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MAY 1 6 1966

STATE OF OREGON

Voters' Pamphlet

RECEIVED
MAY 16 1966
SECRETARY OF STATE

**Constitutional Amendment, Measure
and
Nonpartisan, Judiciary Offices
Primary Nominating Election
May 24, 1966**



Compiled and Distributed by
TOM McCALL
Secretary of State

INFORMATION FOR VOTERS

- (1) Requirements for a citizen to qualify as a voter:

Citizen of the United States.

Twenty-one or more years of age. Resided in the state at least six months.

Able to read and write English.

Registered as an elector with the County Clerk or official registrar at least 30 days before election.

- (2) Voting by absentee ballot.

You may apply for an absentee ballot if:

You are a registered voter. ("Service voters" are automatically registered by following the service voting procedure.)

You have reason to believe you will be absent from your county on election day.

You live more than 15 miles from your polling place.

You are unable by reason of physical disability to go to the polls.

You are a "service voter". You are a "service voter" if you are:

In the Armed Forces or Merchant Marine of the United States.

A civilian employee of the United States, serving outside the country.

A member of a religious group or welfare agency assisting members of the Armed Forces.

A spouse and dependents of a "service voter" who have been Oregon residents and are temporarily living outside the county in which the last home residence in this state of the "service voter" is located.

How a voter may obtain and use an absentee ballot.

You may apply for an absentee ballot if:

You will be temporarily absent from your county on election day.

You live more than 15 miles from your polling place.

You are physically unable to go to the polls.

Application for the ballot may be filed with, or mailed to the County Clerk at any time within 60 days before the primary election, March 25—May 23 (Service voters, after January 1 of election year). Application includes:

Your signature.

Address or precinct number.

Statement of reason for application.

Applications filed less than five days before election, May 19-23, require additional statement that:

Voter is physically unable to get to the polls, or

Voter was unexpectedly called out of the county in the five-day period.

Emergencies on Election Day:

Physical disability must be certified by licensed practitioner of healing arts or authorized Christian Science practitioner. Involuntary public services such as fire-fighting to be certified by person in charge.

Ballot, when voted by elector, must be returned to County Clerk not later than 8 p.m. on election day.

- (3) A voter may obtain from his County Clerk a certificate of registration if he:

Changes residence within his precinct, county or to another county within 60 days prior to the ensuing election and has not reregistered. (Certificate is presented to his election board.)

Is absent from his county on election day. (Certificate may be presented to the election board in any county in the state. Elector may vote only for state and district offices.)

- (4) A voter is required to reregister if he:

Changes address by moving within his precinct or moving to another precinct or county.

Changes party registration.

Changes name.

(See back of book for list of candidates)

At the Primary Election of 1966 the electors of Salem in Marion County will cast their votes on the equipment illustrated below. This page is inserted into the Voters' Pamphlet as an aid to those of you who will be using this equipment for the first time.

HOW TO VOTE ON THE VOTOMATIC VOTE RECORDER

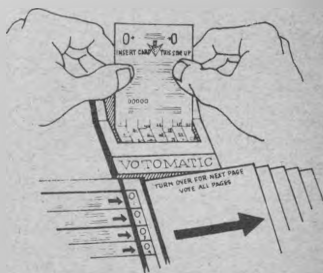
SPECIAL NOTE

IF YOU MAKE A MISTAKE, RETURN YOUR CARD AND GET ANOTHER

STEP

1

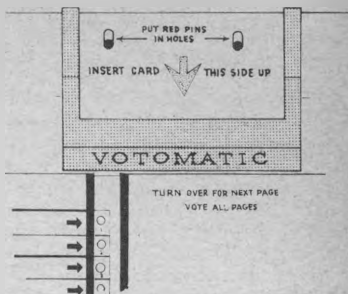
INSERT THE BALLOT CARD ALL THE WAY INTO THE VOTOMATIC.



STEP

2

BE SURE THE TWO SLOTS IN THE STUB OF YOUR CARD FIT DOWN OVER THE TWO RED PINS.

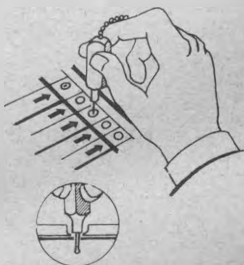


STEP

3

TAKE THE PUNCH ATTACHED TO THE VOTOMATIC AND PUNCH THROUGH THE BALLOT CARD FOR CANDIDATES OF YOUR CHOICE. HOLD PUNCH VERTICAL (STRAIGHT UP). DO NOT USE PEN OR PENCIL.

THE BLACK SPOT IN THE VOTING CIRCLE SHOWS YOU HAVE RECORDED YOUR VOTE.



STEP

4

AFTER VOTING, WITHDRAW THE BALLOT CARD AND PLACE IT INSIDE THE ENVELOPE, WITH THE STUB SHOWING.

THERE IS A PLACE FOR WRITE-IN VOTES ON THE BALLOT ENVELOPE.

Measure No. 1**Cigarette Tax Bill**

Proposed by the Fifty-third Legislative Assembly by Chapter 525, Oregon Laws 1965, (House Bill No. 1207) filed in the office of the Secretary of State May 26, 1965 and referred to the people as provided by section 1, Article IV of the Constitution.

Explanation**By Committee Designated Pursuant to ORS 254.210**

Measure No. 1 would levy a tax of 4 cents on each package of 20 cigarettes sold in the State of Oregon.

Based upon estimates of the Oregon State Tax Commission, the total amount of tax paid by cigarette purchasers in Oregon would be approximately \$10,430,000 annually.

Of this total, \$430,000 would be retained by cigarette distributors as reimbursement for expenses in affixing stamps to packages. Gross revenue to the state, therefore, would be approximately \$10,000,000 annually. State administrative costs are estimated to be \$155,000 per year, leaving a net revenue of \$9,845,000 per year.

The consumer who smokes a pack each day would pay \$14.60 per year in taxes.

The funds collected would provide direct property tax relief to all property taxpayers and would be an additional source of revenue for cities and counties in the state. The new revenue for cities and counties would mean a lesser dependence on the property tax by these local governments. One-half of the net amount collected annually, or approximately \$4,925,000 would go directly for property tax relief administered by the state. Based upon 1965-1966 property tax figures, this total amount would reduce property tax levies by approximately 1.5 mills. This would reduce the tax on a \$16,000 home by \$6 each year.

Distribution of the other \$4,925,000 each year would be divided equally between the cities and counties and allocated on a population basis. Each city would receive approximately \$2.20 per capita, while counties would receive approximately \$1.25 per capita.

The State Tax Commission would administer the tax program. Procedures for levying and collecting the tax and distributing the funds collected are set forth in the Act.

The Act provides that the consumer ultimately shall pay the tax. The amount of the tax would be paid by the consumer at the time the cigarettes are purchased. Packs of cigarettes sold in Oregon would be required to have tax stamps or meter impressions affixed to them, indicating the tax had been paid. The state would sell the stamps or meter impressions to cigarette distributors, who would be required to affix them to packs of cigarettes sold in Oregon. Distributors would be given an allowance to reimburse them for their services in affixing stamps or meter impressions to cigarette packages.

DONALD L. JONES, Eugene
ROBERT E. MOULTON, Eugene
LYLE SWETLAND, Eugene

Measure No. 1

Cigarette Tax Act

Argument in Favor

**Submitted by Legislative Committee provided by Subsection (3)
of ORS 255.421**

The proposed Cigarette Tax Act will provide property tax relief.

If approved, it is estimated that the cigarette tax at four cents per package of 20 cigarettes will produce \$10 million of new revenue per year. One-half of the net proceeds of the tax will be used to offset real and personal property taxes at the local level. The other one-half will be distributed to cities and counties since they, particularly, need new revenue.

Although the state itself has not levied any property taxes since 1941, the legislature recognizes that property taxes are the chief source of revenue for counties, cities, school districts, fire districts, etc., and that the costs of local government have been increasing yearly. It is also recognized that new sources of revenue must be provided to protect the property taxpayer.

In 1965, tax relief measures were enacted by the legislature, using state revenues to reimburse local governments for property taxes lost through senior citizens' property tax relief and for reduction of personal property taxes on inventories. A property tax relief account was established to provide money for local government from the state's General Fund. Seeking to give further aid, the legislature cast about for new sources of revenue, and it submits the cigarette tax as the one most acceptable for use in further offsetting property taxes.

Cigarette taxes, first imposed by states in 1921, have provided a remarkably stable source of revenue. Forty-eight states and the District of Columbia now utilize this tax, at rates ranging from two and one-half cents to 11 cents per package of 20 cigarettes. Washington's rate is 11 cents; California's 3 cents is increased by the general sales tax. Only North Carolina and Oregon do not tax cigarettes directly.

This tax will be imposed on many citizens not directly subject to property or income taxes. It will obtain some revenue from tourists. It will give some return to health and fire protection agencies which suffer expenses due to cigarette smoking. It is submitted that the measure is in the public interest and should be approved by the voters.

**SENATOR RAPHAEL R. "RUFF" RAYMOND
REPRESENTATIVE EDWARD BRANCHFIELD
REPRESENTATIVE NORMAN R. HOWARD**

Measure No. 1**AN ACT**

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

Section 1. This Act may be cited as the "Cigarette Tax Act."

Section 2. Except where the context otherwise requires, the definitions given in this Act govern its construction.

Section 2a. As used in sections 1 to 95 of this Act, the words "this Act" refer to sections 1 to 95 of this Act only.

Section 3. "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco and 1,000 such rolls weigh over three pounds.

Section 4. "Commission" and "tax commission" means the State Tax Commission.

