligible for loans under the "Oregon War Veterans Fund" be approved by the voters.

MARIE E. WILCOX
State Senator, Grants Pass

J. O. JOHNSON
State Representative, Tigard

ROBERT Y. THORNTON
State Representative, Tillamook

(On Official Ballot, Nos. 310 and 311)

AMENDMENT CREATING LEGISLATIVE ASSEMBLY EMERGENCY COMMITTEE

Proposed by the Forty-sixth Legislative Assembly by Senate Joint Resolution No. 24, filed in the office of the Secretary of State May 2, 1951, and referred to the people as provided by section 1 of article XVII of the Constitution.

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Senate of the State of Oregon, the House of Representatives jointly concurring:

That the Constitution of the State of Oregon be amended by creating new sections to be added to and made a part of article III of the Constitution, said new sections to read as follows:

Sec. 1. The Legislative Assembly shall have power to establish an agency to exercise budgetary control over all executive and administrative state officers, departments, boards, commissions and agencies of the State Government.

Sec. 2. (1) The Legislative Assembly is authorized to establish by law a joint committee composed of members of both houses of the Legislative Assembly the membership to be as fixed by law, which committee may exercise, during the interim between sessions of the Legislative Assembly, such of the following powers as may be conferred upon it by law:

(a) Where an emergency exists, to allocate to any state agency, out of any emergency fund that may be appropriated to the committee for that purpose, additional funds beyond the amount appropriated to the agency by the Legislative Assembly, or funds to carry on an activity required by law for which an appropriation was not made.

(b) Where an emergency exists, to au-

thorize any state agency to expend, from funds dedicated or continuously appropriated for the uses and purposes of the agency, sums in excess of the amount of the budget of the agency as approved in accordance with law.

(c) In the case of a new activity coming into existence at such a time as to preclude the possibility of submitting a budget to the Legislative Assembly for approval, to approve, or revise and approve, a budget of the money appropriated for such new activity.

(d) Where an emergency exists, to revise or amend the budgets of state agencies to the extent of authorizing transfers between expenditure classifications within the budget of an agency.

(2) The Legislative Assembly shall prescribe by law what shall constitute an emergency for the purposes of this section.

(3) As used in this section, "state agency" means, any elected or appointed officer, board, commission, department, institution, branch or other agency of the state government.

(4) The term of members of the joint committee established pursuant to this section shall run from the adjournment of one regular session to the organization of the next regular session. No member of a committee shall cease to be such member solely by reason of the expiration of his term of office as a member of the Legislative Assembly.

BALLOT TITLE

AMENDMENT CREATING LEGISLATIVE ASSEMBLY EMERGENCY COMMITTEE—

Purpose: Amending the Oregon constitution by adding a new section and making it part of Article III, which authorizes legislative assembly to establish a joint committee of members from both houses as an agency to exercise budgetary control over all executive and administrative state officers, departments, boards, commissions and agencies of state government. Provides that said joint committee of members serve from session to session, with power in case of emergency to allocate to any state agency out of an emergency fund for deficiencies in appropriations, and provide for any new activities, between sessions of legislature.

Vote YES or NO

310 Yes. I vote for the proposed amendment.

311 No. I vote against the proposed amendment.

EXPLANATION**OF AMENDMENT CREATING LEGISLATIVE ASSEMBLY EMERGENCY
COMMITTEE**

(Ballot Nos. 310 and 311)

In the operation of state government emergencies arise calling for expenditure of funds for purposes not specifically covered in the appropriations. Such a situation might require a special session of the Legislative Assembly unless an emergency fund was created to take care of urgent state needs. The amendment proposed sets up an interim Legislative Committee of Senators and Representatives with the power to allocate sums from an emergency fund provided by the Legislature. It would function in the period when the Assembly is not in session.

The amendment also would clarify the power of the Legislative Assembly to establish an agency exercising budgetary control over executive and administrative offices.

The Joint Committee would have authority to provide additional funds for a state agency if the need is demonstrated; to approve the budget of a newly created agency; to authorize transfer of funds between different functions within a department.

An appropriation measure passed by the Legislature often becomes a strait-jacket in the light of new conditions. Yet the situation is not sufficiently serious to warrant the great expense and bother of convening the Legislature in special session to make the necessary changes.

For this reason a constitutional amendment has been proposed to legalize the creation of a Joint Committee which shall function when the Legislature is in adjournment. An emergency board existed

for many years, but was declared unconstitutional in an opinion by the Attorney General. The proposed amendment is submitted to the electorate so that the emergency board in the future will satisfy the requirements of the constitution.

One member of the committee preparing this statement for the Voters' Pamphlet opposed the amendment in the State Senate because he felt an annual session of the Legislature to be a better long-range method of meeting the needs of government. However a majority of the Legislature believed that the Oregon Assembly should continue to meet only every two years. Ten states now have annual legislative sessions and these include three Western states—California, Colorado and Arizona.

In the absence of a yearly legislative session it is obvious that some interim method is required to meet financial emergencies in departments of state government. Oregon is now a state of more than 1,525,000 people. No Legislature can fix appropriations which can stand without modest revision for two years. This amendment will enable an emergency board of legislators to keep the state in orderly financial operation during the interim period when the Assembly is not in session.

JAMES C. DEZENDORF, Portland
RICHARD L. NEUBERGER, Portland

CHARLES A. SPRAGUE, Salem
Committee designated pursuant to
Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by the Legislative Committee provided by Senate Joint Resolution No. 24 of the Forty-sixth Legislative Assembly, in favor of the

AMENDMENT CREATING LEGISLATIVE ASSEMBLY EMERGENCY COMMITTEE (Ballot Nos. 310 and 311)

The purpose of amending the Oregon constitution by adding a new section and making it part of Article III, will authorize the legislative assembly to establish a joint committee of members of both houses of the Legislative Assembly, the membership to be as fixed by law.

This Committee will serve during the interim between sessions of the Legislature and will exercise budgetary control over all executive and administrative state officers, departments, boards, commissions and agencies of state government.

When an emergency exists to allocate to any state agency out of any emergency fund that may be appropriated to the committee for that purpose additional funds beyond the amount appropriated to the agency by the Legislative Assembly.

Also to provide funds to carry on an activity required by law for which no appropriation was made.

To authorize transfers between expenditure classifications within the budget of an agency.

The Legislative Assembly shall prescribe by law what shall constitute an emergency for the purposes of this section.

This proposal is to legalize the State Emergency board and the need is so well established that approval of this amendment is recommended by your legislative committee who urge you to vote

310 X "Yes"

STEWART HARDIE
State Senator, Condon

HENRY SEMON
State Representative, Klamath
Falls

FRANCIS W. ZIEGLER
State Representative, Corvallis

(On Official Ballot, Nos. 312 and 313)

**AMENDMENT FIXING ELECTIVE TERMS OF STATE SENATORS
AND REPRESENTATIVES**

Proposed by the Forty-sixth Legislative Assembly by Senate Joint Resolution No. 23, filed in the office of the Secretary of State May 9, 1951, and referred to the people as provided by section 1 of article XVII of the Constitution.

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Senate of the State of Oregon, the House of Representatives jointly concurring:

That section 4, article IV of the Constitution of the State of Oregon be amended to read as follows:

Sec. 4. The Senators shall be elected for the term of four years, and Representatives for the term of two years [from the day next after their general election; provided, however, that the senators elect, at the first session of the legislative assembly under this constitution,]. *The term of each Senator and Representative shall commence on the first Monday in January following his election, and shall continue for the full period of four years or two years, as the case may be. The Senators*

shall continue to be divided [by lot] into two [equal] classes, [as nearly as may be; and the seats of senators of the first class shall be vacated at the expiration of two years, and those of the second class at the expiration of four years;] in accordance with the division by lot provided for under the former provisions of this Constitution, so that one-half, as nearly as possible, of the number of Senators shall be [chosen] elected biennially [forever thereafter. And in case of the increase of the number of senators, they shall be so annexed by lot to one or the other of the two classes as to keep them as nearly equal as possible]. Any Senator or Representative whose term, under the former provisions of this section, would have expired on the day following the regular general election in 1952, shall continue in office until the first Monday in January, 1953.

NOTE—The amendment would delete matter in brackets, and substitute matter in italic type.

BALLOT TITLE

AMENDMENT FIXING ELECTIVE TERMS OF STATE SENATORS AND REPRESENTATIVES—Purpose: To amend section 4 of Article IV of Oregon constitution, providing that the term of every senator and representative shall commence on the first Monday in January following his election, and shall continue for the full period of four years for each senator and two years for each representative, respectively. (The present law provides that the elective term of each commences on date of election.)

Vote YES or NO

312 Yes. I vote for the proposed amendment.

313 No. I vote against the proposed amendment.

EXPLANATION

OF AMENDMENT FIXING ELECTIVE TERMS OF STATE SENATORS AND REPRESENTATIVES

(Ballot Nos. 312 and 313)

This is a proposed constitutional amendment that would start the terms of legislators on the first Monday in January after their election and terminate their incumbency on the first day of January at the end of the term for which elected, by amending section 4, article IV of the constitution. The present constitutional provision sets the beginning of the term on the day following election.

Adoption of the proposed amendment would remove doubt of the identity of the candidate elected, for the official election count is not completed for several days after election. In case of a contested election, the result may not be determined for several weeks. A situation could arise, under the present provision, in a special session of the legislative assembly at the time of the election or between the election and the convening of the regular session, in which retiring members would be ineligible to act and some elected members would not be determined. The proposed amendment provides for a lapse of approximately two months between election and beginning of the regular legislative session.

An additional, and perhaps a more compelling reason for this proposed amendment is another proposed amendment to

the constitution that is on the ballot, which would add a new section to article III of the constitution. The additional and contingent amendment relates to the state emergency board which functions in appropriating from an emergency fund expenditures required to meet an emergency situation. An opinion of the attorney general in 1951 that the emergency board was without constitutional power caused the contingent proposed amendment to be submitted to cure the defect. In case the contingent amendment is adopted and this amendment proposed by Senate Joint Resolution 23 is rejected, then the emergency board would be without power to act between the date of the general election in November and the convening of the regular legislative session the first Monday of the following January.

The two measures are independent so far as adoption is concerned but one impinges on the other in actual operation. Either or both of the proposed amendments may be adopted or rejected.

MRS. R. D. BARTON, Salem
 MRS. J. E. LAW, Salem
 KELLEY LOE, Portland
 Committee designated pursuant to Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by the Legislative Committee provided by Senate Joint Resolution No. 23 of the Forty-sixth Legislative Assembly, in favor of the

AMENDMENT FIXING ELECTIVE TERMS OF STATE SENATORS AND REPRESENTATIVES

(Ballot Nos. 312 and 313)

The purpose of amending Section 4 of Article IV of the Oregon constitution is to provide that the term of every Senator and Representative shall commence on the first Monday in January following his election and shall continue for the full period of four years for each Senator and two years for each representative, respectively.

The present law provides that the elective term of each commences on the date of election.

The Senators shall continue to be divided into two classes as provided for under former provisions of this Constitution so that one-half, as nearly as possible shall be elected biennially.

This measure does not change the length of terms for senators or representatives but does change the periods when such terms begin and end.

At the present time there is a period of

time between Election Day and the day the Legislature convenes that there is no organized Legislature and in case of an emergency the Legislature would have to organize before any emergency could be considered; while if this measure passes, the Legislature could be called and the emergency met and then adjourn.

There were no "Nay" votes cast against this Resolution in either the Senate or the House.

WE RECOMMEND YOU VOTE
 312 X "YES"

FRANK H. HILTON
 State Senator, Portland
 HENRY SEMON
 State Representative, Klamath Falls
 FRANCIS W. ZIEGLER
 State Representative, Corvallis

(On Official Bailot, Nos. 314 and 315)

AMENDATORY ACT TITLE SUBJECT AMENDMENT

Proposed by the Forty-sixth Legislative Assembly by Senate Joint Resolution No. 41, filed in the office of the Secretary of State May 9, 1951, and referred to the people as provided by section 1 of article XVII of the Constitution.

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Senate of the State of Oregon, the House of Representatives jointly concurring:

That section 20, article IV of the Constitution of the State of Oregon is amended to read as follows:

Sec. 20. Every Act shall embrace but one subject, and matters properly connected therewith, which subject shall be expressed in the title. But if any subject shall be

embraced in an Act which shall not be expressed in the title, such Act shall be void only as to so much thereof as shall not be expressed in the title.

This section shall not be construed to prevent the inclusion in an amendatory Act, under a proper title, of matters otherwise germane to the same general subject, although the title or titles of the original Act or Acts may not have been sufficiently broad to have permitted such matter to have been so included in such original Act or Acts, or any of them.

NOTE—The amendment would add the provision in italic type.

BALLOT TITLE

AMENDATORY ACT TITLE SUBJECT AMENDMENT—Purpose: To amend section 20 of Article IV of the constitution of Oregon, and construing the amendment so as to permit the inclusion in an amendatory act, under a proper title, of matters otherwise germane to the same general subject, although title or titles of original act or acts may not have been sufficiently broad to have permitted such matter to have been so included in such original act or acts or any of them.

Vote YES or NO

314 Yes. I vote for the proposed amendment.

315 No. I vote against the proposed amendment.

EXPLANATION

OF AMENDATORY ACT TITLE SUBJECT AMENDMENT

(Ballot Nos. 314 and 315)

The State Legislature has submitted to the legal voters a proposed amendment to the Constitution. The State Law (Oregon Laws, 1951, Ch. 546) provides that a committee of three members, of whom two are appointed by the Governor and the third member is selected by the two appointed, present an impartial statement explaining the proposed amendment and its effect. The following is the statement of the committee provided by this law relating to the proposal now before the voters.

The Oregon Constitution, Article IV, Section 20, now reads:

SUBJECT AND TITLE OF ACT: MATTER NOT EXPRESSED IN TITLE VOID. Every act shall embrace but one subject, and matters properly connected therewith, which subject shall be expressed in the title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title.

The proposed amendment will add:

THIS SECTION SHALL NOT BE CONSTRUED TO PREVENT THE INCLUSION IN AN AMENDATORY ACT, UNDER A PROPER TITLE, OF MATTERS OTHERWISE GERMANE TO THE SAME GENERAL SUBJECT, ALTHOUGH THE TITLE OR TITLES OF THE ORIGINAL ACT OR ACTS MAY NOT HAVE BEEN SUFFICIENTLY BROAD TO HAVE PERMITTED SUCH MATTER TO HAVE BEEN SO INCLUDED IN SUCH ORIGINAL ACT OR ACTS, OR ANY OF THEM.

The Oregon Supreme Court has repeatedly held that the Constitution without this proposed amendment prohibits the Legislature from amending the title to any law regardless of how meritorious the

amendment might be. The purpose and effect of this proposed amendment is simply to permit the Legislature to amend the title to an existing law when the amendment includes, "matter otherwise germane to the same general subject."

If this amendment is adopted, laws passed by the Legislature in the future will not be held unconstitutional due solely to technical objections, and the Legislature will be permitted to amend existing laws without cluttering up the law books with unnecessary entirely new laws about the same subject matter as the existing laws.

An example of the uncertainty and technicalities under the present constitutional provision without this proposed amendment is as follows: In 1927 the Legislature enacted a law relating to guardians of incompetent World War veterans; in 1943 the Legislature sought to amend this law by limiting the compensation which the guardians would receive for services rendered; the Oregon Supreme Court, in the case of *American Veterans Affairs vs. U. S. National Bank*, 191 Or. 203, was required to follow the restriction in the Constitution and declare void this 1943 law of the Legislature, but in so doing stated, "It is always unfortunate when it becomes the duty of this Court to declare unconstitutional legislation passed for a meritorious purpose."

If this proposed amendment is adopted many laws such as the one above cited will not be held unconstitutional solely for a technical reason.

FRED MANASH, Portland

IRVING RAND, Portland

LEO SMITH, Portland

Committee designated pursuant to Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by the Legislative Committee provided by Senate Joint Resolution No. 41 of the Forty-sixth Legislative Assembly, in favor of the

AMENDATORY ACT TITLE SUBJECT AMENDMENT

(Ballot Nos. 314 and 315)

The purpose of this proposed amendment is to remove from the constitution a purely technical provision which has increased the amount and expense of legislative printing; has required useless duplication and repetition in the wording of the laws of the state; and has needlessly complicated the procedure for enacting laws.

The amendment is being proposed by the legislature in the interest of good government. It will be of benefit to all the citizens of Oregon, and does not serve the purposes of any special interest group.

When a bill is introduced in the legislature, it is required by the constitution to carry a short title, briefly indicating what subject is dealt with by the bill. The purpose of the title is to give the members of the legislature, and interested citizens generally, some general idea of what the bill is about, so that a person who wants to give careful reading and study to the bills in which he is particularly interested may select those bills out of the hundreds of bills that are introduced. In order to accomplish this purpose, it is desirable, and it has been customary in the past, for titles to be so worded as to describe narrow subjects, rather than broad subjects. For example, when the Act providing for a district court in Multnomah County was enacted several years ago, it was entitled "An Act relating to district courts in counties having a population of 100,000 or more." This title gave a clear idea of the subject of the bill. If the title had been merely "An Act relating to district courts," or "An Act relating to courts," the title would have suggested a broader subject than that actually dealt with by the bill.

The requirement of the constitution, with respect to titles to bills, serves a useful purpose and does not cause any problem, except when the legislature wants to amend an existing law so as to broaden its application. It is this problem that the proposed constitutional amendment is designed to meet. The present constitutional provision has been construed by the Supreme Court to mean that an Act cannot be amended to include anything beyond the scope of the original title, even though the matter desired to be included by the

amendment could have been included in the original Act if its title had been a little broader. For example, the Multnomah County District Court law, because it had a narrow title, could not be amended to authorize district courts in counties having as much as 50,000 population. The only satisfactory way such other district courts could be authorized was by means of a complete new bill, repeating all the lengthy details that were already on the statute books for Multnomah County. This meant that the new Act had to contain several thousand words, whereas, if the Multnomah County law could have been amended, it would have been sufficient merely to pass a simple bill substituting "50,000" in place of "100,000" in that law.

The only change that the proposed constitutional amendment would make would be to permit the legislature to amend existing laws so as to extend their application beyond the scope of the original title, instead of being required to pass a separate new law repeating or duplicating lengthy details that are already on the statute books.

There appears to be no reason why the legislature should not be permitted to pass an Act amending an existing law so as to extend its application, if the title of the amending Act states clearly that the amending Act will so affect the existing law. But under the present constitution this cannot be done.

The proposed amendment will not remove any safeguards set up in the constitution. Bills will still be required to have titles that describe the subject and inform the legislature and the public of what is being voted upon. The amendment will merely eliminate a useless and expensive technicality.

We respectfully urge the adoption of the amendment.

WILLIAM E. WALSH
State Senator, Coos Bay

CARL FRANCIS
State Representative, Dayton

PAUL E. GEDDES
State Representative, Roseburg

(On Official Ballot, Nos. 316 and 317)

ACT LIMITING STATE PROPERTY TAX

Referred to the people by the Forty-sixth Legislative Assembly, as provided by section 1 of article IV of the Constitution.

CHAPTER 525
OREGON LAWS 1951
(House Bill 812, Forty-sixth
Legislative Assembly)

AN ACT

Limiting state property taxes; prescribing an effective date; and providing that this Act shall be referred to the people for their approval or rejection.

Be It Enacted by the People of the State of Oregon:

Section 1. The State of Oregon shall not for any fiscal year collect a state property tax, either directly or by apportionment among the several counties, in any greater

sum than the total of (a) an amount equal to six mills multiplied by the total equalized assessed valuation for that year of the taxable property in the state, and (b) such additional amount as it may be necessary to collect by means of such a property tax, for that year to pay bonded indebtedness or the interest thereon.

Section 2. This Act shall take effect on July 1, 1953, and shall apply to each fiscal year beginning on or after that date.

Section 3. This Act shall be submitted to the people for their approval or rejection at the next regular general biennial election held throughout the state.

Filed in the office of the Secretary of State May 11, 1951.

BALLOT TITLE

ACT LIMITING STATE PROPERTY TAX—Purpose: That the state of Oregon shall not for any fiscal year collect a state property tax, either directly or by apportionment among the several counties, in any greater sum than the total of an amount equal to six mills multiplied by the total equalized assessed valuation for that year of taxable property in the state, and such additional amount as may be necessary to collect by means of such a property tax for that year to pay bonded indebtedness or interest thereon. Act becomes effective July 1, 1953, and applies to each fiscal year thereafter.

Vote YES or NO

316 Yes. I vote for the proposed law.

317 No. I vote against the proposed law.

EXPLANATION

OF ACT LIMITING STATE PROPERTY TAX
(Ballot Nos. 316 and 317)

This is a six mill limitation act, Chapter 525, Oregon Laws 1951, (House Bill 812) which prevents the State of Oregon from collecting a state property tax of more than six mills multiplied by the total equalized assessed valuation for that year of the taxable property in the state. This act can be amended or repealed by the people or the legislative assembly at any time. Its fundamental purpose, therefore, is to require positive legislative action in regard to collecting a state property tax of more

than six mills. In effect this act limits the State Tax Commission from collecting more than a six mill property tax without specific legislative authorization.

HOWARD C. BELTON, Canby
GILES L. FRENCH, Moro
C. W. POSEY, Portland

Committee designated pursuant to Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by the Legislative Committee provided by House Bill No. 312 of the Forty-sixth Legislative Assembly, in favor of the

ACT LIMITING STATE PROPERTY TAX

(Ballot Nos. 316 and 317)

The 1951 legislature passed House Bill 812, which became Chapter 525, Oregon Laws 1951, and referred it to the people for their approval. The purpose of this measure is to place a statutory limit of six mills on the amount the state can collect from a tax on property in any year without specific legislative or voter authority. This would be in addition to whatever levy might be necessary to meet bonded indebtedness. This measure will appear on the ballot in November as ballot number 316 and 317. It should not be confused with a proposed Constitutional Amendment to the 6 percent limitation which will also appear on the ballot.

Originally, all taxes were an obligation against property. This was the chief source of revenue for the state until the Income and Excise Tax Acts, passed in 1929, brought in sufficient revenue to offset the entire state levy against property. There has been no State Property Tax collected since 1940, although local property taxes have increased because city taxes, school taxes, county taxes and other taxes for local units of government are much higher.

Following the trend in other states repeated attempts have been made to eliminate the State Property Tax from Oregon's tax structure. A succession of tax committees have recommended this action culminating in this measure which received overwhelming legislative approval. Abandonment of the property tax for state purposes would give recognition in Oregon to a growing trend, a declining interest in property taxes for states and a surrendering of this source of revenue to local governmental bodies. The measure here being considered was arrived at by compromise and passed the legislature with few dissenting votes in order to assure a measure of protection to home owners whose equity was being eroded away by a succession of appropriative ballot measures. It is an attempt to place property taxes on a par with other forms of taxation.

Personal Income Taxes are presently used to offset property taxes, so long as they are available. Their application as an offset is limited by the 6% limitation, plus whatever amount has been approved in excess of that limitation. More than three-fourths of the state levy is outside the 6% limitation by vote of the people of the state. If the income tax receipts should fall or shrink materially, or the offset provision be stricken from the law, property would automatically be taxed to make up the shortage. The 1951-52 state levy against property was in excess of \$41,000,-

000.00 or more than 25 mills on the equalized assessed valuation of the property of the state, both real and personal. If the state were obliged to collect a tax on property in this volume it would impose an unbearable burden upon the home owner as well as on the local units of government, since state taxes are paid out of the first moneys collected leaving local tax levying bodies to absorb any delinquency.

The 1951 legislature authorized the appointment of an interim committee to redraft the present income tax laws, so as to eliminate the offsetting feature on property taxes and thereby simplify the tax structure by allowing income tax receipts to flow directly into the general fund. The next legislature will no doubt pass these laws which makes even more important the approval of this measure if property is to be given any measure of protection. Likewise, passage of this measure will make it mandatory for the next legislature to see that income tax receipts go directly into the general fund if the state budget is to be balanced.

Taxes are now approaching the income return on many classes of property and the added burden of a State Property Tax would discourage home ownership and lead to tax delinquency and tax foreclosure.

If this measure is approved the six mill limitation on the amount the state could collect from property taxes would offer protection comparable, in purpose at least, to the offset provision of the Personal Income Tax, the fast disappearing Income Tax Reserve Fund and the 6% Limitation Constitutional provision.

A levy of six mills on the total equalized assessed valuation of the taxable property of the state will raise approximately \$10,000,000.00 a year or \$20,000,000.00 for the biennium. In addition the state might levy whatever is required to meet obligations of bonded indebtedness and the interest thereon.

This measure would limit but would not destroy the full taxing authority of the state as provided in the constitution. It would fix responsibility in legislative action where it should rest.

To limit your property tax obligation
VOTE 316 X Yes.

HOWARD C. BELTON
State Senator, Canby

GILES L. FRENCH
State Representative, Moro

RUDIE WILHELM, JR.
State Representative, Portland

ARGUMENT

Submitted by the Oregon State Federation of Labor, in opposition to the

ACT LIMITING STATE PROPERTY TAX

(Ballot Nos. 316 and 317)

LEGISLATING BY GUESS—This measure is an attempt to legislate for far future years on a program offered by persons who have distinguished themselves by making predictions that did not come true. It also proposes unwarranted discrimination between different classes of taxpayers. The bill on which the voters are asked to pass judgment passed both houses of the legislature the day it was introduced—the next to last day of the 1951 legislative session. The haste with which it was passed and the fact that, if adopted, it would not affect existing conditions, or conditions likely to exist in the foreseeable future are ample reasons for its rejection.

We assert that it is poor legislation to attempt to solve a possible future problem which might appear in 1955, in 1960 or some future period, but which is not present now. Moreover, the remedy offered is discriminatory in that it would protect certain taxpaying interests against future obligations while leaving the tax load upon those least able to pay.

PAST WRONG GUESSES—For ten years or more some persons have been making dire predictions of a state deficit that always was to occur in the immediate two years, but never did occur. These guessers at the 1951 legislative session thought the state would face a deficit at the beginning of the next biennium—July 1, 1953. The deficit was estimated from 40 million to 60 million dollars. We now know that there will at that time be a surplus of 40 to 50 million. So the 1951 guess was about 100 million dollars off.

WARDING OFF A FISCAL CRISIS—In order to anticipate and avoid the phantom deficit, the legislature, by passing this measure, offered a remedy which would restrict the collection of revenue from a single source. This absurd remedy is equivalent to solving a starving man's plight by reducing his food. Those who thought they saw a deficit approaching

offered a measure that would further increase the deficit. At the same time the legislature was passing this tax limitation bill, it was passing another measure to place an annual five million dollar burden on consumers of a single commodity.

NO STATE PROPERTY TAX IN SIGHT—No property tax for state purposes has been collected in the last 13 years. None is probable in the foreseeable future, for the state property tax is offset by receipts from the two income taxes. However, when and if there is imperative need for more revenue than is being received, all sources should be relied upon, with equity between classes of taxpayers in bearing the load. That can best be done at the time of the need.

LEGAL COMPLICATIONS OF THE PENDING MEASURE—A number of legal questions arise if this bill should be adopted; questions that would have to be resolved by the courts. For example: Would this measure nullify special levies voted by the people—past and future? Does this measure try to circumvent the constitutional provision governing special levies? Does the provision relating to exemption from the limitation of principal and interest on bonds really exempt or does it in fact include, for payment out of the limited collection of property levies, the funds for paying principal and interest on bonds?

SAFE AND SENSIBLE VOTE IS "NO"—Presenting a measure that is not needed and that might not be appropriate when and if the need arrives; the haste with which the measure was crowded through the legislature in a few hours, plus the discriminating feature, all are sufficient to warrant a "no" vote.

VOTE 317 X NO

OREGON STATE FEDERATION OF
LABOR

J. T. MARR, Executive Secretary

(On Official Ballot, Nos. 318 and 319)

MOTOR CARRIER HIGHWAY TRANSPORTATION TAX ACT

Submitted to the People pursuant to Referendum Petition filed in the office of the Secretary of State July 26, 1951, in accordance with the provisions of section 1 of article IV of the Constitution.

HOUSE BILL No. 465
Forty-sixth Legislative Assembly
(Chapter 428, Oregon Laws 1951)

AN ACT

Relating to motor transportation fees and taxes; amending section 17, chapter 467, Oregon Laws 1947, as amended by section 11, chapter 488, Oregon Laws 1949; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

Section 1. Section 17, chapter 467, Oregon Laws 1947, as amended by section 11, chapter 488, Oregon Laws 1949, is amended to read as follows:

Sec. 17. In addition to the license fees and taxes otherwise imposed by law upon common carriers, contract carriers and private carriers there shall be assessed against and collected from every such carrier a tax for the use of the highways, to apply on the cost of administration of this Act and for the maintenance, operation, construction and reconstruction of public highways.

The tax rate which shall apply to each motor vehicle shall be based upon the declared combined weight of the motor vehicle and in accordance with the weight group tax rates as shown in the following tables; except that the tax rate which shall apply to each passenger motor vehicle weighing more than 12,000 pounds and not more than 30,000 pounds and having an overall length not in excess of 35 feet shall be two and one-half mills less than the fee rates per mile set forth in tables "A" and "B". For the purpose of computing the tax due the commissioner the tables shall apply as follows: Tables "A" and "C" shall apply to motor vehicles using motor vehicle fuel as defined in section 1, chapter 413, Oregon Laws 1945, as amended by section 1, chapter 385, Oregon Laws 1949, and tables "B" and "D" shall apply to motor vehicles using motor vehicle fuel as defined in chapter 303, Oregon Laws 1943. The tax for motor vehicles used upon the public highways in this state which motor vehicles use motor vehicle fuel of any description purchased outside the State of Oregon shall be computed by using table "B" or "D". The tax for motor vehicles used upon the public highways of this state which motor vehicles use motor vehicle fuel as defined in section 1, chapter 413,

Oregon Laws 1945, as amended by section 1, chapter 385, Oregon Laws 1949, purchased part inside and part outside the State of Oregon may be computed by using either tables "A" or "B" or both but in no event shall table "A" be applied in the computation of any tax to more than the maximum miles which could be traveled in this state on such motor vehicle fuel purchased within the state. Persons paying taxes on the flat fee basis as herein provided shall use table "D" in arriving at the fee payable on motor vehicles which use motor vehicle fuel as defined in section 1, chapter 413, Oregon Laws 1945, as amended by section 1, chapter 385, Oregon Laws 1949, which fuel is purchased part within and part without the State of Oregon.

All carriers as defined in section 2 of this Act who use tables "A", "A" and "B" or "C" in the computation of the tax or fee due hereunder shall maintain records and purchase documents to substantiate and justify the use of said tables, and the failure of any carrier to so keep said records and documents or to disclose them to the commissioner or his duly authorized representative shall be prima facie evidence that said tax or fee should have been computed by using tables "B" or "D".

