

# Community Property Bill Wins Approval of Senate; Opponents Claim Legal Tangle Inevitable

**By Wes Sullivan**  
 News Editor, The Statesman

The community property law, which would revise basic Oregon law to give wives, for purposes of taxation or divorce, an equal share of husbands' earnings, passed the senate Thursday (18-11) and was sent to the house.

The bill, which would replace the present common law which makes the husband the sole owner of any earnings or property not specifically in the wife's name or held jointly, was described by both opponents and proponents of the plan as one of the most important bills ever to face the legislature.

Sen. Lew Wallace of Portland summarized the effects of the bill in three points at the start of the four-hour debate, saying the bill would:

- (1) Grant equality to husbands and wives in the eyes of the law.
- (2) Bring Oregon's basic property law into conformity with that of Washington, Idaho and California.
- (3) Permit husbands and wives to split their total income for federal tax purposes for a yearly

## Senate Action

you had better check your wills, insurance policies and trust funds. This one bill would repeal 500 provisions of our law."

Sen. W. W. Baldersee of Grants Pass countered by saying that many members of the legal profession were simply afraid to make the change and charged, in reply to Sen. Thompson's statement, that confusion would result, that even under the present law many points of difference arise.

**Law Professions Quoted**  
 Arguments on the second point, that neighboring states have had the law for many years, centered around quotations from law professors and lawyers from other states both favoring and opposing the community property plan. Sen. Austin Dunn of Baker, who studied in Washington under the proposed system, stated that lawyers who are working under the communal system do not understand it, while proponents of the bill asked why there has been no move in these states to change the law.

Sens. Frank Hilton of Portland and Doug McKay of Salem cited instances where prominent businessmen have moved their homes and businesses from Oregon to Washington to come under the communal plan.

As to possible savings afforded federal income taxpayers under the plan, conflicting estimates ranged from \$15,000,000 saving to the people by Sen. Wallace to "loss of \$2,400,000 in revenue to the state" by Sen. Rand.

**48,000 Would Be Affected**  
 Both proponents and opponents agreed that only 48,000 persons in Oregon, in the higher income brackets, would have their federal income taxes reduced materially under the plan. Sen. Rand stated the plan would result in a \$2,000,000 loss in income tax and a \$400,000 loss in inheritance tax revenue yearly to the state. Sen. Hilton suggested that some of the savings in federal income taxes could be diverted to the state by increasing the state income tax by 1 per cent.

Those opposing the measure were Sens. Belton, Dunn, Falland, Jones, Parks, Pearson, Rand, Thompson, Walker, Walsh and Zurcher. Sen. Cornett was absent.

A similar plan, which was repealed by the 1943 legislature and repeated two years later after a like law had been declared unconstitutional, would have permitted families to be included under the community property law on a voluntary basis.

## House Action

DEFEATED:  
 SB 328—(Com. on municipal affairs)—Changes municipal budget fiscal year from Jan. 1 to July 1 and permits carrying over of unexpended budget balances from one budget to the next when they do not exceed 25 per cent of the amount budgeted.

PASSED:  
 SB 31—(Sens. Falland and Belton; Reps. Ellis and Eberhard)—Raising state aid to institutions supporting homeless children, foundlings and indigent orphans from \$20 to \$40 per child over 3 years old and from \$25 to \$50 per child under 3.

SB 33—(Sens. Falland and Belton; Reps. Ellis and Eberhard)—Raising state aid for institutions caring for wayward girls from \$20 to \$40 and from \$20 to \$50 at discretion of state public welfare commission, per girl between ages of 18 and 21 in maternity or venereal disease cases.

SB 107—(Sen. Carson)—Permits court to revise order of proceedings at trial.

SB 216—(Sens. McKay, Carson et al.)—Establishes community property law. (Subs for SB 3.)

SB 220—(Judiciary com.)—Provides for a department of justice giving added powers to the attorney general.

SB 266—(Cackamas county del.)—Permits municipal water districts to operate street lights.

SB 262—(Rev. of laws com.)—Makes revolving doors, equipped with safety features, legal exits.

SB 372—(Judiciary com.)—Prohibits persons from renouncing within 60 days after divorce decree entered.

SB 328—(Judiciary com.)—Provides that divorce decrees do not become effective for 60 days, makes marriages contracted within that period illegal.