Section 5. "Dealer" includes every person, other than a manufacturer or a person holding a distributor's license, who engages in this state in the sale of cigarettes.

Section 6. "Distribution" includes:

- (1) The sale in this state of untaxed cigarettes.
- (2) The use or consumption in this state of untaxed cigarettes.
- (3) The receipt or retention in this state of untaxed cigarettes at a place of business where cigarettes are customarily sold or offered for sale to consumers.
- (4) The placing of cigarettes in vending machines in this state.
- (5) The use or consumption by the first person in possession in this state of untaxed cigarettes transported to the state in quantities of more than 200 in a single shipment.
- (6) Donations of sample cigarettes or gift cartons by the manufacturers thereof, except sample packages containing not more than five cigarettes and labeled as "sample," "not for sale" or with similar wording.

Section 7. "Distributor" includes:

- (1) Every person who after the operative date of this Act, and within the meaning of the term "distribution" as defined in this Act, distributes cigarettes.
- (2) Every person who sells or accepts orders for cigarettes which are to be transported from a point outside this state to a consumer within this state.
- (3) Notwithstanding the provisions of section 5 of this Act, any dealer who serves as his own distributor or who buys directly from a manufacturer for resale in this state shall be deemed to be both a distributor and a dealer under this Act.

Section 8. "Distributor engaged in business in this state" includes any of the following:

- (1) Any distributor maintaining, occupying or using, permanently or temporarily, directly or indirectly, or through a subsidiary or agent, by

whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place or any other place of business.

(2) A distributor having a representative, agent, salesman, canvasser or solicitor operating in this state under the authority of the distributor or its subsidiary for the purpose of selling, delivering, or the taking of orders for cigarettes.

Section 9. "In this state" means within the exterior limits of the State of Oregon and includes all territory within these limits owned by or ceded to the United States of America.

Section 10. "Manufacturer" means any person who makes, manufactures or fabricates cigarettes for sale to distributors.

Section 11. "Operative date" means July 1, 1966.

Section 12. "Package" means the individual package, box or other container in which retail sales or gifts of cigarettes are normally made or intended to be made.

Section 13. "Person" includes any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, trustee, syndicate, this state, any county, municipality, district or other political subdivision of the state, or any other group or combination acting as a unit.

Section 14. "Sale" includes any transfer of title or possession for a consideration, exchange or barter, in any manner or by any means whatsoever, but does not include the sale of cigarettes by a manufacturer to a distributor.

Section 15. "Transporter" means any person importing or transporting into this state, or transporting in this state, cigarettes obtained from a source located outside this state, or from any person not licensed as a distributor under this Act. It does not include a licensed distributor, a common carrier to whom is issued a certificate or permit by the United States Interstate Commerce Commission to carry commodities in interstate commerce, or to a carrier of federal tax-free cigarettes in bond, or any person transporting no more than 200 cigarettes at any one time.

Section 16. "Untaxed cigarette" means any cigarette which has not yet been distributed in such manner as to result in a tax liability under this Act.

Section 17. "Use or consumption" includes the exercise of any right or power over cigarettes incident to the ownership thereof, other than the sale of the cigarettes or the keeping or retention thereof for the purpose of sale.

Section 18. Every distributor shall pay a tax upon his distributions of cigarettes at the rate of two mills for the distribution of each cigarette in this state, after 8 a.m., Pacific Standard Time, of the operative date of this Act.

Section 19. The taxes imposed by this Act shall not apply to distributions of cigarettes by the manufacturer to a licensed distributor.

Section 20. The taxes imposed by this Act shall not apply to the sale of cigarettes by a distributor to a common carrier engaged in interstate or foreign passenger service or to a person authorized to sell cigarettes on the facilities of such carrier. Whenever cigarettes are sold by distributors to common carriers engaged in interstate or foreign passenger service for use or sale on facilities of the carriers, or to persons authorized to sell cigarettes on those facilities, the tax imposed by this section shall not be

levied with respect to sales of the cigarettes by the distributors, but a tax is hereby levied upon the carriers or upon the persons authorized to sell cigarettes on the facilities of the carriers, as the case may be, for the privilege of making such sales in Oregon at the rate of two mills for each cigarette sold. Such common carriers and authorized persons shall pay the tax imposed by this section and file reports with the commission as provided in section 77 of this Act.

Section 21. The taxes imposed by this Act shall not apply to the sale of cigarettes to United States Army, Air Force, Navy, Marine Corps, or Coast Guard exchanges and commissaries and Navy or Coast Guard ships' stores, the United States Veterans Administration, ships' stores maintained under federal bond, or to any person which by virtue of the constitution or statutes of the United States cannot be made the subject of taxation by this state.

Section 22. The taxes imposed by this Act shall not apply to cigarettes stored in a bonded warehouse and which are nontax paid under the provisions of chapter 52 of the Internal Revenue Act of 1954, as amended.

Section 23. The taxes imposed by this Act shall not apply to donations of cigarettes as samples in packets of five or less cigarettes.

Section 24. The taxes imposed by this Act shall not apply to the sale or gift of federally tax-free cigarettes when the cigarettes are delivered directly from the manufacturer under Internal Revenue bond to a veterans' home or a hospital or domiciliary facility of the United States Veterans Administration for gratuitous issue to veterans receiving hospitalization or domiciliary care. The tax shall not be imposed with respect to the use or consumption of such cigarettes by the institution or by the veteran patients or domiciliaries.

Section 25. The taxes imposed by this Act shall not apply to the use or consumption of untaxed cigarettes transported to this state in a single lot or shipment of not more than 200 cigarettes, or of not more than 200 untaxed cigarettes obtained at one time from any of the instrumentalities listed in section 21 of this Act. The taxes resulting from a distribution of cigarettes within the meaning of subsection (2) of section 6 of this Act shall be paid by the user or consumer.

Section 26. Every distributor at the time of making a sale of cigarettes to a distributor or dealer, shall furnish to the purchaser an invoice or other written memorandum of sale stating the names and addresses of the seller and purchaser, the date of delivery of the cigarettes, the quantity and brands of the cigarettes and the tax imposed under this Act. The seller shall retain a duplicate of each such invoice or memorandum.

Section 27. Every distributor engaged in business in this state and selling or accepting orders for cigarettes with respect to the sale of which the tax imposed by section 18 of this Act is inapplicable shall, at the time of making the sale or accepting the order or, if the purchaser is not then obligated to pay the tax with respect to his distribution of the cigarettes, at the time the purchaser becomes so obligated, collect the tax from the purchaser, if the purchaser is other than a licensed distributor, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the commission.

Section 28. Unless the contrary is established, it shall be presumed that all cigarettes acquired by a distributor are untaxed cigarettes, and that all cigarettes manufactured in this state or transported to this state, and no longer in the possession of the distributor, have been distributed.

Section 29. Any claim for exemption from tax under this Act shall be made to the commission in such manner as it shall prescribe.

Section 30. (1) The taxes imposed by this Act are in lieu of all other state, county or municipal taxes on the sale or use of cigarettes.

(2) Any cigarette with respect to which a tax has once been imposed under this Act shall not be subject upon a subsequent distribution to the taxes imposed by this Act.

Section 31. All taxes paid pursuant to the provisions of this Act shall be presumed to be direct taxes on the retail consumer precollected for the purpose of convenience and facility only. When the tax is paid by any other person, such payment shall be considered as an advance payment and shall be added to the price of the cigarette and recovered from the ultimate consumer or user. Except for a person selling cigarettes through a vending machine or machines, any person selling cigarettes at retail shall state or separately display in the retail premises a notice of the amount of the tax included in the selling price and charged or payable pursuant to this Act. The provisions of this section shall in no way affect the method of collection of such tax as provided by this Act.

Section 32. Manufacturers may enter into agreements with the commission for the prepayment of the tax on nonexempt cigarettes given away for advertising and any other purpose.

Section 33. (1) For the privilege of holding or storing cigarettes for sale, use, or consumption, a floor stocks tax is hereby imposed upon every dealer at the rate of two mills for each cigarette in his possession or under his control for sale in this state at 8 a.m., Pacific Standard Time, on the operative date of this Act.

(2) The tax imposed by this section is due and payable on or before 20 days from the operative date of this Act. Notwithstanding any other provisions of this Act, any amount of tax imposed by this section which is not paid within the time required shall bear interest at the rate of one-half of one percent per month, or fraction thereof, from a date which is 20 days after the operative date of this Act, until paid.

(3) Every dealer, on or before 20 days from the operative date of this Act, shall file a report with the commission in such form as the commission may prescribe. Dealer reports shall state the number of cigarettes in the possession of or under the control of the dealer in this state at 8 a.m., Pacific Standard Time, on the operative date of this Act, and the amount of tax due thereon. Each report shall be accompanied by a remittance payable to the commission for the amount of tax due.

(4) The provisions of this section shall not apply to cigarettes owned and in the possession or control of a licensed distributor or to cigarettes stored in a bonded warehouse and which are nontax paid under the provisions of chapter 52 of the Internal Revenue Act of 1954, as amended.

Section 34. Every person desiring to engage in the sale of cigarettes as a distributor, except a person who desires merely to sell or accept orders for cigarettes which are to be transported from a point outside this state to a consumer within this state, shall file with the commission an application, in such form as the commission may prescribe, for a distributor's license. A distributor shall apply for and obtain a license for each place of business at which he engages in the business of distributing cigarettes. No fee shall be charged for such license. For the purposes of this section, a vending machine in and of itself, shall not be deemed a place of business.

