

The Oregon Statesman

"No Favor Sways Us; No Fear Shall Awe"
From First Statesman, March 23, 1851

THE STATESMAN PUBLISHING CO.

CHARLES A. SPRAGUE Editor-Manager
SHELDON F. SACKETT Managing Editor

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Portland Representative
Gordon B. Bell, Security Building, Portland, Ore.
Eastern Advertising Representatives
Bryant, Griffith & Brunson, Inc., Chicago, New York, Detroit, Boston, Atlanta

Entered at the Postoffice at Salem, Oregon, as Second-Class Matter. Published every morning except Monday. Business office, 215 S. Commercial Street.

SUBSCRIPTION RATES:

Mail Subscription Rates, in Advance, Within Oregon: Daily and Sunday, 1 Mo. \$1.50; 3 Mo. \$4.50; 6 Mo. \$8.25; 1 Year \$15.00. Elsewhere 50 cents per Mo., or \$5.00 for 1 year in advance. Per Copy, 2 cents. News Stands 1 cent.
By City Carrier: 45 cents a month; \$5.00 a year in advance.

Analyzing the "Planning Bill"

AS A SAMPLE of the asininity and futility of "planning commissions" we offer as Exhibit A, House bill No. 2 in the legislature. The pedigree of the bill is short: it was sired by the volunteer brain trust appointed by Gov. Martin and "dammed" by the federal regional planning board headed by Marshall Dana. Such an agglomeration of blab-blah loaded with political dynamite has rarely been proposed in the legislature; and could only be advanced by self-deluded evangelists who cannot rest until they baptize their brothers in synthetic reform. Under the hypnosis of new dealism the legislature was expected to shoot the bill through into law in a few days. Thanks to the intellectual independence of Representative Snider and Senator Strayer and a few others the bill was stopped in committee and its parts examined. Now it is said that the bill is not what the governor wanted at all; and will be redrafted to change its terms drastically.

The bill illustrates vividly the ambition of high-minded theorists to ignore what has been done and set about to do them differently. This board of nine men would blueprint everything from roads to military breastworks, from duck refuges to tax systems. It is also to be vested with powers of procreation, because it may appoint supplementary "advisory committees"; and the text of the bill implies the hatching of a brood of subordinate planning boards in counties and cities.

And here is a provision without parallel in modern democratic legislation: "By a vote of seven members the board may request and enforce the resignation of a member." Only a brain-truster could think of that: an intolerant suppression of minority opinion.

What is the function of this planning board? Section 4 states:

"It shall be the function and duty of the . . . board to make recommendations to the governor . . . and adopt upon his approval coordinated plans for the development of the state of Oregon, which shall, among other objectives, lead up to the formulation of general plans and/or policies . . ."

Try that sentence on your teacher of freshman English. Strictly speaking it means that the board shall make and adopt plans leading up to the formulation of general plans! Is planning to be pyramided?

Call the roll of the 13 items to be under the gull's eye of this planning commission:

"(1) complete, coordinated system of state and regional highways and other transportation facilities; (2) parks, parkways, scenic and recreational highways and other related areas, and the preservation of roadside and other natural beauty and historic assets."

What has the highway commission been doing all these years?

"(3) water supply, flood and erosion control, sanitation, drainage and irrigation."

Do the planners know the state now has a state engineer, a reclamation commission, a state board of health which safeguards sanitation?

"(4) the protection of beaches, lakes and streams and wild life refuges."

Didn't the state game commission, under the chairmanship of Mr. Dana, prepare a "ten-year plan" for protection and propagation of game and conservation of recreational assets?

"(5) the conservation and use of forests and other natural resources."

Why have a state forestry board and a state forester then?

"(6) the conservation of water power resources, and the generation, transmission, distribution and use of electric power."

Do we have to go all through hydro again? Didn't the 1931 legislature under a similar "mandate to the people" create a hydro-electric commission to do things to water power?

"(7) systematic land classification and land use regulation and the regulating of the use of submarginal land."

This is new material; but the state college and county agent have been working this job out under the authority of the federal department of agriculture. It is hard to see how a "planning board" composed of an architect, a professor of sociology, a civil engineer and a few others could be of much help.

"(8) consolidation and reorganization of governmental agencies of the state."

This smells like county consolidation and other administrative reforms which braintrusts are wont to blueprint.

"(9) the protection of areas and establishment of standards for suburban and rural community developments."

Again new material, although the zoning law extends authority of city zoning commissions into suburban territory, within limits.

"(10) the acquisition of sites for and location of public buildings and institutions."

"(11) the development of military and other defensive works."

Aha, forts along the Idaho border; and an Oregon navy on the Umpqua. Generals White and Tom Rilea will please ride in the rumble seat while the brain trust uses the field glasses.