SB 334—(Rev. of laws com.)—Repeals duties and obligations of an out-of-state executor of a will.

SB 335—(Rev. of laws com.)—Grants court power to require additional bond of executor of a will.

SB 409—(Rev. of laws com.)—Makes property of deceased persons subject to expenses for administration and permits sale when such transaction is to the benefit of the estate.

SB 412—(Multnomah del.)—Boots pay of Multnomah surveyor.

SB 418—(Rev. of laws com.)—Provides that settlement of claims be divided half to surviving spouse and half to dependent child.

SB 420—(Rev. of laws com.)—Sets an annual fee of 50 cents for license to carry firearms to be paid to city or county issuing license.

SB 430—(Rev. of laws com.)—Adds administration of estate and costs of selling property to claims against estate.

SB 139—Eliminates county clerk fees for documents for veterans.

SB 146—(Rep. Condit, Gallagher)—Provides for continuance under public employees' retirement act, of teachers who may become county or assistant county school superintendents or county superintendents.

SB 282—(Rep. R. Bennett)—Raises salaries of Yamhill county officers.

SB 323—(Rep. Hessler)—Appropriates \$4000 toward proposed fisheries compact between Oregon, Washington, California.

SB 385—(Com. on mil. affairs)—Specifies \$10 per diem as pay for members of director of veterans' affairs advisory committee.

SB 413—(Rep. Hendershott, E. Hill)—Would allow county judge authority to waive 3-day waiting period for marriage in event circuit judge is available.

SJM 5—(Com. on livestock)—Asks congress to aid Mexico in stamping out hoof and mouth disease.

"DO PASS" COMMITTEE:  
 REPORTS ADOPTED:  
 SB 31, 109, 316, HB 73, 105, 333, 340, 381, 382, 420.

"DO ADOPT" COMMITTEE:  
 REPORTS ADOPTED:  
 HJE 16.

REFERRED TO COMMITTEE:  
 SB 407.

REPEALED (with house amendments):  
 SB 346.

SENT TO COMMITTEE:  
 SB 102, 209, 239, 294, 385, 406, 409, 422, 474; HJM 17.

INTRODUCED:  
 SB 437—(Joint ways and means committee)—Creates state blind commissioner to be appointed by the state board of control and authorizes the board to appoint a superintendent of the Oregon blind trade school, abolishes the commission for the blind and prevention of blindness.

HB 155, 211, 221, 328, 334, 335, 336, 361, 385, 405, 417, 441, 446, 448, 475, 476; HJM 17.

FINAL ACTION TODAY:  
 HB 31, 109, 316; HB 73, 105, 162, 188, 202, 223, 247, 323, 373, 374, 380, 381, 382, 407, 420, 428, 432; HJM 15; HJR 16, 18.

SENATE TO RECONVENE AT 10:30 A.M. TODAY.

## Board Opposes Transfer of Fairview Home

Removal of Fairview home from the Salem area to Camp White, Jackson county, and use of the present Fairview Home property by the Oregon state hospital does not appear to be in the best interest of the state, a special investigating committee appointed by Gov. Earl Snell reported to the state board of control Thursday.

The committee said the Camp White hospital is more suitable for seniles from the state hospital and untrainable Fairview Home inmates than as a home for the feeble-minded. The cost of such an additional institution over a 10-year period was estimated at \$5,000,000.

"Movement of the feeble-minded institution (Fairview Home) from its present site to Camp White," the report said, "probably would result in many complaints from relatives and inmates because of its geographical location."

## Veteran Study Courses Cover Varied Fields

Under the G-I bill of rights, Oregon's world war II veterans can study for virtually any profession or vocation they choose, from medicine to music and banking to barbering, George E. Sandy, director of the state veterans department, reported to the legislature this week.

Sandy said a directory of educational institutions approved by the state educational department and the veterans administration, lists more than 165 public and private institutions of learning in Oregon which ex-servicemen may attend at government expense, in addition to grade and high schools which are generally approved.

Forty-four institutions scattered throughout the state are approved to teach aviation and airplane mechanics. Thirteen hospitals offering nursing courses, eight beauty schools are listed, and there are 28 business colleges and banking institutes for either men or women. Courses in chicken sexing also are available.

The Statesman, Salem, Oregon, Friday, March 21, 1947—3

Spitsbergen, north of Norway, is about the size of West Virginia.