Section 35. The commission, to insure compliance with this Act, shall require a licensee or an applicant for a license as distributor to deposit

with it such security as the commission may determine. The amount of the security shall be fixed by the commission but shall not be greater than two times the estimated average monthly liability shown in the monthly reports, determined in such manner as the commission deems proper. The amount of the security may be increased or decreased by the commission subject to the limitations herein provided. Except as provided in section 37 of this Act, the security shall be in the form of a bond or bonds executed by the distributor as principal and by a corporation, authorized to engage in business as a surety company in Oregon under ORS chapter 747, as surety, payable to the State of Oregon through its State Tax Commission, conditioned upon the payment of all taxes, penalties and other obligations of the distributor arising under this Act.

Section 36. Every bond shall contain a provision substantially to the effect that when the surety exercises its right to withdraw as surety, the withdrawal shall be effective on the first day of the calendar month after receipt of the notice by the commission if the notice is received on or before the 15th day of the month, otherwise the withdrawal shall be effective on the first day of the second calendar month after receipt of the notice by the commission.

Section 37. In lieu of a bond or bonds a distributor, under such conditions as the commission may prescribe, may deposit with the State Treasurer an amount of lawful money equivalent to the amount of the bond or bonds otherwise required, or he may deposit readily saleable bonds or other obligations of the United States, the State of Oregon, or any county of this state of an actual market value of not less than the amount of the bond or bonds otherwise required by this Act. The State Treasurer shall immediately notify the commission as to the time of receipt and the amount of money or value of bonds received by him.

Section 38. Upon receipt of a certificate of the commission setting forth the amount of a distributor's delinquencies, the State Treasurer shall pay to the commission the amount so certified from the money deposited with him by the distributor or from the amounts received from the sale of bonds or other obligations deposited with the State Treasurer by the distributor. Securities deposited with the State Treasurer which have a prevailing market price may be sold by him for the purposes of this section at private sale at a price not lower than the prevailing market price thereof.

Section 39. Upon receipt of a completed application and such bonds or other security as may be required by the commission under this Act, the commission shall issue to the applicant a license as a distributor. A separate license shall be issued for each place of business of the distributor within the state. A license is valid only for engaging in business as a distributor at the place designated thereon, and it shall at all times be conspicuously displayed at the place for which issued. The license is not transferable and is valid until canceled, suspended or revoked.

Section 40. The license of any distributor shall be automatically suspended upon the cancellation of his bond, or if the bond becomes void or unenforceable for any reason, or if the distributor fails to pay any taxes or penalties due under this Act. The license shall be automatically reinstated if the distributor files a valid bond, or pays his delinquent taxes, as the case may be. Upon the petition of any distributor whose license has been suspended under this section, a hearing shall be afforded him before the commission, pursuant to section 81 of this Act, after five days' notice of the time and place of hearing.

Section 41. Whenever any distributor fails to comply with any provision of this Act or any rule or regulation of the commission prescribed and

adopted under this Act, the commission upon hearing, after giving the distributor at least 20 days' notice in writing specifying the time and place of hearing and requiring him to show cause why his license should not be revoked, may revoke the license held by him. The notice may be served personally upon the distributor by an agent or employe of the commission or by certified mail; if by mail, it shall be addressed to the person at his last address as it appears in the records of the commission. The commission shall not issue a new license to a distributor whose license has been revoked unless it is satisfied that he will comply with the provisions of this Act and the rules and regulations of the commission.

Section 42. Except for the use or consumption of cigarettes by other than a licensed distributor, and as may be authorized under the provisions of section 46 of this Act, the tax imposed by this Act with respect to distributions of cigarettes shall be paid by distributors through the use of stamps or meter impressions. The commission shall furnish stamps for sale and provide for the sale of meter register settings for metering machines approved by the commission.

Section 43. Stamps and meter impressions shall be of such designs, specifications and denominations as may be prescribed by the commission. The commission shall prescribe by regulation the method and manner in which stamps or meter impressions are to be affixed to packages of cigarettes and may provide for the cancellation of stamps or meter impressions.

Section 44. An appropriate stamp shall be affixed to, or an appropriate meter impression shall be made on each package of cigarettes prior to the distribution of the cigarettes.

Section 45. (1) A metering machine may be used and a meter may be stored, transferred, transported, repaired, opened, set or used only in accordance with rules and regulations prescribed by the commission. Meters, meter register settings, or unaffixed stamps shall not be sold, exchanged or in any manner transferred by a distributor to another person without prior written approval of the commission.

(2) With the approval of the Department of Finance and Administration, the commission may enter into contracts with financial institutions, conveniently located with reference to distributors, constituting such financial institutions the commission's agents for the sale of stamps and setting of meters, and matters appertaining thereto.

Section 46. The commission by regulation may provide that the tax imposed by this Act with respect to cigarettes shall be paid without the use of stamps or meter impressions. The authority of the commission under this section and all regulations promulgated by the commission under this section shall terminate 90 days after the operative date of this Act.

Section 47. (1) Stamps and meter register settings shall be sold to a licensed distributor at their denominated values less a sum allowed as compensation to a distributor for his services in affixing stamps or meter impressions to packages as required by this Act. Payment for stamps or meter register settings shall be made at the time of purchase, provided that a licensed distributor, subject to the conditions and provisions of this Act, may be permitted to defer payments therefor.

(2) The compensation to distributors shall be at the rate of \$.00167 per package of 20 cigarettes for each package to which the distributor affixes an Oregon stamp or meter impression.

(3) The commission shall make a study to determine the reasonable costs of distributors in affixing stamps and meter impressions required by this Act, setting up classes of distributors by volume of cigarettes distributed

if this appears useful, and shall make a written report of its findings and recommendations to the Fifty-fifth Legislative Assembly.

Section 48. A licensed distributor may apply to the commission to fix the maximum amount of deferred-payment purchases of stamps and meter register settings which the distributor may make in any calendar month. Upon receipt of the application and the security deposit required pursuant to section 35 of this Act, the commission shall fix such amount. The commission at any time may designate the sales locations where the distributor may make deferred-payment purchases of stamps and meter register settings and fix the amount of such purchases which the distributor may make within each monthly period at the designated sales locations.

Section 49. Amounts owing for stamps and meter register settings purchased on the deferred-payment basis for a calendar month shall be due and payable on or before the 20th day of the next calendar month. Payments shall be made by a remittance payable to the commission.

Section 50. A distributor shall authorize in writing those persons who may order purchases of stamps or meter register settings for the account of the distributor at a location where stamps or meter register settings are sold. The authorization shall continue in effect until written notice of revocation of the authority is delivered at the sales location in such manner as may be prescribed by the commission.

Section 51. The commission may suspend without prior notice a distributor's privilege to purchase stamps or meter register settings on the deferred-payment basis or may reduce the amount of permissible monthly purchases fixed for the distributor, if the distributor fails to pay promptly for stamps or meter register settings when payment is due, if the bond or bonds of the distributor are canceled, become void, impaired, or unenforceable for any reason, or if in the opinion of the commission, collection of any amounts unpaid or due from the distributor under this Act are jeopardized.

Section 52. Any distributor who fails to pay any amount owing to the purchase of stamps or meter register settings within the time required, shall pay a penalty of 10 percent of the amount due in addition to the amount plus interest at the rate of one-half of one percent per month, or fraction thereof, from the date on which the amount became due and payable until the date of payment.

Section 53. The commission for good cause may extend for not to exceed five days the time for paying any amount owing for stamps or meter register settings purchased on the deferred-payment basis provided a request for the extension is filed with the commission within or prior to the period for which the extension may be granted.

Section 54. Every manufacturer selling and shipping cigarettes into this state to other than a distributor licensed by this state shall deliver with each sale or consignment of cigarettes a written statement containing the name or trade name of both the seller and the purchaser, the date of delivery, the quantity of cigarettes, and the trade name or brand thereof, and within 10 days shall deliver a duplicate of each such statement to the tax commission. Each cancellation or modification of the written statement and any other information necessary to the reconciliation of accounts shall be filed with the commission by the manufacturer at the earliest possible date.

Section 55. Every distributor and dealer or other person engaging in the sale of cigarettes through the use of one or more vending machines must register such vending machines with the commission and must affix

in a conspicuous place on each machine, on a decalcomania form supplied or approved by the commission, a statement substantially as follows (the blanks being properly filled): "This vending machine is operated by (name of operator, telephone number and place of business of operator). Vending Machine Registration No. _____, registered with the State Tax Commission on _____."
(date)

Section 56. Every distributor and dealer or other person engaging in the sale of cigarettes through the use of one or more vending machines shall keep a detailed record of each vending machine operated for the sale of cigarettes, showing the location of the machine and the date of placing the machine on location.

Section 57. Every distributor and every person dealing in, transporting or storing cigarettes in this state shall keep on the premises such records, receipts, invoices, and other pertinent papers with respect thereto in such form as the commission may require, and each such paper shall be preserved for four years from the time to which it relates. During the four-year period and at any time prior to destruction of records, the commission may give written notice to a distributor not to destroy records described in the notice without written permission from the commission. Notwithstanding other provisions of law, reports and returns filed with the commission shall be preserved by it for four years and thereafter until the commission orders them destroyed.

Section 58. (1) Any transporter desiring to possess or acquire cigarettes for transportation or transport upon the highways, roads or streets of this state shall obtain a permit from the commission authorizing such transporter to possess or acquire for transportation or transport the cigarettes, and he shall have the permit in the transporting vehicle during the period of transportation of the cigarettes. The application for the permit shall be in such form and shall contain such information as may be prescribed by the commission. The commission may issue a permit for a single load or shipment or for a number of loads or shipments to be transported under specified conditions.

(2) Each transporter who shall transport or possess or acquire for the purpose of transporting cigarettes upon the highways, roads or streets of this state is required to have within the transporting vehicle invoices or bills of lading covering the shipment of cigarettes being transported which shall show the name and address of the consignor or seller, the name and address of the consignee or purchaser and the quantity and brands of cigarettes transported.

