

Revised Constitution Plan Faces Stiff Opposition; Will Require Strong Support

"A NEW CONSTITUTION FOR OREGON"

(This is the last in a series of articles about the revised Constitution proposed by the Oregon Constitutional 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.)

Will the revised Constitution ever actually become the Constitution of Oregon?

A reader who has stayed with these columns this long will have realized that the Commission had to make many difficult choices. Any revised Constitution it reported to the 1963 legislative session would contain some proposals about which reasonable men could differ. What hope is there that the Legislature, in turn, can agree on a revised Constitution to submit to the people of Oregon?

The Constitutional Revision Commission itself faced the question squarely. "Some of us disagree with portions of the proposed draft," it reported; but "the proposed Constitution is in our collective judgment a model for a modern state having Oregon's historical, political and economic background; it is far superior to the existing 1857 Constitution. Its adoption by the Legislature and the people will give Oregon one of the three or four best Constitutions among the 50 states." Fifteen of the 17 members joined in these conclusions; two dissented.

And the Commission concluded its report with the "hope that the 52nd Legislative Assembly and the people of Oregon will look upon the Revised Constitution in the same manner as has the Commission: as a framework to be regarded as a whole, rather than as a set of isolated recommendations."

How realistic is this hope? The political dilemma of constitutional revision was clear to the Commission and is unavoidable. Opposition from many separate sources, each minor in itself, will criticize individual provisions of the revised Constitution. But who speaks for the state's interest in its Constitution as a whole?

SUPPORT FOR CONSTITUTION

Gov. Mark O. Hatfield has urged the Legislature to refer the revised Constitution to the public without drastic reworking. In his inaugural address at the beginning of the present legislative session, the Governor said that the Legislature's "greatest legacy" can be the adoption of a realistic, modern Constitution. Secretary of State Howell Appling, on the other hand, opposes this proposal.

The revised Constitution has won strong editorial support from newspapers throughout the state — a skeptical group not commonly enthusiastic for new proposals.

The Medford Mail Tribune agrees with the Governor's statement to the Legislature, adding that it should be "this Constitution." "Give the voters a chance to pass on it," it writes.

The Pendleton East Oregonian reminds the Legislature that "it preferred taking the responsibility of a convention in deciding on a new Constitution, and concludes that 'it would be tragic if it were the wrong decision.'"

The Daily Astorian calls the revised Constitution "worthy of adoption by the legislature and the people." The Roseburg News-Review calls it a "logical work-

and 'not radical.' "A milestone in 103 years of state government in Oregon," says the Eugene Register-Guard.

Most concede that one or another provision is fairly debatable and could be changed. But they oppose partial measures or further delay.

"Buy by the package" urges the Oregonian, and the Oregon Journal warns "Delay will gain nothing" and opposes a "piecemeal job."

The Oregon League of Women Voters has taken a leading role in the efforts, first for the constitutional revision program, and now for the revised Constitution. The state's Young Democrats are another group backing the revision as a plan for a future modern state government, although the revised Constitution offers no special political advantage to either party.

A non-partisan Citizens Committee for the new Constitution has been organized under the joint chairmanship of former Govs. Robert D. Holmes and Charles A. Sprague, to represent citizens interested in constitutional reform in all parts of the state.

On the other hand, some organizations—the state bar is one—have expressed opposition to parts of the revised Constitution or recommended delay.

THE CITIZENS' ROLE

What is the individual citizen's role in constitutional revision? Ultimately, he will make the final decision — if the Legislative Assembly can agree to submit a proposed Constitution to the voters. But he need not remain a passive spectator until this happens. These steps are open to every interested person:

1. Read the Report of the Constitutional Revision Commission.

(Requests for a copy can be addressed to the commission at the State Capitol, Room 314, Salem.)

2. Suggest that one's group — luncheon club, church, local union, PTA, veterans' organization, grange, chamber of commerce — inform itself about the proposed Constitution. Chairman George Layman and other members of the Commission have spoken to scores of audiences to explain the Commission's work. Groups like Portland's City Club and the Metropolitan Civic Club of the Eugene-Springfield area have created special committees to make thorough studies of the revised Constitution.

3. Form your own judgment about the merits of the revised Constitution. Then express your opinion to your legislator and the legislative committees now working on the proposal.

These committees of the House and Senate, under the chairmanship of Representative John Delenback of Medford and Sen. Walter Pearson of Portland, have held weekly public hearings. And they have begun considering House Joint Resolution 1 — the revised Constitution — article by article and section by section.

Now is the time they need to know whether there is public interest in the proposal. There are many other urgent problems demanding the time and attention of legislators at this session, and constitu-

tional revision will look to many as the easiest to shelve.

CAN OREGON LEAD THE WAY?

