

Withholding Tax Test Case Slated

ALBANY (UPI) — A Lebanon dentist, Dr. Harold D. Roberts, 37, said he would begin a test case to determine whether he should have to pay withholding tax for dental laboratory employees in his office.

Roberts was ordered to produce his books for the department of employment Thursday in concordance with a subpoena that had been issued to him.

The department was trying to determine the amount of withholding tax that should be paid.

Roberts said the reason he has not withheld taxes is "the persons working in the dental lab are self-employed."

Dr. Don Eggerman, president of the Southern Willamette Dental Society, said, "Dr. Roberts is using this as a test case and this organization has no sanction concerning the case."

In circuit court Friday, Roberts paid a \$150 fine after being found guilty of contempt of court. Prior to Roberts' sentencing, Mrs. Carlotta Sorenson, assistant attorney general for the department of employment, asked that Roberts supply his books for 1960-61. She said Roberts had a laboratory report which he had failed to report.

Roberts said in court that he had offered the payroll information to Gaylord Hibbs, the state officer examining, and he had refused to take them.

The issue is whether the girl Roberts is hiring is an independent contractor.

The law is only two years old and according to one Albany dentist, it has never been tested in Oregon.

State law requires that all employers pay withholding taxes on an employee.

Republicans Rap Aid Plan

WASHINGTON (UPI) — Republicans in Congress are demanding a shake-up of the Alliance for Progress aid program for Latin America.

This became evident today in publication of a blistering attack against the administration's handling of the program in the GOP Congressional Committee newsletter.

The lead article — entitled "JFK's Alliance Needs New Look" — charged that the program was headed toward failure "and could well pull with it the economies and republican forms of government of many of the nations it was supposed to help."

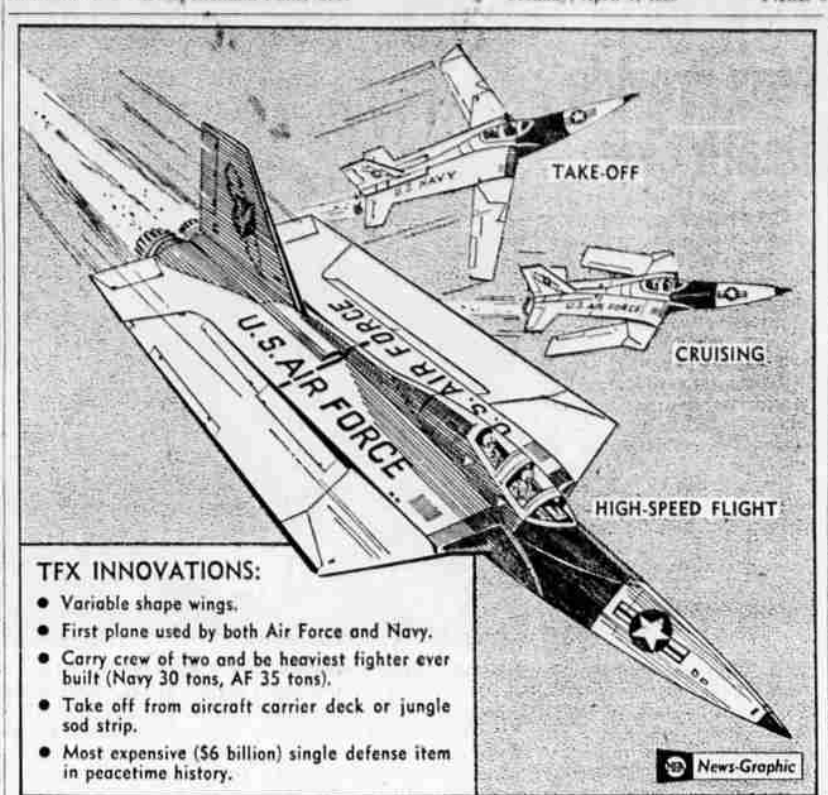
It said "the need for immediate and momentous change in alliance concepts and policies is considered by many to be vital to the free survival of the bulk of the Western Hemisphere."

The weekly Republican publication said a presidential study group, headed by Gen. Lucius Clay, has recommended that the United States aid only those countries which show some willingness to help themselves.

HERALD AND NEWS, Klamath Falls, Ore.

Monday, April 1, 1963

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TFX INNOVATIONS:

- Variable shape wings.
- First plane used by both Air Force and Navy.
- Carry crew of two and be heavier fighter ever built (Navy 30 tons, AF 35 tons).
- Take off from aircraft carrier deck or jungle sod strip.
- Most expensive (\$6 billion) single defense item in peacetime history.

NEW GENERATION FIGHTER—Known now as the TFX (Tactical Fighter Experimental) and eventually to be called the F-111 when it rolls off the production line in 1965, airplane shown in drawing above is unusual in a number of ways. Most outstanding characteristic will be its ability to change the shape of its wings: extended for high lift on take-off; partly retracted for cruising at moderate speed; and folded back like those of a diving bird of prey for high-speed flight. That high speed will be 1,650 miles an hour, both at high altitude and at low level. The TFX, or F-111, will be able to carry nuclear bombs anywhere in the world in one day with mid-air refueling. The TFX became the center of a controversy in Congress when Defense Department civilian chiefs overruled decisions of the military in awarding the huge contract.

East German Commies Ban Books On Crimes Of Stalin

BERLIN (UPI)—East German Communists disclosed Saturday they have banned Russian books dealing with the crimes of the Stalin era.

The Communists said the books have not been published in East Germany and will not be published there.

They criticized East German writers who have demanded that the anti-Stalin books be made available and accused them of trying to disrupt the unity of the party.