Section 59. The commission or its authorized representative, upon oral or written demand, may make such examinations of the books, papers, records and equipment of persons dealing in, transporting, or storing cigarettes and such other investigations as it may deem necessary in carrying out the provisions of this Act. In addition to any other reports required under the Act, the commission may, by rule or otherwise, require additional, other, or supplemental reports from distributors, dealers, transporters, common and private carriers, warehousemen, bailees and other persons and prescribe the form, including verification, of the information to be given and the times for filing of such additional, other or supplemental reports.

Section 60. (1) The commission shall have authority, by order or subpoena to be served with the same force and effect and in the same manner that a subpoena is served in a civil action in the circuit court, or the Oregon Tax Court, to require the production at any time and place it may designate of any books, papers, accounts or other information necessary to the carrying out of this Act, and may require the attendance of any person having

knowledge in the premises, and may take testimony and require proof material for the information, with power to administer oaths to such person.

(2) If any person fails to comply with any subpoena or order of the commission or produce or permit the examination or inspection of any books, papers, records and equipment pertinent to any investigation or inquiry under this Act, or to testify to any matter regarding which he may be lawfully interrogated, the commission may apply to the Oregon Tax Court or to the circuit court of the county in which the person resides or where he may be found for an order to the person to attend and testify, or otherwise to comply with the demand or request of the commission. The application to the court shall be by ex parte motion upon which the court shall make an order requiring the person against whom it is directed to comply with the request on demand of the commission within 10 days after the service of the order, or such further time as the court may grant, or to justify the failure within that time. The order shall be served upon the person to whom it is directed in the manner required by this state for service of process, which service shall be required to confer jurisdiction upon the court. Failure to obey any order issued by the court under this section is contempt of court. The remedy provided by this section shall be in addition to other remedies, civil or criminal, existing under the tax laws or other laws of this state.

Section 61. Whenever the tax commission has good reason to believe that any cigarettes are being kept, sold, offered for sale or given away in violation of the provisions of this Act or regulations issued under its authority, it may make affidavit of such fact, describing the place or thing to be searched, before any judge of any court in this state, and such judge shall issue a search warrant directed to the sheriff, any constable, police officer, or duly authorized agent of the tax commission, commanding him to enter and diligently search any building, room in a building, place or vehicle as may be designated in the affidavit and search warrant, and to seize such cigarettes together with any vending machine or receptacle containing them and any vehicle carrying them, and to arrest the person in possession or control thereof. If, upon the return of such warrant, it shall appear that tax payable upon the cigarettes seized has not been paid, the cigarettes, containers and vehicle, if any, shall be forfeited to the state and sold pursuant to section 62 of this Act.

Section 62. (1) Whenever the commission discovers any cigarettes subject to tax under this Act and with respect to which the tax has not been paid, 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 and any vehicle in which they are being transported. Such seized cigarettes, vending machine or receptacle, and vehicle, not including money contained in such vending machine or receptacle, shall be forfeited to the state. The commission may, within a reasonable time thereafter, by public notice at least 20 days before the date of sale, sell such forfeited cigarettes, vending machines or receptacles, and vehicle, at public sale.

(2) Notwithstanding the provisions of subsection (1) of this section, the person from whom cigarettes were seized may redeem the cigarettes and any vending machine or receptacle and vehicle seized therewith, within 20 days from the date of seizure, by the payment of the tax due together with a penalty of 100 percent thereof and the costs incurred in such proceeding, which total payment shall not be less than \$100; however, such seizure, sale or redemption shall not relieve any such person from fine or imprisonment as provided for violation of any provision of this Act.

(3) Notwithstanding the provisions of subsection (1) of this section, the owner of such seized cigarettes, vending machine, receptacle or vehicle

shall have the right of redemption provided in subsection (2) of this section for a period of 60 days from the date of such seizure if he claims such right prior to the redemption provided for in subsection (2) of this section.

Section 63. To promote administrative efficiency, the commission may transmit information obtained under this Act to the proper officers of governmental units outside Oregon which tax tobacco products and which reciprocate in the exchange of relevant information.

Section 64. The commission may pay rewards to persons, other than officers or employes of the commission, furnishing information that leads to the recovery of tax from other persons guilty of violating the provisions of this Act. Such rewards shall not exceed 10 percent of the net amount of tax, penalty and interest recovered by suit or otherwise and shall be paid only in cases where such evasions of tax would not be disclosed by the audit of reports or from other information available to the commission.

Section 65. If a distributor fails to make payment for stamps or meter register settings when payment is due, the commission may compute and determine from any available records and information the amount required to be paid, including interest and penalties. One or more determinations may be made of the amount due for one or for more than one purchase. In making a determination the commission may offset overpayments with respect to purchases of stamps or meter register settings against underpayments for purchases and interest and penalties on the underpayments. The commission shall give the distributor written notice of its determination in the manner provided by subsection (6) of section 79 of this Act. Except in the case of fraud, every notice of a determination made under this Act shall be given within three years of the due date for payment of the purchase of stamps or a meter register setting.

Section 66. If the amount specified in the determination made under this Act is not paid within 10 days after service of the notice upon the distributor, the determination becomes final unless a petition for redetermination is filed with the commission within the 10-day period. The determination is due and payable when it becomes final and the amounts determined, exclusive of interest and penalties, shall bear interest at the rate prescribed by section 52 of this Act.

Section 67. The distributor against whom a determination is made under section 65 of this Act may petition for the redetermination thereof pursuant to section 81 of this Act. He shall, however, file the petition for redetermination within the time prescribed by section 66 of this Act and shall at the time of filing the petition deposit with the commission such security as it may deem necessary to insure compliance with this Act. The security may be sold in the same manner as prescribed by subsection (3) of section 80 of this Act.

Section 68. The commission shall, pursuant to regulations prescribed by it, refund or credit to a distributor the denominated values, less the discount given on their purchase of any unused or damaged stamps or meter register settings.

Section 69. The commission shall, pursuant to regulations prescribed by it, refund or credit to a distributor the denominated values, less the discount given on their purchase, of stamps or meter impressions affixed to packages of cigarettes which have prior to distribution become unfit for use, unsaleable or have been destroyed, or which after distribution have become unfit for use or unsaleable and have been returned for credit or have been replaced, and the commission has proof of the cigarettes not being used for smoking in the State of Oregon.

Section 70. No refund or credit for amounts overpaid for the purchase of stamps or meter register settings shall be allowed or approved after three years from the due date for payment of the purchase for which the overpayment was made, or with respect to a determination made pursuant to this Act, after six months from the date the determination becomes final, or after six months from the date of overpayment, whichever period expires the later, unless a claim therefor is filed with the commission within such period.

Section 71. Interest shall be computed, allowed and paid upon any overpayment for the purchase of stamps or meter register settings at the rate of one-half of one percent per month from the due date for payment of the purchase for which the overpayment was made, until paid, but no refund or credit shall be made of any interest imposed upon the claimant with respect to the amount being refunded or credited.

Section 72. When the tax imposed under this Act is not paid through the use of stamps or meter impressions, the tax shall be due and payable monthly on or before the 20th day of the month following the calendar month in which a distribution of cigarettes occurs, or in the case of a sale of cigarettes on the facilities of a common carrier for which the tax is imposed pursuant to section 20 of this Act, the tax shall be due and payable monthly on or before the 20th day of the month following the calendar month in which a sale of cigarettes on the facilities of the carrier occurs.

Section 73. On or before the 20th day of each month, every distributor shall file on forms prescribed by the commission a report respecting his distributions of cigarettes and purchases of stamps or meter impressions during the preceding month and such other information as the commission may require to carry out the purposes of this Act; however, when any distributor regularly maintains and closes his books and records pursuant to a method utilizing periods ending each four calendar weeks, the commission by regulation may require different reporting and payment date for such distributor, conforming as nearly as practicable with the reporting and payment dates of other distributors.

Section 74. On or before the 20th day of each month every distributor required under section 27 of this Act to collect any tax during the preceding month shall file a report with the commission on forms prescribed by the commission showing the number of cigarettes with respect to which he was required to collect the tax and such other information as the commission may require to carry out the purposes of this Act.

Section 75. The distributor shall submit with each report a remittance payable to the commission for the amount of tax due and unpaid.

Section 76. (1) The commission for good cause may extend for not to exceed 30 days the time for making any report or paying any amount of tax required under this Act. The extension may be granted at any time provided a request therefor is filed with the commission within or prior to the period for which the extension may be granted.

(2) Any person to whom an extension is granted shall pay, in addition to the amount of tax, interest at the rate of one-half of one percent per month, or fraction thereof, from the date on which the amount of tax would have been due without the extension to the date of payment.

Section 77. On or before the 20th day of each month the common carriers and authorized persons specified in section 20 of this Act shall file with the commission a report of the sales of cigarettes made by them on the facilities of the carriers in Oregon in the preceding calendar month in

such detail and form as the commission may prescribe, submitting with the report the amount of the tax due under section 20 of this Act.

Section 78. Every consumer or user subject to the tax resulting from a distribution of cigarettes within the meaning of subsection (2) of section 6 of this Act from whom the tax has not been collected under section 27 of this Act shall on or before the 20th day of the month following receipt of cigarettes file with the commission a report of the amount of cigarettes received by him in the preceding calendar month in such detail and form as the commission may prescribe, submitting with the report the amount of tax due.

Section 79. (1) If the commission is dissatisfied with the report filed by any person, or if any person fails to file a report, it may compute and determine the amount to be paid upon the basis of any information available to it. One or more deficiency determinations may be made of the amount of tax due for one or for more than one month.