MILEAGE TAX RATE TABLE "A"

Declared Combined Weight Groups (Pounds)	Fee Rates Per Mile (Mills)
0 to 6,000, inclusive	1.5
6,001 to 8,000, inclusive	2.5
8,001 to 10,000, inclusive	3.5
10,001 to 12,000, inclusive	4.5
12,001 to 14,000, inclusive	5.5
14,001 to 16,000, inclusive	6.5
16,001 to 18,000, inclusive	7.5
18,001 to 20,000, inclusive	8.5
20,001 to 22,000, inclusive	9.5
22,001 to 24,000, inclusive	10.5
24,001 to 26,000, inclusive	11.5
26,001 to 28,000, inclusive	12.5
28,001 to 30,000, inclusive	13.5
30,001 to 32,000, inclusive	14.5
32,001 to 34,000, inclusive	15.5
34,001 to 36,000, inclusive	16.5
36,001 to 38,000, inclusive	17.5
38,001 to 40,000, inclusive	19.0
40,001 to 42,000, inclusive	20.5
42,001 to 44,000, inclusive	22.0
44,001 to 46,000, inclusive	23.5
46,001 to 48,000, inclusive	25.0
48,001 to 50,000, inclusive	26.5

50,001 to 52,000, inclusive	28.0
52,001 to 54,000, inclusive	29.5
54,001 to 56,000, inclusive	31.0
56,001 to 58,000, inclusive	32.5
58,001 to 60,000, inclusive	34.0
60,001 to 62,000, inclusive	35.5
62,001 to 64,000, inclusive	37.0
64,001 to 66,000, inclusive	38.5
66,001 to 68,000, inclusive	40.0
68,001 to 70,000, inclusive	41.5
70,001 to 72,000, inclusive	43.0
72,001 to 74,000, inclusive	45.5
74,001 to 76,000, inclusive	48.0
76,001 and over	Add 2.5 mills
	per ton or
	fraction of
	ton

MILEAGE TAX RATE TABLE "B"

Declared Combined Weight Groups (Pounds)	Fee Rates Per Mile (Mills)
0 to 6,000, inclusive	5.5
6,001 to 8,000, inclusive	7.0
8,001 to 10,000, inclusive	8.5
10,001 to 12,000, inclusive	10.0
12,001 to 14,000, inclusive	11.5
14,001 to 16,000, inclusive	13.0
16,001 to 18,000, inclusive	14.5
18,001 to 20,000, inclusive	16.0
20,001 to 22,000, inclusive	17.5
22,001 to 24,000, inclusive	19.0
24,001 to 26,000, inclusive	20.5
26,001 to 28,000, inclusive	22.0
28,001 to 30,000, inclusive	23.5
30,001 to 32,000, inclusive	25.0
32,001 to 34,000, inclusive	26.5
34,001 to 36,000, inclusive	28.0
36,001 to 38,000, inclusive	29.5
38,001 to 40,000, inclusive	31.0
40,001 to 42,000, inclusive	32.5
42,001 to 44,000, inclusive	34.0
44,001 to 46,000, inclusive	36.0
46,001 to 48,000, inclusive	38.0
48,001 to 50,000, inclusive	40.0
50,001 to 52,000, inclusive	42.0
52,001 to 54,000, inclusive	44.0
54,001 to 56,000, inclusive	46.0
56,001 to 58,000, inclusive	48.0
58,001 to 60,000, inclusive	50.0
60,001 to 62,000, inclusive	52.0
62,001 to 64,000, inclusive	54.0
64,001 to 66,000, inclusive	56.0
66,001 to 68,000, inclusive	58.0
68,001 to 70,000, inclusive	60.0
70,001 to 72,000, inclusive	62.0
72,001 to 74,000, inclusive	65.0
74,001 to 76,000, inclusive	68.0
76,001 and over	Add 3.0 mills
	per ton or
	fraction of
	ton

passenger motor vehicle weighing more than 12,000 pounds and not more than 30,000 pounds and having an overall length not in excess of 35 feet, when tables "A" or "B", or both, are used, shall be computed by multiplying the extreme mileage of travel in Oregon by the tax rate determined by subtracting two and one-half mills per mile from the appropriate weight group tax rate as it appears in the table.

There shall be a minimum charge of \$1 which shall accompany each monthly fee report where the tax reported is computed by using tax rate tables "A" or "B" and the tax computed is less than said minimum.

In lieu of the fees hereinabove prescribed in this section, carriers not specifically exempt from the operation of this Act by section 3 hereof may pay an annual fee on each motor vehicle operated by said carrier the combined weight of which does not exceed 18,000 pounds. The fees may be paid quarterly and shall be determined by finding the fee rate applicable to the appropriate combined weight group appearing in flat fee tables "C" and "D".

FLAT FEE TABLE "C"

Declared Combined Weight Groups (Pounds)	Flat Fee
0 to 6,000, inclusive	\$ 35.00
6,001 to 8,000, inclusive	50.00
8,001 to 10,000, inclusive	65.00
10,001 to 12,000, inclusive	75.00
12,001 to 14,000, inclusive	90.00
14,001 to 16,000, inclusive	115.00
16,001 to 18,000, inclusive	140.00

FLAT FEE TABLE "D"

Declared Combined Weight Groups (Pounds)	Flat Fee
0 to 6,000, inclusive	\$125.00
6,001 to 8,000, inclusive	150.00
8,001 to 10,000, inclusive	175.00
10,001 to 12,000, inclusive	205.00
12,001 to 14,000, inclusive	230.00
14,001 to 16,000, inclusive	255.00
16,001 to 18,000, inclusive	290.00

No person shall tow upon any public highway in this state by means of any motor vehicle, whether said motor vehicle be exempt or not from the provisions of this Act, any other motor vehicle or any vehicle when such towing is for hire until a permit shall have been obtained from the commissioner. In lieu of the fees provided for in this section and section 10, persons conducting such towing operations shall pay to the commissioner a flat fee of \$7.50 for each motor vehicle for each such operation; provided, however, no such permit shall be required for towing operations conducted by the use of motor vehicles specially constructed for and used for towing wrecked and disabled motor vehicles.

The tax for each motor vehicle when tables "A" or "B", or both, are used shall be computed by multiplying the extreme mileage of travel in Oregon by the appropriate weight group tax rate as it appears in the table; except that the tax for each

In lieu of other fees provided in this section, carriers engaged in operating motor vehicles in the transportation of logs, poles or piling or in the operation of motor vehicles equipped with dump bodies commonly known as sand and gravel trucks and used exclusively in connection with highway or other construction projects may pay annual fees for such operation computed as follows: 90 cents for each 100 pounds of declared combined weight on those motor vehicles using as a propulsion fuel gasoline on which has been paid to the State of Oregon the gasoline tax provided by law; \$1.50 for each 100 pounds of declared combined weight on those motor vehicles using as a propulsion fuel any fuel other than gasoline on which has been paid to the State of Oregon the gasoline tax provided by law. The annual fees provided hereby must be paid in advance but may be paid on a monthly basis on or before the first day of the month. Any carrier electing to pay fees under the method hereby provided may not change his election during the same calendar year in which the election is made, but such carrier may be relieved from the payment due for any month or months on a motor vehicle which is not operated, provided the plates for said motor vehicle are surrendered to the commissioner prior to the first day of the first month for which relief is sought.

The fees or taxes listed hereinabove in this section shall be in addition to, and not in lieu of, other fees and taxes of the state,

county or municipality which may be imposed, levied, assessed or collected against the business or property of such carrier, but this paragraph shall not be construed to authorize the imposition of license fees by municipalities upon intercity carriers; nor shall this paragraph be construed to deprive any city or town within which a passenger motor vehicle, having a seating capacity of not more than seven passengers, is principally operated for hire, from imposing and collecting license fees upon and from such motor vehicle, or the owner or operator thereof, as to such portions of its operations as are wholly within the corporate limits of such city or town.

The provisions of chapter 303, Oregon Laws 1943, and acts amendatory thereto, relating to the reporting, levying, assessing, and collecting of an excise tax on fuel used to propel motor vehicles upon Oregon highways, except motor vehicle fuel as defined in section 1, chapter 413, Oregon Laws 1945, as amended by section 1, chapter 385, Oregon Laws 1949, and acts amendatory thereto, shall not apply to vehicles or fuels used therein which vehicles are subject to and report and pay the tax for the use of Oregon highways based upon the combined weight of the vehicle and in accordance with the weight group rates herein prescribed.

Section 2. This Act shall become effective January 1, 1952.

Approved by the Governor May 1, 1951.

Filed in the office of the Secretary of State May 1, 1951.

BALLOT TITLE

MOTOR CARRIER HIGHWAY TRANSPORTATION TAX ACT—Purpose: To increase tax imposed upon motor vehicles, used in transportation of persons or property as common, contract and private carriers; amending section 11, chapter 488, Oregon Laws 1949. Tax is additional to all other license fees and taxes imposed by law. Revenue from tax is to be used for administration, maintenance, operation, construction and reconstruction of public highways. Declared combined weight, fuel use and purchase are basis for tax. Mileage and flat fee tables are established according to weight classification. Does not apply to certain vehicles or fuels defined in chapter 303, Oregon Laws 1943, and amendatory acts.

(ESTIMATE OF REVENUE—The enactment of this measure would increase the State taxes on motor vehicles of the class specified, approximately \$1,930,000 annually, for highway purposes.)

Vote YES or NO

318 Yes. I vote for the proposed law.

319 No. I vote against the proposed law.

EXPLANATION**OF MOTOR CARRIER HIGHWAY TRANSPORTATION TAX ACT****(Ballot Nos. 318 and 319)**

The legislation involves an increase in taxes to be paid by motor vehicles operated by common carriers, contract carriers and private carriers; in other words, trucks and buses, for use of the highways. It is submitted to the people by referendum petition.

The state highway system in Oregon is financed by three types of taxes: (1) Fuel tax; (2) registration fee; (3) tax on trucks and buses commonly called a "weight-mile tax", which is a graduated tax that is computed on the basis of declared weight and miles traveled. Declared weight includes the weight of vehicle and maximum declared load, whether carried or not.

Gasoline powered trucks pay all three types of taxes. Diesel powered trucks pay registration fees and a higher weight-mile tax, which is in lieu of a direct fuel tax.

METHOD OF TAX INCREASE

The main provisions of this legislation are:

In each weight class for gasoline-powered and for diesel-powered trucks and buses it raises the schedule of weight-mile fees adopted by the 1949 legislature.

It also raises the optional flat fees, available to log trucks and dump trucks.

It allows buses weighing between 12,000 and 30,000 pounds and not over 35 feet in length a deduction of 2.5 mills per mile below the new schedules in each weight class.

Detailed schedules showing the increases are printed in the text of the Act in this Pamphlet. It is suggested that voters study them.

These increases are not now in effect. Taxes now being collected are upon the 1949 schedule.

EFFECT ON HIGHWAY FUNDS

All motor vehicle taxes must be used for highway purposes and the effect on highway funds of the proposed tax increase was calculated by the State Highway Department as follows:

The proposed tax increase would have

increased the collections from "weight-mile" taxes \$1,600,000 in 1951.

A reduction in truck registration fees by the 1951 legislature decreased the amount paid in registration fees \$665,000, with the consequence that net increase in truck taxes is estimated at \$1,000,000 a year beginning in 1951. This represents an overall increase in the total road use charges to this group of motor vehicles of 7.26%.

In 1950, the total of annual road user payments were \$44,182,557, of which P.U.C. trucks and buses paid \$12,872,112, or 29.14%, according to highway department figures.

EFFECT ON TRUCK INDUSTRY

Sponsors of the referendum claim that the proposed weight-mile rate increases are too high, the percent of increases ranging from 7.6% to 83% on various classes of vehicles—the average being approximately 35%; that these burdens are unfairly distributed, that the effect of these rate increases would be to injure the industry, necessitate higher charges to shippers, making it impossible for the trucking industry to maintain its competitive position with railroads.

EFFECT OF VOTING

The people's decision on this measure will not in any way prohibit or limit the legislature from revising or changing any of the taxes on motor vehicles in the future.

This measure should not be confused with the constitutional amendment also on this ballot, which would make it unlawful for the legislature to impose a weight-mile tax.

If the voter favors the increased tax rates, he should vote "YES". If he is against the increased tax rate, he should vote "NO".

GEO. H. FLAGG, Portland

RAYMOND M. KELL, Portland

WM. M. TUGMAN, Eugene

Committee designated pursuant to Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by the Oregon Highway Protective Association and the Oregon State Motor Association, in favor of the

MOTOR CARRIER HIGHWAY TRANSPORTATION TAX ACT

(Ballot Nos. 318 and 319)

This measure was passed by large majorities in both houses in the 1951 Legislature (in the Senate—23 for, 5 against; in the House—45 for, 13 against) without regard to party lines or sectional interests. This action was taken upon recommendation of the State Highway Commission, and after 10 years of intensive and continuous study by special non-partisan committees appointed by the legislature itself. The tax rates contained in this measure represent the combined judgment of the State Highway Commission and the legislature that the long-haul heavy-weight trucks (which require heavier and more expensive highway and bridge construction and which cause greater damage to the highways and bridges) should be taxed at higher rates than the short-haul lighter-weight vehicles.

If you wish to support this carefully enacted legislation, vote

318 X YES

Oregon has pioneered in the effort to apportion fairly between the users of the highways the cost of constructing and maintaining the highways. The result is the weight-mile tax which amounts to merely a rental for the use of public facilities for private business. This form of tax is universally recognized as fair by all highway authorities throughout the country. The 1951 weight-mile tax act, which is the subject of this referendum, amended the Act passed in 1949 by increasing the rates applicable to heavy long-haul trucks in an effort to make a more equitable apportionment of highway costs.

By invoking the referendum against this 1951 measure the large trucking associations prevented the higher rates from becoming effective. Additionally, the same legislature, by a companion Act (on which the trucking interests did not invoke the referendum), reduced by more than \$600,000 the license fees paid to the Secretary of State by the trucks. Thus by letting the one Act (which reduced their license fees) become effective and invoking the referendum against the other (which increased their weight-mile tax) the truck owners have saved themselves in the year 1952 nearly \$2,000,000, which has been lost to the State Highway Fund. This loss must necessarily be borne by others—private car owners, or property taxpayers, or by both

—if the program of highway modernization is to be maintained.

To support your Highway Commission and your legislature and to defeat the referendum you should vote

318 X YES

This referendum is a companion measure to an "Initiative" filed by the big truckers' organizations, the arguments concerning which will be found on other pages of this pamphlet.

Mention of the "Initiative" is here made only to call attention to the close relationship existing between it and this referendum measure.

If you wish to support the judgment of your legislatures which have made comprehensive studies of highways and related tax problems over a long period of years, you should vote on both measures by marking **318 X YES** and **331 X NO**.

IF you trust your own legislature more than you do the self-interest Big Truckers groups,

IF you wish to preserve the financial stability of our highways,

IF you wish to avert a substantial increase in your automobile taxes,

IF you want to protect the competitive position of Oregon Truckers against the Big interstate truckers,

IF you believe in really fair highway taxation,

Tear out this coupon and take it with you to the polls as a reminder to vote

318 X YES

and

331 X NO.

OREGON HIGHWAY PROTECTIVE ASSOCIATION

By J. N. CHAMBERS, President,
2945 Pringle Road, Salem

CHARLES A. SPRAGUE, Vice President,
215 S. Commercial, Salem

O. R. ECKERSLEY, Secretary-Treasurer,
2037 Fairgrounds Road, Salem

OREGON STATE MOTOR ASSOCIATION

By RAY CONWAY, Manager, 1101
S.W. Washington, Portland

ARGUMENT

Submitted by Publication Committee of Transport Information, Inc., in favor of the

MOTOR CARRIER HIGHWAY TRANSPORTATION TAX ACT

(Ballot Nos. 318 and 319)

The estimated \$48,000,000 highway revenues for constructing and maintaining Oregon streets and highways during 1952 comes from these sources:

Automobiles	\$33,000,000	69%
Trucks and buses ..	13,500,000	28%
Farm trucks	1,500,000	3%
Total	\$48,000,000	100%

The 1951 Legislature, based on detailed studies by legislative interim committees over a seventeen-year period, concluded that the lighter vehicles (automobiles, pickups, etc.) were paying more, and the heavier vehicles (trucks and buses) were paying less than their fair share of highway costs.

To correct this injustice, the 1951 Legislature passed two acts. One (H.B. 465) increased the weight-mile fees paid by the heavy trucks and buses. The other reduced their registration fees. The two acts, worked out together as a balanced program, were designed to distribute highway costs on an equitable basis.

House Bill 465 was passed by large majorities in both Houses in the 1951 Legislature (in the Senate—23 for, 5 against; in the House—45 for, 13 against).

The trucking interests invoked the referendum on the act (H.B. 465) which raised their weight-mile fees, but not on the

other act which reduced their registration fees—a reduction amounting to about \$700,000 for the year 1952. By this course, with the fee reduction, the trucking interests are saving themselves some \$2,000,000 in 1952.

The following organizations, after careful study of this measure, by resolution recommend that you vote

318 X YES

- OREGON STATE MOTOR ASSOCIATION (AAA)
- ASSOCIATION OF OREGON COUNTIES
- OREGON U. S. HIGHWAY 99 ASSOCIATION
- OREGON STATE GRANGE
- LANE COUNTY POMONA GRANGE
- GOSHEN GRANGE No. 561
- TRANSPORT INFORMATION, INC.
- OREGON HIGHWAY PROTECTIVE ASSOCIATION, INC.
- OREGON FARM BUREAU FEDERATION
- GOOD ROADS ALLIANCE
- SAVE OREGON HIGHWAYS CITIZENS COMMITTEE
- LEAGUE OF OREGON CITIES

This information furnished by
 HENRY F. CABELL
 ROBERT W. SAWYER
 CHARLES A. SPRAGUE
 WM. M. TUGMAN
 Publication Committee of Transport Information, Inc.

ARGUMENT

Submitted by Oregon Petroleum Carriers Conference, in opposition to the

MOTOR CARRIER HIGHWAY TRANSPORTATION TAX ACT

(Ballot Nos. 318 and 319)

This is a measure to increase taxes.

Oregon has the highest highway user taxes of any of the eleven western states, and is second only to Florida in the nation, especially as the tax is applied to the larger commercial vehicles. If House Bill 465 had gone into effect, Oregon would have led the nation in taxes on a service that is vital to the state's economy.

These are facts. They are not disputed. The chairman of the Legislative Highway Interim Committee on July 25th, 1952, stated:

"Oregon does have the highest road user tax in the United States or close to it."

House Bill 465, on which you are voting, would increase these already high mileage taxes by approximately 35%.

Faced with conditions under which they could not operate to many important competitive points, the Oregon Petroleum Carriers Conference invoked the referendum on this measure, in order to stay in business. If these competitive services are taxed out of existence, it will mean a steadily diminishing return instead of an increase in highway revenue.

A large petroleum carrier combination traveling 100,000 miles per year over Oregon highways, now pays highway user taxes of \$5200.00 annually. The measure on which you are voting would increase this by \$1800.00, making a year's taxes on a single outfit operated as outlined, \$7000.00.

Remember always that under Oregon's unfair and inequitable mileage tax the operator pays the maximum amount whether he travels loaded or empty. This particularly discriminates against the petroleum carrier, the nature of whose business forces him to travel empty at least half of the time.

The additional taxes proposed would destroy business that is important to every citizen of Oregon, and most certainly result in increased prices on gasoline and fuel oil.

A good many jobs are involved. Removal of these important carriers from the highway means an end to many needed pay checks.

This added tax burden will almost certainly result in loss of highway revenue

through discontinuance of vital service. Tankers lying idle make no road tax contributions.

The common carrier is a minority user of the highways. All common, contract and private carriers are affected by this increase. Private carriers include your grocer, farm and dairy cooperatives, wholesalers, oil companies, large and small industries, and many others who serve you and whose cost of operation must be passed on to the consumer in increased prices. All added costs of common carriers must be reflected in increased rates.

The contention that road construction costs are increased on account of their use by heavy commercial vehicles is best answered by a statement by Thos. H. McDonald, Commissioner, Federal Bureau of Public Roads, to a Senate Committee: "The minimum requirements of structural and capacity design of the major routes to serve national interests must be equated to the foreseen needs of the national defense. Thus the question of whether the highways could be built at less cost if there were no heavy trucks becomes largely academic since the design of major routes must be held to defense standards." In addition for your consideration is the fact that Oregon is in the group of states with the lowest axle load limit in the nation.

This is one of the most important of the many measures you will vote upon in November. The increases in the levies in the bill, printed in full in the preceding pages, deserve your careful study. Do not be misled by the oft repeated statement that only the large vehicles are increased. Some of the largest percentage increases are on smaller equipment.

Further facts will be presented to you between now and election day. Please consider this problem in all its aspects, and then vote for the economic well being of your state.

Help stop increased taxes and higher living costs with a "No" vote.

**OREGON PETROLEUM CARRIERS
CONFERENCE**

516 S.E. Morrison Street, Portland

By **GEORGE NORSTROM**, President

(On Official Ballot, Nos. 320 and 321)

SCHOOL DISTRICT REORGANIZATION ACT

Submitted to the People pursuant to Referendum Petition filed in the office of the Secretary of State July 30, 1951, in accordance with the provisions of section 1 of article IV of the Constitution.

SENATE BILL No. 315
Forty-sixth Legislative Assembly
(Chapter 434, Oregon Laws 1951)

AN ACT

Relating to school district reorganizations.

Be It Enacted by the People of the State of Oregon:

Section 1. As used in this Act:

(1) "Unified school district" means a school district which operates both elementary and secondary schools.

(2) "Common school district" means a first, second or third class school district which provides elementary education, and which may or may not be providing secondary education.

(3) "County committee" means a county committee for school district reorganization.

(4) "Commissioner" means the Commissioner for School District Reorganization.

(5) "State committee" means the State Advisory Committee for School District Reorganization.

(6) "County school superintendent" includes county school superintendent, county district superintendent of schools or rural school district superintendent of schools.

(7) "School voter" means an elector qualified to vote at school elections.

Section 2. (1) The State Board of Education shall prepare criteria for the development of a school district reorganization program which has for its purpose the inclusion of all territory in Oregon in some unified school district. In developing such criteria, the State Board of Education shall give due consideration to the development or continuation of schools in rural areas within proposed unified districts, geography of the state, size and assessed valuation of proposed unified school districts, available school buildings, school population, convenience of children attending school, economies of administration and transportation, needs and desires of rural communities and any other matters which it deems important. The criteria shall provide for the continued operation of small schools whose continued existence can be justified on the basis of isolation or sparsity of population.

(2) In addition, the State Board of Education shall:

(a) From recommendations of the Superintendent of Public Instruction, appoint a

Commissioner of School District Reorganization at an annual salary to be fixed by the State Board of Education, a State Advisory Committee for School District Reorganization and other necessary personnel. The commissioner shall not be subject to state civil service laws. His assistants and other necessary personnel may elect to be subject to state civil service or retirement laws during the period of their service.

(b) Be responsible for administration of this Act.

(c) After June 30, 1954, exercise responsibility for continuing development of a school district reorganization program.

Section 3. The commissioner shall:

(1) Function under direction and control of the State Board of Education.

(2) Cooperate with county committees in developing data from which county committees can create school district reorganization plans for their counties.

(3) In accord with State Board of Education criteria, examine county committee reorganization plans. If the plans do not conform to the criteria, he may request submission of further plans upon authorization by the state committee.

(4) Prepare and furnish suggested election procedures to the county school superintendents and to the county committees.

(5) Perform other duties relating to school district reorganization prescribed by the State Board of Education.

Section 4. The state committee shall consist of seven members. It shall advise and assist the commissioner and the State Board of Education on matters relating to school district reorganizations. Each member shall be reimbursed for actual traveling and other expenses incurred in performance of his duties.

Section 5. (1) With the exception of counties in which the entire county is organized into a single unified school district, a county committee shall be elected in each county within 75 days after the county school superintendent receives the commissioner's notice that the reorganization criteria are ready for distribution. The county committee shall consist of:

(a) In each county containing a rural school district, five elected members, one from each zone within such district.

(b) In each county organized under the county unit system and containing first-class school districts or part of a joint union high school district, five elected members, one from each zone within the county school district.

(c) In addition to the members provided for by paragraph (a) of this subsection, if the county contains a first-class school district having a population over 100,000, two additional members appointed by the district school board of such district and two additional members elected by the school voters of the other first-class districts within such county not within a rural school district.

(d) In addition to the members provided for by paragraph (a) or (b) of this subsection, in counties which are not within the provisions of paragraph (c) of this subsection and which contain not more than two first-class school districts not within a rural school district, two additional members elected by the school voters of such first-class districts; or, four additional members elected by the voters of such districts if the county contains more than two first-class districts.

(2) (a) In each county containing a rural school district and not more than 15 days after receipt of such commissioner's notice, the county school superintendent shall call a meeting of all school boards of common school districts in each zone within the rural school district. At such meeting, two school voters from the zone shall be nominated by the school boards as candidates for the county committee. The county school superintendent shall preside over such meetings.

(b) If such county contains first-class common school districts none of which have more than 100,000 population and which are not within a rural school district, the county school superintendent shall also call within the same 15-day period a meeting of the school boards of such districts for the purpose of nominating additional candidates. The county school superintendent shall preside over such meetings. If such county contains not more than two such first-class districts, there shall be nominated four such candidates. If the county contains more than two such first-class districts, eight such candidates shall be nominated.

(c) If the county contains a first-class school district having more than 100,000 population, the county school superintendent shall also call within the same 15-day period a meeting of the school boards of all first-class districts having less than 100,000 population and which are not within a rural school district for the purpose of nominating four additional candidates. The county school superintendent shall preside over the meeting. The district board of each school district having more than 100,000 population shall appoint two school voters from such district to serve as county committee members.

(3) (a) In counties organized under the county unit system in which part of the county is in a joint union high school district and within 15 days after the county school superintendent has received such

commissioner's notice, the county school board shall nominate two school voters from each zone within the county school district as candidates for the county committee.

(b) In counties organized under the county unit system which contain a first-class common school district and within such 15-day period, the county school board shall nominate two school voters from each zone as provided in paragraph (a) of this subsection. The county school superintendent shall also call a meeting within the same 15-day period of the first-class common school district boards, who shall nominate candidates representing their districts as provided by paragraph (b), subsection (2) of this section. The county school superintendent shall preside over such meetings.

(4) For the purpose of nomination and election of county committees, a first-class school district which extends across county lines is deemed to be located in the county in which the greater part of the district's assessed valuation is located. For the same purpose, all other school districts which extend across county lines are deemed to be located in the county in which they are part of the rural school district.

(5) Additional nominations of candidates for the county committee may be made by petitions signed by 15 school voters of any one zone or first-class district and filed with the county school superintendent not later than 20 days after the school boards have nominated candidates.

Section 6. (1) In all counties required to elect a county committee, the county school superintendent shall arrange for and call a special election in all common school districts having less than 100,000 population in the manner provided by section 111-908, O.C.L.A., as amended. The election shall be called not less than 20 nor more than 30 days after the nominations are closed. Each school voter residing in a zone is entitled to vote for one candidate from the zone in which he resides. Each school voter in a first-class common school district in a county which does not contain a first-class school district having over 100,000 population may vote for two first-class district candidates if the county contains not more than two first-class school districts and four such candidates if the county contains more than two such districts. Each school voter in a first-class common school district in a county which contains a first-class school district having over 100,000 population may vote for two first-class district candidates.

(2) The candidate from each zone of the first-class common school districts receiving a plurality of votes over other candidates from such zone or districts shall be declared elected.

(3) The district boundary board shall canvass the votes and notify the successful candidates to meet on a specified date for the purpose of organizing and electing a chairman. A majority of the committee is a quorum for the purpose of organizing and transacting business.

(4) The costs of elections held under this section shall be paid by the district in the same manner as other school district elections.

(5) The remaining members of the county committee shall fill vacancies on the committee by appointing a qualified person from the area from which the vacancy occurred.

Section 7. The county committee shall:

(1) Make a study of the school district organization in its county and prepare a preliminary reorganization plan in general accord with the criteria established by the State Board of Education.

(2) After such preparation, the county committee shall provide adequate opportunity for residents of the proposed unified school districts to be heard upon the proposed reorganization by holding at least one public meeting for consideration of the preliminary plan in each proposed district after publishing notice of such meeting in at least one newspaper published in the county at least 15 days prior to such meeting and such other forms of notice as the county committee deems advisable. All such meetings shall be completed within 90 days after the first such meeting is held.

(3) After meetings have been held in each proposed district in the county, prepare a final reorganization plan which provides for the needs of its county and is in general accord with the criteria established by the State Board of Education. The final plan may also provide for the division of any proposed unified district into three zones as nearly equal in area as practicable for the purpose of electing directors. The county committee shall give each zone a number and a descriptive geographic name.

(4) Whenever desirable, in conjunction with other county committees, plan unified school districts comprised of parts of their respective counties.

(5) Submit reorganization plans to the commissioner for review.

(6) After receipt of the commissioner's approval, send written notice to the board of each common school district whose area will be affected by the proposed reorganization to call an election of the school voters of that part of the district included within the proposed unified school district for the purpose of voting on the proposed reorganization. The county committee shall fix the date of such election.

Section 8. The reorganization election

and subsequent procedure shall be conducted as follows:

(1) Upon receipt of the county committee's notice fixing the election date, the district school board shall publish a notice of the time, place and purpose of the election each week for two successive weeks immediately preceding the election in a newspaper published in the county and having a general circulation therein. The district school board shall also post three notices containing the same information as the published notices in at least three public places in the proposed unified district at least 10 days immediately preceding the election.

(2) The vote shall be by ballots which have printed or written upon them "For reorganization _____" "Against reorganization _____". The ballot wording prescribed by this subsection may be changed whenever the provisions of section 13 of this Act are applicable.

(3) At reorganization elections in first and second class districts, the polls shall be kept open from 2 p.m. to 8 p.m. Polls in third-class districts shall be kept open during the time permitted under section 111-907, O.C.L.A., as amended, for such districts. The district school board may establish several polling places in school-houses or other convenient places throughout the area in which the voters reside.

(4) Only school voters of the area within the proposed unified district are qualified to vote at reorganization elections.

(5) The election clerk shall place the counted ballots, poll list, tally sheet and other election records in a sealed package and indorse thereon the designation of the polling place, the name of the county in which situated and the date on which the election was held. He shall forward the sealed package, together with a certificate of election results signed by the election chairman or judges and clerk, to the county school superintendent having jurisdiction of the reorganization.

(6) Within 10 days after receipt of the sealed election returns by the county school superintendent, the district boundary board having jurisdiction of the reorganization shall canvass all votes on the proposal and send written notice of the results of the canvass to each district whose area is affected by the reorganization.

(7) If an over-all majority of those voting favor reorganization, the district boundary board shall, by the end of the current fiscal school year, make an order establishing the area voted upon as a single unified school district. Until the school board of such unified district has been elected and qualified, the existing district school boards shall continue to exercise all powers and duties over territory from their districts which has been included in

the newly established unified district school.

(8) The county school superintendent having jurisdiction of the reorganization shall initiate organization of the new district in the manner provided by section 111-807, O.C.L.A. The notice of initial organization meeting shall specify that a five-director district school board is to be elected.

(9) The county school superintendent shall preserve the ballots and election returns in their original envelopes in his office for one year after canvass.

Section 9. (1) Upon establishment of the unified school district, all territory within the unified district is withdrawn from any type or class of school district of which such territory was a part immediately preceding establishment of the unified school district.

2) Where creation of a unified school district under this Act results in the exclusion of part of an existing school district from the unified school district and such excluded territory is not included in another unified school district created under this Act, the district boundary board shall post notices in the excluded territory in the manner provided by section 111-803, O.C.L.A. The notices shall state the action which the board proposes to take with respect to the excluded territory. After holding a hearing on the proposal, the district boundary board shall make an order to continue the excluded territory as a school district under its pre-reorganization designation, or form a new school district from the excluded territory or annex all or parts of the excluded territory to another school district.

(3) With the exception of attendance areas which were a part of a first-class school district prior to inclusion in a unified school district created under this Act, whenever 10 school voters residing within the area designated by the unified district school board as the attendance area for a particular school petition such board for establishment of a local school committee, the school board shall call a meeting of the school voters residing in the attendance area for the purpose of selecting a local school committee consisting of three members. The members shall serve for three years. The local school committee shall have the powers and duties set forth in section 111-730, O.C.L.A., as amended, and section 111-731, O.C.L.A., as amended.

Section 10. If the proposed unified district is within two or more counties, the district boundary boards of such counties shall jointly determine which county contains the most populous part of the proposed district. The district boundary board and county school superintendent of the county so determined shall exercise jurisdiction in all matters pertaining to estab-

lishment and organization of such unified district. After district organization, the boundary board having jurisdiction shall send a description of the unified district boundaries to the other boundary boards.

