

Salem Scene

Necessity of law first question for legislator

by Jack Zimmerman
Associated Oregon Industries

Is this law really necessary?
That's the first question a conscientious lawmaker asks himself when considering new legislation.
It appears an increasing number of Oregon legislators are posing that question as they study potential problems for which legislative remedies will be sought during the next regular biennial session that convenes in January 1979.

Little wonder. During the first six months of next year the Oregon Legislature likely will consider close to 3,000 such proposals (2,812 last session) and pass nearly a third of them (978 in 1977). The task is sizable to say the least.

And an additional factor is recognition of growing public sentiment that government at all levels is approaching a state of overkill.

One such case in point may be a measure that has been under study by the legislature's Joint Committee on the Judiciary for some months. Specifically, it has been under examination by that panel's Subcommittee on Privacy and has attracted a fair amount of public attention.

The proposal in effect would create another protected group of Oregonians from a civil rights standpoint. The group would consist of people with criminal records. And it is designed to help such individuals obtain gainful employment.

Oregon's civil rights laws provide our citizens with the opportunity to get jobs without discrimination because of race, religion, color, sex, marital status and national origin. In civil rights jargon, the aforementioned are called protected groups—people protected by law against discrimination.

In addition to certain administrative relief from discriminatory acts by employers and prospective employers, members of protected groups can file civil lawsuits for relief from an unlawful employment practice. And although they may question the administration of civil rights laws on occasion, few Oregon employers question the philosophy and fairness of the concepts expressed in those statutes.

The problem confronting lawmakers during this interim study involves whether persons with arrest and criminal records should have the same protection

and rights as the already existing protected groups.

Despite extensive testimony against the measure, the subcommittee has narrowly approved what may become a new law that would make it illegal to deny employment because of arrest or conviction. Many of the objections voiced during hearings before the subcommittee came from law enforcement officials, who logically resisted the idea that they would be forced to employ ex-convicts as policemen or deputy sheriffs.

Private security firms, janitorial services and many other employers resisted the fact they might be guilty of discrimination if they refused to hire a convicted thief, for instance, for a position requiring an exceptional degree of trust.

Consequently, the current version of the measure was amended to exclude jobs in law enforcement. But as one member of the subcommittee commented, present wording in the proposal is so ambiguous it will do little more than create additional business for lawyers. His concern involves a section that reads:

"An employer may deny employment to an individual where the nature of the offense has a reasonable relationship to the work to be performed or

where other reasons relating to the safe operation of the business or work activity would support a denial of employment or where the employment of such individual is prohibited by law."

Conceptually, the section appears well intended. But it opens wide the door leading to legal interpretation and subsequent court tests.

Major opponents of the measure do not object to hiring former prison inmates. They simply object to the idea of having a law that would make them liable to lawsuit if they turned down any particular applicant for any number of reasons.

The state's employment and corrections divisions already have a highly successful voluntary program working satisfactorily among private employers. No parolee, for instance, may leave a correctional institution unless he has a verified residence, a bonafide job or training position. And officials told the subcommittee the voluntary program is adequately providing for those seeking such position.

They join representatives of private employers in objecting to creating this new civil rights protected group. If that happens, they warn, many people now cooperating will logically seek any means to circum-

vent the mandate rather than take a chance of a double penalty if their trust in a person seeking rehabilitation goes awry.

The subcommittee's approval of the measure in its present form means that it now will go before the full judiciary committee for further consideration. The full body will again hear the pros and cons.

And the question each member should consider first is familiar:

"Is this law really necessary?"

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obituaries

Joseph Kocaj

Services for Joseph S. Kocaj "Koski", 90, of Sandy were held April 28 at Bateman Funeral Chapel.

Koski was born in Brzozok, Poland. He came to the United States in 1907 and lived in the Grays Harbor area for over 30 years where he worked in the timber industry as a head sawyer. In 1939 he moved to Portland where he was employed in the dredging industry until his retirement in 1962.

He was a member of Operating Engineers Local 701, Portland.

He married Bernadine Churchel in Aberdeen, Wash. She preceded him in death in 1957.