(2) The amount of the determination, exclusive of penalties, shall bear interest at the rate of one-half of one percent per month, or fraction thereof, from the 20th day after the close of the month for which the amount of the tax, or any portion thereof, should have been reported until the date of payment.

(3) In making a determination the commission may offset overpayments for a month or months against underpayments for another month or months and against the interest and penalties on the underpayments.

(4) If any part of the deficiency for which a deficiency determination is made is due to negligence or intentional disregard for this Act or the rules and regulations adopted under this Act, a penalty of 10 percent of the amount of the determination shall be added thereto.

(5) If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade this Act or the rules and regulations adopted under this Act, a penalty of 25 percent of the amount of the determination shall be added thereto.

(6) The commission shall give the person written notice of its determination. The notice may be served personally or by certified mail; if by mail, service shall be addressed to the person at his address as it appears in the records of the commission, but the service shall be deemed complete at the time of deposit of the notice in the mail without extension of time on account of the distance between the place of deposit and the place of address.

(7) Except in the case of fraud, intent to evade the tax, or failure to make a report, every notice of a deficiency determination shall be given within three years after the date when the amount should have been reported.

Section 80. (1) If the commission believes that the collection of any amount of tax required to be paid by any person under this Act will be jeopardized by delay, it shall thereupon make a determination of the amount of tax, noting that fact upon the determination. The amount determined is immediately due and payable, with interest and penalty as provided in section 79 of this Act.

(2) If the amount of the tax, interest, and penalty specified in the jeopardy determination is not paid within 20 days after service upon the person of notice of the determination, the determination becomes final, unless a petition for redetermination is filed within the 20 days.

(3) The person against whom a jeopardy determination is made may petition for the redetermination thereof pursuant to section 81 of this Act. He shall, however, file the petition for redetermination with the commission within 20 days after the service upon him of notice of the determination.

The person shall at the time of filing the petition for redetermination deposit with the commission such security as it may deem necessary to insure compliance with this Act. The security may be sold by the commission at public sale if it becomes necessary in order to recover any amount due. Notice of the sale may be served upon the person who deposited the security personally or by mail in the same manner as prescribed for service of notice by subsection (6) of section 79 of this Act. Upon any such sale, the surplus, if any, above the amount due under this Act shall be returned to the person who deposited the security.

Section 81. (1) Any person aggrieved because of any action or determination of the commission or its authorized agent may appeal to the commission for a redetermination. The appeal shall be by way of written petition, verified under oath as to the truth of the facts asserted therein by the petitioner, 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;
- (f) A memorandum or statement of legal authorities relied upon by the petitioner in support of his protest; and
- (g) Whether or not a hearing for the presentation of oral argument or testimony is required.

(2) An incomplete or insufficient petition may be returned by the commission to the petitioner for additions or amendments.

(3) 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 a hearing;
- (d) Hold conferences for the settlement or simplification of the issues; and
- (e) Dispose of procedural requests or similar matters.

(4) The commission shall mail to the petitioner by certified mail its decision and order, which shall contain a statement of findings of fact and conclusions of law and a determination of the amount of tax, if any, due, and shall refund to the petitioner the amount paid in excess of the amount found to be due; provided, that where there has been an overpayment of any tax, penalty, interest or fee, the amount of such overpayment shall be credited against any other sum then due from the petitioner to the State of Oregon by reason of this or other Acts, and only the balance shall be refunded.

Section 82. An appeal from the redetermination of the commission under section 81 of this Act may be taken by the petitioner in the same manner as in income tax appeals in the Oregon Tax Court as provided in ORS 314.460.

Section 83. The remedy provided in sections 81 and 82 of this Act for review of the decision of the commission shall be available to any person subject to the provisions of this Act and shall be the exclusive remedy available to judicially determine the liability of such person for the taxes imposed by this Act.

Section 84. An appeal to the commission or to the Oregon Tax Court under this Act shall not stay proceedings to collect any unpaid tax if the commission believes the collection of the tax will be jeopardized by delay, unless it be otherwise ordered by the court.

Section 85. 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 Salem, 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.

Section 86. In addition to all other remedies specified in this Act, action may be brought by the Attorney General, at the instance of the commission, in the name of the state, to recover the amount of any taxes, penalties and interest due under this Act, if the action for recovery is commenced within three years from the time the tax is due to be paid.

Section 87. The commission shall enforce the provisions of sections 1 to 19 of this Act and may prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of sections 1 to 89 of this Act.

Section 88. The commission may employ accountants, auditors, investigators, assistants, and clerks necessary for the efficient administration of this Act and may designate representatives to conduct hearings, or perform any other duties imposed by this Act upon the commission.

Section 89. The commission is authorized to employ such personnel and prescribe and prepare such rules, regulations, forms and tables, between the date on which this Act takes effect and the operative date, as are necessary to the placing of this Act in operation.

Section 90. (1) Any person required to obtain a license as a distributor under this Act who engages in business as a distributor without a license or after a license has been canceled, suspended, or revoked, and each officer of any corporation which so engages in business, is guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$1,000, or shall be imprisoned for not more than one year, or both, for each offense.

(2) Any person who fails or refuses to file any report required to be made by this Act, or who fails or refuses to furnish a supplemental report or other data required by the commission under this Act, or who renders a false report is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500 for each offense.

(3) Any person required to make, render, sign or verify any report under this Act, who makes any false report with intent to defeat or evade the determination required by law to be made is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$5,000, or be imprisoned for not exceeding one year in the county jail, or be subject to both fine and imprisonment, in the discretion of the circuit court.

(4) Any transporter who violates the provisions of section 58 of this Act shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, or be imprisoned for not exceeding one year in the county jail, or be subject to both fine and imprisonment, in the discretion of the circuit court.

(5) Any person who violates any provisions of this Act, except as otherwise provided, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500 for each offense.

Section 91. Any person who falsely or fraudulently makes, forges, alters, reuses or counterfeits any stamp or meter impression provided for or authorized under this Act, or tampers with any metering machine authorized under this Act, or causes or procures to be falsely or fraudulently made,

forged, altered, reused or counterfeited, any such stamp or meter impression or knowingly and wilfully utters, publishes, passes, or tenders as genuine any such false, forged, altered, reused or counterfeited stamp or meter impression, for the purpose of evading the tax imposed by this Act, is guilty of a felony and subject to imprisonment for not more than 10 years, or to a fine of not more than \$10,000, or to both fine and imprisonment.

Section 92. Section 93 of this Act takes effect only if chapter 615, Oregon Laws 1965 (Enrolled House Bill 1226) becomes law.

Section 93. All moneys received by the commission under sections 1 to 91 of this Act shall be paid over to the State Treasurer to be held in a suspense account established under ORS 293.445. After the payment of refunds and payment of costs of administration as provided in section 106 of this Act, 50 percent of the balance of the moneys in this suspense account as of the end of each month shall be credited to the Local Property Tax Relief Account established under chapter 615, Oregon Laws 1965 (Enrolled House Bill 1226) and is appropriated for the purposes of that account as provided by law. Twenty-five percent is appropriated to the cities of this state and 25 percent is appropriated to the counties of this state. The moneys so appropriated to cities and counties shall be paid quarterly, during April, July, October and January, for the preceding three months respectively. Each city shall receive such share of the money appropriated to all cities as its population, as determined under ORS 190.510 to 190.590 last preceding such apportionment, bears to the total population of the cities of the state, and each county shall receive such share of the money as its population, determined under ORS 190.510 to 190.590 last preceding such apportionment, bears to the total population of the state.

Section 94. Sections 95 to 105 of this Act take effect only if chapter 615, Oregon Laws 1965 (Enrolled House Bill 1226) does not become law.

Section 95. All moneys received by the commission under sections 1 to 91 of this Act shall be paid over to the State Treasurer to be held in a suspense account established under ORS 293.445. After the payment of refunds and payment of costs of administration as provided in section 106 of this Act, 50 percent of the balance of the moneys in this suspense account as of the end of each month shall be credited to an account to be known as the Local Property Tax Relief Account, and is appropriated for distribution as provided by sections 96 to 105 of this Act. Twenty-five percent is appropriated to the cities of this state and 25 percent is appropriated to the counties of this state. The moneys so appropriated to cities and counties shall be paid quarterly, during April, July, October and January, for the preceding three months respectively. Each city shall receive such share of the money appropriated to all cities as its population as determined under ORS 190.510 to 190.590 last preceding such apportionment, bears to the total population of the cities of the state, and each county shall receive such share of the money as its population, determined under ORS 190.510 to 190.590 last preceding such apportionment, bears to the total population of the state.

Section 96. As used in sections 96 to 105 of this Act, unless the context requires otherwise, "code area" means a code area established by the county assessor under ORS 308.220.

Section 97. (1) As soon as possible each year after the State Tax Commission has compiled the data required by ORS 309.370, the Secretary of State, with the assistance of the State Tax Commission, shall compute the amount of each gross county share in accordance with the formula set out in subsection (2) of this section.

(2) The amount of each gross county share for a fiscal year shall be determined as follows:

$$\text{Gross County Share} = \text{Appropriation} \times \text{Percentage} \times \frac{100}{97}$$

(3) As used in the formula set out in subsection (2) of this section:

(a) "Gross County Share" means the gross share of each county of local property tax relief moneys for the fiscal year.

(b) "Appropriation" means the amount of money in the Local Property Tax Relief Account as of July 1 in that fiscal year.

(c) "Percentage" means the percentage that the equalized value of the taxable property in the county is of the whole value of the taxable property in this state as so equalized, according to the data compiled for that fiscal year by the State Tax Commission in compliance with ORS 309.370.