Constitutional revision by a non-partisan, deliberate commission study has been called "a great experiment in progressive government" that, if successful in Oregon, would become a model for many states. In telling the United States Senate of Oregon's revised Constitution, Sen. Maurine Neuberger (herself one of the early sponsors of constitutional reform in the Oregon legislature) summed up the question now facing this state:

"Constitutional reform is sometimes attempted as a last resort, when decades of neglect have led to financial crisis, political or administrative scandals, or bogged-down judicial systems. Oregon's experiment is to see whether a state can make necessary reforms while the record is still good."

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"Perhaps this cannot be done with day-to-day problems."

"If the effort fails, the cynicism of states will seek to follow where Oregon has pointed the way."

"I prefer to hope," said former State Representative Neuberger, "that Oregon's legislative assembly will rise to the occasion."

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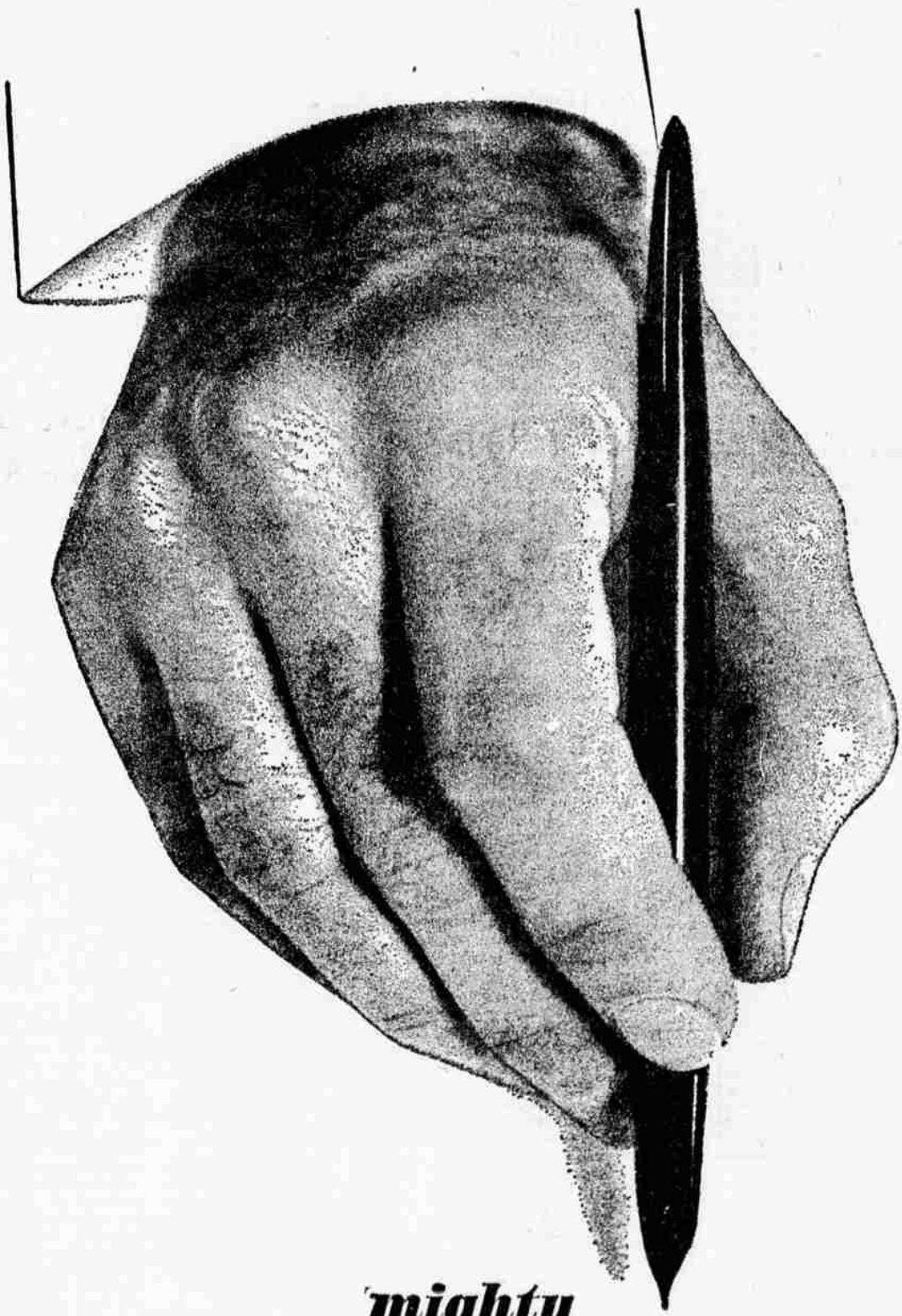


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