Section 11. Upon petition of at least 50 percent of the parents of children attending any school located in a unified district created under this Act, an existing school which meets standards fixed by the State Board of Education in its rules and regulations for apportionment of the Basic School Support Fund shall not be discontinued within five years after establishment of the unified district unless population growth or emergency requires establishment of a new school.

Section 12. All taxable property in areas formerly included in a school district which has been totally or partially included in a unified school district created under this Act shall remain liable to taxation for payment of the former school district's bonded indebtedness incurred prior to creation of the unified district. The district school board of the district in which are located the school facilities for which the bonds were issued shall levy an annual tax on all such property for payment of interest and bond retirement.

Section 13. Whenever any school district which has an unexpired serial tax levy authorized outside of the limitations imposed by article XI, section 11 of the Oregon Constitution, is to be included in a proposed unified district, the county committee shall require submission of the question whether such levy shall remain in effect for its unexpired portion and be assessed against all taxable property within the proposed unified district. The question of continuing the levy shall be submitted at the same time and as a part of the question of creating the unified district submitted under section 8 of this Act. If the district boundary board on canvass determines that a majority of those voting favor continuation of the unexpired serial levy outside of the limitations imposed by article XI, section 11 of the Oregon Constitution, the levy shall continue for the duration of its unexpired portion.

Section 14. After creation of a unified school district under this Act:

(1) All property and uncollected taxes belonging to a school district which has been wholly included in such unified school district are the property of such unified district and all outstanding indebtedness of the included district is also the obligation of such unified district.

(2) (a) If a school district has been partially included in a unified school district created under this Act, an equitable division of the divided district's assets and liabilities shall be made between the school boards of the unified district and the

school district retaining the school facilities within 30 days after establishment of the unified district. If the boards fail to agree within 30 days the members of both boards shall choose three disinterested persons to act as a board of arbitrators. Except that their decision is reviewable by writ of review as the decisions of inferior tribunals are reviewed, the arbitrators' decision is final. Expenses of arbitration shall be equally apportioned between both districts.

(b) Assets include all school property, uncollected revenues and money belonging to the divided district. In determining assets, school property shall be estimated at present cash value.

(c) Liabilities include all debts for which the divided district was liable at the time of inclusion in a unified school district under this Act and any continuing tax liability of the taxable property in territory included in a divided district for pre-reorganization indebtedness.

(d) The district retaining the school property shall pay to the other districts concerned such sums as are determined to be due the other districts.

Section 15. (1) Unified school districts created under this Act shall have a district school board consisting of five directors. With the exception of the first board, each director shall be elected for a term of five years. With the exception that unified school districts having over 100,000 population shall conform to laws applicable to nomination and election of directors in first-class school districts having over 100,000 population, nomination and election of directors in unified school districts shall conform to the manner prescribed by law for election of first-class district directors having less than 100,000 population.

(2) The first board shall determine by lot which member is to serve one, two, three, four and five years. After election of the first board, the term of one director shall expire each year.

(3) (a) In districts which have been zoned, one director shall be elected from each zone and two from the district at large. At the expiration of any director's term, or if a vacancy occurs on the board, the successor shall be a resident of the same zone or of the district at large, as applicable to the position to be filled. The vote for all directors shall be at large.

(b) The district school board may readjust the zone boundaries annually. Upon petition signed by at least 51 percent of the district school voters, the district school board shall order the zones discontinued.

Section 16. With the exception of school districts which have not been included in a reorganized unified school district by a county committee's reorganization plan which has been approved by the commissioner and state committee, after July 1, 1954, all school districts which are not included in a unified school district shall be deemed a single unified school district for the purpose of determining the total amount of the Basic School Support Fund to be distributed to the included districts. Excepting transportation apportionments, the sum of all Basic School Support Fund apportionments to which such individual included school districts would be entitled to receive shall be determined. The sum to be distributed shall be apportioned among the included school districts in the proportion which the sum each included school district would have been entitled to receive under an individual apportionment is to the total sum of all such apportionments.

Section 17. Except as to claims theretofore regularly incurred and with the exception of paragraph (c), subsection (2), section 2, subsection (3), section 9, and sections 11 to 19, inclusive, of this Act, this Act and all authority under it shall cease July 1, 1954.

Section 18. (1) Unified school districts created under this Act containing at least 20,000 children of school age or having at least 100,000 population according to the latest United States census shall conform to and be operated and administered under the laws applicable to school districts within such population classification.

(2) All other unified school districts created under this Act shall conform to and be operated and administered under the laws applicable to first-class school districts.

(3) Except where statutes relating to unified school districts are inconsistent with general laws relating to public schools, all such general laws apply to unified school districts, boards and clerks.

Section 19. Except as may be otherwise provided by law, all powers and duties conferred by law upon first-class school districts, boards and clerks are conferred upon unified school districts created under this Act and upon the school boards and clerks of such districts.

Approved by the Governor May 1, 1951.

Filed in the office of the Secretary of State May 1, 1951.

BALLOT TITLE

SCHOOL DISTRICT REORGANIZATION ACT—Purpose: Requiring state board of education to prepare criteria for development of school district reorganization program, for inclusion of all territory in Oregon in unified school districts. Providing for appointment of state commissioner and state advisory committee, election of county committees in all counties except those where entire county is operating under county unit system, for the purpose of carrying out such state-wide program for reorganization, redistricting and unification of such districts. Prescribing procedures for elections; for continuation of small schools; for division of assets; for serial tax levies; and for administration and government of such established unified districts.

(ESTIMATE OF COST—An expenditure of \$60,000 annually, for three years, from the State Basic School Support Fund, would be required to meet the provisions of this measure.)

Vote YES or NO

320 Yes. I vote for the proposed law.

321 No. I vote against the proposed law.

EXPLANATION

OF SCHOOL DISTRICT REORGANIZATION ACT

(Ballot Nos. 320 and 321)

The bill under consideration, known as the School District Reorganization Act, was passed by the Forty-sixth Legislature and signed by the Governor May 1, 1951; it has been referred to a vote of the people by the Oregon State Grange, and will appear on the ballot in the November general election in the above form.

PURPOSE

The purpose of the bill, stated in brief terms, is to set up a procedure for the reorganization of the school districts of the state into larger, "unified" districts. "Unified school district" is defined by the bill as meaning a "school district which operates both elementary and secondary schools". The procedure established would operate in this manner:

1. The State Board of Education would prepare criteria for the development of a reorganization program, the criteria to include consideration of continuation of schools in rural areas, the geography of the state, size and assessed valuations, available buildings, school population, convenience of children attending school, economies of administration and transportation, needs and desires of rural communities, continued operation of small schools in isolated or sparsely settled areas, and any other matters deemed important.

2. Assisted by a State Advisory Committee for School District Reorganization, the State Board would operate in this matter chiefly through a Commissioner of School District Reorganization, appointed by the State Board.

3. Since the reorganization is contemplated at the county level, the Commissioner would work with the county com-

mittees formed to consider and draft reorganization plans, and would examine such plans to see if they conform with the State Board criteria.

4. Committees in each county would prepare the proposed reorganization plans. The committees are elected, and the bill makes provision for representation on the committee so that each zone in the county would have its voice in any intended reorganization. Each committee is required to hold advertised public hearings; to prepare a preliminary plan for submission to the State Board's Commissioner; and thereafter to prepare the final reorganization plan.

5. The plans are then submitted to the voters for approval or denial. If a majority of the voters in a proposed unified district approves the plan, the unified district will come into being; if a majority disapproves the plan, the status of the existing school districts in the proposed district will remain unchanged.

In addition to this procedure, the bill contains sections providing for the transference of indebtedness and assets to the newly-created district, for the election of new school boards, for the creation of unified districts which may cross county boundary lines, and for other matters relating to the operation of the new districts.

Lincoln county is exempted from the provisions of the bill.

MAURINE LABER, Portland
ETHLYN LINDSTROM, Astoria
ELMER McCLURE, Milwaukie
Committee designated pursuant to
Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by the Committee for School District Reorganization, in favor of

SCHOOL DISTRICT REORGANIZATION ACT

(Ballot Nos. 320 and 321)

Reorganization of school districts is good business for Oregon children and adults. It will:

IMPROVE THE QUALITY OF EDUCATION THROUGHOUT OREGON

UNTANGLE OUR COMPLICATED SCHOOL DISTRICT STRUCTURE

RESTORE AND STRENGTHEN LOCAL CONTROL OF SCHOOLS

MEET THE GROWING NEEDS OF OREGON SCHOOLS BY MAKING BETTER USE OF THE TAX DOLLAR.

Revision of our costly, complex and educationally damaging school district system of Oregon has been the hope of Oregon legislators for twenty-five years. The 1949 Legislature authorized a complete study of public grade and high school education in Oregon. Its principal recommendation for reorganization of school districts was studied and analyzed for three months by the 1951 Legislature. The School District Reorganization Act (Senate Bill 315) passed by the overwhelming vote of 26-3 in the Senate and 42-17 in the House.

A UNIFIED SCHOOL DISTRICT provides an education program from kindergarten through high school. Reorganized school districts offer continuity of planning from first grade through high school with adequate supervision and administered by one elected board.

HOW WILL REORGANIZATION IMPROVE THE QUALITY OF EDUCATION?

- Unified districts will: Reduce rapid turnover in supervising and teaching staffs
- Furnish adequate supplies and equipment
- Offer varied curriculum
- Provide teachers qualified to teach the subjects assigned to them
- Have adequate guidance and counseling service
- Offer suitable vocational training
- Plan a sensible extracurricular program for its students.

HOW CAN REORGANIZATION SIMPLIFY EXISTING DISTRICT STRUCTURE?

- In unified districts one elected board will: set the policies of the district
- select a qualified superintendent
- supervise his selection of principals and teachers
- levy necessary school taxes on your property.

Under existing structure these powers are delegated to three or more boards in

many areas and result in confusion and inefficiency.

HOW CAN REORGANIZATION STRENGTHEN LOCAL CONTROL?

- A unified district: places all control with the elected board of the district
- invites parent committees from each school building to advise its board
- requires less supervision from state and county sources
- provides greater flexibility and freedom of planning for local needs
- returns budgetary control to local district (power has been held since 1947 by Rural School Board, a county-wide board)

Under the Reorganization Act local voters control the actual operation of this act by:

- VOTING FOR the county committee which plans unified district
- VOTING FOR or against proposed district
- VOTING FOR board members of unified school board
- Appearing at public hearings on proposed reorganization plans.

HOW CAN REORGANIZATION MAKE BETTER USE OF THE TAX DOLLAR?

- Unified districts will have: central planning for use of the buildings and staff
- centralized purchasing in quantity
- maximum efficiency from bus facilities
- better plant maintenance
- a planned program of expansion where needed.

WIDE SUPPORT GIVEN

- A constantly increasing list of organizations supporting this legislation includes: Oregon Congress of Parents and Teachers
- League of Women Voters of Oregon
- American Association of University Women
- Oregon Education Association
- Portland City Club
- Oregon AF of L and CIO
- Governor's Committee on Children
- Junior Chamber of Commerce

VOTE 320 X YES—SUPPORT SCHOOL DISTRICT REORGANIZATION

COMMITTEE FOR SCHOOL DISTRICT REORGANIZATION

- MRS. HELMER LINDSTROM, Chairman
- DR. MARTHA ADDY, Vice Chairman
- MRS. GERALD OSBORNE, Secretary
- JACK EDWARDS, Treasurer

ARGUMENT

Submitted by the Oregon State Grange, in opposition to the

SCHOOL DISTRICT REORGANIZATION ACT

(Ballot Nos. 320 and 321)

The so-called School District Reorganization Act appearing on the ballot was enacted by the last session of the legislature, with the referendum being invoked on the measure by the Oregon State Grange to prevent the involuntary dissolution of more than 850 school districts and the subsequent loss of control of school programs and policies at the local district level.

The measure proposes that each and every existing school district in the state not presently offering a 12-year program be consolidated with other districts to form units large enough to provide such a program.

In so doing, some 650 third class districts, about 175 second class districts, 80 union high school districts and several first class districts would be eliminated. Eliminated also would be the boards of directors of such districts. Supplanting them would be an estimated 225 districts, each governed by a single five-man board. Proponents of the measure claim it will increase local control of schools. You cannot eliminate that many school boards without losing a tremendous amount of necessary and desirable control of schools at the local community level.

Is the measure necessary? No! There is ample legislation already enacted to permit necessary and desirable school consolidations. Year after year, the number of school districts in Oregon has steadily grown smaller as the result of voluntary school consolidation programs.

This measure would compel school districts to consolidate by the most undemocratic election procedure ever foisted upon the people of Oregon. Under present school law (and the same procedure holds for counties, cities, irrigation districts, fire districts, water districts and the like) where a consolidation of two districts is proposed, a majority of the voters in each district must approve the consolidation. Under this measure, a majority of all of the voters in both districts governs. If one district is smaller than the other, the larger district can force the smaller district to join. What chance, for example, would a small district adjoining the city of Portland have under such an unfair voting system? What chance would any small district have under such a voting procedure?

As a further illustration, take an extreme example, but nonetheless one that

illustrates how this measure completely disregards democratic procedures and safeguards. Assume that a proposed unified district included 5 elementary school districts and assume also that 60 per cent of the voters in the 5 districts live in one district. If all of the voters in that one district vote in favor of reorganization, and all the voters in the other 4 districts vote against the reorganization, nevertheless the 4 districts are dissolved and made a part of the new unified districts.

If this is democratic, if this is good government, then our State Legislature has been on the wrong track ever since Oregon was admitted to the Union and all of our other laws with reference to consolidation of municipal corporations are archaic and wrong.

It will not save the taxpayers money. All responsible advocates of the measure agree with that statement. In fact, some think it may cost more money than our present school setup.

They say it is for the purpose of improving the quality of education by eliminating "inefficient" small schools. The report of Dr. Holy, made following his recent study of Oregon's school system, has this to say on that subject:

"As a general rule, children from schools in the larger districts made higher scores in reading, while the children from small school districts did better work in arithmetic and spelling, although there were many exceptions to these general tendencies. . . . There are many possible reasons for this, but the fact that it is so tends to discredit the idea that the reasons for high and low points in achievement statewide are in any substantial way connected with factors attributable to the size of schools."

This whole proposal is the dream of certain ambitious school administrators who see in these big districts which would be created, big jobs and handsome salaries. The bigger the district, the bigger the job and the larger the salary. And the less responsibility to the children and parents at the local community level.

**RETAIN CONTROL OF YOUR SCHOOL
IN YOUR OWN COMMUNITY.**

VOTE 321 X NO.

OREGON STATE GRANGE
ELMER McCCLURE, Master
1135 S. E. Salmon, Portland

ARGUMENT

Submitted by the Oregon State Grange, in opposition to the

SCHOOL DISTRICT REORGANIZATION ACT

(Ballot Nos. 320 and 321)

HERE ARE 14 REASONS WHY YOU SHOULD VOTE AGAINST THE SCHOOL DISTRICT REORGANIZATION ACT:

1. This measure represents another step in the movement to take away control of schools at the local community level.
2. If you live in a school district of the second or third class, this measure could and probably would force you to consolidate with another district or districts.
3. An individual district could not vote to stay out of a proposed "unified" district if a majority of all votes cast in the proposed district favored the consolidation program. Heavily populated districts could thus force sparsely populated districts to join with them against the wishes of the smaller districts.
4. If this undemocratic voting procedure for consolidating school districts is to be permitted, it is but one step further to apply the same technique to annexation programs of cities, counties, irrigation districts, water districts, fire districts, etc.
5. Under this voting procedure, school districts in rural areas would, for the most part, be at the mercy of city districts.
6. If this measure is desirable in 35 of Oregon's counties, why was Lincoln county excluded from its provisions?
7. The measure opens the door to gerrymandering of boundaries of the proposed unified districts so that thickly populated areas could out-vote sparsely settled sections. Existing school districts could be divided and present voluntarily consolidated districts could be dismembered.
8. In 1941, the Washington Legislature enacted an almost identical law and in three years more than 600 school districts were exterminated, scores of school buildings were abandoned and, in some instances, parents were forced to send their children as far as 40 miles on busses to school. It could and would happen here under this measure. There is no limit to the size of districts which could be created under this measure.
9. Don't vote just to try out this plan of school reorganization. Once adopted, it will be too late. We don't want to have a repetition of the experience of the State of Washington.
10. The most logical and least expensive method of setting up a proposed unified district would be to center it around an existing high school building, most of which are in towns and cities. There is very little, if any, assurance given in the law that rural areas would have representation on the school board of such a district or adequate voice in developing the policies and programs of the district.
11. All the property of school districts included in a unified district is taken over by the new district, but the bonded debt of such districts remains the obligation of the taxpayers who voted the bonds. If your district has recently voted bonds to build or expand your school, the unified district would take over the school but leave you the debt.
12. There is ample legislation on the books to permit and encourage necessary and desirable school consolidation programs.
13. It will not save taxpayers any money.
14. IF YOU WANT TO RETAIN CONTROL OF YOUR SCHOOL IN YOUR LOCAL COMMUNITY, VOTE 321 X NO!

OREGON STATE GRANGE
ELMER McClURE, Master
1135 S. E. Salmon, Portland

(On Official Ballot, Nos. 322 and 323)

CIGARETTE STAMP TAX REVENUE ACT

Submitted to the People pursuant to Referendum Petition filed in the office of the Secretary of State July 31, 1951, in accordance with the provisions of section 1 of article IV of the Constitution.

HOUSE BILL No. 747
Forty-sixth Legislative Assembly
(Chapter 509, Oregon Laws 1951)

AN ACT

To provide revenue for the General Fund through the imposition and collection of a tax on the privilege of selling, using, consuming, handling or distributing cigarettes in this state; providing penalties for violation thereof; appropriating funds for the administration of the Act and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

Section 1. For the purposes of this Act:

(1) The word "cigarette" shall mean and include any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and whether or not such tobacco is flavored, adulterated or mixed with any other ingredient, the wrapper or cover of which is made of any substance or material other than tobacco.

(2) The word "person" includes any individual, firm, partnership, society, association, corporation, joint stock company, and any combination of individuals and also an executor, administrator, receiver, trustee or other fiduciary, unless the intention to give a more limited meaning is disclosed by the context.

(3) The word "sale" means any transfer, exchange or barter in any manner or by any means whatever, including gift.

(4) The expressions "retail sale" or "sale at retail" mean a sale to a consumer or to any person for any purpose other than resale.

(5) The word "dealer" means any wholesale dealer and retail dealer as hereinafter defined.

(6) "Wholesale dealer" means any person who sells cigarettes to retail dealers or other persons for purposes of resale only.

(7) The term "retail dealer" means any person other than a wholesale dealer engaged in the business of selling cigarettes.

(8) The word "package" means the individual package, box or other container in which retail sales of cigarettes are normally made or intended to be made and excludes cartons, cases and similar containers used for transporting individual packages.

(9) The word "agent" means any person authorized by the tax commission to pur-

chase and affix adhesive or meter stamps under this Act.

(10) The word "stamp" means any impression, device, label, print or stamp, manufactured, printed or otherwise made as prescribed by the commission, including the imprint of meter stamping machines.

(11) The word "commission" and the words "tax commission" shall mean the State Tax Commission.

Section 2. (1) In lieu of any and all forms of tax upon the sale, use, consumption, handling or distribution of cigarettes within this state, there hereby is imposed on the privilege of selling, using, consuming, handling or distributing cigarettes within this state an excise tax at the rate of one and one-half cents for each 10 cigarettes or major fraction thereof, which tax shall be paid on all cigarettes possessed in this state by any person for sale on and after October 1, 1951; provided, however, that no tax shall be imposed on cigarettes sold under such circumstances that this state is without power to impose such tax or sold to the United States or sold to or by a voluntary unincorporated organization of the armed forces of the United States operating a place for the sale of goods pursuant to regulations promulgated by the appropriate executive agency of the United States; and provided, further, that no tax shall be imposed on the use of less than 400 cigarettes brought into the state on, or in the possession of, any person. Such tax is intended to be imposed upon only one sale of the same package of cigarettes. It shall be presumed that all sales of cigarettes are subject to tax until the contrary is established, and the burden of proof that a sale is not taxable hereunder shall be upon the vendor. It shall be unlawful for any agent or dealer to absorb or to advertise that he will absorb, the tax or any portion thereof imposed by this Act.

(2) Except as otherwise provided in this Act, all agents shall be liable as taxpayers for payment of the tax imposed by this Act and shall pay the tax to the tax commission by or through the use of metering machines or by purchasing adhesive stamps of such designs and denominations as the commission shall prescribe, under regulations promulgated by it.

(3) Agents, located within or without the state, shall purchase stamps and affix such stamps in the manner prescribed to packages of cigarettes to be sold within the state, in which case any dealer sub-

sequently receiving such stamped packages of cigarettes will not be required to purchase and affix stamps on such packages of cigarettes. Notwithstanding any other provision of this Act, the tax commission may by regulation provide that the taxes imposed by this Act shall be collected without the use of stamps.

(4) Any person other than a manufacturer, agent or dealer who, on or after October 1, 1951, brings into this state or causes to be sent into this state in any one calendar year 400 or more cigarettes shall be taxed for the privilege of such use at the rate of one and one-half cents for each 10 cigarettes or fraction thereof. Within 24 hours after liability for the tax accrues each such person shall file with the tax commission a return in such form as it may prescribe together with a remittance of the tax shown to be due thereon. For purposes of this subsection the word "use" means the exercise of any right or power actual or constructive and shall include but is not limited to the receipt, storage or any keeping or retention for any length of time.

Section 3. (1) The tax commission shall prescribe, prepare and furnish stamps of such denominations and quantities as may be necessary for the payment of the tax imposed by this Act, and may from time to time and as often as it deems advisable provide for the issuance and exclusive use of stamps of a new design and forbid the use of stamps of any other design. The tax commission shall make provisions for the sale of such stamps at such places and at such times as it may deem necessary and may appoint agents for such purpose. The tax commission may appoint dealers in cigarettes, manufacturers of cigarettes, and other persons within or without the state as agents to buy or affix stamps to be used in paying the tax herein imposed, but an agent shall at all times have the right to appoint the person in his employ who is to affix the stamps to any cigarettes under the agent's control. Whenever the tax commission shall sell and deliver to any such agent any such stamps, such agent shall be entitled to receive as compensation for his services and expenses as such agent in selling or affixing such stamps and to retain out of the moneys to be paid by him for such stamps, a commission on the par value thereof. The tax commission is hereby authorized to prescribe a schedule of commissions, not exceeding five percent, allowable to such agent for buying and affixing such stamps. Such schedule shall be uniform with respect to the different types of stamps used, and may be on a graduated scale with respect to the number of stamps purchased. The tax commission may in its discretion permit an agent to pay for such stamps within 30 days after the date of purchase provided a bond satisfactory to such commission in an amount not less than the sale price for such stamps

shall have been filed with such commission conditioned upon payment for such stamps. The surety on such bond must be an incorporated surety company authorized to do business in this state.

(2) The commission, if it shall determine that it is practicable in any case to permit agents to impress on or attach to each package of cigarettes evidence of tax payment by means of a metering machine, in lieu of stamps, may authorize any agent to use any metering machine approved by the commission, such machine to be sealed by the commission before being used and used in accordance with rules and regulations prescribed by the commission. Any agent authorized by the commission to affix evidence of tax payment to packages of cigarettes by means of a metering machine shall either make a prepayment, allowing for the discount, if any, provided for herein and subject also to the same conditions as in the case of the sale of adhesive stamps, covering the amount of the tax for which the meter is set; or if prepayment is not made, subject to the same conditions as to furnishing a bond as in the case of the consignment of stamps.

Section 4. (1) Each agent shall affix within the time hereinafter prescribed, to each package of cigarettes, stamps evidencing the payment of the tax imposed by this article and shall cancel such stamps before such cigarettes are offered for sale or before they are otherwise disposed of, unless stamps have been affixed to such packages of cigarettes and canceled before such agent received them. Each dealer, other than an agent, shall immediately upon the receipt of any cigarettes at his place of business mark in ink on each unopened box, carton or other container of such cigarettes the word "received" and the year, month, day and hour of such receipt, and shall affix his signature thereto, or in any other manner prescribed.

(2) Each retail dealer shall open such box, carton or other container within 24 hours after such receipt and prior to exposing for sale or selling such cigarettes and examine the packages contained therein for the purpose of ascertaining whether or not the said packages have affixed thereto the proper tax stamp; if unstamped or improperly stamped packages of cigarettes are discovered, the retail dealer shall immediately notify the dealer from whom said cigarettes were purchased. Upon such notification, the dealer from whom said cigarettes were purchased will replace such unstamped or improperly stamped packages of cigarettes with those upon which stamps have been properly affixed.

(3) Whenever any cigarettes are found in the place of business of such dealer, other than an agent, without the stamps affixed and canceled, or not marked as having been received within the preceding 24 hours, the presumption shall be that

such cigarettes are kept therein in violation of the provisions of this Act. Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of the tax upon the contents therein, and shall be affixed in such manner as to be visible to the purchaser.

Section 5. (1) Every person who shall possess or transport any unstamped cigarettes upon the public highways, roads or streets of the state, shall be required to have in his actual possession invoices or delivery tickets for such cigarettes. The absence of such invoices or delivery tickets shall be prima facie evidence that such person is a dealer in cigarettes in this state and subject to the provisions of this article.

(2) At the time of delivering cigarettes to any person each agent shall make a true duplicate invoice showing the date of delivery, the number of packages and number of cigarettes contained therein, in each shipment of cigarettes delivered, and the name of the purchaser to whom delivery is made, and shall retain the same for a period of three years subject to the use and inspection of the tax commission. Each dealer shall procure and retain invoices showing the number of packages and number of cigarettes contained therein, in each shipment of cigarettes received by him, the date thereof, and the name of the shipper, and shall retain the same for a period of three years subject to the use and inspection of the tax commission. The tax commission by regulation may provide that whenever cigarettes are shipped into the state, the railroad company, express company, trucking company or other public carrier transporting any shipment thereof shall file with the tax commission a copy of the freight bill within 10 days after the delivery in the state of each shipment. All dealers shall maintain and keep for a period of three years such other records of cigarettes received, sold or delivered within the state as may be required by the tax commission. The tax commission is hereby authorized to examine the books, papers, invoices and other records, stock of cigarettes in and upon any premises where the same are placed, stored and sold, and equipment of any such agent or dealer pertaining to the sale and delivery of cigarettes taxable under this Act. To verify the accuracy of the tax imposed and assessed by this Act, each such person is hereby directed and required to give to the tax commission or its duly authorized representatives, the means, facilities and opportunity for such examinations as are herein provided for and required.

Section 6. The powers conferred upon the tax commission by section 110-1520, O.C.L.A., as amended and by section 110-1524, O.C.L.A., as amended shall, so far as applicable, be exercisable with respect to the provisions of this Act. The com-

mission may require returns to be filed with it at such times and containing such information as it may prescribe.

Section 7. Whenever any cigarettes upon which stamps have been placed have been sold and shipped into another state for sale or use there or have become unfit for use and consumption or unsalable, or have been destroyed, the dealer shall be entitled to a refund of the actual amount of tax paid with respect to such cigarettes. If the tax commission is satisfied that any dealer is entitled to a refund it shall issue to such dealer stamps of sufficient value to cover the refund or may, upon making a record thereof in the minutes of the commission, make such refund. No person shall sell or offer for sale any stamp or stamps issued under this Act except by written permission of the tax commission. The tax commission may redeem unused stamps lawfully in the possession of any person. The tax commission may prescribe necessary rules and regulations concerning refunds, sales of stamps, and redemptions under the provisions of this Act.

Section 8. (1) Whenever the tax commission shall discover any cigarettes, subject to tax provided by this Act, and upon which the tax has not been paid or the stamps affixed as herein required, it is hereby authorized and empowered forthwith to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for sale. Such seized cigarettes, vending machine or receptacle, not including money contained in such vending machine or receptacle, shall be forfeited to the state. The tax commission may, within a reasonable time thereafter, by a public notice published in a newspaper of general circulation in the county in which the property was seized, at least five days before the day of sale, sell such forfeited cigarettes and vending machines or receptacles at public sale and pay the proceeds into the state treasury to the credit of the General Fund. Cigarettes so seized and sold shall be sold only to an agent under this Act and the notice of sale shall contain a provision to this effect.

(2) In the alternative, the tax commission, on reasonable notice by mail or otherwise, may permit the person from whom said cigarettes were seized to redeem the said cigarettes, and any vending machine or receptacle seized therewith, by the payment of the tax due together with a penalty of 50 percent thereof and the costs incurred in such proceeding, which total payment shall not be less than \$5; provided, however, that such seizure and sale or redemption shall not be deemed to relieve any person from fine or imprisonment provided herein for violation of any provision of this Act.

(3) The possession within this state of more than 400 cigarettes in unstamped packages by any person, other than an

agent, shall be presumptive evidence that such cigarettes are possessed for purpose of sale or for purpose of use and that they are subject to the tax provided by this Act.

Section 9. (1) If any person fails to file any return required under this Act or, having filed an incorrect or insufficient return, fails to file a corrected or sufficient return, as the case may require, within 10 days after the giving of notice to him by the commission that such corrected or sufficient return is required, the commission shall determine the amount of tax due at any time within three years after the making of the earliest sale included in such determination, and give written notice of such determination to such person. Such a determination shall finally and irrevocably fix the tax unless the person against whom it is assessed shall, within 30 days after the giving of notice of such determination, appeal to the tax commission from such determination.

(2) The appeal shall be by way of written petition, verified under oath as to the truth of the facts asserted therein by the taxpayer, stating: (a) an assertion of protest; (b) the basis of such protest; (c) the particular matter to be presented for determination; (d) a concise recital of the facts affecting the controversial questions presented; (e) a concise specification as to the particular relief sought with respect to erroneous assessment or concerning a claim for refund of tax paid; (f) a memorandum or statement of legal authorities relied upon by the taxpayer in support of his protest; and (g) whether or not a hearing is desired and whether or not a stenographic record of the proceedings is desired.

The commission shall grant or may require a hearing upon the appeal and, in connection therewith shall (a) rule upon offers of proof and receive relevant evidence; (b) take or cause depositions to be taken whenever the ends of justice would be served thereby; (c) regulate the course of the hearing; (d) hold conferences for the settlement or simplification of the issues by consent of the party; and (e) dispose of procedural requests or similar matters.

The commission shall examine the determination of the amount of tax due, including penalty and/or interest thereon, and shall redetermine such amount if it be necessary upon the law and the facts so to do. The commission shall mail to the taxpayer its decision and order, which shall contain a statement of findings of fact and conclusions of law and a determination of the amount due, either as originally assessed or as redetermined, and shall refund to the taxpayer the amount paid in excess of the tax found to be due; provided, however, that where there has been an overpayment of any tax imposed by this Act, the amount of such overpayment shall be credited against any tax,

or part or instalment thereof, then due from the taxpayer, and only the balance shall be refunded. If the taxpayer has failed prior to the time of the appeal, without good cause, to file any return required by this Act within the time prescribed by law, or has filed a fraudulent return, or, having filed an incorrect return, has failed, after notice, to file a proper return, the commission shall not reduce or refund so much of the amount of the tax involved in the hearing as it may be found that the taxpayer owes for any other year or years.

(3) An appeal to the commission under this section, or an appeal to a court under subsection (4) of this section, shall not stay proceedings to collect any unpaid tax if the commission believes that collection of the tax will be jeopardized by delay, unless it be otherwise ordered by a court of competent jurisdiction.