Section 98. (1) Upon making a determination of the Gross County Share for the fiscal year under section 97 of this Act, the Secretary of State, with the assistance of the State Tax Commission, shall compute the Millage Relief to be credited for that fiscal year to each taxpayer of the county pursuant to the formula set out in subsection (2) of this section, and notify the county assessor of the Millage Relief and the amount of the Appropriation and Gross County Share under section 97 of this Act.

(2) The Millage Relief to be credited to each taxpayer of the county for a fiscal year shall be determined as follows:

$$\text{Millage Relief} = \frac{\text{Gross County Share}}{\text{County Value}}$$

(3) As used in the formula set out in subsection (2) of this section:

(a) "Millage Relief" means the millage relief to be credited to each taxpayer of the county for the fiscal year.

(b) "Gross County Share" means the gross share of each county of the local property tax relief moneys from the Local Property Tax Relief Account for that fiscal year, as determined under section 97 of this Act.

(c) "County Value" means the assessed value of all property within the county for that fiscal year, as determined by reference to the current assessment roll.

Section 99. (1) The county assessor shall offset the millage relief for a fiscal year determined under section 98 of this Act against the consolidated rate percent of levy for each code area in the county for that fiscal year.

(2) Each tax statement for property in a code area that has received an offset against the consolidated rate percent of levy under subsection (1) of this section must bear, in addition to the information required by ORS 311.250, substantially the following information:

"By Act of the 1965 legislature, \$_____ has been distributed from the Local Property Tax Relief Account, as relief for local property taxes. Your taxes are _____ mills less than they otherwise would be because of this offset."

There shall be indicated, in the appropriate places, the appropriation under section 97 of this Act and the millage relief determined for the county under section 98 of this Act.

Section 100. Every mortgagee, trust deed beneficiary or other person holding a security interest in any real property and to whom a tax statement is sent for payment shall promptly notify the person to whom state-

ments relating to the secured obligation are sent of the contents of such tax statement, including the information required by section 99 of this Act.

Section 101. (1) Not later than November 15 in each year the Secretary of State shall issue, to the treasurer of each county in this state, a warrant drawn on the Local Property Tax Relief Account in the amount of the Net County Share for that fiscal year. The Secretary of State shall compute the amount of the Net County Share for each county in accordance with the formula set out in subsection (2) of this section.

(2) The amount of each Net County Share shall be determined as follows:
 Net County Share = Appropriation \times Percentage

(3) As used in the formula set out in subsection (2) of this section:

(a) "Net County Share" means the net share of each county of local property tax relief moneys for the fiscal year.

(b) "Appropriation" and "Percentage" have the meanings defined in subsection (3) of section 97 of this Act.

(4) Upon receiving a warrant under this section, the county treasurer shall notify the county assessor.

Section 102. (1) Upon receiving notification under subsection (4) of section 101 of this Act, the county assessor shall compute the apportionment of the Net County Share for the fiscal year in accordance with the formula set out in subsection (2) of this section.

(2) The apportioned share for a fiscal year of each code area within the county shall be determined as follows:

$$\text{Code Area Share} = \text{Net County Share} \times \frac{\text{Code Area Value}}{\text{County Value}}$$

(3) As used in the formula set out in subsection (2) of this section:

(a) "Code Area Share" means that part of the Net County Share for the fiscal year apportioned to each code area for purposes of further apportionment under section 103 of this Act.

(b) "Net County Share" means the amount of the Net County Share for that fiscal year, determined under section 101 of this Act.

(c) "Code Area Value" means the assessed value of all taxable property within the code area for that fiscal year, as determined by reference to the current assessment roll.

(d) "County Value" means the assessed value of all taxable property within the county for that fiscal year, as determined by reference to the current assessment roll.

Section 103. (1) Upon completing the computation required under section 102 of this Act, the county assessor shall compute the apportionment of the Code Area Share for the fiscal year in accordance with the formula set out in subsection (2) of this section.

(2) The share for a fiscal year of each taxing agency or unit within or partly within the code area shall be determined as follows:

$$\text{Taxing Agency Share} = \text{Code Area Share} \times \frac{\text{Taxing Agency Millage}}{\text{Code Area Millage}}$$

(3) As used in the formula set out in subsection (2) of this section:

(a) "Taxing Agency Share" means the share for that fiscal year of each taxing agency or unit of the moneys to be distributed by the county treasurer under section 104 of this Act.

(b) "Code Area Share" means the part of the Net County Share apportioned for that fiscal year to the code area under section 102 of this Act.

(c) "Taxing Agency Millage" means the rate percent of levy for the taxing agency or unit for that fiscal year, determined under ORS 310.090.

(d) "Code Area Millage" means the consolidated rate percent of levy for the code area for that fiscal year, without regard to any offset under sections 96 to 105 of this Act, as determined by reference to the current assessment roll.

Section 104. Upon completing the computations required under sections 102 and 103 of this Act, the county assessor shall notify the county treasurer of the share for the fiscal year of each taxing agency or unit within or partly within the county of the Net County Share for that fiscal year received by the county treasurer under section 101 of this Act. The county treasurer shall treat the share of each taxing agency or unit as a collection during that fiscal year of taxes for that taxing agency or unit, and shall pay out such moneys as required by law.

Section 105. Nothing in sections 96 to 105 of this Act is intended to reduce the levy of a taxing unit for purposes of limiting the levies of subsequent years. Levies may be made in subsequent years as if no offset has been made under section 99 of this Act, and no payment had been made under section 104 of this Act.

Section 106. There is established in the General Fund an account to be known as the Cigarette Tax Administrative Account. The moneys in the Cigarette Tax Administrative Account are appropriated continuously for use in reimbursing the General Fund for expenses incurred in the collection of the taxes imposed by sections 1 to 95 of this Act which have been paid from the General Fund. Whenever the unobligated balance in the Cigarette Tax Administrative Account is less than \$10,000, the tax commission shall order the transfer to the account of the sum of \$10,000 from the suspense account created by section 93 or 95 of this Act, as the case may be.

Section 107. This Act shall be submitted to the people for their approval or rejection at the next regular state-wide primary election.

BALLOT TITLE

CIGARETTE TAX BILL—Purpose: Levies a tax of 4 cents per package on cigarettes. One-half proceeds applied to property tax relief; one-half divided equally between cities and counties.

Estimate of Financial Effects: If the voters approve this measure, it is estimated, based on present population figures, that the state would collect an additional \$10,000,000 per year. Annual state administrative costs would be approximately \$155,000 plus distributor costs of affixing stamps, estimated at \$430,000. The 50 per cent of net collections earmarked for property tax relief would amount to about \$4,925,000 annually, or \$1.50 per \$1,000 of assessed value, beginning with 1967-68 property tax rolls.

The 50 per cent share divided equally between cities and counties would yield about \$2,460,000 in additional annual revenue for each. Each city would receive about \$2.20 per resident and each county \$1.25 per resident.

Due to the payment dates set out in the measure, anticipated collections in the first year (1966-67) would be less than estimated in the previous paragraphs.

YES

NO

Measure No. 2**Superintendent of Public Instruction Constitutional Amendment**

Proposed by the Fifty-third Legislative Assembly by Senate Joint Resolution No. 31, filed in the office of the Secretary of State May 24, 1965, and referred to the people as provided by section 1, Article XVII of the Constitution.

Explanation**By Committee Designated Pursuant to ORS 254.210**

The proposed Constitutional Amendment, if enacted, will place the method of selecting the Superintendent of Public Instruction in the hands of the State Legislature. The office of the Superintendent of Public Instruction was established in 1872. It is the principal administrative office of the Oregon system of public schools. From 1942 to 1961 the office was filled by a state election on a nonpartisan ballot. In 1961, the State Legislature passed a statute making the office appointive by the State Board of Education. The Supreme Court in 1965 declared this statute unconstitutional and again making this position elective on a nonpartisan ballot. The proposed amendment presented to the people by Senate Joint Resolution No. 31 of the 1965 Legislature, would repeal the existing constitutional provision requiring the State Superintendent of Public Instruction to be elected by a vote of the people. This proposed amendment would give permission to the State Legislature to determine the method of selecting the State Superintendent of Public Instruction.

KENNETH R. LANDGRAVER, Portland
THOMAS E. WOODS, Beaverton
HARRY A. THOMPSON, Gresham

Measure No. 2

Superintendent of Public Instruction Constitutional Amendment

Argument in Favor

Submitted by Legislative committee provided by
Subsection (3) of ORS 255.421.

The 1961 session of the State Legislature gave the State Board of Education authority to elect the Superintendent of Public Instruction. The State Supreme Court, in a ruling made in 1965, said that a constitutional amendment is required to give the State Board of Education authority to appoint this official. The principal reasons for making the office appointive are listed below:

A good working relationship between the State Board of Education and the State Superintendent is assured if the official is appointed by the Board and he is responsible to them.

The State Board of Education is responsible for adopting regulations governing the public schools and community colleges. The successful administration of these policies requires that the State Board have authority to direct the work of the State Superintendent of Public Instruction.

The office of the State Superintendent should be nonpolitical. Professional competence and knowledge of public school problems of Oregon is required of this official, rather than political power or personal popularity with the voters.

Professional school people, the ones who should be candidates for this office, seldom indicate an interest in elective state office. There are several reasons for this. 1—They are busy in their own jobs and lack time for a state-wide campaign. 2—They lack the money to carry on such a campaign. 3—The successful operation of a school district requires a nonpartisan and nonpolitical approach. There has actually been only one candidate for this office in the last thirty years.

The office has functioned as an appointive one since 1961 and should continue to operate in this manner.