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**THE FEATURE EVENT AT THE SALEM'S LIONS CLUB**

**All Breed Dog Show**

**Saturday and Sunday, March 22-23**

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**Children's Handling Class**

Sunday at 6:30 P. M.

Children judged on ability to handle any dog entered in show

AGES 6-16 IN FOUR GROUPS

Boys 6-12 Boys 12-16  
 Girls 6-12 Girls 12-16

Prizes or trophy for best in each group; grand prize for best of all ages.

Judgings all day. ADMISSION 50c incl. tax (Children under 12 admitted free if with parents)

In Grandstand Building, State Fairgrounds  
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tion of industrial accident commission).  
 HB 482—(Labor, industries com.)—(Subs for HB 274, 301, 431)—Lets industrial accident commission investigate plants contributing to industrial accident fund.

SB 31, 31, 229, 262, 372, 374, 384, 385, 409, 412, 430.

UP FOR FINAL ACTION TODAY:  
 HB 32, 233, 344, 451, 458, 466, 477, 478; SB 65, 94, 118, 119, 120, 141, 198, 214, 256, 276, 306, 330, 344, 380, 388, 390, 400, 401.

HOUSE RESUMES 10 A.M. TODAY.

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**PRICES EFFECTIVE TODAY THROUGH MONDAY**

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<b>Sweet Peas</b> Libby Rosedale No. 2 cans <b>2 cans 25¢</b>	<b>Fruit Cocktail</b> Del Monte, No. 2 1/2 can <b>Can 35¢</b>
<b>Diced Beets</b> Del Monte No. 303 Jars	<b>Deluxe Plums</b> No. 2 1/2 jar <b>22¢</b>
<b>Diced Carrots</b> Del Monte No. 303 Jars <b>3 jars 25¢</b>	<b>Hunt Apricots</b> No. 2 1/2 can <b>23¢</b>
<b>Whole Kernel Corn</b> 2 cans <b>29¢</b>	<b>Strawberry Preserves</b> KERR, 2-lb. jar <b>89¢</b>

<b>KRAFT MALTED MILK</b> Chocolate Flavor <b>1 lb. can 29c</b>	<b>STRAINED HONEY</b> Evans <b>1 lb. jar 43c</b>	<b>PEACH PRESERVES</b> Libby's <b>1 lb. 3-oz. jar 32c</b>	<b>RIPE OLIVES</b> Wyandotte Medium <b>No. 1 tall can 29c</b>
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<b>Beans</b> No. 2 Cans <b>2 cans 39¢</b>	<b>Kadola Figs</b> Large No. 2 1/2 can <b>29¢</b>
<b>Niblets Corn</b> Del Maiz, whole kernel <b>2 cans 29¢</b>	<b>Tangerine Juice</b> 2's <b>2 cans 25¢</b>
<b>Fancy Spinach</b> Walla Wall No. 2 <b>2 cans 25¢</b>	<b>Boysenberries</b> No. 2 can <b>39¢</b>
<b>Sweet Potatoes</b> Large No. 2 1/2 can <b>23¢</b>	<b>Sliced Peaches</b> No. 2 1/2 can <b>23¢</b>

<b>PANCAKE FLOUR</b> Hungry Jack 10-lb. bag <b>79c</b>	<b>Kraft Cheese Spreads</b> Pimiento and American 5-oz. glass <b>15c</b>	<b>RITZ CRACKERS</b> Crisp, round butter wafers, 1-lb. pkg. <b>25c</b>
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<b>OCEAN SPRAY CRANBERRY PRODUCTS</b>	<b>Friskies Dog Food</b> Meal or cubes
<b>Cranberry Sauce</b> No. 1 tall can <b>23¢</b>	2-lb. pkg. <b>23c</b> 4 1/2-lb. pkg. <b>59c</b>
<b>Cranberry Jelly</b> No. 1 tall can <b>25¢</b>	<b>Pard Dog Food</b> 8-oz. pkg. <b>10¢</b>
<b>Marmalade</b> CRANBERRY-APRICOT 15-oz. jar <b>27¢</b>	<b>Morton Salt</b> 2-lb. bag <b>5¢</b>
<b>Marmalade</b> CRANBERRY-ORANGE 15-oz. jar <b>25¢</b>	<b>Yellow Corn Meal</b> A.Mer, 2 1/2-lb. pkg. <b>19¢</b>