

Opinion of Liquor Board Requested On Wine Proposal

Constitutional Factor in Libel Bill Assailed

The Oregon Liquor Control Commission will be asked for its opinion of a proposal that state law permit the sale of the stronger wines in groceries and other package stores, it was decided Wednesday by the House alcoholic committee after hearing support for the proposal from wine industry and food store spokesmen.

One of few bills still before that committee, HB 585 would change state law so that package stores which now sell table wines of up to 14 per cent alcoholic content would be able to sell the dessert, or fortified, wines of up to 21 per cent alcoholic content.

Only the state liquor stores now may sell the stronger wine, and this means that the industry sells less wine than could be sold in the Oregon market, according to Gerald Meindl of the Wine Council of Oregon.

Bought by Housewives
That's because housewives buy 80 per cent of the wine and few housewives will go to a liquor store, he asserted before the committee at the Wednesday hearing.

Elmer Berg, Salem grocer representing the Oregon Food Executive Club, supported the bill, saying that the grocery markets continually have requests for the dessert wines.

Nobody appeared in opposition to the bill, but Rep. Alfred W. Loucks (R), Salem, a member of the House committee, questioned its effect on the sale of wine by the bottle in taverns.

Fostered by Availability
He told the committee Salem had had experience in the selling of taverns that led him to believe excessive drinking was fostered by the availability of wine which could be purchased by the bottle at closing time after an evening's beer drinking by a tavern customer.

Loucks said traffic safety alone was a factor to consider and, despite other arguments for the bill, a bottle of 21 per cent wine would be worse under such conditions than a bottle of 14 per cent wine which now may be sold at taverns with the proper licensing.

Limit Licenses
One provision of the wine industry would permit the liquor commission to limit the tavern licenses so they couldn't sell the stronger wine.

Constitutionality of this provision would have to be checked, it was stated by George Woodworth, liquor commission attorney who attended the hearing.

Much of the hearing was devoted to the effects of wine on the alcoholism problem.

Alcoholism: Unaffected
Dr. John R. Montague, Portland physician who serves on the American Medical Association alcoholism study committee and who operates a sanitarium for alcohol-

The House-passed bill to control damages for unintentional libel ran into charges Wednesday that it is unconstitutional.

The charges were made at a Senate State and Federal Affairs committee hearing by Sen. Philip E. Lowry, Medford; Carl H. Francis, Dayton; and Warren Gill, Lebanon. All are lawyers. None is on the committee.

The bill would limit damages for unintentional libel to the actual amount of damages, thus assertedly ruling out punitive damages, if a retraction is asked and published.

Attorney General Robert Y. Thornton has held the bill constitutional.

Asst. Atty. Gen. Lloyd G. Hammett told the committee there was "doubt" in that regard.

The bill, he said, would put the burden of proof on the plaintiff. Now this burden rests on the publisher.

Lowry, while sympathetic to the bill's aim, said the bill would unconstitutionally limit the right of an individual to have a complete remedy at law for injuries.

The bill does not affect intentional libel.

Tom Purcell, publisher of the Gresham Outlook, said publishers should be protected from "willy nilly" libel suits. He said small newspapers can't afford full libel insurance.

Phil Bladine, publisher of the McMinnville News Register, said a small paper could be driven into bankruptcy by an accidental libel.

Rep. George Layman, Newberg lawyer who introduced the bill, and Carl Webb, manager of the Oregon Newspaper Publishers Association, also testified for the bill.

Hearings Set on Water Resources, Milk Grade Bills

Milk grading and water resources—two subjects of controversy in the current legislative session—will be given public hearings the second time around next week.

Both hearings pertain to bills passed by the House and now in Senate committee.

The proposal to make Grade B milk standards higher, HB 124, is set for hearing in Capitol Room 309 Tuesday following afternoon adjournment of the Senate. It is before the Senate agriculture committee.

Two House-approved bills to create a powerful State Water Resources Board and to adopt a statewide ground water code will be aired before the Senate natural resources committee Monday at the same time.

Split Vote Favors 'One Senator per County' Bill

The House elections committee voted 6 to 5 Wednesday to ask the House to approve legislation designed to change the State Senate so that each county has one senator, regardless of population.

This was one of the day's top developments in committee work. Another was defeat by the joint ways and means committee of the entire appropriation requested for the Oregon Development Commission.

The election committee minority consisted of the five Multnomah County representatives on the committee. They indicated they would file a minority report and carry the controversial issue to the floor of the House.

Committee approval of the proposed plan which would be submitted to the voters in 1956 as a constitutional amendment came only 48 hours after the bill was introduced by Reps. Emil Stumz (D), Nyssa, and Wayne Giesy (R), Monroe.

The makeup of the House would not be affected, as it would continue to be based on population distribution as at present.

Objections to the Oregon Development Commission led to a tie vote of 7 to 7 on the commission's \$130,379 budget as approved by the governor and a ways and means subcommittee.

Sen. Gene Brown (R), Grants Pass, said the commission was created two years ago as a coordinating group to spur industrial development, but "now it has become a primary body likely to keep growing and spread into other fields."

He and some of the others said they thought much of the commission's work duplicated service already done by chambers of commerce and other agencies.

Other Wednesday committee highlights:

The House alcohol committee tabled three Senate bills—those designed to penalize liquor commission employees accepting gifts, allowing the commission to decide "reasonable standards" of food service as required where liquor is sold and the bill recently recalled after earlier passage to allow service of liquor to guests in private clubs.

Full scale argument over timber marketing areas were resumed before the House forestry committee, but no action was taken.

The building subcommittee of

ways and means heard an explanation of top construction needs in higher education from

Education Program For Indians Sought

Representatives from Lane, Yamhill, and Marion Counties have introduced legislation calling for an educational program for Indians in western Oregon on the same basis as that recently provided for Klamath Indians.

Funds for the program would be appropriated by the state but it would be reimbursed by the federal government.

Klamath Indians were the subject of a bill which passed both Houses earlier in the session to educate them in the mechanics of self government.

The building subcommittee of

G. F. Chambers, Salem, member of the State Board of Higher Education.

This subcommittee has agreed so far to accept the priority order of buildings in both the higher education and institution building programs as recommended earlier for the coming biennium.

How far down the list to go depends on how much revenue might be in sight, and this remains to be decided.

The salary subcommittee of ways and means is drafting a bill designed to require department heads to keep salaries outside civil service at corresponding levels with civil service pay rates.

There have been more than 50 major eruptions of Mt. Etna in Sicily in recorded history, says the National Geographic Society.

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