SENATOR AL FLEGEL
REPRESENTATIVE JAMES B. BEDINGFIELD, JR.
REPRESENTATIVE CARROL HOWE

Measure No. 2**Superintendent of Public Instruction Constitutional Amendment****Argument in Opposition****Submitted by Mary L. Hintz**

VOTE NO on ballot measure No. 2

Keep your right to choose the kind of education your children shall have. Keep your right to vote on a nonpartisan ballot for the State Superintendent of Public Instruction.

The position of State Superintendent of Public Instruction is important.

The State Superintendent has a great deal of influence over what kind of education the schools of Oregon will give your children.

The people of Oregon have a right and a duty to decide for themselves who this Superintendent shall be.

A nonpartisan election, with several candidates for the office of State Superintendent, allows debate on the issues of:

- what is the best philosophy of education;
- what are the best methods to use in education;
- the cost of education.

An election for Superintendent lets you, the voter, decide the kind of education you want for your children.

If you vote NO and keep the present Article VIII of the Constitution, the State Superintendent will be elected on a nonpartisan ballot. Political parties will not be involved. The people of the state will be deciding on an educational question only.

If this part of the Constitution is repealed by a yes vote, the Superintendent will be a political appointee. He will be appointed by the State Board of Education. The State Board is appointed by the Governor.

Keep the office of the State Superintendent of Instruction an elective office so that if you become dissatisfied with the kind of education your children are getting you can change the top officer in charge of that education. If you give up your right to vote on this important issue you will be turning over the decision as to what kind of education your child receives to a political appointee.

Keep the right to vote on all important officers of the State.

Vote NO on number 2.

MARY L. HINTZ
11320 Waldo Hills Dr. S.E.
Salem, Oregon

Measure No. 2

Superintendent of Public Instruction Constitutional Amendment

Argument in Opposition

Submitted by Various Groups

Ballot Measure No. 2 is a BAD BILL

It would deny you your constitutional right to vote for and select Oregon's Superintendent of Public Instruction.

As more and more of Oregon's school districts have become consolidated and larger, voters have lost more and more of their right to vote for people and matters concerned with Oregon education. Now, Ballot Measure No. 2 would deny you one of your last remaining opportunities to keep the administration of Oregon's educational system directly responsible to the voters of the state.

Passage of Measure No. 2 would, in fact, turn your right to choose the state official responsible for Oregon educational standards over to the State Board of Education, a board which itself is appointed. The State Board of Education has already previously attempted to seize this power from the voters in an act which the State Supreme Court ruled as unconstitutional.

VOTE "NO" ON NUMBER 2 . . . IT'S A BAD BILL

We, the people of the State of Oregon, pay for our public schools and our entire public program of education through millions of dollars of taxes each year. We want the very best education possible for our youths from this money, and we should have that measure of control over education which comes from electing our own Superintendent of Public Instruction. We need the very best qualified men available to us for this office . . . men who will be responsible to the people! Under our constitutional rights, if the people of Oregon do not think the Superintendent is seeing to it that we have the very best educational system possible, they can elect a better qualified man. If a man in this office should prove to be completely incompetent, the recall procedure can be evoked, if it remains an elective office. BALLOT MEASURE NUMBER 2 WOULD DENY US THESE CONSTITUTIONAL RIGHTS!

Should this measure pass, the State Superintendent would be appointed by a board who themselves are appointed. NO ONE directly responsible for Oregon's educational system on the state level would be elected by, nor responsible to, the people of Oregon.

VOTE "NO" ON NUMBER 2. IT'S A BAD BILL THAT WOULD DENY YOU YOUR CONSTITUTIONAL RIGHT TO ELECT OREGON'S TOP EDUCATION ADMINISTRATOR.

Submitted by:

COMMITTEE TO KEEP OUR RIGHT
TO SELECT

STATE SCHOOL SUPERINTENDENT

Wilbur A. Bishop, Chairman
R. M. Dooly, Secretary

OREGON STATE GRANGE

Allen P. Wheeler, Master

WOMEN'S LEGISLATIVE
COUNCIL

Mrs. Katherine B. Vandewater
Secretary

Measure No. 2

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) Section 1, Article VIII of the Constitution of the State of Oregon, is repealed.

NOTE—Section 1, Article VIII, now reads as follows: "The Governor shall be superintendent of public instruction, and his powers, and duties in that capacity shall be such as may be prescribed by law; but after the term of five years from the adoption of this Constitution, it shall be competent for the Legislative Assembly to provide by law for the election of a superintendent, to provide for his compensation, and prescribe his powers and duties."

BALLOT TITLE

SUPERINTENDENT OF PUBLIC INSTRUCTION CONSTITUTIONAL AMENDMENT—Purpose: Repeals present constitutional provision requiring that Superintendent of Public Instruction be elected by people, thereby permitting legislature to determine method of selecting Superintendent of Public Instruction.

2

YES NO

Nonpartisan

WALTER S. BLAKE, JR.

For Superintendent of Public Instruction



**ELECT WALTER BLAKE
FOR YOUR CHILDREN'S SAKE**
State Superintendent of Public Instruction

WALTER BLAKE will bring sound, basic education back to Oregon schools.

WALTER BLAKE has the training, the ability and the desire to really improve Oregon education.

He holds three college degrees in education, including a doctorate. He has had 18 years experience as an educator. Since 1958, he has been Dean of Students and Associate Professor of Education at Willamette University. His entire career has been devoted to improving the standards of education.

WALTER BLAKE is concerned about the inadequacies of present-day education in Oregon and the direction our educational philosophies are taking. **AND HE IS PREPARED TO DO SOMETHING ABOUT IT!**

WALTER BLAKE believes in more fundamentals and fewer frills in our schools. He is **AGAINST** centralized control of schools; he is **FOR** school control at the local district level. He is **AGAINST** having the office of Superintendent of Public Instruction be an appointive office; he is **FOR** having it remain an elective office.

(Concluded on following page)

(This information furnished by Elect Walter Blake for Your Children's Sake Committee)

WE CAN NO LONGER NEGLECT THE BASICS OF EDUCATION.

ARE YOU SATISFIED WITH TODAY'S STUDENTS' ABILITY TO READ AND COMPREHEND?

Dr. Walter Blake says much more reading basics and skills must be taught in our schools . . . starting early in primary grades. Students are leaving high school reading only about 250 words per minute with 70% comprehension, yet if reading were taught properly they could be reading and understanding at least 1,000 words per minute.

DO YOU FEEL TODAY'S STUDENTS HAVE A PROPER UNDERSTANDING OF HISTORY, GEOGRAPHY AND ECONOMICS?

Dr. Blake would have these subjects taught separately . . . rather than inadequately lumped together as "Social Studies". American history can and should be taught with pride and conviction. Geography must teach the student about the world he lives in. Far too few students have even a minimal knowledge of good economic theory.

DO YOU BELIEVE TODAY'S STUDENTS ACQUIRE AN ADEQUATE KNOWLEDGE OF VOCABULARY AND WRITING?

Walter Blake would work to see that students graduate from our schools with a thorough knowledge of writing skills and an adequate vocabulary. The limited vocabularies of today's students contribute greatly to their reading and writing deficiencies. Students must also be taught how to write legibly, accurately and functionally.

DO YOU THINK TODAY'S STUDENTS ARE TAUGHT ENOUGH PHYSICAL SCIENCE?

Dr. Blake feels the gap in our present physical science curriculum comes close to a form of national suicide, and he stands prepared to do something about it. He would place much more emphasis on courses in biology, chemistry and physics, starting in elementary school.

ARE YOU PLEASED WITH TODAY'S STUDENT ATTITUDES?

Attitudes are learned, and Dr. Blake would work for the teaching of attitudes that develop respect for authority and law and order. The declining standards of many of our young people are highly dangerous to the society in which they live.

A VOTE FOR WALTER BLAKE IS A VOTE FOR FUNDAMENTAL EDUCATION. ISN'T THIS THE KIND OF EDUCATION YOU WANT YOUR CHILD TO HAVE?

ELECT WALTER BLAKE FOR YOUR CHILDREN'S SAKE COMMITTEE

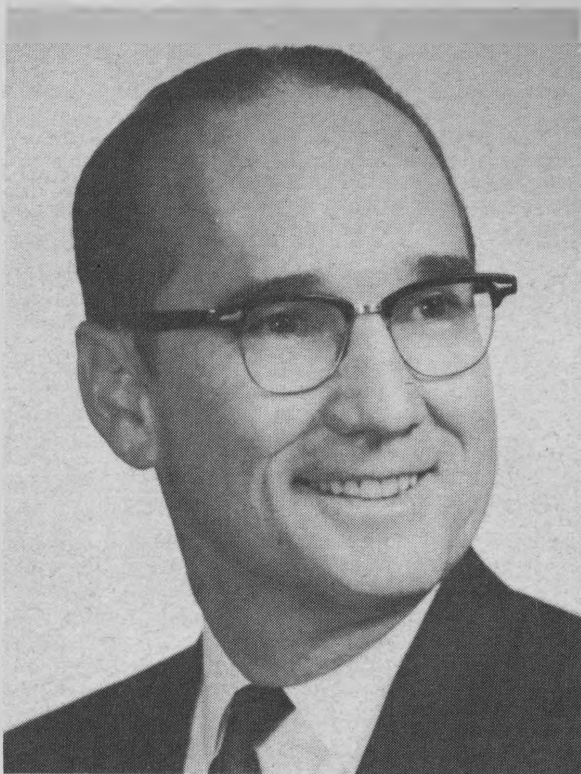
Mrs. Patricia Lockard, Chairman
2450 SW Glenhaven Rd.
Lake Oswego, Oregon