(4) An appeal from the determination of the commission upon application made by a taxpayer for refund or revision of any tax, as provided for in this section, may be taken by filing a notice of appeal in the circuit court of the county in which the taxpayer resides or has his principal place of business or in which is located the office of the commission and by serving a true copy thereof upon the commission by registered mail within 60 days after notice by the commission of its determination has been received by the taxpayer, given as provided in this section. The notice of appeal shall name the order or decision from which appeal is taken, specifying the objections thereto and reciting the assignments of error, together with a statement of the facts upon which the appellant relies and the propositions of law involved. Within 20 days after the service of such notice, or such further time as the court may allow, the commission shall return to the court the original or a certified or photostatic copy of all documents, papers, evidence, statements and exhibits on file in the matter and of all testimony recorded therein but, by stipulation of the parties to the appeal to the commission, the record may be shortened. Within 20 days after service of notice of appeal, the taxpayer shall serve upon the commission a brief in support of his objections to such decision, and shall at the same time file a copy thereof with the clerk of the court wherein said appeal is pending. Within 30 days after service of taxpayer's brief the commission shall serve upon the taxpayer or his counsel an answer to the objections raised on appeal, and a brief in support of such answer and of the assessment; whereupon the appeal shall be regarded as at issue. Thereupon appropriate proceedings shall be had and the relief, if any, to which the taxpayer may be found entitled may be granted and any such taxes, interest or penalties paid, found by the court to be in excess of those legally assessed, shall be ordered refunded to the taxpayer.

with interest from time of payment. Such review shall proceed in the manner of a suit in equity. An appeal may be taken by the taxpayer or the commission to the Supreme Court in the manner that appeals are taken in suits in equity, irrespective of the amounts involved.

(5) The remedy provided by this section for review of a decision of the tax commission shall be available to any taxpayer subject to the provisions of this Act and shall be the exclusive remedy available to any taxpayer to judicially determine the liability of such taxpayer for taxes under this Act.

Section 10. On and after October 1, 1951, no person shall be a wholesale dealer as defined in this act unless he has been granted and publicly displays in his place of business a license from the State Tax Commission. Application for licenses shall be made on forms prescribed by the commission and shall be accompanied by a fee of \$5.00. The license shall continue in effect until revoked or suspended for cause, or surrendered. A license shall not be assignable. The tax commission may for cause refuse to issue, or may suspend or revoke a wholesaler's license, or may forbid a retail dealer to continue selling cigarettes, after an opportunity for hearing has been afforded. A violation of any provision of this Act or of any regulation issued under it shall be cause to refuse to issue, or to suspend or revoke a license or to forbid a retail dealer to continue selling cigarettes. No agent shall sell cigarettes to an unlicensed wholesale dealer, or to a wholesale dealer whose license has been suspended or revoked, or to a retail dealer who has been forbidden to continue selling cigarettes and no wholesale dealer shall sell cigarettes to a retail dealer so forbidden after notice of the prohibition, and no retail dealer so forbidden shall continue selling cigarettes.

Section 11. (1) If a tax payable under this Act is not paid when due, the person liable for the payment of such tax shall forfeit to the state a penalty of 50 percent of the amount of such tax determined to be due as provided in this Act plus one percent of such amount for each month of delay or fraction thereof after the expiration of the first month after such tax became due; but the tax commission, if satisfied that the delay was excusable shall have power in its discretion, according to and consistent with its rules and regulations, upon making a record of its reason therefor, to waive, reduce or compromise any part or all of the penalties and/or interest provided for in this Act.

(2) Any person other than an agent who possesses or transports any unstamped packages of cigarettes upon the public highways, roads, streets or public conveyances in the state for the purpose of sale, or who sells or offers for sale unstamped

packages of cigarettes in violation of the provisions of this Act, or who wilfully attempts in any manner to evade or defeat the taxes imposed by this Act, shall be guilty of a misdemeanor and upon conviction thereof, for a first offence, shall be sentenced to pay a fine of not more than \$50, or to be imprisoned for not more than 30 days, or both, in the discretion of the court; and for a second or subsequent offence, shall be sentenced to pay a fine of not less than \$50 nor more than \$100, or to be imprisoned for not more than 60 days, or both, in the discretion of the court. Any person who uses unstamped packages of cigarettes in violation of the provisions of this Act, or who wilfully attempts in any manner to evade or defeat the tax imposed by section 2, subsection 4 of this Act, or the payment thereof, shall be punishable by a fine of not more than \$50, or be imprisoned for not more than 30 days, or both, in the discretion of the court; and for a second or subsequent offence, shall be sentenced to a fine of not less than \$50 nor more than \$100, or to be imprisoned for not more than 60 days, or both, in the discretion of the court.

(3) The failure to do any act required by or under the provisions of this Act shall be deemed an act committed in part at the office of the commission in Oregon. The certificate of the commission to the effect that a tax has not been paid, that a return has not been filed or that information has not been supplied, as required by or under the provisions of this Act, shall be prima facie evidence that such tax has not been paid, or that such return has not been filed or that such information has not been supplied.

(4) Any agent or dealer who shall fail, neglect or refuse or comply with, or shall violate the provisions of this Act or the rules and regulations promulgated by the tax commission under this Act, shall be guilty of a misdemeanor and upon conviction, for a first offense, shall be sentenced to pay a fine of not more than \$100, or to be imprisoned for not more than 30 days, or both such fine and imprisonment in the discretion of the court; and for a second or subsequent offense, shall be sentenced to pay a fine of not less than \$100 or more than \$500, or to be imprisoned for not more than six months, or both such fine and imprisonment in the discretion of the court.

(5) Any person who falsely or fraudulently makes, forges, alters or counterfeits any stamp prescribed by the tax commission under the provisions of this Act, or causes or procures to be falsely or fraudulently made, forged, altered or counterfeited any such stamp, or knowingly and wilfully utters, purchases, passes or tenders as true any such false, altered, or counterfeited stamp shall be guilty of a felony and upon conviction thereof shall be sentenced

to suffer imprisonment for a term of not more than five years.

Section 12. The taxes imposed by this Act are imposed for general state purposes, and all moneys received by the tax commission under the preceding provisions of this Act shall forthwith be paid into the State Treasury and be placed to the credit of the General Fund. There hereby is appropriated to the State Tax Commission, out of the moneys so credited to the General Fund, for the payment of the expenses incurred by the commission in administering and enforcing the preceding provisions of this Act, such sum annually as may be required for such purpose, as established by a budget submitted and approved as provided by law.

Section 13. The State Tax Commission is authorized to employ such personnel, and prescribe and prepare such rules, regulations, forms and tables, between the date on which this Act becomes law and October 1, 1951, as are necessary, preliminary to the placing of this Act in operation. For this purpose, there shall be advanced out of the General Fund in the State Treasury, to the commission, such sum as may be necessary, not to exceed \$25,000. The sum so advanced shall be repaid to the General Fund out of the first revenues received under this Act.

Approved by the Governor May 8, 1951.

Filed in the office of the Secretary of State May 9, 1951.

BALLOT TITLE

CIGARETTE STAMP TAX REVENUE ACT—Purpose: To provide revenue for state general fund by imposing tax of 1½ cents for each ten cigarettes or major fraction thereof, for privilege of selling, using, consuming, handling, possessing or distributing cigarettes by any person, on or after October 1, 1951. Exempts cigarettes sold to United States to or by voluntary unincorporated organizations of armed forces thereof. Exempts use of 400 cigarettes or less, brought into state or in possession of any person. Tax commission to administer act; collect tax; license wholesale dealers; control retailers; prescribe procedure for issuing stamps; enforce penalties and confiscate illegally possessed cigarettes.

(ESTIMATE OF REVENUE—The tax imposed by this measure would produce approximately \$4,980,000 annually, which would be subject to appropriation by the Legislature for general State purposes.)

Vote YES or NO

322 Yes. I vote for the proposed law.

323 No. I vote against the proposed law.

EXPLANATION

CIGARETTE STAMP TAX REVENUE ACT

(Ballot Nos. 322 and 323)

This measure would impose a tax on retail sales of cigarettes of three cents per package of 20. It is estimated to produce revenue of five million dollars or more per year, which revenue would be placed in the state general fund. Dealers would be allowed a commission of five per cent for affixing stamps indicating the tax had been paid.

The act would be administered by the State Tax Commission, which would be given considerable latitude in administration, including the right to permit other methods of affixing tax stamps—notably the use of metering machines. Minor exemptions from the tax are granted in the measure; for example, importation into the state of less than 400 cigarettes (20 packages). Penalties are provided for evasion of the tax.

A contingent companion measure, providing a minimum price at which cigarettes may be sold. (Chapter 540, Oregon Laws,

1951) becomes effective if the cigarette tax measure is approved by the voters. The contingent measure provides that no retail dealer may sell cigarettes for less than 10 per cent over the cost of the cigarettes, the 10 per cent to cover cost of doing business. Retailers buying direct from manufacturers must sell cigarettes for not less than 14 and ¾ per cent above cost.

The added cost to consumers of cigarettes by reason of the 3 cent tax plus the price support can only be estimated. The calculation indicates it would be at least four cents per package which, translated into percentage, would be an increase of more than 20 per cent in price.

C. C. CHAPMAN, Portland

KELLEY LOE, Portland

J. T. MARR, Portland

Committee designated pursuant to Chapter 546, Oregon Laws 1951.

ARGUMENT

*Submitted by J. T. Marr, Executive Secretary, Oregon State Federation of Labor,
in opposition to the*

CIGARETTE STAMP TAX REVENUE ACT

(Ballot Nos. 322 and 323)

SIX OR SEVEN MILLION DOLLAR PRICE INCREASE — This measure would impose a sales tax on cigarettes of three cents per package which would produce an estimated five million dollars revenue each year. A contingent price-fixing bill, which becomes effective only if the cigarette tax is adopted, would require dealers to sell cigarettes by at least 10 per cent above cost. Estimates of the cost added by the price-fixing bill are one cent or more per package. The latter would cost consumers an estimated million dollars or more each year, for a total additional cost for the tax and price-fixing of between six and seven million dollars annually. In percentage, the cost of cigarettes would be increased by 20 per cent or more than at present.

This is a selective sales tax imposed upon a single commodity, a type of taxation that may be fundamentally more evil than a general sales tax on all commodities.

A FOOT-IN-THE DOOR DEVICE — The creeping sales tax movement uses any possible method to introduce that regressive form of taxation into a state's tax structure: first a selective sales tax to be followed by the general sales tax; or the reverse, the general sales tax to be followed by various selective taxes. Don't let the smooth salesman get his foot in the Oregon door. Three times the people of Oregon have rejected the cigarette tax; five times they have slammed the door in the face of the general sales tax.

FALLACIOUS ARGUMENTS FOR THE BILL — Two preposterous arguments are being presented in support of the bill. One is that the tax can be avoided by not consuming cigarettes. The same argument could be used for a sales tax on other commodities—clothing, food, etc. Consumers could be asked to buy less nutritious food in order to save enough to cover the tax. Such argument is an attack on the standard of living; which would adversely affect the

state's economy and injure manufacturers and dealers as well as consumers.

The other argument is that the state is in dire need of more revenue, which was the legislature's excuse for enacting the cigarette tax. During the 1951 legislative session, the fiscal crepe-hangers predicted a state deficit at the end of this biennium of forty to sixty million. They are now confounded by a probable surplus of forty to fifty million at the end of the biennium, June 30, 1953. A bad guess, 100 million off. The same guessers have been making bad guesses for ten years.

Contrary to black predictions, receipts from the personal income tax and the corporation excise tax this year exceed the previous year's receipts by several million dollars. Miscellaneous receipts, too, are up. Withholdings on present earnings indicate that next year will be still better.

Recent report by the Federal Bureau of Labor is that Oregon has the highest level of hourly wages in the United States, which means more revenue from the income tax next year, and consequent higher profits and more taxes by business. All of which eliminates the necessity of a new, and unfair, tax such as a sales tax on cigarettes.

That the 1951 legislature did not really anticipate fiscal distress, may be concluded by its action in placing on this year's ballot a proposal to place a low limit on another source of state revenue.

KEEP OREGON'S REPUTATION — Oregon is in better fiscal condition than any other state west of the Rocky Mountains. While the state does not have a perfect tax structure, it is more equitable than the structure of any neighboring state. Keep it at the head of the column in this respect.

VOTE 323 X NO

J. T. MARR, Executive Secretary
OREGON STATE FEDERATION
OF LABOR

506 Labor Temple, Portland 1

(On Official Ballot, Nos. 324 and 325)

ESTABLISHING UNITED STATES STANDARD TIME IN OREGON

Proposed by Initiative Petition filed in the office of the Secretary of State June 30, 1952, in accordance with the provisions of section 1 of article IV of the Constitution.

A BILL

For an Act relating to the standard of time in the State of Oregon; repealing chapter 373, Oregon Laws 1949; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

Section 1. The standard of time for any given area of the State of Oregon shall be the United States standard of time as established by the Congress of the United States for that particular area, and no department of the state government and no county, city or other political sub-

division, shall employ any other time or adopt any statute, ordinance or order providing for the use of any other standard of time.

Section 2. Chapter 373, Oregon Laws 1949, hereby is repealed and any proclamation of the Governor made in pursuance thereof shall be of no force or effect from and after the effective date of this Act.

Section 3. This Act shall take effect beginning at 2 o'clock A. M. United States standard Pacific time on the second Sunday following the day on which the Governor proclaims its approval by the electorate.

BALLOT TITLE

ESTABLISHING UNITED STATES STANDARD TIME IN OREGON—Purpose: Abolishing daylight saving time, repealing chapter 373, Oregon Laws 1949, and establishing United States standard time as established by the Congress of the United States for any given area of Oregon. Would prohibit any department of state, county, city government or other political subdivision from fixing any other time or adopting any statute, ordinance or order providing for the use of any other than United States standard time. Becomes effective 2 o'clock A. M., United States standard Pacific time, on second Sunday following governor's proclamation of approval by the electorate.

Vote YES or NO

324 Yes. I vote for the proposed law.

325 No. I vote against the proposed law.

EXPLANATION

OF MEASURE ESTABLISHING UNITED STATES STANDARD TIME IN OREGON

(Ballot Nos. 324 and 325)

The act provides that the U. S. Standard of Time, as established by Congress, shall be the mandatory official time for the State of Oregon and all of its political subdivisions. It would be unlawful for any subdivision, including cities, to adopt any statute, ordinance, or order using any other time. It also repeals the power of the

Governor to proclaim any different time for the State.

RONALD E. JONES, Brooks
LESTER L. LARGE, Portland
CHARLES A. SPRAGUE, Salem
Committee designated pursuant to Chapter 546, Oregon Laws 1951.

(On Official Ballot, Nos. 326 and 327)

**CONSTITUTIONAL AMENDMENT PROHIBITING LOTTERIES, BOOK-
MAKING, PARI-MUTUEL BETTING ON ANIMAL RACING**

Proposed by Initiative Petition filed in the office of the Secretary of State July 1, 1952, in accordance with the provisions of section 1 of article IV of the Constitution.

**PROPOSED CONSTITUTIONAL
AMENDMENT**

Be It Enacted by the People of the State of Oregon:

That section 4 of article XV of the Constitution of the State of Oregon be and the same hereby is amended so as to read as follows:

ARTICLE XV

Section 4. [Lotteries, and the sale of lottery tickets, for any purpose whatever, are prohibited, and the legislative assembly

shall prevent the same by penal laws.] No lottery shall be authorized by the legislature or otherwise in this state, and no ticket in any lottery, pari-mutuel betting on the result of horse, dog, or other animal racing, or vehicle racing, shall be bought or sold within this state, or offered for sale, nor shall book making be authorized within the state, nor shall any gambling device be legalized, or the remedy, penalty or punishment now provided therefor be in any way diminished.

NOTE—The amendment would delete matter in brackets, and substitute matter in italic type.

BALLOT TITLE

CONSTITUTIONAL AMENDMENT PROHIBITING LOTTERIES, BOOKMAKING, PARI-MUTUEL BETTING ON ANIMAL RACING—Purpose: To amend section 4, Article XV of the constitution, providing that no lotteries shall be authorized by the legislature, and no ticket in any lottery, pari-mutuel betting on result of horse, dog or other animal or vehicle racing shall be bought, offered for sale, or sold within the state. No bookmaking shall be authorized or any gambling device legalized. "or the remedy, penalty or punishment now provided therefor be in any way diminished".

Vote YES or NO

326 Yes. I vote for the proposed amendment.

327 No. I vote against the proposed amendment.

EXPLANATION**OF CONSTITUTIONAL AMENDMENT PROHIBITING LOTTERIES, BOOKMAKING,
PARI-MUTUEL BETTING ON ANIMAL RACING**

(Ballot Nos. 326 and 327)

Section 4, Article XV, Oregon Constitution, which this initiative measure proposes to amend, now reads as follows:

"Lotteries and the sale of lottery tickets for any purpose are prohibited, and the legislative assembly shall prevent the same by penal law."

The proposed amendment, according to its title, which has been approved by the Attorney General of the State of Oregon, would prohibit "Lotteries, Bookmaking, and Pari-mutuel betting on Animal Racing."

The accuracy of this title has been questioned because the text of the measure does not expressly prohibit lotteries, bookmaking, pari-mutuel betting, or gambling devices. The measure does

(a) Prohibit the legislature from authorizing (1) lotteries, or (2) bookmaking;

(b) Prohibit the purchase or sale or offer for sale of any ticket in any lottery or pari-mutuel betting on the result of any horse, dog, or other animal or vehicle racing;

(c) Prohibit the legalization of any gambling device;

(d) Prohibit the diminishing of any remedy, penalty, or punishment for operation of lotteries, pari-mutuel betting, bookmaking or gambling device.

The members of the committee are not in agreement as to the effect of the measure or as to whether or not all of the activities listed in the title will be prohibited if the measure is adopted. The proponents' view is that all of such activities will be prohibited. The opponents' view is that the measure will not prohibit lotteries, bookmaking, pari-mutuel betting on dog, horse, other animal, or vehicle racing, gambling games or devices, or wagering of any kind.

CHARLES A. HART, Portland

ROBERT F. MAGUIRE, Portland

DR. PAUL NEWTON POLING,
SalemCommittee designated pursuant to
Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by the Oregon Council of Churches, and others, in favor of the

**CONSTITUTIONAL AMENDMENT PROHIBITING LOTTERIES, BOOKMAKING,
PARI-MUTUEL BETTING ON ANIMAL RACING**

(Ballot Nos. 326 and 327)

For nearly 20 years dog races and horse races have enjoyed a gambling monopoly in Oregon. While police have been arresting the owners of 10-cent punchboards, it has been legal for almost a quarter of a million dollars to be gambled on pari-mutuel dog races in one evening.

In a single racing season (1950-51) the total wagered was \$17,939,825. In that same period the amount lost to the bettors exceeds the total spent by the Community Chest and Welfare Agencies to relieve human suffering in Oregon for an entire year.

The Oregon Council of Churches; other organizations and many Oregon citizens are sponsoring this amendment to end the evil influence of the present gambling situation.

Pari-mutuel operators in Oregon report receiving over one million dollars each year as "commission". This, in itself, is an admission that such activities are "big business", and the racing and gambling fraternities are anxious to protect their opportunity to prey upon those who cannot resist the impulse to gamble.

More than \$165,000,000 has been gambled by Oregon people through pari-mutuels since 1933. This money pays for no groceries, medical bills or shoes. The gambler serves no economic need.

The law provides that a small share of the "take" shall go to county fairs, stock shows, etc. This was to get rural people to lobby at the legislature for continued racing. This amendment gives farmers and their friends an opportunity to refuse to accept this shameful bribe.

These fairs and shows are civic exhibitions which deserve support from public funds without having to rely on the "tainted money" from gamblers.

Ask yourself a question—Why are the merchants, the grocers and so many legiti-

mate businesses carried on by people in Oregon favoring this amendment and opposing this monopoly in commercialized gambling?

Legitimate business suffers when the races are on. Hundreds of merchants admit this fact. The tracks are located to grab the working man's dollar. Results are embezzlements, broken homes and many families going hungry because of the money lost on dog races that should go for shoes and food. Social workers report many such tragedies.

Pari-mutuel betting seduces the weak and the gullible. It breeds a vicious habit which has induced embezzlement by trusted employees or robbed savings accounts of hard-earned dollars.

Only six states legalize dog races. Do not be fooled by expensive propaganda. Free Oregon from this vicious, costly, immoral practice. Over 35,000 people signed this initiative petition to give you the right to stamp out this evil.

VOTE 326 X YES ON NOVEMBER 4TH.

OREGON COUNCIL OF CHURCHES,
215 S. E. 9th Ave., Portland
By **ERNEST J. JAQUA**, President,
3374 S. W. Vermont, Portland

GERALD KENNEDY, 320 N. W. Maywood Dr., Portland

JOHN W. PUGH, 3508 S. E. Carlton, Portland

MRS. AUDREY HOUSTON HARGREAVES (Mrs. H. H.), 2007 N. E. Alameda, Portland

ERNEST W. PETERSON, 1304 S. E. 53rd Ave., Portland

MARSHALL N. DANA, 15725 Dana Rd., Portland

(MRS.) MARION F. GIERSBACH, 2131 College Way, Forest Grove

WALTER J. KNUTSON, 4209 S. E. 63rd Ave., Portland

WILLIAM W. McKINNEY, Rt. 4, Box 722, Salem

ARGUMENT

Submitted by Henry W. Collins and Murray Kemp, in opposition to the

CONSTITUTIONAL AMENDMENT PROHIBITING LOTTERIES, BOOKMAKING, PARI-MUTUEL BETTING ON ANIMAL RACING

(Ballot Nos. 326 and 327)

THESE ARE FACTS

For the past two decades state-controlled pari-mutuel racing in Oregon has been a legitimate business conducted by legitimate business men. During that time every phase of racing has been supervised by state officials of unquestioned integrity.

RACING PRODUCES REVENUE

Racing's contribution to the welfare of the state can be measured in the millions of dollars (nearly 7) that have gone into the state treasury. It is a matter of record that those funds contribute materially to the welfare of agricultural shows and in addition ease the tax burden of Oregon citizens.

For these reasons, and the fair and honorable manner in which racing is conducted, it has enjoyed the complete confidence of the people and its state supervisors through the administration of six Oregon governors.

CHARITY SHARES PROFITS

Nor is the contribution of racing restricted solely to taxes and support of agriculture. Every year for the past 20 years the charitable organizations and institutions in Oregon have received contributions measuring a fraction less than one-half of what the stockholders in the racing organizations receive.

OUT-OF-STATE INTERESTS WANT THIS REVENUE

Now, however, out-of-state theatre interests are furnishing time, money and advice to the sponsors of the measure which would abolish racing in Oregon and move it across the river to Washington. Their calculated efforts to destroy racing would, in one stroke, circumvent the legislature and sweep away Oregon's millions of dollars of racing revenue and deprive the public of its right to enjoy the sport.

Oregon's racing people have been accused of making millions of dollars each year. Such statements are untrue. They realize a profit of 7/10 of 1%. The 1951 audit reveals that the proprietors make a profit of 7/10 of 1 cent on the wagered dollar.

STATE NETS EIGHT TIMES OPERATOR'S SHARE

At least 87½% of each dollar wagered is returned to the public in winnings and more than 98% of all money wagered remains in Oregon. Audited figures show that in the history of pari-mutuel racing the State of Oregon and its 36 counties have received more than eight (8) times as much as the racing stockholders are paid in dividends. Those figures are not generalities. They are from official records and audits.

Proponents of the anti-pari-mutuel measure may say that racing money does not buy clothing, food or other necessities of life. By following that argument to its logical conclusion we must agree that money spent for golf clubs, outboard motors and vacations does not buy necessities.

NO ECONOMIC ILL-EFFECTS

Vacations, racing, golf, etc. are all forms of recreation and are budgeted as such. As a result, bills do not go unpaid. An impartial survey conducted by the independent research organization of Dan E. Clark & Associates bears out this contention. This study of data obtained from the Federal Reserve Bank, showed that pari-mutuel racing does not result in a drop in retail department store credit collections (which represent the major portion of all retail credit business). The survey showed that retail department store credit collections are above average in most cities which have racing, including Portland.

In Portland the comptrollers of three biggest department stores state definitely that there is no decline in credit collections during racing months attributable to this sport.

ESTABLISHED IN ECONOMY

Racing has also taken its place in Oregon's economic picture. It employs thousands of Oregon people who receive an annual payroll of more than \$500,000. Goods and services purchased in this state in connection with horse and greyhound racing amounts to more than \$3,000,000 annually. And a substantial number of Oregon citizens depend on the breeding and raising of racing animals for their livelihood.

Oregon does not stand alone as a state which has authorized pari-mutuel racing. Twenty-five of the 48 states have state-controlled pari-mutuel racing and they all reap the harvest in tax and fair support money. Those states, like Oregon, put racing dollars to work.

PARI-MUTUEL, WHAT IS IT?

History shows that pari-mutuel wagering is fair and honorable. The system is simply this: Those who desire to wager on the outcome of a race choose an animal and place their money in a common fund. At conclusion of the contest the money is divided among those whose judgment prevailed. Operators of the track, meanwhile, do not participate. They serve only as a referee who receives a modest profit for maintaining the facilities and conducting the competition.

Because pari-mutuel racing is so well regulated and controlled, its opponents necessarily resort to name-calling and generalities. These aspersions and vague, but bitter, accusations can all be answered in a forthright manner. Thus, the final tactic is to tag it as "immoral". Unquestionably most of these people are sincere, but that is beside the point.

They are convinced their beliefs alone are right and proper and that those who disagree should be forced to agree. The rights and beliefs of one group should never be imposed on another, especially when there is no question of legality, honesty or public health involved.

If a person or group believes it is morally wrong to participate in a certain activity, that is their right. However, if other people see no moral wrong in that activity, it should also be their privilege to fulfill their desires.

Friends of racing do believe it is wrong for one business or commercial interest to attempt, by devious means, to push through legislation designed to throttle a legitimate competitor.

Oregon racing has always been of high calibre. It has the respect of the people, a definite spot in the economy of the state, and is an accepted form of recreation. The good it accomplishes is steadily increasing. We hope voters of Oregon will consider these facts and vote 327 X "No".

HENRY W. COLLINS, Portland
MURRAY KEMP, Portland

ARGUMENT

Submitted by Cecil L. Edwards, in opposition to the

CONSTITUTIONAL AMENDMENT PROHIBITING LOTTERIES, BOOKMAKING, PARI-MUTUEL BETTING ON ANIMAL RACING

(Ballot Nos. 326 and 327)

PURPOSE OF AMENDMENT IS TO ELIMINATE STATE CONTROL OF PARI-MUTUEL WAGERING. The purpose of this constitutional amendment is to nullify the twenty-year old legislative measure authorizing state controlled and regulated pari-mutuel wagering. Since passage of the act, the legislature has regularly reviewed the operation of this measure and, when indicated, tightened state control and increased the amount to be paid the state in taxes. These taxes, which in many instances approach five cents on every dollar wagered, go to both the state's general fund and the support of every county fair, and various other shows and expositions deemed worthy and selected by the legislature. The general fund receipts up to and including 1952 will reach \$1,873,625.66, and the amount distributed to the fairs will total as follows: Each county fair will have received over \$90,000.00. The 36 county fairs will have divided more than \$3,240,000.00. The State Fair will have received \$664,573.52; The Pacific International Livestock Exposition will have received \$664,573.52; The Eastern Oregon Livestock Show will have received \$103,260.00; The Mid-Columbia Livestock Show will have received \$30,000.00; The Pendleton Round-Up will have received \$103,260.00; The Northwest Turkey Show will have received \$28,068.00; The Klamath Basin Round-Up will have received \$30,000.00; The Spring Lamb and Dairy Show will have received \$15,000.00; The Oregon State Corn Show will have received \$15,000.00; The Pacific Coast Turkey Exhibit will have received \$14,400.00. This makes a grand total of \$6,781,930.04.

TAX RECEIPTS FROM RACING FUNDS FURNISH FINANCIAL SUPPORT OF FAIRS. These substantial amounts are the financial backbone, if not the sole support of the long-established and worthwhile fairs and shows listed above. If these funds are withdrawn through approval of the proposed constitutional amendment, then there are only two courses open, either poorly financed and substandard fairs, or the raising of these large amounts in added taxes. Similarly, additional taxes would be required to make up the important contributions racing taxes make to the general fund.

FAIRS ARE BIG BUSINESS. IMPORTANT BUSINESS, YOUR BUSINESS! The county fairs have become an important

factor in Oregon life. They are the traditional setting where members of character building youth organizations, such as the 4-H clubs, Future Farmers of America and others, annually exhibit the results of the projects they have developed and carried on during the year and receive recognition and encouragement that is their due. All farm leaders are not in accord as to where the funds for this work should come from, but it is recognized that there is only one alternative to the present method, and that is through added taxes.

PRIOR TO RECEIVING TAXES FROM RACING FUNDS, FAIRS WERE HANDICAPPED. The high standards seen in our fairs today did not exist prior to the passage of the present act. Many good fairs we now have were non-existent then, and all were operating under almost insurmountable financial handicaps. The law definitely outlines the use to which the money can be put, and the legislative restrictions are such that only projects beneficial to the common good are aided.

Approval of this initiative would unquestionably result in tremendous financial loss to various firms and individuals who, under the present law, invested large amounts in facilities and plants that can be operated only through its continuance. In addition, many Oregon residents are now engaged in raising racing animals. Their losses would be very substantial, and the number of residents on the payrolls of this sport runs into the thousands.

Your legislature passed this act, and for twenty years has checked and supervised its administration. Your own elected representatives have checked carefully on its operation to insure Oregon an honorable sport which does so much to support vital Oregon institutions. Since lotteries and other forms of unwanted gambling are already prohibited there seems no justification for adding to our Constitution a provision covering matters which are legislative in character. This measure would only nullify legislation insuring state control of a sport which contributes materially to the tax structure of the state.

The total amount raised by the end of 1952 under this act will have exceeded \$6,781,000.00; with \$4,907,375.00 for the fairs, and over \$1,873,625.00 for the state general fund. Consider the matter carefully before you take any action that will add these amounts to your taxes.

