

OSPIRG attempt fails

Rehearing on Wards issue dies

The Oregon Student Public Research Group, (OSPIRG) stirred up a long debate at Wednesday's City Council Committee of the Whole meeting, but they failed to achieve their main objective.

The four University students representing OSPIRG met with the council to call for a rehearing of the controversial Montgomery Wards' rezoning issue. OSPIRG was unable to produce new evidence that pre-empted all other topics on the agenda.

City Attorney Art Johnson asserted that a "rehearing" of the issue was not possible since the city council has already adopted an ordinance rezoning the property. According to Johnson, should the council wish to reverse the decision it would be necessary to go through the entire process of rezoning the property, involving planning commission deliberations, public hearings, and the adoption of a new ordinance.

Vernon Gleaves, the attorney who represented Valley River Center during the long rezoning debate, protested OSPIRG's call for a rehearing.

"I do not believe that there is any new evidence presented here today that was not raised before and discussed many times," said Gleaves. "You can't

reconsider the matter—the only thing you can do is start the whole process over again."

The council members were obviously reluctant to start the whole process over again.

Councilman Neil Murray, although agreeing with OSPIRG's contentions, said he didn't want to "kick this around like a political football forever and ever."

"I agree with OSPIRG," said Murray, "but I honestly don't see anything new in their presentation. It's not really justified to have a new hearing."

OSPIRG originally intended to ask for a rehearing because they claimed the council's decision failed to take into account a demand by the Department of Environmental Quality that Valley River Center lower its additional parking request. OSPIRG lost this argument Monday when the Environmental Quality Commission voted to approve parking facility expansion for Montgomery Wards.

OSPIRG hinged its unsuccessful request for a rehearing on the contention that the rezoning decision did not comply with standards for rezoning decisions set by the Oregon Supreme Court in the Fasano decision.

CSPA student receives award

By STEVE TWEDT
Of the Emerald

Chris Casady, a senior in the University's School of Community Service and Public Affairs, was recently given the "Chairman's Award" by the governor's committee on Employment of the Handicapped. The award came as a result of Casady's work in lobbying at the State Legislature last year for improved conditions for the handicapped.

Casady, who is paralyzed from the chest down, became involved in Alert, the University's program to assist handicapped students, and the Oregon Architectural Barriers Council.

Every bill Casady lobbied for in the legislature was approved. "We weren't going for anything out or radical," he said, "we just wanted to make the same areas accessible that are available to everyone else."

This year, Casady hopes to return to the Salem session and concentrate on bills concerning mass transit for the disabled. The major change he seeks is for bus companies to order coaches with lifts on them to make it possible for people confined to

wheelchairs to board them. Casady says the principle opposition to the plan is coming from the bus companies because of the minimum \$1,000 added cost for installing the lifts.

While companies such as Lane County Transit "are not being too receptive," Casady says that improvements on campus have made it much easier for handicapped students to get around.

The majority of problems on campus have been caused by low-hanging branches which strike blind students, but Casady says that the physical plant has been removing them as soon as they are reported. He said most areas on campus are accessible because of the curb ramps, curb cuts, and ramps which bridge stairways. "Harold Babcock, the physical plant director, and Judy Bogen have been most cooperative in helping us out," he said.

Casady does not expect any problems with passage of bills that would aid the handicapped. He says the major obstacle is making architects and the different levels of government aware of the mobility problems of the disabled. He says he hopes builders will reach the point of taking careful consideration before deciding to build a flight of stairs at the entrance of a building.

Real estate...

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investment and health hazards." The Metolius Meadows, East Beaver Creek and Camelot developments are cited as examples. (The latter two are in Tillamook County.)

—The Division has failed to adequately utilize its power in obtaining complete disclosure information from developers. It has also failed to make use of its consumer protection power by issuing "desist and refrain" orders against questionable developments. As a result of these failures, the new Land Development Consumer Protection Act was enacted by the legislature to make full disclosure mandatory, says OSPIRG. The new law becomes effective January 1, 1974.

—A "too narrow interpretation of registration laws" have allowed developments such as Metolius Meadows "to slip through vague exemption provisions." Oscar Spliid, Jr., developer of Metolius Meadows, had "circumvented" the law, according to OSPIRG, by filing the 132-lot development with Jefferson County officials in a series of 19-lot plats. Oregon law exempts subdivisions from its requirements if they contain less than 20 lots.