Survivors include: three children, Robert Koski, Portland; Phil Secor, Aberdeen, Wash; and Bettyann

Snider, Gleneden Beach; 13 grandchildren and 20 great-grandchildren. Vault interment was at Forest Lawn Cemetery, Gresham.

Myrtle Tooley

Myrtle May Tooley, 75, of 14220 North Bluff Road, Sandy, died March 22 in a local nursing home.

Mrs. Tooley was born and lived in Oregon. She was a homemaker.

Survivors include: three daughters, Doris Davis, Banks; Patsy Jensen and Shirley Gepner, both of Portland; a brother, Walter Allen, Eugene; a sister, Alice Miller, Lebanon; 15 grandchildren; and five great-grandchildren.

Services were March 25 at Gateway Little Chapel of the Chimes. Burial was at City View Cemetery, Salem.

public notices

PUBLIC NOTICE

The Sandy Planning Commission will be holding public hearings at its April 5, 1978 meeting at 7:30 p.m. city Council Chambers, on the following items:

1. Continuation of Zone Change No. 5-78, Cory McKeel off Langensand Road.
2. Conditional Use No. 3-78, Marsh Glos parking area at corner of Pioneer & Hoffman Street.
3. Aragon Industries-Zone Change No. 6-78 PUD on Park Avenue between Beers & Scales Street.
4. Subdivision Review No. 2-78, Sandy Industrial Park Corp. situs at Industrial Way and 362nd Ave.

All persons within 200' of the affected areas are invited to attend these public hearings.

ATTESTED:
Paul F. Helfton
City Manager-Recorder

S-13f

NOTICE OF SCHOOL BUDGET HEARING

NOTICE IS HEREBY GIVEN that a meeting of the governing body of Welches School district No. 13, County of Clackamas, State of Oregon, will be held at Welches Elementary School on the 10th day of April, 1978, at 8:00 o'clock p.m. for the purpose of discussing with interested person the budget for the fiscal year beginning July 1, 1978 and ending June 30, 1979. The budget summary was published in The Sandy Post on March 23, 1978. A copy of the budget document may be inspected or obtained at Welches School between the

hours of 9:00 a.m. and 4:00 p.m.
ATTEST: John M. Callaghan, Clerk

Alan M. Jensen
Chairman
P-15-1

NOTICE TO INTERESTED PERSONS

No. 33850
IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF CLACKAMAS.

IN THE MATTER OF THE ESTATE OF EDITH M. JONES, Deceased.

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against the estate are required to present the same within four months from this date at the law offices of RICHARD EGNER, JR., 29 N.W. First Street, Gresham, Oregon 97030.

All persons whose rights may be affected by these proceedings may obtain additional information regarding the proceedings from the below listed personal representative, from the offices of RICHARD EGNER, JR., attorney for the personal representative, or from the records of the court.

David N. Gordon, Trust Officer
Personal Representative
First National Bank of Oregon
P.O. Box 2971
Portland, Oregon 97208

FIRST PUBLICATION: March 16, 1978

LAST PUBLICATION:
March 30, 1978
Attorneys:
Law Offices of
RICHARD EGNER, JR.
29 N.W. First Street
Gresham, Oregon 97030

Sp-13f

NOTICE OF SUPPLEMENTAL BUDGET HEARING

A public hearing on a proposed Supplemental Budget for the Sandy Fire District 72, for the fiscal year 1977-78, will be held at the Sandy Fire Station at 8:00 p.m. on April 11, 1978. Copies of the Supplemental Budget are available without charge at the Office of the Fire Chief. The Budget may be inspected by interested persons at the Fire District business office during regular business hours. Any person may appear at the public hearing on the Supplemental Budget and discuss the budget or any part of it.

SUPPLEMENTAL BUDGET

Resources	
Lease-Purchase Contract Proceeds	\$43,550.00
Earned Interest	350.00
Total Resources	\$43,900.00
Requirements	
Dover Tanker Truck	\$43,900.00

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1-YEAR CERTIFICATE	6.50%	6.81%

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