HERE ARE THE BENEFICIARIES WHICH RECEIVED THESE RACING DOLLARS

THE STATE GENERAL FUND (by the end of 1952) will have received more than	\$1,873,625.66
BAKER COUNTY (by the end of 1952) will have received more than	90,000.00
BENTON COUNTY (by the end of 1952) will have received more than	105,000.00
Benton County Fair, \$90,000; Oregon State Corn Show, \$15,000	
CLACKAMAS COUNTY (by the end of 1952) will have received more than	105,000.00
Clackamas County Fair, \$90,000; Spring Lamb and Dairy Show, \$15,000	
CLATSOP COUNTY (by the end of 1952) will have received more than	90,000.00
COLUMBIA COUNTY (by the end of 1952) will have received more than	90,000.00
COOS COUNTY (by the end of 1952) will have received more than	90,000.00
CROOK COUNTY (by the end of 1952) will have received more than	90,000.00
CURRY COUNTY (by the end of 1952) will have received more than	90,000.00
DESCHUTES COUNTY (by the end of 1952) will have received more than	90,000.00
DOUGLAS COUNTY (by the end of 1952) will have received more than	118,668.00
Douglas County Fair, \$90,000; The Northwest Turkey Show, \$28,668	
GILLIAM COUNTY (by the end of 1952) will have received more than	90,000.00
GRANT COUNTY (by the end of 1952) will have received more than	90,000.00
HARNEY COUNTY (by the end of 1952) will have received more than	90,000.00
HOOD RIVER COUNTY (by the end of 1952) will have received more than	90,000.00
JACKSON COUNTY (by the end of 1952) will have received more than	90,000.00
JEFFERSON COUNTY (by the end of 1952) will have received more than	90,000.00
JOSEPHINE COUNTY (by the end of 1952) will have received more than	90,000.00
KLAMATH COUNTY (by the end of 1952) will have received more than	120,000.00
Klamath County Fair, \$90,000; The Klamath Basin Round-Up, \$30,000	
LAKE COUNTY (by the end of 1952) will have received more than	90,000.00
LANE COUNTY (by the end of 1952) will have received more than	90,000.00
LINCOLN COUNTY (by the end of 1952) will have received more than	90,000.00
LINN COUNTY (by the end of 1952) will have received more than	90,000.00
MALHEUR COUNTY (by the end of 1952) will have received more than	90,000.00
MARION COUNTY (by the end of 1952) will have received more than	754,573.52
The Oregon State Fair will have received \$664,573.52; The Marion County Fair, \$90,000	
MORROW COUNTY (by the end of 1952) will have received more than	90,000.00
MULTNOMAH COUNTY (by the end of 1952) will have received more than	754,573.52
The P.I. Livestock Exposition will have received \$664,573.52; The Multnomah County Fair, \$90,000	
POLK COUNTY (by the end of 1952) will have received more than	90,000.00
SHERMAN COUNTY (by the end of 1952) will have received more than	90,000.00
TILLAMOOK COUNTY (by the end of 1952) will have received more than	90,000.00
UMATILLA COUNTY (by the end of 1952) will have received more than	193,260.00
The Pendleton Round-Up will have received \$103,260.00; The Umatilla County Fair, \$90,000	
UNION COUNTY (by the end of 1952) will have received more than	193,260.00
The Eastern Oregon Livestock Show will have received \$103,260; The Union County Fair, \$90,000	
WALLOWA COUNTY (by the end of 1952) will have received more than	90,000.00
WASCO COUNTY (by the end of 1952) will have received more than	120,000.00
The Mid-Columbia Livestock Show will have received \$30,000; The Wasco County Fair, \$90,000	
WASHINGTON COUNTY (by the end of 1952) will have received more than	90,000.00
WHEELER COUNTY (by the end of 1952) will have received more than	90,000.00
YAMHILL COUNTY (by the end of 1952) will have received more than	104,400.00
The Pacific Coast Turkey Exhibit will have received \$14,400; The Yamhill County Fair, \$90,000	

TOTAL RECEIVED FROM RACING TAXES \$6,781,960.04

CECIL L. EDWARDS. Salem

ARGUMENT

*Submitted by Henry W. Collins, Chairman, Taxpayers' Committee to Retain
Pari-Mutuel Racing Revenues, Inc., in opposition to the*

CONSTITUTIONAL AMENDMENT PROHIBITING LOTTERIES, BOOKMAKING, PARI-MUTUEL BETTING ON ANIMAL RACING

(Ballot Nos. 326 and 327)

DON'T FORCE REVENUE OUT OF OREGON. Oregon cannot afford to lose the revenue it receives from pari-mutuel racing. If pari-mutuel racing is abolished we would lose, roughly, \$1,000,000 in tax revenue each year. This money could only be replaced by higher taxes. The citizens of Oregon should not be asked to shoulder this additional burden.

Oregon would also lose an annual payroll of more than \$500,000, plus the economic good that comes from the estimated \$3,000,000 spent here each year for goods and services bought in connection with racing.

Nor should we overlook the thousands of Oregon citizens who have built the raising and breeding of racing animals into a multi-million dollar industry. The state and county taxes Oregon realizes as a result of racing and its allied agriculture and manufacturing industries would run into hundreds of thousands of dollars.

LET'S QUOTE THE CORVALLIS GAZETTE-TIMES, of Friday, August 15, 1952:

"Most people must realize a law forbidding racing in the state of Oregon would only remove the action to the City of Vancouver, Washington. Because there is little difference between driving to Vancouver instead of to Portland Meadows or Multnomah stadium, Oregonians would still be sinning, but the state be out in the cold revenue wise. To coin a phrase, we would only be cutting off our nose to spite our face—if we were to kill the betting law."

"The money derived from the pari-mutuel betting is used to a great advantage all over the state and also helps to reduce our tax load."

That's why we have formed the Taxpayers' Committee to Retain Pari-Mutuel Revenues. The membership is as follows:

TAXPAYERS' COMMITTEE TO RETAIN PARI-MUTUEL REVENUES, INC.

Baker—Herbert Chandler, Baker
Benton—Julian N. McFadden, Corvallis
Clackamas—Herman H. Chindgren, Molalla
Clackamas—J. F. Yoerger, Sandy
Clatsop—John Osborne, Gearhart
Columbia—E. E. Wist, Scappoose
Coos—A. L. Powrie, Myrtle Point
Crook—O. O. Hagedorn, Prineville
Curry—Kenneth Thompson, Langlois
Deschutes—M. A. Lynch, Redmond
Douglas—Walter Marrion, Roseburg
Gilliam—Pete Pattee, Condon
Grant—Herman Oliver, John Day
Harney—Joe Fine, French Glen
Hood River—A. W. Peters, Hood River
Jackson—R. G. Fowler, Medford
Jefferson—T. A. Powers, Madras
Josephine—Ellot Wilson, Grants Pass
Klamath—Elmer Balsiger, Klamath Falls
Lake—C. W. Ogle, Lakeview

Lane—Carl Steen, Junction City
Lincoln—W. P. McBee, Toledo
Linn—Dr. J. G. Gill, Lebanon
Malheur—John Stringer, Nyssa
Marion—Charles A. Evans, Salem
Morrow—Stephen Thompson, Heppner
Multnomah—Henry W. Collins, Chairman,
Portland
Multnomah—T. B. Wilcox, Portland
Polk—Ronald Hogg, West Salem
Sherman—Kenneth Fridley, Wasco
Tillamook—John Gienger, Tillamook
Umatilla—Berkeley Davis, Pendleton
Union—G. Irvin Hess, Exec. Secretary,
Union
Wallowa—Lawrence Rowe, Enterprise
Wasco—Wilbur Stadelman, The Dalles
Washington—Oscar Dahlberg, Beaverton
Wheeler—W. J. Edwards, Fossil
Yamhill—Harold Davis, McMinnville

VOTE 327 X "NO" AGAINST THE PROPOSED AMENDMENT
DON'T LET THEM TAKE AWAY OUR RACING REVENUE

HENRY W. COLLINS, Chairman,
Taxpayers' Committee to Retain
Pari-Mutuel Racing Revenues, Inc.

(On Official Ballot, Nos. 328 and 329)

CONSTITUTIONAL AMENDMENT AUTHORIZING ALCOHOLIC LIQUOR SALE BY INDIVIDUAL GLASS

Proposed by Initiative Petition filed in the office of the Secretary of State July 2, 1952, in accordance with the provisions of section 1 of article IV of the Constitution.

PROPOSED CONSTITUTIONAL AMENDMENT

Be It Enacted by the People of the State of Oregon:

That Article I of the Constitution of the State of Oregon be and the same hereby is amended by adding thereto a new section to be known as Section 39, to read as follows:

Section 39. The State shall have power to license private clubs, fraternal organizations, veterans organizations, railroad corporations operating interstate trains and commercial establishments where food is cooked and served. for the purpose of selling alcoholic liquor by the individual glass at retail, for consumption on the premises, including mixed drinks and cocktails, compounded or mixed on the premises only. The Legislative Assembly shall provide in such detail as it shall deem advisable for carrying out and administering the provisions of this amendment and shall provide adequate safeguards to carry out the original intent and purpose of the Oregon Liquor Control Act, including the promotion of temperance in the use and consumption of alcoholic beverages, encourage the use and consumption of lighter beverages and aid in the establishment of Ore-

gon industry. This power is subject to the following:

(1) The provisions of this amendment shall take effect and be in operation sixty (60) days after the approval and adoption by the people of Oregon; provided, however, the right of a local option election exists in the counties and in any incorporated city or town containing a population of at least five hundred (500). The Legislative Assembly shall prescribe a means and a procedure by which the voters of any county or incorporated city or town as limited above in any county, may through a local option election determine whether to prohibit or permit such power, and such procedure shall specifically include that whenever fifteen per cent (15%) of the registered voters of any county in the state or of any incorporated city or town as limited above, in any county in the state, shall file a petition requesting an election in this matter, the question shall be voted upon at the next regular November biennial election, provided said petition is filed not less than sixty (60) days before the day of election.

(2) Legislation relating to this matter shall operate uniformly throughout the state and all individuals shall be treated equally; and all provisions shall be liberally construed for the accomplishment of these purposes.

BALLOT TITLE

CONSTITUTIONAL AMENDMENT AUTHORIZING ALCOHOLIC LIQUOR SALE BY INDIVIDUAL GLASS—Purpose: To amend Article I of Oregon constitution by adding section 39 thereto, which would authorize the state to license private clubs, fraternal organizations, veterans' organizations, railroad corporations operating interstate trains, and commercial establishments where food is cooked and served, for purpose of selling alcoholic liquor by individual glass for consumption on premises. Act effective 60 days after adoption. Local option elections in counties and incorporated towns containing population of 500. Legislature shall prescribe procedure for local option at biennial elections in counties or incorporated towns of less population. Act to operate uniformly and be liberally construed.

Vote YES or NO

328 Yes. I vote for the proposed amendment.

329 No. I vote against the proposed amendment.

EXPLANATION**OF CONSTITUTIONAL AMENDMENT AUTHORIZING ALCOHOLIC LIQUOR
SALE BY INDIVIDUAL GLASS**

(Ballot Nos. 328 and 329)

This initiative measure is a proposed amendment to the Constitution of Oregon designed to change the law governing the sale of alcoholic liquor.

The effect of the Amendment upon the present Oregon Liquor Control Act would be to alter the law so as to permit the sale of alcoholic liquor by the individual glass at retail in addition to permitting the sale of liquor by the bottle as the existing law allows.

The right to sell by individual glass would be limited to private clubs, fraternal organizations, veterans' organizations, railroad corporations operating interstate trains and commercial establishments where food is cooked and served. This would be accomplished by providing for licensing such establishments to sell liquor by the individual glass.

The proposed amendment requires that the legislature shall provide laws for carrying out its provisions and that these provisions shall ensure adequate safeguards for preserving the original intent and purpose of the Oregon Liquor Control Act including the promotion of temperance in the use of alcoholic beverages and encouraging the use and consumption of lighter beverages and aiding in the establishment of Oregon industry.

The measure also contains a local option provision. It provides that any county or any incorporated city or town with a population of at least 500 may vote against permitting the sale of liquor by the glass. This can be done by a petition of 15 per cent of the registered voters filed at least 60 days before the day of election. If the voters in a county or incorporated city or town decide they do not want the sale of liquor by the glass, they may prohibit such sale in such a county or city or town.

This amendment shall be in operation 60 days after approval by the voters of Oregon and, as stated, the legislature is required to pass laws to place the amendment into effect.

This measure further provides that it shall operate uniformly throughout the State and that all individuals shall be treated equally and that the provisions of the amendment shall be liberally construed to carry out the purposes of the measure.

MARSHALL N. DANA, Portland
ALBERT GENTNER, SR., Portland
RICHARD G. MONTGOMERY,
Portland
Committee designated pursuant to
Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by Buy Less Than The Bottle Committee, in favor of the

CONSTITUTIONAL AMENDMENT AUTHORIZING ALCOHOLIC LIQUOR SALE BY INDIVIDUAL GLASS

(Ballot Nos. 328 and 329)

MODERATION IS MEASURED IN OUNCES—NOT IN BOTTLES!

The Oregon citizens who, by initiative petition, have placed this measure on the ballot, believe in moderation.

They believe that Oregon citizens should have the privilege of purchasing an alcoholic beverage without having to buy a full bottle.

The measure submitted for approval of the voters does not weaken the Knox law. Rather, it strengthens its purpose to promote moderation. But in promoting moderation by making it possible for Oregon citizens and their guests and visitors, who come to enjoy the scenic wonders of Oregon, to buy a cocktail at any properly licensed business establishment. Sale of liquor by the bottle will be confined, as it is now, exclusively to state liquor stores for home consumption. They are also convinced that Oregon's business will be improved and that the moral climate of the state will be better.

The sponsors of this measure have been aware of the abuses that exist under the present law. They recognize that laws are not perfect and that they are not made for perfect individuals. Nevertheless, the laws regulating the sale and consumption of alcoholic beverages should be designed to prevent illegal sales and intemperate use of liquor. Under the present law, for example, should a patron reach his capacity and further service be denied him, he has his own bottle and may demand its return to take with him and continue drinking in his automobile. The bottle is his property and, upon demand, the bottle must be returned to him regardless of the danger to the public inherent in the situation.

The sponsors of this bill believe that if the sale of liquor were by the glass rather than the full bottle this situation would not prevail. Appropriate regulations would be promulgated to protect the public against the abuse of the privilege of alcoholic consumption.

The regulations must take into account the convenience of all citizens including the thousands of working people and farm families who cannot afford to belong to

clubs in order to enjoy a social drink. Appropriate measures must be taken to enable all citizens to exercise the privilege of drinking alcoholic beverages under the strict supervision of the Oregon Liquor Control Commission in properly licensed and inspected establishments.

Most people do not wish a bottle. They wish only a drink. They should be able to enjoy this privilege as do the citizens of adjoining states.

Moreover, the passage of this measure will enable Oregon to have adequate hotel and restaurant facilities to properly accommodate the thousands of tourists who now find our law too difficult and unreasonable to meet their needs.

We will never be able to develop the vast potential of tourist business under the present existing liquor regulations. Neither will citizens of the state be able to enjoy privileges that promote the cause of temperance so long as they are required to buy full bottles rather than a glass of alcoholic beverage.

The present laws make for intemperance since a full bottle must be purchased. It is now impossible to buy less than a full bottle! How much wiser it would be for those who care to enjoy the privilege of consuming alcoholic drinks to be able to purchase in moderation—by the glass!

Oregon is justly proud of her reputation as an enlightened and progressive state. Her citizens are mature and thoughtful people. The adoption of this measure will be another step forward.

Remember — MODERATION IS MEASURED IN OUNCES, NOT BOTTLES. Make it possible for Oregon citizens to buy less than a bottle. Promote temperance and protect the liberty of Oregon citizens by voting 328 X YES.

BUY LESS THAN THE BOTTLE
COMMITTEE

P. O. Box 8482, Portland

CECIL B. JONES, Chairman

PAUL B. WALSH, Vice-Chairman

T. E. FENOLIO, Secretary-
Treasurer

(On Official Ballot, Nos. 330 and 331)

**CONSTITUTIONAL AMENDMENT PROVIDING EQUITABLE TAXING
METHOD FOR USE OF HIGHWAYS**

*Proposed by Initiative Petition filed in the office of the Secretary of State July 3, 1952,
in accordance with the provisions of section 1 of article IV of the Constitution.*

**PROPOSED CONSTITUTIONAL
AMENDMENT**

Be It Enacted by the People of the State of Oregon:

That Article IX of the Constitution of the State of Oregon be and the same is hereby amended to include as Section 3a, the following:

From and after July 1, 1953, all taxes, fees, licenses, assessments or charges levied, assessed or charged, directly or in-

directly for the use of free public highways, roads, streets and bridges, shall be assessed equitably and fairly in order that each type and class of vehicle shall pay its proportionate share of highway costs and such levies shall consist of a registration fee based on weight and a fuel tax based on gallonage, and such fees and taxes shall not be levied, assessed or charged by any city, town, county, or political subdivision of this state.

BALLOT TITLE

CONSTITUTIONAL AMENDMENT PROVIDING EQUITABLE TAXING METHOD FOR USE OF HIGHWAYS—Purpose: That Article IX of the Oregon constitution be amended by adding section 3a, providing that after July 1, 1953, all taxes, fees, licenses, assessments or charges levied directly or indirectly for the use of free public highways, roads, streets and bridges shall be assessed equitably and fairly in order that each type of vehicle shall pay its proportionate share of highway costs, such levies to consist of registration fees based on weight and fuel tax based on gallonage. No such fees or taxes shall be levied, assessed or collected by any city, town, county or political subdivision of this state.

Vote YES or NO

330 Yes. I vote for the proposed amendment.

331 No. I vote against the proposed amendment.

EXPLANATION
OF PROPOSED AMENDMENT TO ADD SECTION 3a TO ARTICLE IX OF
THE CONSTITUTION OF THE STATE OF OREGON
LIMITING ROAD-USER TAXES TO WEIGHT FEES AND FUEL TAXES

(Ballot Nos. 330 and 331)

This is an initiated amendment to Article IX of the Oregon Constitution. It would add a new section 3-a providing that on and after July 1, 1953, the only taxes or charges against motor vehicles for use of the public roads and streets "shall consist of a registration fee based on weight and a fuel tax based on gallonage, and such fees shall not be assessed by any city, town, county or political sub-division of the state."

The state highway system in Oregon is financed by three types of taxes: (1) a fuel tax; (2) a registration fee; and (3) a tax paid by motor vehicles operated by common carriers, contract carriers and private carriers called a "weight-mile tax", which is a graduated tax that is computed on the basis of the declared weight and of the miles traveled. Declared weight includes the vehicle and the maximum declared load, whether carried or not.

EFFECT OF AMENDMENT

The effect of the adoption of the constitutional amendment is as follows:

(1) It would limit the taxes which the legislature could impose on motor vehicles for use of the highway to a registration fee based on weight and a fuel tax based on gallonage until the amendment was modified or repealed by a vote of the people.

(2) It would eliminate the present weight-mile tax paid by motor vehicles operated by common carriers, contract carriers and private carriers.

(3) It would leave the fixing of the amount of the registration fee and of the fuel tax to be paid by motor vehicles to the legislature.

(4) It would require that on or after July 1, 1953, revenues for highway purposes that are now collected by the weight-mile tax would either have to be replaced by increased registration fees and fuel taxes or that funds available for highway purposes be reduced.

(5) If this amendment is adopted, it places upon the legislature the responsibility of deciding whether the decreased revenues shall be replaced by added direct charges on trucks and buses or charges on all classes of motor vehicles.

(6) It gives the state sole power to levy highway use taxes by providing that such fees and taxes shall not be levied, assessed or charged by any city, town, county or political subdivision of the state.

EFFECT OF VOTING

This measure should not be confused with the other measure on the ballot dealing with motor vehicle taxation—the Motor Carrier Highway Transportation Act referendum which involves an increase in the present weight-mile taxes.

YES is a vote to restrict motor vehicles tax to two steps—registration fees and fuel taxes.

NO is a vote to retain the weight-mile type of tax and a free choice of motor vehicle tax methods.

GEO. H. FLAGG, Portland

RAYMOND M. KELL, Portland

WM. M. TUGMAN, Eugene

Committee designated pursuant to Chapter 546, Oregon Laws 1951.

ARGUMENT

Submitted by Oregon Highway Council, and others, in favor of the

CONSTITUTIONAL AMENDMENT PROVIDING EQUITABLE TAXING METHOD FOR USE OF HIGHWAYS

(Ballot Nos. 330 and 331)

This is the "Constitutional Amendment Providing Equitable Taxing Method for Use of Highways." It leaves in the hands of the Legislature power and authority to set highway user taxes, for all types of vehicles, in the form of registration fees and fuel taxes.

It requires that all taxes for highway use shall be assessed equitably and fairly in order that each type and class of vehicle shall pay its proportionate share of highway costs.

It reserves to the state the right to levy all such taxes, and provides that such fees and taxes shall not be levied, assessed or charged by any city, county, town or political subdivision of the state.

The language is clear, the act brief and easily understood. Oregon has had three types of motor vehicle taxes; a registration fee, fuel tax, and a third structure tax variously designated as a ton-mile, a weight-mile or a mileage tax. If this act is adopted, taxation for highway purposes will be limited to the first two taxes.

At the present time Oregon has the highest highway user taxes of any of the eleven western states, especially as the tax is applied to the large commercial vehicles.

These are facts. They are not disputed. The Chairman of the Legislative Highway Interim Committee on July 25, 1952, stated:

"Oregon does have the highest road user tax in the United States or close to it."

This amendment requires that taxes on all motor vehicles (automobiles, taxi-cabs, buses, private and for-hire trucks) must be based on their proportionate share of highway costs and not on any other factor, such as value of the vehicle, purpose for which it is used, etc. It does establish a guide that must be followed by the legislature in setting highway user tax rates, and that guide is the proportionate share of highway costs as determined by the relative amount the taxed vehicle uses the highway, as shown by fuel use, and the cost of providing highways adequate for its use. This is generally accepted as the equitable method of determining highway use tax rates.

It also limits the type of taxes that can be imposed to a two-structure tax consisting of a license fee and a fuel tax. The two-structure tax method of assessing highway user taxes is employed by a large majority of the states. The two-structure method has been successful because the

annual license fee can be adjusted to take into account the administrative costs of registering and identifying the vehicles; the cost of patrolling, lighting and cleaning the highways; and to cover a reasonable reserve for an adequate highway system; and over a fair period of time, the fuel tax has been proved to be the best taxable measure of the actual use made of the highway by each vehicle. Both of these taxes are inexpensive to collect and not easily evaded. On the other hand, taxes based on ton-miles carried, gross revenue earned, etc., have been thoroughly discredited.

This amendment also prevents the counties, cities, towns and political subdivisions from assessing similar taxes to those imposed by the state, thus preventing compounding of the same tax by similar assessments by other political subdivisions.

The petitions that were circulated to place this amendment on the ballot were signed by 59,291 voters. This is the largest number of signatures that have ever been obtained on any initiative proposal, and is an indication of the interest in this issue.

You are urged to study this problem, to give it the consideration its importance deserves. Be sure of your facts, and you will vote an emphatic "330 YES" in the interests of a fair tax bill for the users of Oregon's highways.

OREGON HIGHWAY COUNCIL, a non-profit corporation, 622 S. E. Grand, Portland

By ELLERY M. SILLS, President

OREGON DRAYMEN & WAREHOUSEMEN'S ASSN., INC.

1123 N.W. Glisan Street, Portland

By G. M. BLACKSTONE, President

OREGON PETROLEUM CARRIERS CONFERENCE, INC.

516 S.E. Morrison Street, Portland

By G. L. NORSTROM, President

OREGON MOTOR TRANSPORT ASSOCIATION, INC.

Weatherly Building, Portland

By E. E. McCracken, President

A. W. MOLTKE

% Pilot Rock Lumber Co.
Pilot Rock

JOINT COUNCIL NO. 37, INTERNATIONAL TEAMSTERS

1020 N.E. Third Avenue, Portland

By PHIL BRADY, President

ARGUMENT

Submitted by Publication Committee of Transport Information, Inc., in opposition to the

**PROPOSED AMENDMENT TO ADD SECTION 3a TO ARTICLE IX OF THE
CONSTITUTION OF THE STATE OF OREGON**

(Ballot Nos. 330 and 331)

MEANING OF THIS AMENDMENT

1. Cars will be licensed by weight instead of the present \$10.00 flat fee.
2. Farm trucks, now beneficiaries of a special fee, will lose their preference and be taxed by weight the same as any commercial truck.
3. All (other) trucks will be taxed on weight and thus local trucks will pay more per highway mileage used and transport trucks will pay less.
4. Several thousand big interstate trucks will use our highways free under "reciprocity". (Oregon now collects weight-mile fees on trucks licensed in other states.)

**EFFECTS ON YOUR ROADS AND
POCKETBOOKS IF THIS AMEND-
MENT PASSES**

On and after July 1st, 1953, it kills a minimum of \$7,000,000 a year in highway revenues now collected from trucks and buses in mileage fees.

The 1953 Legislature would face two choices:

1. Either to accept the \$7,000,000 a year deficit in highway income as permanent, or,
2. Impose higher registration fees or gas tax or both to insure this \$7,000,000 for highway purposes.

If the Legislature tries to add \$7,000,000 a year in registration fees by weight, the fees would be so high that short haul trucks and private cars would face prohibitive costs.

If the Legislature adds all or part of the \$7,000,000 to gas tax, the individual car owners will contribute \$6.50 for every \$1.00 paid by trucks.

That is why this is called the "Gold Brick" amendment: long haul big trucks would benefit at the expense of all other road users.

The following organizations, after careful study of the measure, by resolution recommend that you vote:

331 X NO

OREGON STATE MOTOR ASSOCIATION (AAA)
 ASSOCIATED FOREST INDUSTRIES (Log Truckers)
 OREGON U. S. HIGHWAY 99 ASSOCIATION

OREGON STATE GRANGE
 OREGON FARM BUREAU FEDERATION
 LANE COUNTY POMONA GRANGE
 GOSHEN GRANGE NO. 561
 TRANSPORT INFORMATION, INC.
 OREGON HIGHWAY PROTECTIVE ASSOCIATION, INC.

ASSOCIATION OF OREGON COUNTIES
 SAVE OREGON HIGHWAYS CITIZENS COMMITTEE
 GOOD ROADS ALLIANCE
 LEAGUE OF OREGON CITIES

This information furnished by:

HENRY F. CABELL
 ROBERT W. SAWYER
 CHARLES A. SPRAGUE
 WM. M. TUGMAN

Publication Committee of Transport Information, Inc.

(On Official Ballot, Nos. 332 and 333)

MILK PRODUCTION AND MARKETING ACT BILL

*Proposed by Initiative Petition filed in the office of the Secretary of State July 3, 1952,
in accordance with the provisions of section 1 of article IV of the Constitution.*

A BILL

For an Act to provide for supervision and regulation of the milk industry in the state of Oregon; authorizing the appointment of a milk control administrator by the governor; prescribing the powers and duties of such administrator and providing for his compensation; providing for the establishment of minimum producer prices only; requiring butterfat labeling of milk; providing for the licensing and bonding of milk dealers; providing for public hearings; authorizing appeals; establishing a milk fund from license fees and making an appropriation therefrom; providing penalties; and repealing chapter 10, Title 34, O.C.L.A., and all acts amendatory thereof, including chapter 120, Oregon Laws 1943, chapter 547, Oregon Laws 1949, chapters 397 and 639, Oregon Laws 1951, and all other acts and parts of acts in conflict with the provisions of this act.

Be It Enacted by the People of the State of Oregon:

Section 1. As used in this act, unless otherwise expressly stated, and unless the context or subject matter clearly indicates otherwise:

"Person" means any person, firm, corporation or association;

"Administrator" means the Milk Control Administrator;

"Milk dealer" means any person who purchases milk from a producer for sale within the state, or processes fluid milk within the state for human consumption;

"Producer" means a person producing milk within the State of Oregon;

"Milk" means fluid milk and sweet cream sold in fluid form for human consumption;

"Market" means any area designated by the Administrator as a market area as hereinafter provided;

"Producer-distributor" means any producer, other than one who produces milk from only one cow, who maintains his own herd, processes for human consumption the milk produced from such herd and distributes and sells either partially or exclusively his own product direct to stores or consumers. The terms "milk dealer" and "producer" heretofore defined, wherever used in this act, shall include the term "producer-distributor."

Section 2. There hereby is created a milk control administrator, who shall be appointed by and serve at the pleasure of the Governor. He shall not be a milk dealer or producer as the terms herein are defined, nor shall he have any financial interest in or own stock in any business or enterprise dealing in milk or milk products. The Administrator shall receive a compensation of \$7,200.00 per year.

Section 3. The Administrator hereby is declared to be an instrumentality of the state, vested with power (a) to investigate all matters pertaining to the production and consumption of milk in the state; (b) to supervise and regulate the milk industry of the state in the manner herein provided; (c) to act as mediator or arbiter in any controversial issue that may arise among or between milk producers and milk dealers; (d) to prescribe uniform systems of records and accounts to be kept by milk dealers and producers; to subpoena any persons from whom information is desired and to require them to produce their books, records, and accounts; (e) to take depositions of witnesses within or without the state; (f) to adopt and enforce all rules, regulations and orders necessary to carry out the provisions of this act; (g) to exercise such other powers as hereinafter are specified.

Section 4. Beginning thirty (30) days after the effective date of this act, no person shall engage in business as a milk dealer within the state unless such person is duly licensed to do so as provided in this act. It shall be unlawful for a milk dealer to buy milk from or sell milk to a milk dealer who is not licensed under this act. It shall be unlawful for any milk dealer to deal in or to handle milk if such milk dealer has reason to believe it has previously been dealt in or handled in violation of the terms and provisions of this act. The Administrator may, by official order, exempt from the license requirements provided by this act, milk dealers selling milk in any quantities only in markets of 15,000 population or less.

Section 5. An application for a license shall state the nature of the business to be conducted, the full name and address of the person applying for the license, if an individual, and if a co-partnership, the full name and address of each member thereof, and if a corporation, the full name and

address of each officer and director, the name of the town and street number at which the business is to be conducted, the facts showing that the applicant has adequate personnel and facilities to properly conduct the business of handling and selling milk that the applicant has complied with all rules, regulations and orders of the Administrator, and such other facts with respect to the applicant as may be required by the Administrator. The application shall be made on blanks furnished by the Administrator for the purpose, and when filed with the Administrator shall be accompanied by the license fee required to be paid by this act. The license granted to the applicant by the Administrator shall be subject to the provisions of this act.

The Administrator shall have power, when he shall find such action necessary for the protection of producers, to require a milk dealer to provide a bond payable to the State of Oregon for the benefit of such producers. Such bond shall be filed with the Administrator upon such form as he may prescribe, with sufficient surety and approved by the Administrator, conditioned for full and prompt payment for all milk purchased from producers by such milk dealer during the license year or remainder thereof.

Such bond shall be in an amount not exceeding double the value of the total amount of milk so purchased by such milk dealer during any one month of the year preceding the requirement thereof and shall be filed within ten days after notice of requirement. In any case in which the milk dealer did not purchase milk from producers during at least six months of the year preceding such requirement, the Administrator shall determine the amount of the bond in a reasonable sum which shall not exceed double the value of the total amount of milk which it appears probable that such milk dealer will purchase from producers during any one month of the year succeeding the requirement of such bond. The amount of the bond so required may be revised within six months after the filing thereof.

In determining whether it is necessary for the protection of producers that a milk dealer file a bond hereunder, the Administrator shall consider the amount of money owed by such milk dealer to producers and others, the financial condition of such milk dealer, and his record for full and prompt payments to producers.

Upon default under any condition of such bond, the Administrator may give reasonable notice to producers to file verified claims, fixing a reasonable time within which such claims shall be filed. The Administrator shall examine each claim so filed and shall determine and certify the amount due thereon. He may bring an action upon the bond in the name of the state for the use and benefit of the pro-

ducers filing such verified claims, and for the purpose of such action, the certificate of the amount due shall be prima facie evidence of the facts therein stated. If the recovery upon the bond shall not be sufficient to pay all claims filed and established, the amount recovered shall be prorated among the claimants.

Section 6. The Administrator may decline to grant a license, or he may suspend or revoke a license of any applicant, upon due notice and opportunity to the applicant to be heard, only when it appears (a) that the milk dealer has failed to account and make payment, without reasonable cause, for milk purchased from a producer; or (b) that a milk dealer has committed any act injurious to the public health, welfare or to trade or commerce in milk to such an extent as to obstruct the purposes of this act; or (c) that a milk dealer has continued in a course of dealing of such nature as to demonstrate his inability or unwillingness properly to conduct the business of handling or selling milk; or (d) that a milk dealer has continued in a course of dealing of such nature as to manifest an intent to deceive or defraud the producers or consumers; or (e) that a milk dealer has failed either to keep records or to furnish the statements, information or bond required by the Administrator; or has failed to pay the license fees required by this act to be paid; or has failed to obey any lawful subpoena, rule, regulation or order of the Administrator; or (f) that any material statement upon which the license was issued is or was false or misleading; or (g) that a milk dealer has violated any of the provisions of this act; or (h) that an applicant has failed to comply with provisions of Section 5. Before any order is made denying an application for a license or revoking a license which has been issued, the Administrator shall fix the time and place for public hearing of such matter and give notice to the applicant or licensee, as the case may be, of the time and place so fixed, with reasonable notice to such applicant or licensee to be heard and present evidence. Such notice shall be in writing and shall be served either personally or by mail at least five (5) days in advance of the time set for said hearing.