The Real Estate Division had not objected to this arrangement in August. But Oregon Attorney

General Lee Johnson overruled the Division's interpretation. This resulted in the resignation of Real Estate Commissioner Fred Layman, and just recently culminated in a denial of Spliid's application by federal officials to exempt Metolius Meadows from the Interstate Lane Sales Full Disclosure Act. Spliid has been given 30 days to comply with the act.

In a letter to the new Real Estate Commissioner, M. Jeffrey Holbrook, Babb expressed hope that Holbrook's appointment would bring "strong guidance" to the Division. Babb also acknowledged that "the Division's staff shortages have handicapped more effective enforcement."

He added, however, that "certain policies and priorities have served to misdirect and diffuse the energies of that limited staff," and expressed hope that the OSPIRG report would aid the Division in obtaining more manpower and in re-adjusting its priorities.

OSPIRG made several recommendations to the Real Estate Division:

—That it should concentrate more on in-state developments and less on out-of-state developments.

—That it should show greater concern with environmental questions related to its consumer protection function.

—More information on

developments should be made available to consumers.

—An investigation should be conducted to discover if other developments have slipped through legal loopholes.

"The Commissioner should use his full authority to revoke licenses of salespersons and brokers who promote subdivisions where there is no intent to assure the quality or completion of a development after such promises are made to the consumer."

—The Division should act when necessary before formal complaints are made by consumers. OSPIRG cites the case of Top Ranch as an example of this failure. The Division did not begin its investigation until OSPIRG had completed one of its own.

Three other recommendations were also made concerning the Real Estate Division.

First, that the Oregon Legislature should reconsider a section of the new Land Development Consumer Protection Act which requires the Real Estate Commissioner to be a licensed broker with five years experience. OSPIRG prefers "an administrator knowledgeable in both state government and real estate law."

Second, that the presently vacant post of assistant commissioner be filled by an administrator from outside the ranks of the Division.



Photo by Steve Twedt

Chris Casady travels the 5 miles to the University in this van which is specially equipped with a Safety-man Lift to transport him from the street to the van. Casady designed the lift and is marketing it nationally.

Council eyes signs, roller rink

A possible battle was averted Tuesday night when the Eugene City Council decided to postpone action on a staff appeal of variances in the city sign code granted to two area businesses. According to City Manager Hugh McKinley, both Bonn's Red Carpet Motel and Pape Bros., Inc. have signs in violation of the code, and the question of their being allowed to continue to stand was to be reconsidered by the council in a public hearing. Earlier, the city's Board of Appeals had ruled that the signs could remain, contrary to staff recommendations. The council ruled that the owners of the firms had not been adequately notified of the hearing, and it was postponed until November.

This action set the general tone of the meeting, and final decisions on most issues were set aside until a later date.

Bobby Edwards, spokesman for a non-profit group attempting to get the city's endorsement for a new area roller-skating rink, proposed that individuals on the council should merely sign a letter endorsing the rink. This was an apparent answer to ob-

jections raised by owners of existing rinks that a formal resolution by the council would show favoritism and result in legal difficulties. The rink, Roll-On Skating Rink, may have some city funding and might eventually be transferred to the City Parks Department. Edwards' proposal was accepted, with the stipulation that the matter of city funding for the project has still to be decided, and that the signing of the letter does not constitute an official action by the council.

Immediately after the meeting was officially adjourned, several members of the council signed a letter drafted by Mayor Les Anderson and council president, Wickes Beal. The letter called for Oregon's Congressional delegation in Washington to "exercise their constitutional responsibilities and leadership" during the present turmoil in Washington, D.C. Beal stated that, "letters like this are the only things which are going to give the people who represent us any spine. It's time to tell them that the people out here in the sticks are tired of the little games they're playing back there."

Fingerprint battle...

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California State University and Colleges.

Burns told the Spartan "The university does not have the power to waive the fingerprint requirement. It is not a state law, but a system requirement of the chancellor."

Mitford argued that the fingerprinting procedure is illegal and unconstitutional, and refused. Although she was officially "dehired" as a result, she continued to teach.

Her 250 students were told they couldn't get credit for her classes, and to go into other classes, even

though the term had started. They wouldn't.

"The faculty of the sociology department voted unanimously to support anything that my students and I agreed on," Mitford told the Emerald.

Mitford went to her students with the compromise proposal and they voted to have her accept it.

"This is going to be an on-going struggle," she said. It will be carried through the courts, and Mitford expressed confidence in a victory for civil liberties.

In the meantime, "I'm going on teaching my course and having a great time," she said.