The censorship disclosure was contained in a speech released Saturday by Kurt Hager, East German Communist party cultural boss. In a speech made March 25, to writers and artists, he de-

manded strict conformity with Soviet Premier Nikita S. Khrushchev's policy opposing modernist tendencies in the arts.

Like Khrushchev, Hager attacked peaceful coexistence with the West in the field of ideology. But he went far beyond Khrushchev in attacking the Russian novels and poems that expose crimes committed by Stalin.

He charged that some East German writers and artists con-

tinually try to bring about discussions of Stalin and ignore the "great revolutionary traditions of our party."

"Some demand that we publish all Soviet books that deal with the consequences of the personality cult," Hager said.

He said the books would continue to be banned because "the enemy uses this literature for wild anti-Communist agitation."

Youth Senate Defeats Death Penalty Measure

SALEM (UPI) — The Oregon Youth Senate today defeated a bill to abolish capital punishment in Oregon.

The action came as the 16th Y.M.C.A. Youth Legislature went into House and Senate sessions to consider bills that were passed on by committees earlier in the day.

Some 70 bills were introduced as the two-day student legislature opened Friday.

Both houses this morning passed bills to release doctors, nurses and ambulance attendants from liability in administering first aid, and to give tax exemptions to manufacturing plants until they start manufacturing.

The Senate passed bill to require certification of marriage counselors, to set up a committee to decide whether therapeutic abortions should be performed.

The Senate passed a bill to give the state a uniform curfew of 9:30 on school nights and 10:30 on nether nights.

It also passed a bill to require reexamination for every third renewal of a driver's license, and for every renewal after age 58.

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Revised Constitution Preserves Tradition Of Strong Local Government, Tax Controls

"A NEW CONSTITUTION FOR OREGON"

(This is the eighth in a series of articles about the revised Constitution proposed by the Oregon Constitution Revision Commission. The articles were written by Hans A. Linde, professor of constitutional law at the University of Oregon and a member of the Commission.)

In public discussion of the revised Constitution, attention has naturally focused on the major branches of government described in the preceding columns. Proposals for change are new; decisions against change are not. Yet familiar features continued from the present Oregon Constitution are among the most important in the revised Constitution.

Oregon has a tradition of strong local government of voter control over taxes, and of direct popular legislation. All are preserved in the revised Constitution.

POPULAR CONTROL

The "Oregon System" of the initiative and referendum of legislation, which won Oregon national recognition 60 years ago, is changed only slightly in the revised Constitution. The number of signatures needed on initiative and referendum petitions is now based on the votes cast in an elec-

tion for Supreme Court justices. With a change in judicial elections, the vote for governor makes a better and more stable base, and the percentages of signatures needed were adjusted for this new base. To discourage unnecessary future efforts to "freeze" in the slimmed-down new constitution pet projects that could be placed in the statutes, initiative constitutional amendments will require a somewhat higher number of signatures.

Provisions for the recall of elected public officials are also continued.

Fiscal needs are the greatest problem facing all state and local governments, and many people believe that legislators should squarely be given full responsibility for tax laws. Nevertheless, the Constitutional Revision Commission decided to continue the Oregon tradition — unique in the nation — by which tax laws cannot be placed beyond the referendum power of the voters. This power places on Oregon voters a great responsibility for self-restraint, if the state is to avoid fiscal chaos.

Likewise, the revised Constitution retains the "six per cent limitation" on increases in local taxation without special approval by the voters.

Home rule for cities and for counties is continued from the present Constitution.

A controversial issue was the earmarking of gasoline and related taxes for highway purposes, another principle originated in Oregon long ago. Earmarking of revenues for special purposes is generally undesirable, and the Commission first voted to move it to the statutes. But in the end the highway tax provision was re-instated in the revised Constitution.

Provisions for state control over beaches and water power, and for people's utility districts, were retained.

Thus, when it completed its task the Commission felt able to report that "the Revised Constitution does not deprive any political, economic or social group of any right, privilege or possible advantage which that group may have under the existing Constitution."

STATUTORY MATERIAL

One reason for constitutional revision is the accumulation in the present Constitution of scores of sections and thousands of words that do not properly belong in a constitution but in statutory law. In part this has been necessary

because of awkward limitations in the old Constitution. For instance, each state bond issue — for veterans' housing loans, for college dormitories, for reforestation — has had to be spelled out in all its words details in a constitutional amendment. In part, also, initiative constitutional amendments have been used to circumvent legislative responsibility — as, for instance, by putting liquor-by-the-drink into the Bill of Rights.

In removing such material from the present Constitution into the Oregon Revised Statutes, the Commission did not undertake to pass on the wisdom or desirability of the policies involved. It accomplished this aspect of revision in a novel and ingenious manner.

Article XIV of the revised Constitution is a compilation of present constitutional provisions that are to be continued as statutes.

They include details of election laws, legislative procedures, the death penalty, liquor-by-the-glass — all without substantive change. Upon adoption of the revised Constitution they will automatically become statutes, without need of re-enactment. When these former constitutional sections have been codified in the Oregon Revised Statutes, Article XIV by its own terms ceases to be a part of the revised Constitution.

As a result, the revised Constitution has spared down the 22,000 words in the present 237 sections to a trim 127 sections of 9,644 words — perhaps the shortest among the states. The revised Constitution deals with fundamentals of government, and with the protection of basic individual rights and popular control over authority.

(Next: Can Oregon adopt the revised Constitution?)

Florida's interior experiences more thunderstorms than any other place in the United States.

Home rule for cities and for counties is continued from the present Constitution.

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