Mr. A. R. McKnight, Vice Chairman
1925 Margaret St. NW
Salem, Oregon

(This information furnished by Elect Walter Blake for Your Children's Sake Committee)

Nonpartisan

LEON P. MINEAR
For Superintendent of Public Instruction



Dr. Leon P. Minear was chosen for the Superintendent of Public Instruction by Governor Mark Hatfield and the Oregon State Board of Education on the recommendation of the education profession. He has broad knowledge and experience in every area of public education as:

- A **TEACHER** in elementary school, junior high school, high school, and college for 12 years.
- **VICE-PRINCIPAL** of the University of California at Berkeley demonstration high school
- **PRINCIPAL** of Benson Polytechnic High School in Portland
- **PRESIDENT** of Stockton Junior College in California
- **COLLEGE TEACHER** at University of Denver, University of California, and Portland State College
- **SUPERINTENDENT OF TRAINING** for Pan American World Airways

(Concluded on following page)

(This information furnished by Minear for Superintendent Committee)

Under Dr. Minear's leadership, the statewide pooling of talent and effort to prepare public schools to teach young people in the Space Age has had encouraging results:

- **IN PUPIL ACHIEVEMENT** — Oregon schools have attached major importance to the teaching of the basic skills: reading, writing, and arithmetic. Oregon school children show an academic achievement up to one and one-half years in excess of national standards. Selective Service has reported that Oregon had the lowest number of rejectees for mental, physical, and moral reasons.
- **IN VOCATIONAL EDUCATION** — Extensive research and development is underway on a statewide basis to improve the quality of vocational programs and to make such opportunities available to all Oregon pupils.
- **IN POST-HIGH SCHOOL EDUCATIONAL OPPORTUNITY**—In five years Oregon's community college system has grown to serve almost 18,000 youth and adults.
- **IN INCREASED OPPORTUNITY FOR HANDICAPPED CHILDREN**—Oregon's special education programs have expanded to make it possible for over 20,000 mentally and physically handicapped children to participate in public school programs.
- **IN CLASSROOM INSTRUCTION** — Foundation funds have been used to finance the updating and upgrading of public school programs and to reduce the gap between new knowledge in subject fields and new knowledge about teaching and learning and actual classroom instruction and practice.
- **IN TEACHER EDUCATION** — The State Department of Education, local school districts, and Oregon colleges and universities have cooperated in a four-year \$3.5 million Ford Foundation financed effort to improve training of teachers.
- **IN SMALL SCHOOLS** — Eighty small high schools in Oregon have joined in a voluntary self-improvement effort with the help of the State Department of Education.

Dr. Minear's professional achievements have brought him national recognition and have brought credit to Oregon.

- He is one of ten Superintendents invited by the nation's school administrators and the U. S. Office of Education to advise the U. S. Commissioner of Education on federal, state, and local school problems.
- He serves on the National Advisory Committee to the Center for the Advanced Study of Educational Administration.
- He directed the U. S. Office of Education Study for a National System of Regional Research Centers.
- He has been invited to the White House for discussions on education with both Presidents Kennedy and Johnson.
- He has been an advisor or consultant to school districts, colleges, universities, several other states, and foreign countries in their educational problems.
- He is a member of the advisory board for the Grolier Society (Encyclopedia Americana, Encyclopedia International, etc.)

HIS CONVICTIONS:

- Our public schools must continue to strive to help young people build the values and attitudes necessary for responsible citizenship so that they will cherish and protect American freedom and democracy.
- There must be constant evaluation and improvement of education.
- Schools of uniform high quality must be maintained through wise and careful use of the tax dollar.
- Local school districts must be strengthened so that they may provide a full education program for Oregon's children.

Dr. Howard L. Cherry, Chairman

(This information furnished by Minear for Superintendent Committee)

Nonpartisan

DOUGLAS L. HAY

**For Judge of the Circuit Court, Third Judicial District
Marion County, Position No. 1**



PROFESSIONAL QUALIFICATIONS: Present Municipal Judge of Salem (14 years); also actively practiced law since 1949, with extensive experience as trial lawyer; past president of Oregon Association of Municipal Judges, Marion County Bar Association; member of National Association of Municipal Judges, American Judicature Society, Oregon State Bar, American Bar Association.

EDUCATION: Lakeview Public Schools; Graduate of University of Oregon (BA 1947), including College of Law (LLB 1949); Alpha Tau Omega; Phi Delta Phi legal fraternity.

FAMILY BACKGROUND: Judge Hay, 45, born in Lakeview, is from a family well indoctrinated in the traditions and ethics of the Bench and Bar, being the son of the late Justice Arthur D. Hay, Oregon Supreme Court; brother, John, practicing lawyer in Portland. Judge Hay resides at 2565 Alvarado Terrace, Salem, with his wife, Josephine, and daughters, Catherine, 9, and Leslie Ann, 5.

CIVIC ACTIVITIES: Judge Hay is a civic leader; Boy Scouts, YMCA (former member Board of Directors), Red Cross, United Good Neighbors, 6 years member of Board Salem General Hospital, Salem Rotary Club (Past President), Salem Knife and Fork Club (Past President), Salem Jaycees (Past President) and active in his church, St. Paul's Episcopal (former member of vestry). Judge Hay, son of naturalized American parents and husband of naturalized American wife, has keen interest in assisting and encouraging aliens to become American citizens, as evidenced by 7 years gratuitously teaching naturalization classes sponsored by Salem YMCA.

MILITARY SERVICE: Judge Hay enlisted U. S. Army September, 1941; Infantry basic training followed by service in Counter Intelligence Corps, Military Intelligence as Sergeant, Staff Sergeant, Technical Sergeant; commissioned Fort Benning Infantry School 1944, separated April, 1946, as 1st Lieutenant.

Judge Hay, during 14 years on the Bench, has earned a reputation for fairness, independence, impartiality and compassion in dispensing justice to the thousands who have appeared before him. His continued re-election to his office demonstrates the earned respect and admiration of the legal profession and the general public who recognize his demonstrated ability and integrity.

Judge Hay's long, combined experience as Judge and practicing lawyer admirably qualifies him for election to the Circuit Court. The lawyers and thousands of citizens with whom he has had contact as a Judge and Lawyer know he is deserving of elevation to the Circuit Court, and that he will continue to serve the public and the Bar with honor and distinction.

BALLOT SLOGAN: EXPERIENCE MAKES THE DIFFERENCE. 14 YEARS JUDICIAL EXPERIENCE.

Richard D. Denton, Chairman

(This information furnished by Hay for Judge Committee)

Nonpartisan

LOREN D. HICKS**For Judge of the Circuit Court, Third Judicial District
Marion County, Position No. 1**

Incumbent Loren D. Hicks should be retained on his qualifications, broad background and record of experience, ability and accomplishments in office.

QUALIFICATIONS:

PRESENT CIRCUIT JUDGE. Extensive experience in law, business, farming and all phases of circuit court work—civil, criminal, domestic relations, juvenile, post-conviction, constitutional, administrative. Graduate of Willamette University College of Law and of National College of State Trial Judges. Legal Counsel to the Governor 1959-65, Assistant Attorney General 1957-59, general law practice 1949-57. Member of American Bar Association; County, State and Federal Bar Associations; Oregon Circuit Judges Association, American Judicature Society, National Lawyers Club and National Conference of State Trial Judges.

PERSONAL: Born in Salem, son of Tero Morely Hicks and Eva DeGuire Hicks, both from pioneer families of Silverton. Resides in Salem with his wife, Muriel, and their three children.

MILITARY: Served 3½ years in World War II, European Theater. Now Lt. Col. in Army Reserve. Graduate of Infantry and Civil Affairs Schools, Command and General Staff College, and courses at the Judge Advocate General School. Now Judge Advocate of a Civil Affairs Headquarters unit.

COMMUNITY SERVICE: Past Chairman and now a Board member of the local Red Cross chapter, Vice Chairman Western Area Advisory Council of the American Red Cross, member Salem Community Council, American Legion, Masonic Lodge, U.S. Power Squadron, Chamber of Commerce, Exchange Club, Past President Marion County-Salem United Good Neighbors and Exchange Club, past District Governor National Exchange Club, past Board member Salem Area Chamber of Commerce and Cascade Union High School, past Secretary Oregon Aberdeen-Angus Association.

Judge Hicks will continue to operate his court in a dignified, efficient, vigorous and impartial manner. His natural qualities of judicial temperament, understanding and honesty assure a prompt and fair trial for all who appear in his courtroom in search of truth and justice under law.

COUNTY-WIDE COM. TO RETAIN CIR. CT. JUDGE LOREN D. HICKS

Rex Hartley, Chr.
Willard C. Marshall
Karl B. Wipper
Bill Fobert

Jack Strickfaden
J. C. Kimmel
Mrs. Carl Smith
William S. Duncan

Leonard N. Fisher
Russell W. Baglien
Gil Schachtsick

(This information furnished by County-wide Committee to Retain Circuit Judge Loren D. Hicks)

LIST OF CANDIDATES FOR NOMINATION

SUPERINTENDENT OF PUBLIC INSTRUCTION—(Vote for One)—

Walter S. Blake, Jr.; Leon P. Minear.

JUDGE OF THE CIRCUIT COURT, 3rd JUDICIAL DISTRICT, POSI-

TION NO. 1, Marion County—(Vote for One)—Douglas L. Hay; Loren D. Hicks.

INDEX

State Measure No. 1	4
State Measure No. 2	24
Blake, Walter S., Jr.	29, 30
Hay, Douglas L.	33
Hicks, Loren D.	34
Minear, Leon P.	31, 32

Precinct Number Follows Voter's Name

62

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