Section 7. All milk dealers shall pay a license fee of one dollar (\$1) per year and in addition thereto one-half of one cent on each pound of butterfat contained in milk received and handled by the licensee, commencing with the effective date of this act. Such fee on the butterfat poundage shall be paid to the Administrator monthly by each such licensee on the fifth day of each month as to all quantities of milk received and handled by such licensee in the previous calendar month. The one dollar annual fee shall be paid on the fifth day of the month following the effective date of this act and annually thereafter. Each

such licensee shall keep such records and make such reports as shall be required by the Administrator for the purpose of computing the payment of the license fee.

Section 8. Any person may appeal any order of the Administrator to the circuit court of the state of Oregon for the county in which the hearing is held or the county in which said person resides, which court shall have the power to modify, vacate or set aside such order if it is not supported by substantial and competent evidence, and the parties or any of them to said appeal may appeal to the Supreme Court. The record of the evidence and proceedings before the Administrator or his examiner shall constitute the exclusive record for decision in accordance with this section, and shall be made available to both parties.

All appeals brought in the circuit court under this section shall have precedence over any civil cause of a different nature pending in said court, and the said court shall always be deemed open for the hearing thereof.

After the commencement of such suit, the circuit court may for cause shown, upon application to the circuit court or presiding judge thereof, and upon notice to the Administrator and hearing, suspend or stay the operation of the order of the Administrator complained of until the final disposition of such suit, upon the giving of such bond or other security, and upon such conditions as the court may direct.

Section 9. Licensees under this act shall keep adequate books and records showing (a) all milk received, with butterfat content, prices paid, deductions or charges made, the name and address of each person from whom milk was received; (b) the quantity of such milk sold as fluid milk, classified as to grade; (c) the quantity of each milk product manufactured, the quantity of milk used in the manufacture thereof and the price received therefor, and (d) such other records and information as the Administrator may deem necessary for the proper enforcement of this act.

Section 10. The licenses required by this act shall be in addition to any other licenses required by existing laws of the State of Oregon or by any municipal ordinance. Nothing in this act shall be construed to conflict with or repeal any laws now in force in the State of Oregon relating to any board of health or sanitary code now in force in this state or in any municipality thereof, nor any municipal ordinances relating to the inspection, grading and production of milk.

Section 11. The Administrator may define what shall constitute a natural market area in which a given price shall prevail. A market area shall include only that territory in which conditions involved in the production of milk are similar. A separate order of the Administrator in the

establishment of minimum prices (or in pursuance of the powers conferred by Section 4) shall be made for each market area, and each such order shall be preceded by a public hearing held within the particular market area to be affected by the order.

Section 12. (1) The Administrator shall ascertain what prices for milk in each market area of the state to be paid to the producer will (a) insure a sufficient quantity of pure and wholesome milk in the public interest; (b) assure to the producer a price adequate to reward efficient production of a steady supply of wholesome and sanitary milk; and (c) encourage greater consumption of fresh whole milk; and shall, by order, fix such prices as the minimum prices to be paid by milk dealers to producers or associations of producers for milk produced and sold within the state in fluid form for human consumption.

(2) In fixing minimum prices to be paid to producers and the standards and grades to which they apply, the Administrator shall in each market area take into consideration (a) the price of milk used in the manufacture of milk products, (b) extra costs peculiar to the production of fluid milk for human consumption, (c) seasonal variations in cost and supply, (d) the availability and price of substitutes for fluid milk, and (e) such other factors as the Administrator may deem relevant in the particular market area.

(3) Where by statute, regulation adopted thereunder, or municipal ordinance, various grades of milk are specified, the Administrator shall fix the minimum price as aforesaid, applicable to each grade. Orders fixing minimum prices may vary in different markets, and each shall designate the market to which it is applicable.

(4) After the Administrator shall have fixed the prices to be paid to the producer or association of producers, it shall be unlawful to buy or offer to buy or sell or offer to sell any milk at prices less than the prices fixed by order of the Administrator.

(5) The Administrator, either on his own motion, or on application, from time to time, but at least every quarter, shall conduct a public hearing in each market area to determine prices to be paid for milk, or any other matter within the jurisdiction of the Administrator. Before making, revising or amending any order fixing prices, the Administrator shall give notice to interested parties and the public generally of the time and place of hearing thereon, in such newspaper or newspapers as in the judgment of the Administrator shall afford reasonable notice and publicity. Such notice shall be given not less than 10 days in advance of the hearing.

(6) The price-fixing powers of the Administrator shall be strictly limited to setting minimum producer prices only, and

shall not extend to the fixing of wholesale or retail prices or any other class of prices.

Section 13. (1) No person who prepares milk and puts it in any of the types of containers mentioned in subsection (1), paragraphs (a), (b) or (c), of this section, for human consumption therefrom, shall distribute or sell, in any such containers, milk to milk dealers, stores or consumers unless the containers, or attachments thereto in the case of milk sold in bulk, are labeled as hereinafter required by this section.

(a) On glass bottles of milk or cream for the bottle and canned trade, the minimum butterfat content should show in as large print as possible on the cap, or cover, whichever is used.

(b) On paper containers of milk or cream for the bottle and canned trade, the minimum butterfat content should show in letters at least one-half inch high on the top of the container.

(c) On the parchment used under the cover of bulk containers of milk or cream, the minimum butterfat content should show in letters at least one-half inch high.

(2) Failure to comply with subsection (1) of this section, or wilful misrepresentation of the minimum butterfat content of the milk or cream in any container required to be labeled by subsection (1) of this section, is punishable, upon conviction, by a fine not less than \$100 or more than \$500.

(3) Any person who sells milk in or from containers not labeled as required by subsection (1) of this section shall upon conviction be punished by a fine not to exceed \$100.

Section 14. The Administrator or any employe designated by him may sign and issue subpoenas and administer oaths to witnesses. Any person failing or refusing to comply with any subpoena issued by the Administrator or pursuant to his authority, or to comply with any rule, regulation or order of the Administrator, shall be deemed guilty of a misdemeanor, and, upon conviction, may be punished by a fine not exceeding \$100 or by imprisonment not exceeding 90 days, or both, and each day during which such violation shall continue shall be deemed a separate offense. In the event any person shall fail to comply with any rule, regulation or order of the Administrator, or obey any subpoena issued thereby, or in the event of the refusal of any witness to testify to any matter concerning which he lawfully may be interrogated by the Administrator or his representative, it shall be the duty of the circuit court of any county, or judge thereof, upon application of the Administrator, to compel obedience by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from said court, refusal to testify therein, or disobedience of an

order or decree of such court. The proceeding herein authorized in the circuit court to compel obedience shall be in addition to the provisions of this section defining what shall constitute a misdemeanor and providing and prescribing the punishment therefor.

Section 15. All receipts from license fees paid under this act shall be paid by the Administrator to the state treasurer and shall be by the state treasurer placed to the credit of the general fund to an account to be known as the "milk control account" and such amount as may be necessary, and no more, hereby is appropriated out of such milk control account for the payment of all expenses incurred by the Milk Control Administrator in administering and enforcing this act. The secretary of state hereby is authorized and directed to audit all duly approved claims, which have been incurred in pursuance of law and the foregoing appropriation and to draw his warrants on the state treasurer for the payment thereof, payable out of the milk control account of the general fund. The administrator shall have authority to employ such persons as may be necessary and to fix their compensation and to incur all expenses necessary to carry out the purposes of this act.

Section 16. No provision of this act shall be deemed or construed to prevent or abridge the right of a cooperative corporation or association organized under the laws of the state of Oregon and engaged in marketing or making collective sales of milk produced by its members, from blending the net proceeds of all its sales in various classes and paying its producers such blended price, with such deductions therefrom and/or differentials as may be authorized under contracts between such corporation and its members, or from making collective sales of the milk of its members and/or other producers represented by or marketing through it at a blended price based upon sales thereof in the various classes and markets, or to prevent or abridge the right of any milk dealer from contracting for his milk with such cooperative association upon such basis, or to affect or impair the contracts of any such cooperative association with its members or other producers marketing their milk through such corporation, or to impair or affect any contracts which any such cooperative association has with milk dealers or others, or affect or abridge the rights and powers of any such cooperative association conferred by the laws of the state of Oregon under which it is incorporated; provided, that the prices to be paid for milk marketed by or through any such corporation shall be those fixed by the order of the Administrator.

Section 17. Any person violating any provision of this act shall be guilty of a misdemeanor and may be prosecuted and punished therefor and, upon conviction,

shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days, or by both fine and imprisonment. Justice courts and district courts hereby are given concurrent jurisdiction with circuit courts of all criminal offenses provided for in this act.

Section 18. In any hearing required to be held by the Administrator under this act, it shall be the duty of the Administrator or examiner to make or cause to be made a full and complete record of the evidence and proceedings on such hearing. Any hearing required to be held by the Administrator may be conducted by an examiner appointed for such purpose. In the event a hearing shall be so conducted, it shall be the duty of the examiner to certify the record of the evidence and proceedings on such hearing to the Milk Control Administrator, who may take action thereon to the same extent as though such hearing had been conducted in his pres-

ence. Such examiner shall be vested with full power to swear and examine witnesses, to take testimony, to subpoena witnesses and records and require the production of records and documents in the name of the Administrator, and to conduct proceedings in any such hearing to the same extent and in the same manner as the Administrator himself. All hearings held under the provisions of this act shall be public.

Section 19. Chapter 10, Title 34, O.C.L.A., and all acts amendatory thereof, including chapter 120, Oregon Laws 1943, chapter 547, Oregon Laws 1949, chapters 397 and 639, Oregon Laws 1951, and all other acts and parts of acts in conflict with the provisions of this act, be and the same hereby are repealed.

Section 20. If any section, sentence, clause or part of this act shall be held to be unconstitutional, such decision shall not affect or impair the validity of the remaining portions of this act.

Section 21. This act shall be known as the Milk Production and Marketing Act.

BALLOT TITLE

MILK PRODUCTION AND MARKETING ACT BILL—Purpose: Authorizes governor to appoint milk control administrator, an instrumentality of state, with annual salary of \$7200, vested with power to investigate, supervise and regulate the production of milk for human consumption within the state. Act requires butterfat labeling of milk and licensing of milk dealers. Appropriates license fees for expense of administration. Authorizes administrator to designate marketing areas, require uniform records and accounts to be kept by producers and dealers, fix minimum milk production prices after public hearing, and require bonds of milk dealers. Appeals are provided for and penalties for violations; all existing milk control laws are repealed.

Vote YES or NO

332 Yes. I vote for the proposed law.

333 No. I vote against the proposed law.

EXPLANATION
OF MILK PRODUCTION AND MARKETING ACT BILL

(Ballot Nos. 332 and 333)

This initiative measure is designated as the Milk Production and Marketing Act. If passed, it would repeal the existing law known as the Milk Marketing Act. The present law is administered under the direction and control of the State Board of Agriculture comprising seven members, who, in carrying out the Act, employ an executive officer known as the Milk Marketing Administrator who serves at the pleasure of the Board. The initiative measure provides for the appointment of an Administrator by the Governor who, as under the present law, is given general, broad supervisory and investigative powers relating to the marketing of milk and the granting and revoking of licenses issued incident thereto. Neither measure relates to health standards.

The effect of the initiative measure can be best explained by noting the principal changes which would occur upon its passage and the repeal of the present law. These are as follows:

1. Under the present law, the State Board of Agriculture and its Administrator are given power and authority acting with the Oregon State College to investigate matters pertaining to the production, manufacture, storage, transportation, distribution and sale of milk. The initiative measure does not require that such investigations shall take place with the Oregon State College.

2. The existing law provides for establishment of production areas and quotas for producers serving particular markets and also the establishment of pools for the marketing of surplus milk, said pools being intended to insure equitable returns to each qualified producer in the area involved. The initiative measure, while providing for establishment of production areas, repeals the quota and pooling provisions of the present law. This would have

the effect of lessening the compulsion upon the producer to serve a given market.

3. The existing law requires, upon investigation, the establishment and enforcement of minimum prices for producers, dealers and retailers of milk. The initiative measure provides only for minimum prices which are to be paid to producers by dealers for milk used by them in the fluid milk trade.

4. The present law provides for revocation of a dealer's license in case of his failure to pay producers. The initiative measure contains similar provisions and also permits the Administrator in his discretion to require dealers to post bonds to insure milk payments by them to producers.

5. Under the present law, licenses may be limited to particular markets and the number of licenses may be controlled where a market is already adequately served. Licenses are not so limited by the initiative measure, thus permitting a dealer to obtain a license to serve any market in the state.

The present law sets forth various provisions regarding labeling, licensing, designation of market areas, penalties for violations and requirements as to records which must be kept by dealers. Except that licenses are not required of stores, the provisions of the initiative measure with respect to these matters appear to be sufficiently similar to those in the Act as it now exists to warrant omission of discussion thereof.

The undersigned certify that they have prepared the foregoing statement and concur in the whole thereof.

MRS. IRENE E. TAYLOR, Portland
WILL W. HENRY, Portland
HUGH L. BARZEE, Portland
Committee designated pursuant to
Chapter 546, Oregon Laws 1951.

ARGUMENT

*Submitted by the Affiliated Milk Committees of Oregon, and Maurine B. Neuberger,
in favor of*

MILK PRODUCTION AND MARKETING ACT BILL

(Ballot Nos. 332 and 333)

VOTE 332—YES

For lower retail milk prices—richer milk.
For more milk for the children of low income families.

VOTE 332—YES

To enable grocery stores to sell milk at lower cash and carry prices. Such lower prices are in effect in 92% of U. S. cities the size of Portland.

VOTE 332—YES

For a better deal for milk producers.
For a fair, guaranteed producer (farmer) price floor.
For more Grade A consumption and less surplus.

VOTE 332—YES

To restore competition—stop monopoly.

VOTE 332—YES

For your pocketbook and your health.
Oregon is ideally endowed by Nature for dairying. Yet Oregon cities have the highest milk prices of any comparable cities in the West.

These high prices are held up by Oregon's planned milk economy which is the strictest State control in the nation—the so-called Oregon milk price control law.

Many dairy farmers are now excluded from selling milk on the Grade A market because of the "quota" system, which allows state monopoly-control to parcel out all milk production among its favorites.

By voting to substitute our new law, voters will free themselves from monopoly-controlled retail milk prices, and at the same time protect all dairy farmers, assuring them fair prices for their product and investment.

This Bill No. 332 is the result of careful research which began back in 1937 when the Affiliated Milk Committees, a consumers group, was organized under the Portland Federation of Women's Organizations. It merits your "Yes" vote and will accomplish the following:

- 1) Stops the authority of the state from being used to hold up retail and wholesale prices of milk—allowing efficient distributors who can profitably do so to sell milk for less.
- 2) Consumers no longer will be forced to pay as high a price for milk picked up at the store and carried home as for milk delivered to their doorsteps and charged—a savings in price from 1 to 4½ cents per quart in cities the size of Portland, for example.
- 3) Free Enterprise will be permitted and encouraged to provide a richer milk for your money. Under the present law, it is unlawful for a distributor to increase the richness of his milk

without charging his customers a price penalty.

- 4) Protects the dairy farmer's price. The new administrator's powers will be clearly defined and limited. He shall set the size of the market, require uniform bookkeeping, and fix minimum producer prices after hearings. In order to completely protect the producers he will require a bond—a simple device for people of good credit—from dealers.

- 5) The Milk Administrator will no longer enjoy immunity from public criticism which is now possible because he is buffered by a protective, paternal Board of Agriculture (costing consumers \$70 every day it meets). All arbitrary powers of former Milk Czars are denied the new administrator who is now subject to court review. He is made a servant of the State, answerable to the voters rather than this one-sided farm board. Costs of administration will come from the same poundage license fees as before, not from the taxpayers.

The sanitary regulations pertaining to the production and distribution of milk are covered in a separate code of laws entirely and have nothing to do with this subject of milk price control.

Seasonal hearings are provided for in this bill for the purpose of setting farm prices, preventing arbitrary delays in reflecting true milk production costs. Costs of these hearings will be reduced because time now consumed mostly by testimony on the distribution end of the industry will be eliminated along with retail price fixing. This part of the milk business—bottling, trucking, delivery, retailing—will be left to the time-tried and proven system of competitive enterprise.

Studies have shown that consumption of milk always increases when retail prices are lowered. Under our initiative act with competition encouraged, the efficient operators will be able to pass on savings to the consumer in the form of lower prices and richer milk.

VOTE 332 YES

AFFILIATED MILK COMMITTEES OF OREGON

By IRENE TAYLOR, Chairman, 4143
N.E. Hoyt, Portland

H. ANGENETTE CRISSEY, Treasurer,
3172 N.E. 35th Place, Portland

MAURINE B. NEUBERGER,
1910 S.W. Clifton, Portland

(On Official Ballot, Nos. 334 and 335)

**CONSTITUTIONAL LEGISLATIVE SENATOR AND REPRESENTATIVE
APPORTIONMENT ENFORCEMENT AMENDMENT**

Proposed by Initiative Petition filed in the office of the Secretary of State July 3, 1952, in accordance with the provisions of section 1 of article IV of the Constitution.

**PROPOSED CONSTITUTIONAL
AMENDMENT**

Be It Enacted by the People of the State of Oregon:

That section 6 of article IV of the Constitution of the State of Oregon be and the same hereby is amended so as to read as follows:

Article IV

Section 6. (1) The number of senators and representatives shall, at the session next following an enumeration of the inhabitants by the United States government [or this state], be fixed by law [,] and apportioned among the several counties according to the [number of white] population in each. [And the] The ratio of senators and representatives, respectively, shall be determined by dividing the [whole number of white] total population of [such county or district.] the state by the number of senators and by the number of representatives. The number of senators and representatives for each county or district shall be determined by dividing the total population of such county or district by such respective ratios; and when a fraction [shall result from such division, which shall exceed one-half of said ratio] exceeding one-half results from such division, such county or district shall be entitled to a member for such fraction. [And in] In case any county [shall] does not have the requisite population to entitle [such county] it to a member, then such county shall be attached to some adjoining county or counties for senatorial or representative purposes.

(2) (a) Original jurisdiction hereby is vested in the Supreme Court upon the petition of any qualified elector of the state filed with the Clerk of the Supreme Court prior to September 1 of the year in which the Legislative Assembly enacts a reapportionment measure, to review any measure so enacted.

(b) If the Supreme Court determines that the measure thus reviewed complies with subsection (1) it shall dismiss the petition by written opinion prior to October 1 of the same year and the legislative enactment shall become operative upon the date of the opinion.

(c) If the Supreme Court determines that the measure does not comply with subsection (1) of this section, said measure shall be null and void, and the Supreme Court shall direct the Secretary of State to draft a reapportionment of the senators and representatives in compliance with

subsection (1), and return the draft to the Supreme Court by October 1 of the same year. The Supreme Court shall review the draft thus returned to it and if it be in compliance with subsection (1), shall file it with the Governor prior to November 1 of the same year and it shall become law upon the date of filing.

(d) If the Supreme Court shall determine that the draft returned to it by the Secretary of State as provided in paragraph (c) above does not comply with subsection (1) of this section, the Supreme Court shall return it forthwith to the Secretary of State accompanied by a written opinion specifying with particularity wherein the draft fails to comply with the requirements of subsection (1) of this section. The opinion shall further direct the Secretary of State to correct the draft in those particulars and in no others, and file the corrected reapportionment with the Governor prior to November 1 of the same year, and it shall become law upon the date of filing.

(3) (a) If the Legislative Assembly fails to enact any reapportionment measure by July 1 of the year of the session of the Legislative Assembly next following an enumeration of the inhabitants by the United States Government, the Secretary of State shall make a reapportionment of the senators and representatives in accordance with the provisions of subsection (1) of this section. The reapportionment so made shall be filed with the Governor by August 1 of the same year, and shall become law upon the date of filing.

(b) Original jurisdiction hereby is vested in the Supreme Court upon the petition of any qualified elector of the state filed with the Clerk of the Supreme Court prior to September 1 of the same year to review any reapportionment so made by the Secretary of State.

(c) If the Supreme Court determines that the reapportionment law thus reviewed complies with subsection (1), it shall dismiss the petition by written opinion prior to October 1 of the same year and the reapportionment law shall become operative upon the date of the opinion.

(d) If the Supreme Court determines that the reapportionment law thus reviewed as provided in paragraph (c) above does not comply with subsection (1) of this section, said reapportionment law shall be null and void, and the Supreme Court shall return it forthwith to the Secretary of State accompanied by a written opinion

specifying with particularity wherein the reapportionment fails to comply with subsection (1) of this section. The opinion shall further direct the Secretary of State to correct the reapportionment in those particulars, and in no others, and file the corrected reapportionment with the Governor prior to November 1 of the same year, and it shall become law upon the date of filing.

(4) Until the effective date of the reapportionment following the next enumeration of inhabitants by the United States Government, the senators and representatives are apportioned as follows:

(a) The senatorial districts, the counties constituting the districts and the number of senators to which the districts are entitled are as follows:

District	Counties	No. of Senators
1st	Marion	2
2nd	Linn	1
3rd	Lane	2
4th	Douglas	1
5th	Jackson	1
6th	Josephine	1
7th	Coos and Curry	1
8th	Polk	1
9th	Yamhill	1
10th	Washington	1
11th	Clackamas	2
12th	Multnomah	7
13th	Benton	1
14th	Clatsop and Columbia	1
15th	Tillamook and Lincoln	1
16th	Hood River, Sherman, Gilliam, Morrow, Wasco and Wheeler	1
17th	Jefferson, Deschutes, Crook and Lake	1
18th	Klamath	1
19th	Umatilla	1
20th	Union, Wallowa and Baker	1
21st	Grant, Malheur and Harney	1

(b) The representative districts, the counties constituting the districts and the number of representatives to which the districts are entitled are as follows:

District	Counties	No. of Representatives
1st	Clatsop	1
2nd	Columbia	1
3rd	Tillamook	1
4th	Washington	2
5th	Yamhill	1
6th	Washington and Yamhill	1
7th	Multnomah	16
8th	Clackamas	3

District	Counties	No. of Representatives
9th	Lincoln	1
10th	Polk	1
11th	Benton	1
12th	Marion	4
13th	Linn	2
14th	Lane	5
15th	Douglas	2
16th	Coos	1
17th	Coos and Curry	1
18th	Josephine	1
19th	Jackson	2
20th	Hood River	1
21st	Wasco	1
22nd	Morrow, Gilliam, Sherman and Wheeler	1
23rd	Umatilla	2
24th	Union and Wallowa	1
25th	Jefferson and Crook	1
26th	Baker	1
27th	Deschutes	1
28th	Lake, Harney and Grant	1
29th	Malheur	1
30th	Klamath	2

(c) Any senator elected or appointed to the office of senator for a term expiring either the day after the regular general election in 1956 or on the Sunday preceding the first Monday in January, 1957, shall continue, for the duration of his term, to hold office as senator, representing the district established under paragraph (a) of subsection (4) of this section in which is located the county in which he resided at the time of his election or appointment; except that the senator representing the former seventeenth district for a term expiring on either of the above days shall continue to hold office and shall represent the seventeenth and eighteenth districts as established by this section until the expiration of his term, and except that the senator representing the former sixteenth district and the senator representing the former eighteenth district for terms expiring on either of the above days shall continue to hold office and shall represent the sixteenth district as established under this section until the expiration of their terms.

(5) This amendment shall not become operative until the day of the regular general election in 1954, except that it shall be operative prior thereto for the purpose of nomination of candidates to be voted upon for the office of senator or representative at the regular general election in 1954.

BALLOT TITLE

CONSTITUTIONAL LEGISLATIVE SENATOR AND REPRESENTATIVE APPORTIONMENT ENFORCEMENT AMENDMENT—Purpose: Amends section 6, Article IV of the constitution, requiring legislature following each federal census to reapportion legislative representatives among counties of state according to population. The ratios are determined by dividing total population by number of senators and representatives, respectively. When fraction exceeding one-half results such county or district shall be entitled to a member; otherwise such county to be attached to adjoining county or counties. Secretary of state to reapportion if legislature fails to enact. Original jurisdiction vested in supreme court to enforce compliance. Amendment reapportions senators and representatives, which becomes operative for primary and general elections of 1954.

Vote YES or NO

334 Yes. I vote for the proposed amendment.

335 No. I vote against the proposed amendment.

EXPLANATION

OF CONSTITUTIONAL LEGISLATIVE SENATOR AND REPRESENTATIVE APPORTIONMENT ENFORCEMENT AMENDMENT

(Ballot Nos. 334 and 335)

The Constitution of the State of Oregon since 1857 has required that representation in the State Legislature be apportioned on the basis of white population only in the various districts or counties of the State and further provides that reapportionment be made by the Legislature every ten years to compensate for changes in population. The Legislature, however, has failed to make any reapportionment since 1911.

The Constitutional amendment herewith presented for consideration would make only the following Constitutional changes:

(1) The requirement that only "white" population be counted would be eliminated.

(2) The Legislature would still have the duty of making a reapportionment after each Federal census and if not done by the Legislature, the duty would be imposed upon the Secretary of State, in either case, subject to review and approval by the Oregon Supreme Court.

(3) The amendment makes a temporary reapportionment to continue in effect until the next Federal census in 1960.

At the present time and because the Legislature has failed to make any reapportionment for over 40 years, some Counties or Districts have more legislative representation than they are entitled to under the present Constitution. Others have less representation. This amendment would bring about an immediate reapportionment on the population basis now provided by the Constitution and would assure that such a reapportionment would hereafter be made every ten years.

Basically a difference in the philosophies of representation is involved. It is contended by some that legislative representation should not be made upon the basis of population alone but that Counties as such should be represented in the Oregon

Legislature; representation in one house being on the basis of population and in the other on a plan comparable to that of the Federal system in which each State is entitled to two senators regardless of population. It is contended by those favoring such a plan that apportionment on the basis of population alone would place legislative control in the hands of the metropolitan areas by reason of the greater representation, to the disadvantage of the rural areas. To the contrary, those favoring this measure do not believe that the rights of the rural areas would be prejudiced, but do believe that every citizen is entitled to have his legislator represent substantially the same number of people as does any other legislator. The proponents believe that the provisions of the present Oregon Constitution on reapportionment should be carried out effectively, and they believe that area is properly represented through the system used in the Constitution.

The issue generally is one as to whether or not the people of any given area of the State should be entitled to representation in accordance with the number of people residing therein, and in proportion to the number of people residing in any other given area. Accordingly, those who favor legislative representation on the basis of population and believe that reapportionment on that basis should be enforced every ten years should be in favor of this measure. Those who do not so believe, but who believe in some other basis, such as the Federal plan, should oppose the measure.

JOHN C. BEATTY, JR., Portland
 E. R. FATLAND, Condon
 PAUL E. GEDDES, Roseburg
 Committee designated pursuant to Chapter 546, Oregon Laws 1951.

ARGUMENT

*Submitted by the Non-Partisan Committee for Constitutional Reapportionment,
in favor of the*

CONSTITUTIONAL LEGISLATIVE SENATOR AND REPRESENTATIVE APPORTIONMENT ENFORCEMENT AMENDMENT

(Ballot Nos. 334 and 335)

IN OREGON we have minority rule. OUR STATE LEGISLATURE represents the state population of 1911—not 1952.

SEATS IN THE LEGISLATURE have not been re-divided among the counties of the state since 1911. Oregon's population has grown and shifted tremendously since then. But we're still limping along with a 1911 legislature—a majority of whose members are now elected by a minority of the population.

OUR STATE CONSTITUTION clearly states that positions in the State Senate and House of Representatives shall be re-divided among the counties every ten years—on the basis of population.

FOR 40 YEARS our legislators have refused to honor this fundamental provision of the State Constitution.

Our constitution calls for fair and decent majority rule, but it lacks a means of enforcement.

THIS AMENDMENT WILL ENFORCE THE CONSTITUTION. IT WILL GIVE EACH VOTER AN EQUAL VOICE IN ELECTING THE LEGISLATURE.

IT IS SPONSORED BY:

League of Women Voters of Oregon
Young Republican Federation of Oregon
Young Democratic Clubs of Oregon.

IT IS ENDORSED BY leading newspapers in Eastern and Western Oregon, including the Bend Bulletin and the Salem Statesman, the Pendleton East Oregonian and the Portland Oregonian.

HOW DOES IT WORK? It directs the Secretary of State to reapportion the legislature, according to the Constitution, if the legislature fails to do so. It gives the State Supreme Court the power to review their work.

HERE'S WHAT IGNORING THE CONSTITUTION MEANS TO YOU:

Example: One voter in Willowa County now has as much voice in the House of Representatives as 6 voters in Lane County.

Example: One voter in Gilliam, Sherman or Wheeler County has as much representation in the State Senate as 10 voters in Klamath, Lake, Deschutes, Crook or Jefferson County.

OPPONENTS OF CONSTITUTIONAL REAPPORTIONMENT would have you believe that it is a device to permit domination of the legislature by Multnomah County. This is completely untrue. Many counties will gain representation when the legislature is reapportioned, and several will gain far more than Multnomah. For example: Lane County's representation in the House will increase 66 $\frac{2}{3}$ %, Klamath County's representation in the Senate will increase five-fold, Washington County's representation in the House will increase 25% — as compared with Multnomah County's gain of 18 $\frac{1}{2}$ % in the House and 10 $\frac{1}{2}$ % in the Senate.

WE ASK YOUR VOTE FOR CONSTITUTIONAL REAPPORTIONMENT IF . . .

IF you want the interests of your county and district fairly represented in the state legislature.

IF you care who spends your tax dollar . . . if you are opposed to taxation without representation.

IF you want your State Constitution enforced.

STANLEY R. DARLING, Chairman, Non-Partisan Committee for Constitutional Reapportionment, 2720 Elinor St., Eugene.

EMILY P. LOGAN, President, League of Women Voters of Oregon, Corvallis.

H. CLAY MYERS, JR., Chairman, Young Republican Federation of Oregon, Portland.

WALTER J. DENNIS, President, Young Democratic Clubs of Oregon, Portland.

MRS. GENEVIEVE O. ROGERS, Salem.

STATEMENTS AND ARGUMENTS IN BEHALF OF CANDIDATES

GENERAL ELECTION, NOVEMBER 4, 1952

The fees prescribed by law were paid for publishing the individual statements and pictures which appear herein. Space is not available to unopposed candidates, and no material was filed for a few others, but as directed by Chapter 222, Oregon Laws 1951, a complete list follows of all Republican (R) and Democratic (D) nominees, and Independent (Ind) candidates, for National, State, and District offices to be voted upon in the county or counties for which this edition of the pamphlet is printed. (Candidates who do not file with the Secretary of State—those for offices in counties, cities, and other local governmental units—are not listed.)

FOR PRESIDENT OF THE UNITED STATES—Dwight D. Eisenhower (R); **FOR VICE-PRESIDENT**—Richard M. Nixon (R); **FOR ELECTORS**—Niel R. Allen, Josephine County; Margaret (Mrs. R. E.) Bondurant, Henry A. Buehner and William C. Robison, Multnomah County; Freeda F. Peterson, Polk County; Wendell W. Wyatt, Clatsop County.

FOR PRESIDENT OF THE UNITED STATES—Adlai E. Stevenson (D); **FOR VICE-PRESIDENT**—John J. Sparkman (D); **FOR ELECTORS**—Jan E. Bauer, Leonie N. Brooke, C. Girard Davidson and Harry Winkler, Multnomah County; Max H. Friedman, Clackamas County; Lena M. Hewitt, Marion County.

FOR PRESIDENT OF THE UNITED STATES—Vincent Hallinan (Ind); **FOR VICE-PRESIDENT**—Charlotta A. Bass (Ind); **FOR ELECTORS**—Melburn H. Black, Clackamas County; Donald W. Brown, Coos County; A. M. Church, Marion County; Roy Stauffer, Lane County; Helen Margaret Neuenschwander and William K. Patrick, Multnomah County.

FOR REPRESENTATIVE IN CONGRESS, 1st DISTRICT—Robert B. (Bob) Jones (D), Clackamas County; Walter Norblad (R), Clatsop County.

