

Solon to fight ratification

By Brooks Dareff
Of the Emerald

Rep. Bruce Hugo, D-Scappoose, said Friday he will take the sales tax's ratification process to court to settle the question of its constitutionality.

Hugo said he will petition the Oregon Supreme Court this week to conduct a judicial review of Senate Bill 3027, which refers the 4 percent sales tax to city councils, school boards and county commissions before it is considered for approval by voters.

The main intent of Hugo's petition will be to determine if the intermediary stage of gaining local jurisdictions' approval is "a lawful and legal delegation of authority," he said.

"The (state) constitution is very clear that the legislature can't place a measure on the ballot" through intermediary bodies, Hugo said.

A subsidiary issue Hugo hopes to have decided is whether the local ratification process complies with the one-man, one-vote decision handed down by the U.S. Supreme Court in 1962.

The ratification process outlined by SB 3027 gives equal voting power to each local body within each category. This means that the small town of Scappoose has disproportionate voting power to the city of Portland, Hugo said.

Since the bill was passed early last month, several state and local officials have questioned the bill's constitutionality. Lane County Commissioner Peter DeFazio said he didn't think intermediary referral would "survive a legal battle."

But until now, no one has challenged the ratification process legally.

Hugo says he began considering such a test when city councils, county commissions and school

boards in his district (Columbia and Washington counties) started questioning whether they were required to go through the ratification process.

"I told them 'I don't know the answer,'" he said. "The sum total of filing the petition will be to determine whether they have to — and whether they can."

The petition wouldn't affect the local bodies that have already considered the sales tax package, he said.

Hugo also hopes the court will settle the question of why some local bodies have been included in the ratification process while others have not.

"There are hundreds of local bodies not involved in the process. Why have we singled out city councils, school boards and county commissions?"

Hugo voted for referring the sales tax to the voters. He also voted for the intermediary referral, but, "I did so extremely reluctantly."

He calls the bill "a hurdle placed in front of the House by the Senate," over which "frankly there was not much debate."

"Everybody swallowed hard and let the monster loose," he said.

Hugo expects the Oregon Supreme Court may consider his petition in short time, because section eight of SB 3027 specifies that the court must set aside all its other business to hear a challenge to the bill.

However, the court may not comply with this directive, he says, because doing so "could establish a horrible precedent."

"It's the legislature telling the judicial branch how to conduct its business."

Pair to rock ballroom with 'potent' reggae

Two top-rated Jamaican reggae bands, "The Itals" and the "Roots Radics" will perform in the EMU Ballroom tonight, Nov. 7, at 8 p.m.

Billed "the most potent Jamaican reggae pairing of the year," the concert matches the highly acclaimed vocal trio, "The Itals," on their first American tour, with Kingston's premier session and touring band (Roots Radics).

Tickets are on sale at the EMU Main Desk, Earth River Records and Tapes, Everybody's Records, and Face the Music. Prices are \$6.50 for University students and \$7.50 for the general public on the day of the show.

The concert is sponsored by the Cultural Forum.

Students honored

A Dean's Award for Service will be inaugurated this year as a way of recognizing and honoring some of the extraordinary service contributions made by University students, according to Shirley Wilson, acting dean of students.

Any enrolled student is eligible for recognition and may be nominated by any University student, faculty or staff member.

Nominations are welcome any time but nominations for fall term 1983 must be in Wilson's office by Nov. 21, she says.

Nominations should be addressed either to Wilson or to Hilda Young, the program's director, at 364 Oregon Hall.

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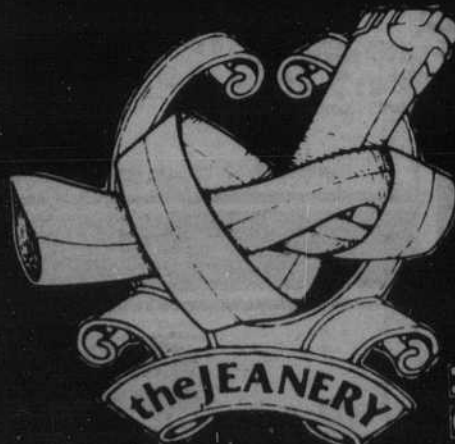
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