

# BROOKINGS-HARBOR PILOT

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## What Is Your Answer?

This opportunity may never come again for the Pilot to point out to the people of this area what "perfect co-operation" can do—what, when people forget an imaginary line—and pool efforts toward a common goal. It is also a plea for these same forces to pull in the same manner on all things pertaining to this area, be it lily week, azalea festival, library, community hall, or schools.

A week from today, voters again will assemble at the high school to vote on acceptance of the budget for the coming year. Heretofore there has been a lot of misunderstanding, which has, by repetition, been distorted so much that people are believing anything. Here are a few facts to remember:

This budget is entirely for maintenance of the school for the coming year. There is nothing being levied for building, much as has been publicized to the contrary. For proof, go down to the section of the budget on page eight of this issue, which reads: "Capital Outlays" and note that it is blank for "new buildings. Note, too, that the last four columns of figures show what was appropriated last year and the three years previous to that.

This budget, despite stories to the contrary, is entirely for conducting the school. Each division, as you will note by study of the budget on page eight, is the actual estimated cost of operation. Economy was always uppermost in the minds of budget committee which drew up this budget.

This budget, if you must turn it down, will reflect to no end against the community which now seeks to be recognized nationally in the floral world. Defeat of this budget would set this community behind several years in a school way, besides at least three years financially. Added thereto may be considered the untold depreciation of land and property values for no settlers will come to a community where the schools are not up to par with others over the state.

On June 16, a budget for the school year 1947-48 was submitted by the school board to the electors of School Dist. No. 17. This budget was defeated when voted upon on that date. The school board has called another meeting for July 17 and offers a new budget for consideration by the electors at that time. There has been much talk, pro and con, as to the status of the schools of Dist. No. 17 if this second budget is defeated at that time. Accordingly the Pilot has requested and received a legal opinion in this matter. The Pilot has confidence in this opinion that it has received and now offers this opinion to its readers. The opinion:

You ask "what shall be the status of the schools in Dist. No. 17 for the school year of 1947-48 if the electors thereof defeat this budget at the school meeting to be held on July 17?"

The answer is "The schools of

Dist. No. 17 shall continue to function in all respects, under direction of the duly elected school board, if the budget is defeated on July 17. A defeat of this budget by the electors would only mean that this particular budget has been defeated. The laws of Oregon provide that schools must be operated and maintained in this state and that mere defeat of a budget cannot set these laws to naught.

It appears that the budget under consideration exceeds the 6% limitation but it appears to set forth the necessary amount of money required to properly conduct the schools of Dist. No. 17 for the school year 1947-48. The school board has the authority to meet in session and vote a sum of money equal to the 6% limitation for the operation of its schools in any one school year. The money so voted is placed on the tax rolls of the

district. The board may then proceed to spend this amount of money. When this sum is exhausted the school board may issue warrants in payment of any further school costs. These warrants are issued against the school district and become a lien against the taxable property of the district. Therefore, if warrants are issued in payment of expense occurred for the school year of 1947-48 these warrants must be paid by the taxpayers of the said district at some future date. The total amount of said warrants would probably be included in the assessment rolls of the year 1948-49. This shall have the effect of throwing the cost of operating the schools of Dist. No. 17, for the year 1947-48 upon the assessment rolls of the next succeeding year and compel the taxpayers of this district to pay the costs of two years of school operation upon one taxable year.

In the case of Tuttle vs. Reem, 144 Oregon 145, the Court decided that irrespective of the vote of the legal voters of a school district upon a budget that the teachers' salaries must be paid. In Stoddard et al vs. School Dist. No. 91, 140 Oregon 203, the court holds "the authority to adopt a budget, levy a tax, and adjourn are the only rights given to the electors of the annual meeting—the statute of Oregon does not give to the voters of the district the right to fix the length of time a school shall be taught." In the case of Hopkins vs. Howard, 131 Oregon 448, Justice McBride says ".....between the provisions, which provide a limitation on authority, and those provisions which impose duties, there seems to be wisely left a field which may be covered by implied powers so long as these implications are not abused" by the school board.

The school board must function and operate the schools of its district in a proper manner. It has a duty to perform and this duty may be enforced against the board in the courts of the state. It must hire teachers, provide for school maintenance, properly operate its schools and arrange for payment of the costs so incurred. All of these matters are left to the discretion of the board subject only to the provisions of the statutes for a minimum school term. The board must obey the laws. It has no other choice.

In an opinion issued to Rex Putnam, supt. of public instruction under date of July 9, 1942, the attorney general of the state of Oregon says in effect ".....while it is true, and the law expressly states, that a school district cannot expend funds in excess of those provided in the budget, the answer is that for excess requirements warrants may be issued to pay these excess requirements....."

The laws of Oregon provide for a minimum school year and for compulsory attendance in school for all those of school age. This presumes that the schools shall be available for the education of all those required to attend school. The electors of a school district may not void these laws."

It therefore appears to the Pilot that any attempt by any group in Dist. No. 17 to hamstring our schools is wasted effort on their part. It also appears that, as a result of this controversy, our schools shall actually benefit. Many of our citizens, because of this attack upon our most cherished institution, have become aroused to the menace of the situation. They shall now take an active interest in building up our schools to a place where they shall be second to none in the state. This shall cost money but it is money well spent. When applied against the welfare of our children money is of secondary importance. The schools of District No. 17, of

Curry County shall continue to function and our children shall receive an education no matter what happens at the July 17 school meeting. The schools cannot be closed!

## Church Services Carried On By Scouts At Camp

### 14 Boys Scouts and Leader Enjoy Weekend at F. S. Camp

Even if they were in the wilds near Westmore Forest Service camp up the Winchuck Saturday night and Sunday, Troop 32 of Boy Scouts of America, observed religious services, Sunday morning. Perhaps not orthodox as may be found in churches, these boys, out in nature, took as their text the scout law: "A scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverend."

John Ginther spoke of the need of being reverend, pointing out to the boys that spiritual power is most potential of all. Gene Gould compared the physical, mental and spiritual growth in scouting.

It was pointed out that Boy Scouts rarely if ever enter the halls of justice to answer for crimes. Scouts, through their insatiable love of the outdoors, grow physically strong from the communion with nature.

To become proficient in arts of scoutcraft, boys must develop mentally, as much, perhaps as

can be obtained in school except from a natural state. These scouts, it was also pointed out, are about to enter hood, about to become on their own right, and while schools and homes, as well as churches supply much, the still need for the training be found only in scouting. The boys cooked their meals, Saturday evening, day morning and noon.

## Weather Report

For the past week, each day:		
Sunday:	Max.	Min.
June 30	63	47
July 1	58	52
July 2	64	52
July 3	64	51
July 4	66	51
July 5	68	54
July 6	68	54
Total rainfall for June		

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