FOR SECRETARY OF STATE—Edith S. Green (D), Multnomah County; Earl T. Newbry (R), Jackson County.

FOR STATE TREASURER—Francis Lambert (D), Multnomah County; Sig Unander (R), Multnomah County.

FOR ATTORNEY GENERAL—John B. McCourt (R), Multnomah County; Robert Y. Thornton (D), Tillamook County.

FOR REPRESENTATIVES IN LEGISLATURE, 12th DISTRICT, Marion County (Four to Elect)—Cornelius Bateson (D); W. W. Chadwick (R-D); Robert L. Elfstrom (R); Mark O. Hatfield (R); Lee V. Ohmart (R); A. M. Vistica (D).

FOR DISTRICT ATTORNEY, MARION COUNTY—Kenneth E. Brown (R).

ON NONPARTISAN JUDICIARY BALLOT

FOR JUDGE OF SUPREME COURT, Position No. 7—George Rossman, Multnomah County.

FOR JUDGE OF CIRCUIT COURT, 3rd Judicial District, Marion County, Position No. 3—Joseph B. Felton.

DWIGHT D. EISENHOWER
of New York
Republican Party Candidate for President

RICHARD M. NIXON
of California
Republican Party Candidate for Vice-President



The Eisenhower-Nixon candidacy for the presidency and vice-presidency is an American dream come true. A seasoned veteran of domestic and world affairs teamed with a young man whose vigorous beginning in American politics is only seven years old.

Eisenhower from the plains of Kansas, of a large family of modest means but rich in the virtues and qualities which are an integral part of American character; Nixon from sun-kissed Southern California, also a family of moderate means, one of the youngest men ever to be nominated by a major party as its vice-presidential candidate.

Eisenhower acquainted with all the great of his day yet with the warmth and understanding of a next door neighbor; Nixon an earnest young man who

(This information furnished by Republican State Central Committee;
Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

could not rest until he searched out and heard the truth of the important Alger Hiss-Whittaker Chambers shameful saga of Communism within the high reaches of our national government.

Ike Eisenhower and Dick Nixon are both fighters. They have battled openly and won every battle, including the wars. As heads of our administrative government, they will lift that august position into the highest sphere of world influence, respect and accomplishment.

Their principles are the principles of all decent and sincere people. Their ideals are those deep in the hearts of most Americans. Their hopes are those which we hold deeply and ask only that we be allowed to realize their fulfillment.

These candidacies are a clear call for all voters to heed. Independents, Democrats, and Republicans seldom, if ever, have had a chance to proudly face the ballot line and entrust their futures into such capable hands, clean and willing to work for the good of all.

CHECK THE EISENHOWER-NIXON CREED

FIGHT CORRUPTION EVERYWHERE: "We expect Americans to fight corruption wherever it may raise its ugly head. Whether it is in the city council or in the school board or in national office we will have none of it. No party can clean up the government of the United States unless that party from top to bottom is clean itself."

EFFICIENCY AND THRIFT: "If we will apply a little business sense in economy, frugality and not be afraid of the words of efficiency and thrift, of course we can save money. We must first eliminate the deficit. Thereafter begins the job of diminishing expenses rapidly."

INTERESTED IN YOUNG PEOPLE: "One reason that I am so terrifically interested in the young people of the world is because they are the ones who would have to carry the burden of any struggle. They have longer to live in this world, and I want to see them take hold right now. We want a party that will attract youth. A party cannot make room for victory that does not make room for youth. If a man is old enough to fight he is old enough to vote."

EDUCATION A LOCAL FUNCTION: "Education is one of those local functions that we should guard jealously because I found in every totalitarian state that I know anything about, one of the earliest efforts was to get charge of the educational processes."

EQUALITY OUR BASIC CONCEPT: "Equality is the basic concept of our whole federal government. If enough minorities suffer, finally there can be

(This information furnished by Republican State Central Committee;
Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

no rights as we know them. We must be careful never to use coercive law when we might aggravate instead of help to advance the progress of pure equality of opportunity in this country."

WOMEN IN KEY POSITIONS: "I have only one criterion: where is the ability? Where can I get the brains and hearts and devotion to the job? If I find it in a woman she will have the job right now. I have met women whom I consider to have some of the finest brains that I have known. That is the kind of person I shall seek. Men or women."

PROGRAM FOR AGRICULTURE: (Dwight Eisenhower is working out the details of a farm program and in the meantime has endorsed the general principles of the Republican Declaration of February 6, 1950 which proposes, in brief:) "A program to provide a fair price for the farmers' products . . . to the end that the farmers' standard of living will be in line with the contribution he makes to the national economy; in the market place aided by a system of price supports; sound cooperative marketing; continued development and restoration of our soil and water resources through soil conservation and reclamation; special encouragement for the development and ownership of family-sized farms, improvement of rural living conditions, and completion of the rural electrification program."

ENLIGHTENED SELF-INTEREST BASIC: "I believe there is no success in dealing in the field of foreign relations unless we all approach it from this standpoint: the enlightened self-interest of our own country."

DETERMINED TO FIGHT COMMUNISM: "No one could be more determined than I that any kind of communistic subversive or pinkish influence be uprooted from responsible places in our government. On the other hand, I believe that can be done with the use under competent leadership of the kind of facilities and agencies we have now and I believe it can be done without besmirching the reputations of any innocent men."

LABOR, MANAGEMENT CAN WORK AS UNIT: "Above all, we need more economic understanding and working arrangements that will bind labor and management in every productive enterprise into a far tighter voluntary cooperative unit than we now have. The purpose of this unity will be—without subordination of one group to the other—the increased productivity that alone can better the position of labor, of management, of all America."

OUR VETERANS STAND HIGH IN CITIZENSHIP: "The veteran is a better citizen because he has borne his part in defending all citizens, and because he did so in a crisis that demanded full play for the best of man's virtues . . . for the widow and the orphan of the fallen, and for the disabled, I never fear about the heart of America and its readiness, and its anxiety to take care of them."

(This information furnished by Republican State Central Committee;
Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

ADLAI E. STEVENSON
of Illinois

Democratic Party Candidate for President

JOHN J. SPARKMAN
of Alabama

Democratic Party Candidate for Vice-President



ADLAI STEVENSON



JOHN SPARKMAN

• **HIS RECORD IN GOVERNMENT—**

- Foreign Affairs Expert
- Able Administrator
- Scholar with a Purpose
- Careful with the Tax Dollar
- Fighter for Principle
- Liberal with Feet on the Ground
- Enemy of Corruption

A Democrat in the Jefferson-Wilson Tradition

• **HIS VOTES IN THE SENATE—**

- For Agriculture and R.E.A.
- For Housing
- For Labor
- For Price Control
- For U. S. Ownership of Tidelands Oil
- For Mutual Security
- Against Corruption
- Against Monopoly

Author of FEPC Plank in the Democratic Platform

(This information furnished by Democratic State Central Committee:
Howard Morgan, Chairman, Volney Martin, Secretary.)

HERE IS ADLAI STEVENSON—

• Foreign Policy—

"I would view with the utmost misgiving any indication that America was wobbling or indecisive. The continuity of our general postwar policy of resistance to Soviet pressure is the best and only hope of national security and peace."

• War or Peace—

"(We must always consider)—negotiation and adjustment—compromise but never appeasement—and I will never shrink from these if they advance the world toward secure peace. Though progress may be slow, it can be steady and sure. A wise man does not try to hurry history. Many wars have been avoided by patience and many have been precipitated by reckless haste."

• Civil Rights—

"I regard the right to earn one's living free from discrimination founded on race, color and religion as so fundamental a part of the heritage of all our citizens that the failure of the States to solve the problem clearly warrants a federal approach."

• Big Government—

"The check to concentration of federal power is the effective functioning of state and local government. I think it would be more profitable if we talked less on states' rights and more on states' wrongs—the failure to perform necessary functions adequately at the local level. We must dedicate ourselves to the re-invigoration of local government."

• Taft-Hartley Act—

"The only legitimate purpose of a federal labor-relations law is to make private collective bargaining work better. That purpose has not been served by the Taft-Hartley Act of 1947.

"I don't say that everything in the Taft-Hartley Act is wrong. I don't think it is a "slave-labor" law. But I do say that it was biased and politically inspired, and it has not improved labor relations in a single plant. We must have a new law, and my conclusion is that we can best remedy the defects of the present law by scrapping it and starting over".

• Farm Policy—

"I am running on the Democratic platform. I believe it is a good platform. I believe its agricultural plank is clear, definite, and sound. I can stand on it without squirming. Here is what it says: 'We will continue to protect the producers of basic agricultural commodities under the terms of a mandatory price support program at not less than 90 per cent of parity.'"

• Political Independence—

"I have learned that the greatest, perhaps the only, enduring satisfaction in public office is the confidence and respect, if not the total agreement of disinterested men and women who don't want anything for themselves."

THE PRESS BELIEVES—

- Life Magazine—August 4, '52.

"Here's a hearty welcome to a smart and gallant candidate. In picking Adlai Stevenson, the Democrats made the best possible choice open to them. Stevenson enjoys wondrously good national repute."

- Christian Science Monitor—

(July 26, 1952)

"The . . . Democratic Party . . . has one of the most outstanding political candidates in years who, if he is elected next November, may be a towering world figure."

- U.S. News & World Report—

(August 1, 1952)

"The whole atmosphere will change in Washington when a new Administration takes over. Under Governor Stevenson the men with the inside track will be routed out. It will be the first real turnover in 20 years."

- The Nashville Tennessean—

(July 27, 1952)

"From the standpoint of American voters, it is a healthy thing when the Democratic party gives its support to a candidate for President who has taken a strong stand against retreat from progress, who has never feared to scourge the moneychangers from the temple, and who has not quibbled on the issue of McCarthyism as so many public figures have done."

- Oregon Journal—Aug. 17, '52.

"Stevenson hasn't won all his fights for good legislation and good government in Illinois. But he has cleaned up corruption, swept the drones out of office, improved state institutions, highways, and schools and has kept the state on a sound fiscal basis. He has won approval of 78 per cent of his legislative program from a Republican legislature—a remarkable feat.

STEVENSON: "WE MUST LOOK FORWARD TO GREAT TOMORROWS"

THE DEMOCRATIC PARTY PLATFORM OF 1952

1. Foreign Policy

We reject the ridiculous notions of those who would have the United States face the aggressor alone. That would be the most expensive—and the most dangerous—method of seeking security. This Nation needs strong allies, around the world, making their maximum contribution to the common defense. They add their strength to ours in the defense of freedom.

2. Agriculture

We will continue to assist farmers in providing abundant and stable supplies of agricultural commodities for the consumers at reasonable prices, and in assuring the farmer the opportunity to earn a fair return commensurate with that enjoyed by other segments of the American economy.

3. Labor

We pledge to continue our efforts so that government programs designed to establish improved fair labor standards shall prove a means of assuring minimum wages, hours, and protection to workers consistent with present-day progress.

4. Civil Rights

We favor Federal legislation effectively to secure these rights to everyone: (1) the right to equal opportunity for employment; (2) the right to security of persons; (3) the right to full and equal participation in the Nation's political life, free from arbitrary restraints.

5. Development of the West

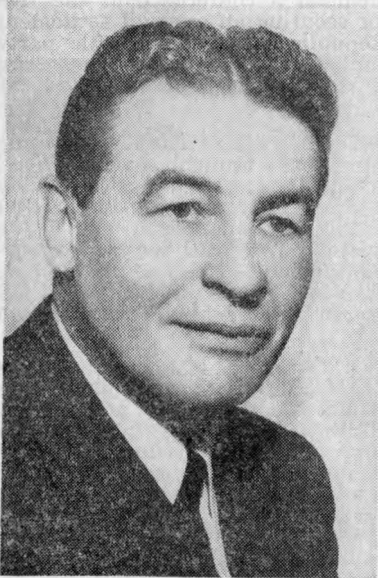
We favor sound, progressive development of the Nation's land and water resources for flood control, navigation, irrigation, power, drainage, soil conservation and creation of new, small family-sized farms, with immediate action in critical areas.

STEVENSON: "I ACCEPT YOUR NOMINATION AND YOUR PROGRAM."

VINCENT HALLINAN

of California

**Independent Candidate for
President**



CHARLOTTA BASS

of New York

**Independent Candidate for
Vice-President**



Vincent Hallinan and Charlotta Bass were nominated for President and Vice-President of the United States by the 1952 national convention of the Progressive Party. Their names will appear on the Oregon ballot as Independents.

VINCENT HALLINAN of San Francisco has been acknowledged as one of the outstanding attorneys of the West Coast. He has been a leading crusader for the reform of courts and the jury system. His zeal for truth and justice caused him to undertake the defense of Harry Bridges, militant leader of the International Longshoremen and Warehousemen's Union.

CHARLOTTA BASS of New York, for 40 years nationally famous publisher of the California Eagle, is the first Negro woman ever nominated for top office by any political party. She was Western Regional campaign director for the Republican Party, broke with that party in 1948 over its refusal to fight for peace and civil rights, and helped found the Progressive Party which she believes is the only political party devoted to the needs of working people and the Negro people.

THE AMERICAN PEOPLE WANT PEACE. Specifically, they want peace in Korea, where there are already over 120,000 American casualties. There is one touchstone by which every voter can test the sincerity of all candidates' claims that they will bring peace to the American people: Do these candidates have a program for ending the fighting in Korea?

Judged by this test only Vincent Hallinan and Charlotta Bass are real peace candidates. They call for an immediate cease fire on the already agreed

(This information furnished by Clyde Munger, Chairman, Marguerite Grob, Secretary, Executive Committee of Assembly of Electors held at Portland, Oregon, August 9, 1952.)

upon demarcation line in Korea and settlement after the fighting stops of all disputed questions by civilian representatives of all nations involved in the war. They call for an end to the world arms race which can only lead to more terrible wars. They call for a halt to the rearmament of Germany and Japan, for immediate negotiations for disarmament, including the outlawing of the A-bomb and the H-bomb. They demand a conference of the five great powers as the only peaceful means for securing an over-all settlement of differences. On the other hand, the Republican and Democratic party candidates, supported by the big business interests who are profiting from the war, offer as a program for peace the rearming of the world and the intensification of the war in Korea.

AMERICAN WORKERS WANT JOBS AND SECURITY. The war economy has brought profits to the few. To the many it has brought soaring prices, crushing taxes, frozen wages, increased unemployment and reduced living standards. Vincent Hallinan and Charlotta Bass call for an economy based on production for peace with millions of lasting new jobs; for an end to the wage freeze, the repeal of the Taft-Hartley Act. They call for tax exemptions for families of four whose income is below \$4,000 and individuals whose income is below \$2,000. They call for security for the aged, with not less than \$150 monthly; for the unemployed or disabled not less than \$40 weekly.

AMERICAN FARMERS WANT TO KEEP THEIR FARMS. The war is impoverishing the farmers, depriving them of the labor of their sons, taxing them beyond their means. Vincent Hallinan and Charlotta Bass call for 100 per cent parity prices for all farm commodities, a halt to the draft of farm youth, reduction of taxes on working farmers and the provision of federal development and conservation of soil, water, and power resources to provide power and protect against the ravages of flood and drought.

THE NEGRO PEOPLE WANT FIRST CLASS CITIZENSHIP. The official policy of government which denies full equality of rights to 16 million Negro Americans is responsible for the evils of segregation, discrimination, police brutality and lynching. Vincent Hallinan and Charlotta Bass support the following program to stamp out all discrimination against minority groups: A federal FEPC with teeth; federal anti-lynch and anti-poll tax laws; legislation to end all forms of segregation; the election of Negroes and representatives of other minorities to all levels of public office.

ALL AMERICANS WANT TO BE FREE AMERICANS. The war has created the hysteria behind which the constitutional liberties of the American people are being daily destroyed with impunity in order to silence opposition to war and the results of war.

Vincent Hallinan and Charlotta Bass maintain that the right freely to petition, to speak, to think, to write, to travel, to assemble peacefully, to vote for candidates of one's own choice—these are the bedrocks of American democracy. They call for the repeal of the McCarran and Smith Acts and all "loyalty oath" legislation which leads to blacklisting and screening. They call for a halt to construction of concentration camps (as in Tulelake, California). They call for an end to the persecution, deportation and imprisonment of native or foreign-born Americans because of their trade union or political activities or opinions. They demand the maintenance of the traditional American principle of separation of church and state; the protection of the freedom of public education.

FREE SPEECH, AND FREE AND EQUAL MEN LIVING IN A WORLD AT PEACE. This is what a vote for Hallinan and Bass means. It is the only way you can vote for peace, freedom at home, and peacetime prosperity.

(This information furnished by Clyde Munger, Chairman, Marguerite Grob, Secretary, Executive Committee of Assembly of Electors held at Portland, Oregon, August 9, 1952.)

ROBERT B. (BOB) JONES

**Democratic Party Candidate for Representative in Congress,
First Congressional District**



"OREGON NEEDS A REPRESENTATIVE WHO WILL FIGHT FOR HER RIGHTS IN CONGRESS."

Bob Jones, County Commissioner of Clackamas County, is a candidate for Congress to help regain the respect Oregon once commanded in the United States Congress.

Bob realizes Oregon's need for equitable and fair treatment in Congress and an active fight to bring back to this State her just share of the millions of dollars of tax moneys which flow into the Federal Treasury from Oregon.

He charges that the indifferent attitude of the present Oregon delegation in Congress has allowed Federal bureaucrats to place in jeopardy Oregon's greatest heritage, the Oregon and California Railroad Revested Land Grant. Bob's active fight this past year has helped to expose this attempted grab of the multi-billion dollar natural resources of Oregon. He claims the burden of the Oregon taxpayer can be lightened substantially through equitable distribution of tax moneys and the firm resolution of the

Oregon delegation to settle Oregon's problems in Congress before attempting to settle the problems of the entire world.

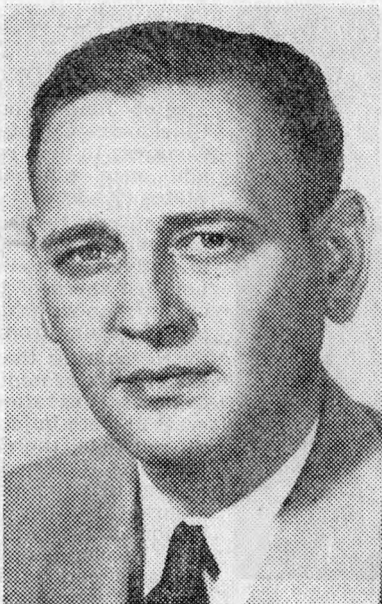
Robert B. "Bob" Jones, born in 1915, is a native Oregonian. He is well schooled in business administration, American economic history, and commercial law. Married 15 years, he has two sons. Bob and Mrs. Jones are active in civic programs and youth welfare movements. He conducted his own business for 9 years before being elected to the Clackamas County Court in 1950. He is experienced in government and in the problems of the people of this district.

During his term in office he has brought about many drastic changes in the administration of county government. He has made public, for the first time, the business of the Court and an accounting of all County-owned land, equipment, and supplies. He has effected great savings through low competitive bidding and incurred the wrath of the favored few who enjoyed county business at higher prices. He is bitterly opposed by the trusts and special-interest groups who have exploited his county and this state. He is fighting to keep alive Roosevelt's principles of American democracy and a harmonious and constructive relationship between management and labor.

(This information furnished by Democratic State Central Committee;
Howard Morgan, Chairman, Volney Martin, Secretary.)

WALTER NORBLAD

**Republican Party Candidate for Representative in Congress,
First Congressional District**



- RESIDENCE:** Resided in Oregon 42 years.
- EDUCATION:** University of Oregon (Bachelor of Science and Doctor of Jurisprudence); graduate work Harvard Law School; subsequently traveled in almost all parts of the world, gaining valuable knowledge on foreign affairs.
- POLITICAL:** Representative in Oregon Legislature, 1935-39; Delegate GOP National Convention, 1940; elected to Congress four consecutive times.
- MILITARY:** U. S. Army, 1942 to 1945; combat intelligence officer 8th Air Force; awarded air medal for voluntary combat flights including initial D-Day assault.
- IN CONGRESS:** Is serving as Western Republican Whip and is a member of the powerful Armed Services Committee and the Committee on Committees. Norblad's four term seniority and Committee positions, plus his background and training, qualify him to actively and effectively represent you in Congress.

Mr. Norblad in 1936 married Miss Elizabeth Bendstrup of Astoria and formerly of Yamhill County. They have one son, 13 years old.

(This information furnished by Republican State Central Committee;
Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

EDITH S. GREEN

Democratic Party Candidate for Secretary of State



EDITH S. GREEN will give Oregon a Secretary of State of unquestioned ability and integrity. She will bring to that office and to Oregon's Board of Control a wealth of experience and a recognized capacity for system and organization.

To You who want to be assured that this high state office is managed with honesty and competence . . . To You who want to be assured that sound judgment is exercised on the all-important Board of Control . . . Edith S. Green is the candidate you have been looking for.

ALL OVER THE NATION OUTSTANDING WOMEN HAVE BEEN ELECTED
AND RE-ELECTED SECRETARIES OF STATE.

(This information furnished by Democratic State Central Committee;
Howard Morgan, Chairman, Volney Martin, Secretary.)

HONEST—CAPABLE—EFFICIENT

EDITH S. GREEN was educated in Oregon and has had many years experience in positions of responsibility and trust.

- Attended Willamette University for two years.
- Received Degree from the University of Oregon.
- Graduate work at Stanford University.
- Taught in Salem schools 11 years.
- Staff Member—Station KPOJ.
- Manager—State-wide Basic School Fund Campaign.
- Multnomah County Program Director—American Cancer Society.
- Manager—Music for Portland campaign.
- State PTA Board—7 years.
- State PTA Legislative representative at 1951 Legislature.

EDITH S. GREEN's tireless and effective work to better Oregon education is well known throughout the state. The Oregon Voter, in its April 19, 1952, issue, states:

"EDITH S. GREEN, a singularly attractive and capable personality . . . at the 1951 legislature ably represented the PTA and educational interests generally in appearances before senate and house committees on education."

EDITH S. GREEN's energies and civic interest have been directed into many fields of public endeavor. She is a member of the Baptist Church, League of Women Voters, American Association of University Women, Federation of Music Clubs, American Federation of Radio Artists, Urban League, and Parent-Teachers Association; she has held offices in many organizations.

She is married to Arthur N. Green; they have two sons: Jimmie, 18, and Dickie, 10.

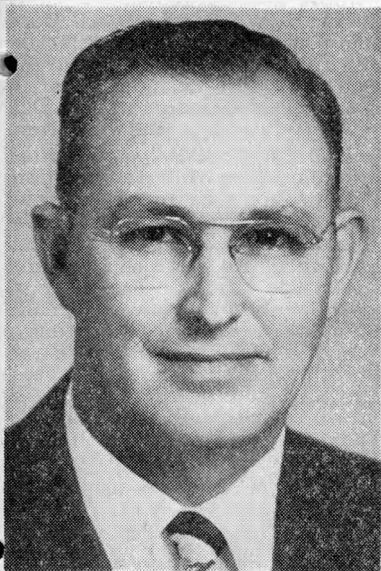
Civic-minded citizens interested in honest and capably-administered state government give their complete support to Edith S. Green for Secretary of State.

- SHERIFF TERRY SCHRUNK of Multnomah County states:
"I am familiar with the duties of the office of Secretary of State and the need for competence and integrity in that office. I am confident that EDITH S. GREEN has all the qualities to carry out these duties ably and with distinction."

J. W. Forrester, Jr., Pendleton, Editor of The East Oregonian, states:
"I am a registered Independent whose primary interest is in honest and good government. After carefully studying Edith S. Green's qualifications and looking at the record of the incumbent, I wholeheartedly endorse EDITH S. GREEN for the important office of Secretary of State."

WE TAKE PRIDE IN RECOMMENDING TO THE VOTERS OF OREGON
EDITH S. GREEN FOR SECRETARY OF STATE.

(This information furnished by Democratic State Central Committee;
Howard Morgan, Chairman, Volney Martin, Secretary.)

EARL T. NEWBRY**Republican Party Candidate for Secretary of State**

In Secretary of State Earl T. Newbry, the citizens of Oregon have a man of proven administrative ability in public office.

During the past five years, Earl T. Newbry has conducted the office of the Secretary of State with one thought uppermost in mind—more complete service to the public.

As a member of the House of Representatives and of the Senate, Earl T. Newbry was a champion of highway legislation. His interest in good highways has expanded as Secretary of State. In the administration of the motor vehicle laws of Oregon, he has brought about many changes—most important among these was the permanent-staggered license system. This change, as well as many others, has resulted in a lower administrative cost, permitting the transfer of greater sums of money to the Highway Department.

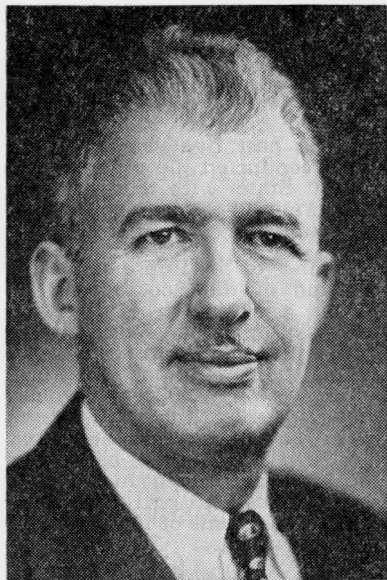
As a private citizen, Earl T. Newbry has always taken a leading role in the civic life of his community. He has been active in charitable campaigns and in youth programs. This interest has been carried into public life. As Secretary of State, he has recommended to the Legislature many proposals of benefit to the citizens of the State. He encouraged the inspection of school busses, the establishment of safety programs in the schools and strong curbs against driving while intoxicated.

The thrift and energy that brought him success in private business have been exhibited in public office by Earl T. Newbry. As custodian of the Capitol Buildings and Grounds, he has shown a keen interest in the preservation of these public properties. Full-time carpenters, painters and electricians now keep these buildings in first-class repair—thus preventing costly renovations.

As a successful businessman and a proven public administrator, Earl T. Newbry has rendered his greatest service to his State as a member of the Board of Control. His genuine interest in each of the institutions supported by the State for its less fortunate citizens has been demonstrated by his very frequent visits to each.

Earl T. Newbry has proven himself an able and conscientious public administrator. His sound thinking and determined integrity merit his reelection as Secretary of State.

(This information furnished by Republican State Central Committee; Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

FRANCIS LAMBERT**Democratic Party Candidate for State Treasurer**

FRANCIS LAMBERT is a native Oregonian, whose great-grandparents came across the plains to Oregon in 1844. Born in Portland in 1902 at N. E. 8th and Halsey, he attended local schools and the Northwestern College of Law. Married Carrie Baxter, an Oregon girl, in 1928 and they have two sons, Bill and Tom.

FRANCIS LAMBERT has qualified himself for the office of State Treasurer by his day to day activities in private, civic and political life. He has demonstrated his executive ability in business and public office. He was elected to and administered the office of Treasurer of Multnomah County for 11 years. He made an outstanding record for efficiency, courtesy and general satisfaction to the citizens of Multnomah County. He conducted the business of the county for the benefit of all the people rather than the political advantage, expediency and prestige of a few.

FRANCIS LAMBERT has proved his business ability through many experiences. As a boy he worked as a logger, truck driver and some other hard working jobs. He was two years in Alaska

working at miscellaneous jobs. Was employed by the Truscon Steel Company for 6 years. Later worked in the engineering departments of the Oregon State Highway Commission and Multnomah County Roadmaster. Elected Treasurer of Multnomah County in 1936. In 1948 he was elected Assistant Vice-President of the First National Bank in charge of public relations. Since 1950 he has been in the real estate and property management business for himself.

FRANCIS LAMBERT has given generously of his time, efforts and money to his community. He has evidenced his concern for and interest in his fellowman. He likes people and people like Francis Lambert. Francis Lambert's handshake carries a sincerity not expressed in a passing political friendship. He travels around the state out of political season, stops along the road to visit with family friends and strangers alike. Through the passing years he has contributed a great deal of time to activities which have for their purpose the relief of the distressed or the general welfare of his fellow citizens. These include:

Portland Philharmonic Society	Board member
Multnomah County Red Cross	Board member and drive leader
Infantile Paralysis Campaigns	Section leader
War Bond Drives	Various
Portland Active Club	Past president
Sons & Daughters of Oregon Pioneers	Past president
Oregon Historical Society	Past president and director
American Cancer Society	Multnomah County chairman

(This information furnished by Democratic State Central Committee; Howard Morgan, Chairman, Volney Martin, Secretary.)

American Cancer Society	National director
Portland Chamber of Commerce	Recreational and Natural Resources Committee
Oregon Mental Health Association	Member
Portland Art Association	Life member
Boys & Girls Aid Society	Life member
Also many religious, fraternal and political activities.	

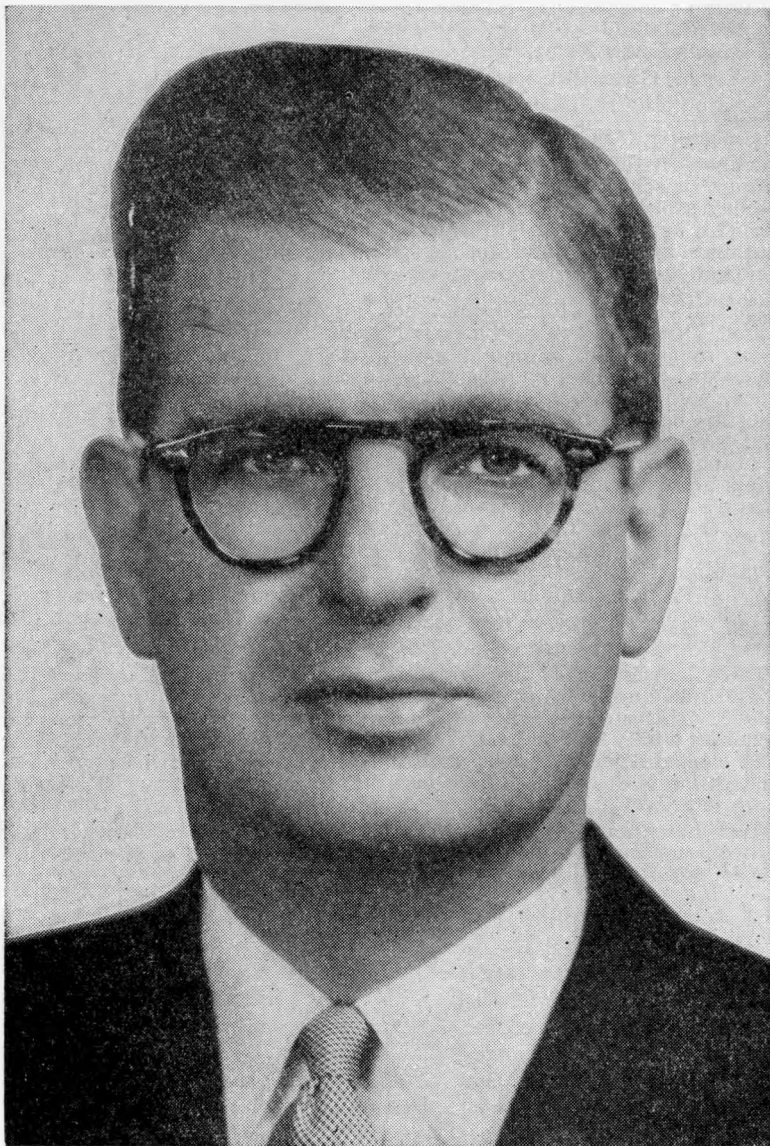
FRANCIS LAMBERT has given many days each year for a long time, to the Oregon Historical Society. He has traveled the State from boundary to boundary in search of historical material. He has accumulated much data and today proudly possesses an extensive library having to do with his native State. This experience is significant to his candidacy for State Treasurer, since his intimate and first hand knowledge of Oregon; its history, resources, land values and such, prepares him to efficiently administer the office.