"(12) the financing and execution of a long-term program of public works."

In this field the commission could be of service, along the same lines as the Reconstruction Advisory council.

"(13) an improved tax system."

The ghosts of innumerable tax survey commissions stalk through the corridors of Oregon history. Sen Zimmerman seemed to smell "sales tax" in this clause; but we interpret it merely as another pious fraud on an unsuspecting public. After the board has spent the \$40,000 plus the residue from the Reconstruction Advisory council, after it has gested and brought forth its blueprints, then what happens?

"Whenever the governor, through the state planning board, has adopted or established a program or part program for the conservation of natural resources, or for a development of public works, or for the carrying out of a governmental policy, each state department, commission, board or official desiring to deviate from such program, unless definitely empowered with constitutional authority to do so, shall before proceeding with such deviation submit a statement in writing to the governor, stating wherein it is proposed to deviate and the reasons therefor. At the request of the governor, the state planning board shall consider any or all such proposals for deviation from said program and submit its findings and recommendations, if any, to the governor within a period of 30 days."

Here is another model for the class in freshman English. Try to diagram its meaning: "Whenever the governor . . . has adopted a program . . . each state department desiring to deviate . . . shall before proceeding . . ." The grant of power appears to be for the deviation rather than the execution. What happens to the plans after the board reports and the governor adopts? Nothing, so far as we can see in the measure.

The Road to Yesterday!



Bits for Breakfast

By R. J. HENDRICKS

Who owns the Marion county court house?

(Continuing from yesterday.) The wording that refers to the plat of the Salem of W. H. Wilson, as recorded, begins:

"Plan of the town of Salem in Marion county and Territory of Oregon as laid off by William H. Wilson (should be Willson)."

"The town of Salem is situated on a claim held by the said William H. Wilson (should be Willson) in the above named county of Marion lying on the east side of the Willamette river and laid off as follows, to-wit: All of the blocks lying west of the (Church) street running north and south on the east side of block 1, 2, 3, 4, 5, 6 and north of the street (State) running east and west which is on the south side of block No. 6, 12 (21) 23, 48 and 63 contain 8 lots each, excepting block 6, which is a public square. The lots in these blocks are 125 links front and 250 links back, excepting block No. 53, 59, 60 and 61, etc. (That made the down town lots 165 by 82 and a half feet. The two words enclosed in parentheses indicate omissions, and the figure a wrong one in the original.)"

"Excepting block 6, which is a public square." Those words used in describing the plat are apparently the only title Marion county has to the court house property—save that of possession.

But there is in the abstract books of Marion county a record of a deed to the court house block. It reads:

"Know all men by these presents that we, J. K. Gill and Frances A. Gill his wife of Portland, Oregon, in consideration of one thousand dollars to them paid by W. W. Moreland of the state of California, do hereby remise, release and forever quit claim unto the said W. W. Moreland and unto his heirs and assigns all our right, title and interest in and to the following real estate, to-wit: Block No. six of the city of Salem, Marion county, Oregon, sometimes designated and known as the Court House Block, and bounded as follows: On the west by High street, on the north by Court street, on the east by Church street and on the south by State street of said city. To have and to hold the same to the said W. W. Moreland and to his heirs and assigns forever, with all the privileges and appurtenances thereto belonging."

Signed by J. K. Gill and Frances A. Gill, witnessed by Geo. H. Durham and Lavina R. Carman.

The potential dynamite in the bill is this: it creates a permanent body which under ambitious leadership may trespass on the functions of the governor and of the legislature. The staggering of four-year terms may continue a board out of sympathy with a new chief executive. It may become a "third house" of the legislature just at a time when there is some demand for cutting down to a one-ring legislature. By undertaking to do the planning on everything from parks to fish-wheels the board will inevitably conflict with various administrative officers and boards charged with special responsibilities.

We are confident Gov. Martin did not mean to turn loose on the state any group with such plenary powers. It is his purpose to be the governor, not a book agent for a board. In view of the approaching expanded program of public works there is probably need for an advisory committee to coordinate plans for such projects; and such a body may well be created at the governor's request. But when it comes to plans for specific lines of activity, then the better course is to rely either on existing agencies, of which we now have many, or to create a temporary body of qualified persons to survey the particular problems. To create a permanent planning board with wide powers invites friction and spells futility.

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GERVAIS, Jan. 18.—Approximately a mile of concrete sidewalk and ten crossings have been laid under the SERA this fall and there are four street crossings, some alley crossings and several blocks of walks yet to be laid.

The city has had parking space graveled at the west side of the auditorium and has had a railing placed between the parking space and lawn in front of the hall.

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Mrs. Briley is the new president; Mrs. Mary Imah, vice-president and Mrs. Ella Harper, secretary-treasurer, which office she has held for some time.

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