FRANCIS LAMBERT'S experience as Multnomah County Treasurer, as Assistant Vice-President of the First National Bank and in the real estate and property management, gives him exceptional qualifications to sit as a member of the Board of Control and the Land Board, as well as to direct the purchase of bonds and the management of many millions of dollars in State funds. During his period of service with the First National Bank, Francis Lambert visited the 63 branches scattered throughout the State, where he discussed with branch management the matter of loans, property appraisals and general business and banking problems. In 1943, as County Treasurer, he asked the legislature for a bill which would provide that the county treasurer of Multnomah County could invest funds in government bonds, which previously were required to be deposited in demand accounts. This bill was, enthusiastically and unanimously passed by the Oregon legislature. As a result of this legislation and Francis Lambert's investing the Multnomah County funds accordingly, an additional \$30,000 to \$50,000 was made from investments for the county each year.

FRANCIS LAMBERT has a great desire to give service in whatever position he may find himself. He has good capacity for working with people, finding out their wishes and the needs of the majority of the people. He seeks counsel and chooses wisely that which he follows. We have confidence Francis Lambert will be elected State Treasurer and that he will discharge the responsibilities of that office with credit to his State, his friends, his supporters, his family and himself.

If you have not met Francis Lambert we invite you to visit with him for a few minutes and we feel sure you will be convinced of his general good qualities and his ability to make a good State Treasurer.

SIG UNANDER
Republican Party Candidate for State Treasurer



Sig Unander is understanding . . . has constructive ideas . . . friendly . . . and a member of a pioneer Oregon family . . . Unander has taken the time

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to study and become familiar with every part and problem of his native state . . . he has been highly successful in every job undertaken whether in the service of his country during World War II, business, politics or public service. He trained for public service . . . earning an A. B. degree in political science and a Master's degree in Stanford University's Graduate School of Business.

READ WHAT C. C. CHAPMAN, EDITOR OF THE OREGON VOTER SAYS ABOUT HIS TERM AS CHAIRMAN OF THE REPUBLICAN STATE CENTRAL COMMITTEE: "Chairman Sig Unander has made a record surpassing that of any state body in the entire United States. By its work it helped procure the re-election of a solid republican delegation to Congress and a solid republican state ticket. It also aided substantially in the election of republicans to the state legislature."

PROVED EXECUTIVE SKILL: You can trust Oregon's business with experienced and sound judgment: Sig Unander served with distinction as executive assistant to Governor Charles A. Sprague where he became familiar with the functions of the State Board of Control and State Treasurer, and matters pertaining to agriculture, forestry, land-use and public institutions.

READ WHAT CHARLES A. SPRAGUE, FORMER GOVERNOR OF OREGON SAYS: "I want to endorse the candidacy of Sigfrid B. Unander for the office of State Treasurer. I know his qualifications and his interest in state government. As my administrative assistant during my term as Governor he came into intimate knowledge of the operations of the various state offices, including the Board of Control. A man of substantial property interests himself, he is ambitious to serve his native State in the field of government. His successful management of his own business affairs shows he would handle conservatively the finances of the State of Oregon. Unander is a man of high character with firm convictions as to responsibility in public service. His election as State Treasurer would insure competent and faithful discharge of the duties of this important office."

EXPERIENCE IN PUBLIC SERVICE: Unander has an outstanding record in public service; 39 months overseas in World War II (four foreign decorations, U. S. Bronze Star with Clusters, and six battle stars); precinct committeeman, State Treasurer and State Chairman, Republican Central Committee; numerous appointments on all boards and committees; member American Legion, V. F. W., Eagles, Military Order of World Wars, and is a Mason.

HERE'S WHAT MRS. LEE PATTERSON SAYS: "Sig Unander's election as State Treasurer will be an important milestone in Oregon's history. His inherent qualifications, education and experience fortunately offer you the best choice. I have known him from childhood, and his highest character, moral responsibility, sincerity of purpose and staunch adherence to the best in superior government give the State an unprecedented opportunity. I speak from experience. Since my father-in-law and husband devoted sincere efforts for years to the betterment of Oregon, I know what is required of a state office-holder. Fortunately, we have in Sig Unander, a man who is able to offer the best in these services without compromising ideals or beliefs. His endorsements by labor, financial, management and service organizations reveal the wide respect and general esteem with which he is held. His outstanding World War II service to his country reflects the service he will give Oregon. I sincerely urge you to vote Sig Unander your State Treasurer."

EXPERIENCE IN MONEY MATTERS: Independent financially and gifted with great mental alertness, which is proved by the successful management of his own properties, Unander's basic loyalty is the State of Oregon. He has no "special interests—no axe to grind."

Mr. Unander is married, and has one son, Sigfrid Benson Unander, Jr. His high personal character, business experience and knowledge of Oregon government combine to merit your vote.

(This information furnished by Republican State Central Committee; Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

JOHN B. McCOURT
Republican Party Candidate for Attorney General



John B. McCourt, District Attorney of Multnomah County and Republican nominee for Attorney General, is a native of Oregon. He attended the Portland Public Schools, Reed College, University of Oregon and Willamette University Law School.

His father, a distinguished member of the bar, served as United States Attorney in the Oregon District and later was a Justice of the Supreme Court of Oregon.

After military service in World War I, Mr. McCourt was admitted to the bar. He served 4 years as Deputy District Attorney for Multnomah County and in the Oregon State Legislature for 5 terms.

During World War II he was a public member and later chairman of the War Labor Board for Oregon, Washington and Idaho.

Mr. McCourt is married and resides, with his wife and two children, at 3877 S. W. Beaverton Avenue, Portland.

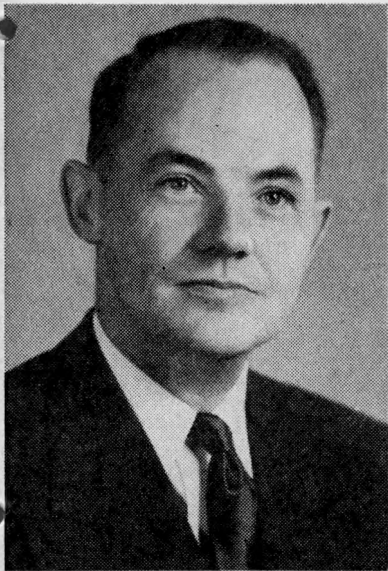
Supporters of Mr. McCourt have emphasized his record in keeping the Portland metropolitan area free from the racketeers and other organized vice so common in cities of comparable size.

Mr. McCourt was appointed District Attorney for Multnomah County by the late Governor Earl Snell in September, 1946. In November of that year he was elected to the office for a 4 year term and in 1950 was re-elected for another 4 year term.

(This information furnished by Republican State Central Committee;
Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

ROBERT Y. THORNTON

Democratic Party Candidate for Attorney General



A comparative newcomer in State politics, Robert Y. Thornton, legislator and World War II veteran, is admirably qualified for Attorney General, a post vital to the law and order of Oregon. He is keenly aware of the threat of organized vice, racketeers and gamblers in the U. S. and will use the full power of the Attorney General's office to keep them out of Oregon.

Bob Thornton stands well in his home county among the people who know him best. When a candidate for representative in 1950, he defeated the Republican incumbent better than 2 to 1.

BACKGROUND AND EDUCATION: He was born in Portland in 1910, where his father, O. C. Thornton, was clerk to Judge Robert Tucker, and his mother, Nellie H. Thornton, taught piano for over 40 years. Bob Thornton worked his own way entirely through Stanford, University of Oregon and George Washington law schools. He understands the value of a dollar—learned it as a self-supporting student who nevertheless

found time to contribute scholarly articles to the Oregon Law Review and who won appointment as law clerk to a Judge of the U. S. Court of Appeals.

HIS LEGAL EXPERIENCE is long and varied, beginning with the Legislative Reference Service of Congress, where he worked daily for Congressmen and Senators. As co-author of a standard reference work, "Constitution of the U. S.", he has a real knowledge of and respect for our constitution. He was Asst. Solicitor of the U. S. Dept. of Interior when he resigned in 1938 to return to Oregon and enter private practice at Medford with the late U. S. Senator, A. Evan Reames, and was later associated with Attorney Geo. P. Winslow in Tillamook.

Bob Thornton conducts a successful law practice and has enjoyed a wide experience in every type of legal work. Respected by the lawyers of the state and active in the Oregon State Bar Association, he has served as chairman of the Legal Education Committee. He has been city attorney for Tillamook, Nehalem and Garibaldi, and county attorney for the State Dept. of Veterans Affairs and State Land Board. He is a member of the firm of Thornton & Johnson.

MILITARY SERVICE: Called to active duty in 1941, six months before Pearl Harbor, he served with the 30th Field Artillery and as an Intelligence officer, being released from service in 1946 as a lieutenant colonel.

(This information furnished by Democratic State Central Committee:
Howard Morgan, Chairman, Volney Martin, Secretary.)

ADMINISTRATIVE EXPERIENCE: As the chief intelligence officer at the Army's largest Alaska garrison, he directed internal security activities for five to ten thousand men. He later was assigned to plan, organize from scratch and command an advanced Army Intelligence School. His handling of a one-man mission in connection with the Okinawa operation won Thornton an Army commendation which read in part:

"By your exhaustive research, initiative and exceptional ability, you have . . . established procedures which will be of inestimable value in the furtherance of the mission of this Division."

With this demonstrated ability and driving energy, Bob Thornton will run an efficient office as Attorney General of Oregon.

LEGISLATIVE WORK: Valuable knowledge of Oregon law was gained at the past Legislature, where as the lone democrat on both the powerful Judiciary and Military Affairs committees, he was known for his honesty, his keen analysis of legislation, and his ability to work well with members of both parties. Among the comments on his work were the following:

"Down in Salem we regard Bob Thornton as one of the best freshmen legislators who has ever been sent to the state assembly. He did a marvelous job, has a fine personality and absolutely honest. No political skull-duggery involved in any of his political activities down there."—Tom Lawson McCall, former Executive Asst. to Gov. McKay and present KGW Commentator.

"[Thornton was] one of the outstanding freshmen legislators of the 1951 session."—The Oregonian.

As Attorney General, Thornton would help restore to Oregon citizens the benefits of the two-party system.

CIVIC WORK: Thornton is a past president of the Tillamook Junior Chamber of Commerce and Kiwanis Club. He has served as a director of the Y. M. C. A., the Veterans Housing Authority, the Chamber of Commerce; commander of Post No. 47, American Legion, and county chairman of Red Cross and Crusade for Freedom fund drives. He is a member of the Boys and Girls Aid Society, the Mental Health Assn., the Oregon Prison Assn., the V. F. W., Elks and I. O. O. F.

BOB THORNTON IS THE KIND OF MAN WE NEED FOR ATTORNEY GENERAL—a family man, home owner, taxpayer—who understands our legal problems, such as the need for simple, clear ballot titles, because he has faced them himself. Married in 1937 to Dorothy Haberlach of Tillamook, they have one small son. An active member of the Episcopal Church, he is especially interested in young people and is a frequent speaker before school and church groups.

BOB THORNTON'S EXPERIENCE as an active trial lawyer, legislator, city attorney and civic worker makes him an outstanding choice for Attorney General. The Oregonian has called him "able and vigorous."

In addition to the highest professional qualifications, Bob has the warm human understanding that makes a man a good public servant. Everybody who knows him knows that he will serve our state with honor and distinction.

Bob Thornton will make ballot titles say what they mean.

BOB THORNTON WILL ENFORCE THE LAW.

(This information furnished by Democratic State Central Committee; Howard Morgan, Chairman, Volney Martin, Secretary.)

CORNELIUS BATESON

**Democratic Party Candidate for Representative in the Legislative Assembly,
Twelfth District, Marion County**



Cornelius Bateson has a background of experience which makes him aware of the interdependence of all parts of the economy of the state, and he pledges himself not to be subservient to any special group or interest. A legislator must seek to give fair representation to all the various segments and interests of his county and state: Bateson is equipped by background and experience to measure up to this high concept of a legislator's function. He will give active and forceful representation to the people of Marion County.

Raised and educated in Oregon and Washington, Cornelius Bateson is a graduate of Willamette University. He has been occupied in general, dairy and specialty farming sixteen years; as a field executive for the United States Civil Service Commission, five years; and as a high school teacher and employe of the Bonneville Power Administration, six years.

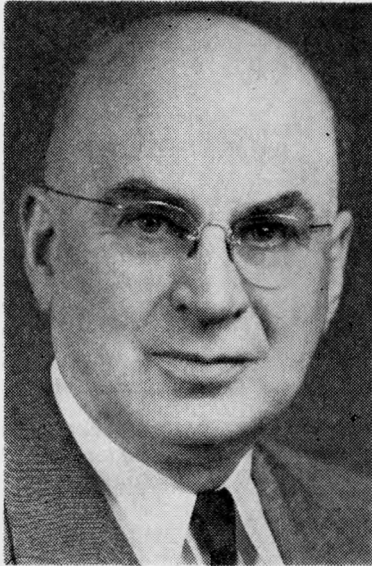
Bateson now owns and operates an irrigated farm in the Pratum district, raising vegetables and berries. He is a director of Blue Lake Packers, one of Salem's largest industries.

He is an active worker and officer in the Grange and Farmers' Union, in the First Congregational Church of Salem, and in other civic organizations and enterprises.

Cornelius and Mildred Bateson are the parents of three sons: Cornelius Charles, Lt., U. S. Marine Corps; Gilbert, Midshipman, U. S. Navy and student at Oregon State College; and William, student at Parrish Junior High. Salem.

W. W. CHADWICK

**Republican Party Candidate for Representative in the Legislative Assembly,
Twelfth District, Marion County**



Born in South Dakota and moved to Oregon with my parents 52 years ago. I own 75 acres of nuts and fruits and have always maintained an active interest in farming and the problems of farmers.

I entered the hotel business at Salem, Oregon in 1923 and today operate the Chadwick Hotel System with headquarters at the Senator Hotel, Salem, Oregon. Elected Mayor of Salem in 1939 and re-elected to that office in 1941. Served as State Representative from Marion County in the 1943, 1945, 1947 and 1949 sessions of the Legislature. During my terms of office in the Legislature I have served on some very important committees including Taxation, Ways and Means, Labor and Industries, Local Government and was chairman of the Rules committee during the 1949 legislative session. Have served as chairman of the House committee on Interstate Co-operation, which committee meets with Representatives from eleven western states where we have been able to exchange ideas beneficial to the state of Oregon.

In submitting my candidacy for Representative in the state legislature I am actuated purely by the motive to serve in the interest of good government for our state and country.

I believe my past record for business administration in public office as Mayor of Salem, as a Representative in the state legislature and my years of experience as a successful businessman in Marion County qualify me for this office.

W. W. CHADWICK

(This information furnished by Republican State Central Committee;
Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

ROBERT L. ELFSTROM

**Republican Party Candidate for Representative in the Legislative Assembly,
Twelfth District, Marion County**



The record of Robert L. Elfstrom is a record of difficult jobs well done.

Elected Mayor of Salem in 1946, he led the successful fight to reorganize city government under a city manager; modernized and streamlined the police and fire departments; initiated the long-range program for city traffic control.

Recognition of his record brought election as President of the League of Oregon Cities and state-wide leadership for modernization of city tax systems.

He isn't afraid of tough jobs. He accepted the chairmanship of the Oregon Liquor Control Commission when it was under fire. His unquestioned integrity and his recognized executive ability won immediate public confidence. His program since has strengthened administration of the Knox Law.

If you want the right kind of a job in trimming the state budget to avoid new and heavier taxes (that once levied are seldom repealed), Bob Elfstrom is your man.

Salem millage taxes were 10 per cent less at the end of his four years as Mayor than when he took office.

He learned sound business economy the hard way—in building his own firm from a business of \$6,000 a year to an annual gross of more than \$1,500,000. He recently sold his successful furniture store in Salem but is continuing the roofing, painting, floor covering and acoustic tile contracting business that bears his name and in which he won his initial business success.

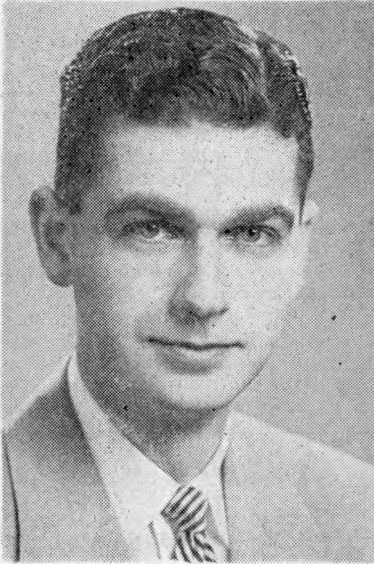
You can't expect tax miracles from Elfstrom, but you can expect intelligent, sound and persistent economy in the spending of your tax dollar with a keen and trained business insight for what is essential and what is not. And with it you can be sure that Bob Elfstrom . . . on his record . . . will insist that integrity of public administration in Oregon be above question.

Last February Bob Elfstrom was named "First Citizen" of Salem in recognition for distinguished public service that has included Mayor of Salem; Director of Y.M.C.A. and Salem Community Chest; President, Rotary Club; Trustee of Willamette University and Westminster Foundation; President Cascade Area Boy Scouts; elder and member Board of Trustees, Presbyterian Church; Campaign Chairman, 1952 Marion County March of Dimes. He is a Mason, Shriner, Elk.

(This information furnished by Republican State Central Committee;
Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

MARK O. HATFIELD

**Republican Party Candidate for Representative in the Legislative Assembly,
Twelfth District, Marion County**



Mark Hatfield demonstrated in the 1951 session an ability, political integrity and political courage that won both the respect and confidence of his colleagues.

His effectiveness in representing Marion County has been increased by an earned reputation for straight thinking and straight talking . . . "he says what he thinks and does what he says he will do". Sponsors of questionable legislation learned the sting of his quiet searching question, the ability to get to the meat of proposed legislation and his effectiveness in floor debate.

With his broad background in political science (he is professor of political science at Willamette University) he made valuable contributions to the work of the committees on Education (he was vice-chairman). Elections and of particular importance to Marion County—the Committee on State and Federal Affairs.

"As a first-termer he made an excellent showing", says the politically alert Oregon Voter. "He was especially

active in reapportionment and educational matters . . . a fine personality . . . exceptionally able in floor debate . . . clear in exposition".

Few sessions in Oregon's political history will be as important to the average citizen as the coming 1953 session. It must deal with a large deficit; decide whether the answer is to be curtailed state services or new taxes; face the problem of inadequate state institutions and the need for facilities to care for intermediate criminal offenders and psychopathic cases; must balance the needs of a growing state against the prior claim of national defense on the tax resources of the individual. For these problems the record of Mark Hatfield assures clear thinking, a concern for the effect on the individual of new or heavier taxes and a demonstrated courage to resist pressures and pressure groups.

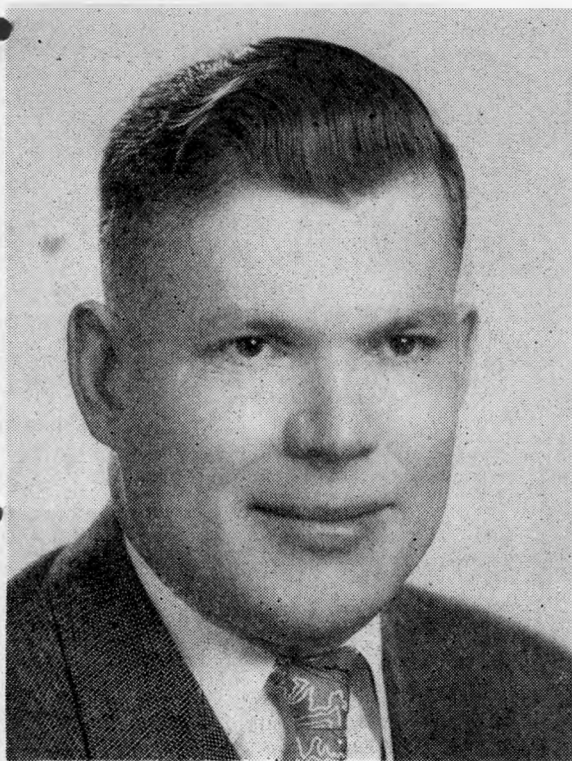
Mark Hatfield balances a sincere faith in the future of Oregon and of the nation against a realistic and practical understanding of what is essential and what is not essential to sound progress. His record has justified the earlier confidence that he was marked for eventual leadership of legislation to make Oregon the best state in which to live. In this election he is the only War Veteran seeking the Republican nomination for representative from Marion County.

Ballot slogan: A record of demonstrated ability, political courage, and personal integrity merits re-election.

(This information furnished by Republican State Central Committee;
Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

LEE V. OHMART

**Republican Party Candidate for Representative in the Legislative Assembly,
Twelfth District, Marion County**



Lee Ohmart, candidate for re-election as Representative to the Legislature, was born in Marion County in 1914, and educated in our public schools.

He served in the U. S. Army from 1932 to 1934.

He is married, and his son and daughter are now attending Salem schools.

His experience includes 2 years in Marion County Tax Department, 4 years as Clerk of the Circuit Court, 2 years as County Clerk Pro-tem, followed by two years with Union Title Company. Subsequent to 1944, he has been an active Realtor, as Senior partner in the firm of Ohmart & Calaba, Realtors.

He is a member of Salem Elks Lodge No. 336, Lions Club, Chamber of Commerce, and various professional organizations. He is past president of the Salem Board of Realtors.

Lee Ohmart served as one of your Representatives to the 1951 Legislative Assembly, where he was particularly active as a member of the Taxation Committee. He was appointed as one of the five Legislative members of the Interim Tax and Fiscal Revision Committee, currently engaged in consideration of the financial problems of the State.

His record of service in State and County affairs, together with his practical business experience, fully qualify him for election as State Representative from Marion County.

(This information furnished by Republican State Central Committee;
Robert A. Elliott, Chairman, Wm. A. Thelin, Secretary.)

A. M. VISTICA

**Democratic Party Candidate for Representative in the Legislative Assembly,
Twelfth District, Marion County**



He believes that all of our laws should be based on civilized principles and justice. He believes that waste should be eliminated and home rule be brought back into effect by dividing Marion County into four zones; each zone electing its own representatives. He believes that people 65 or over should be exempt from taxation and their homes should be tax free. Since no one can live on \$600 a year, he believes that income tax exemptions should be increased to \$1,000 for single persons and \$2,000 for married couples.

He is married and has five sons, two were in World War II, one is in Korea now, two are producing food. He was educated in public schools, with the real education acquired in the world by experience. He was a successful farmer for 26 years and now is a star route mail carrier and a resident of Oregon for 39 years. He has been a taxpayer in Marion County for 33 years. He is honest, courageous, serious, conscientious and will represent all of you in such a way that you will never regret your vote for him on November 4. And your vote will be appreciated.

VOTE FOR A. M. VISTICA

(This information furnished by Democratic State Central Committee;
Howard Morgan, Chairman, Volney Martin, Secretary.)

INDEX

	Page
Aged Mentally Ill, Domiciliary State Hospital	13
Explanation	14
Affirmative Argument	15, 16
Alcoholic Liquor, Sale by Glass	65
Explanation	66
Affirmative Argument	67
Attorney General—	
McCourt, John B., Republican Candidate	102
Thornton, Robert Y., Democratic Candidate	103, 104
Ballot Titles and Numbers, Measures	3-8
Bass, Charlotta, Independent Candidate for Vice-President.....	91, 92
Bateson, Cornelius, Democratic Candidate for Representative in Legislature, 12th District	105
Candidates' Pamphlet	83-110
Chadwick, W. W., Republican Candidate for Representative in Legis- lature 12th District	106
Cigarette Tax	50-55
Explanation	55
Negative Argument	56
Congressman First District—	
Jones, Robert B. (Bob), Democratic Candidate	93
Norblad, Walter, Republican Candidate	94
Constitutional Amendments Proposed—	
Alcoholic Liquor, Sale by Glass	65-67
Legislative Acts, Titles	28-30
Legislative Assembly Emergency Committee	23-25
Legislative Reapportionment	79-82
Legislature, Terms of Members	26, 27
Lotteries, Pari-mutuel Betting, etc., Prohibition	58-64
Motor Vehicle Taxes, Regulation	68-71
Superintendent of Public Instruction, Appointment	9, 10
Tax Limitation, Six Percent	17-20
World War (II) Veterans' Loan Fund	21, 22
World War (I) Veterans' State Aid Sinking Fund Repeal	11, 12
Democratic Candidates Statements—	
Bateson, Cornelius, Representative in Legislature, 12th District.....	105
Green, Edith S., Secretary of State	95, 96
Jones, Robert B. (Bob), Congressman, First District.....	93
Lambert, Francis, State Treasurer	98, 99
Sparkman, John J., Vice-President of United States	87-90
Stevenson, Adlai E., President of United States	87-90
Thornton, Robert Y., Attorney General	103, 104
Vistica, A. M., Representative in Legislature, 12th District.....	110
Eisenhower, Dwight D., Republican Candidate for President.....	84-86
Elfstrom, Robert L., Republican Candidate for Representative in Legis- lature, 12th District	107

INDEX—Continued

	Page
Green, Edith S., Democratic Candidate for Secretary of State	95, 96
Hallinan, Vincent, Independent Candidate for President.....	91, 92
Hatfield, Mark O., Republican Candidate for Representative in Legis- lature, 12th District	109
Independent Candidates' Statements—	
Bass, Charlotta A., Vice-President of United States	91, 92
Hallinan, Vincent, President of United States	91, 92
Initiative Measures —	
Alcoholic Liquor, Sale by Glass	65-67
Legislative Reapportionment	79-82
Lotteries, Pari-mutuel Betting, etc., Prohibition	58-64
Milk Production and Marketing	72-78
Motor Vehicle Taxes, Regulation	68-71
Standard Time	57
Jones, Robert B. (Bob), Democratic Candidate for Representative in Congress	93
Lambert, Francis, Democratic Candidate for State Treasurer	98, 99
Laws Proposed—(See also Constitutional Amendments)	
Aged Mentally Ill, Domiciliary State Hospital	13-16
Cigarette Tax	50-56
Milk Production and Marketing	72-78
Motor Carrier Taxes, Increasing	34-40
School District Reorganization	41-49
Standard Time	57
Tax, Six Mill Limitation	31-33
Legislative Acts, Titles	28
Explanation	29
Affirmative Argument	30
Legislative Assembly Emergency Committee	23
Explanation	24
Affirmative Argument	25
Legislative Reapportionment	79-81
Explanation	81
Affirmative Argument	82
Legislature, Proposed Measures Referred by—	
Aged Mentally Ill, Domiciliary State Hospital	13-16
Legislative Acts, Titles	28-30
Legislative Assembly, Emergency Committee	23-25
Legislature, Terms of Members	25, 27
Superintendent of Public Instruction, Appointment	9, 10
Tax Limitation, Six Percent	17-20
Tax, State, Six Mill Limitation	31-33
World War (II) Veterans' Loan Fund	21, 22
World War (I) Veterans' State Aid Sinking Fund Repeal.....	11, 12
Legislature, Terms of Members	26
Explanation	27
Affirmative Argument	27

INDEX—Continued

	Page
Lotteries, Pari-mutuel Betting, etc., Prohibition	58
Explanation	58
Affirmative Argument	59
Negative Arguments	60-64
McCourt, John B., Republican Candidate for Attorney General.....	102
Measures Referred to Voters—	
Aged Mentally Ill, Domiciliary State Hospital	13-16
Alcoholic Liquor, Sale by Glass	65-67
Cigarette Tax	50-56
Legislative Acts, Titles	28-30
Legislative Assembly Emergency Committee	23-25
Legislative Reapportionment	79-82
Legislature, Terms of Members	26, 27
Lotteries, Pari-mutuel Betting, etc., Prohibition	58-64
Milk Production and Marketing	72-78
Motor Carrier Taxes, Increasing	34-40
Motor Vehicle Taxes, Regulation	68-71
School District Reorganization	41-49
Standard Time	57
Superintendent of Public Instruction, Appointment.....	9, 10
Tax Limitation, Six Percent	17-20
Tax. State, Six Mill Limitation	31-33
World War (II) Veterans' Loan Fund	21, 22
World War (I) Veterans' State Aid Sinking Fund Repeal.....	11, 12
Milk Production and Marketing	72-76
Explanation	77
Affirmative Argument	78
Motor Carrier Taxes, Increasing	34-36
Explanation	37
Affirmative Arguments	38, 39
Negative Argument	40
Motor Vehicle Taxes, Regulation	68
Explanation	69
Affirmative Argument	70
Negative Argument	71
Newbry, Earl T., Republican Candidate for Secretary of State.....	97
Nixon, Richard M., Republican Candidate for Vice-President.....	84-86
Norblad, Walter, Republican Candidate for Representative in Congress	94
Numbers and Ballot Titles, Measures	3-8
Ohmart, Lee V., Republican Candidate for Representative in Legis- lature, 12th District	109
President of the United States—	
Eisenhower, Dwight D., Republican Candidate	84-86
Hallinan, Vincent, Independent Candidate	91, 92
Stevenson, Adlai E., Democratic Candidate	87-90
Referendum Measures—	
Cigarette Tax	50-56
Motor Carrier Taxes, Increasing	34-40
School District Reorganization	41-49

INDEX—Continued

	Page
Representative in Congress, First District—	
Jones, Robert B. (Bob), Democratic Candidate	93
Norblad, Walter, Republican Candidate	94
Representative in Legislature, 12th District—	
Bateson, Cornelius, Democratic Candidate	105
Chadwick, W. W., Republican Candidate	106
Elfstrom, Robert L., Republican Candidate	107
Hatfield, Mark O., Republican Candidate	108
Ohmart, Lee V., Republican Candidate	109
Vistica, A. M., Democratic Candidate	110
Republican Candidates, Statements—	
Chadwick, W. W., Representative in Legislature, 12th District.....	106
Eisenhower, Dwight D., President of the United States	84-86
Elfstrom, Robert L., Representative in Legislature, 12th District.....	107
Hatfield, Mark O., Representative in Legislature, 12th District.....	108
McCourt, John B., Attorney General	102
Newbry, Earl T., Secretary of State	97
Nixon, Richard M., Vice-President of United States	84-86
Norblad, Walter, Congressman, First District	94
Ohmart, Lee V., Representative in Legislature, 12th District.....	109
Unander, Sig, State Treasurer	100, 101
School District Reorganization	41-46
Explanation	46
Affirmative Argument	47
Negative Arguments	48, 49
Secretary of State—	
Green, Edith S., Democratic Candidate	95, 96
Newbry, Earl T., Republican Candidate	97
Sparkman, John J., Democratic Candidate for Vice-President	87-90
Standard Time	57
Explanation	57
State Treasurer—	
Lambert, Francis, Democratic Candidate	98, 99
Unander, Sig, Republican Candidate	100, 101
Stevenson, Adlai E., Democratic Candidate for President	87-90
Superintendent of Public Instruction, Appointment	9
Explanation	9
Affirmative Argument	10
Tax Limitation, Six Percent	17, 18
Explanation	18
Affirmative Arguments	19, 20
Tax, State, Six Mill Limitation	31
Explanation	31
Affirmative Argument	32
Negative Argument	33

INDEX—Continued

	Page
Thornton, Robert Y., Democratic Candidate for Attorney General	103, 104
Unander, Sig, Republican Candidate for State Treasurer	100, 101
Vice-President of the United States—	
Bass, Charlotta A., Independent Candidate	91, 92
Nixon, Richard M., Republican Candidate	84-86
Sparkman, John J., Democratic Candidate	87-90
Vistica, A. M., Democratic Candidate for Representative in Legislature, 12th District	110
World War (II) Veterans' Loan Fund	21
Explanation	22
Affirmative Argument	22
World War (I) Veterans' State Aid Sinking Fund Repeal	11
Explanation	11
Affirmative Argument	12

