

Court thaws IFC freeze power

By Jim Moore
Of the Emerald

The Constitution Court announced Wednesday that an Incidental Fee Committee resolution giving the IFC power to freeze a program's funds is unconstitutional.

The ASUO Executive filed a complaint with the court, saying the resolution is an encroachment of executive powers.

That resolution says "if the conditions set forth for the release of allocated incidental fees are not being met, the IFC reserves the right to freeze a program's accounts."

In reaching its decision, the court pointed to the "respective roles" of each branch of government.

"The IFC has legislative authority regarding policy in the area of incidental fees; the Executive does not. Conversely, the Executive is empowered with the authority to enforce the policy of the IFC," says the unanimous opinion written by court member Jim Richards.

The decision met with expected mixed reactions from the parties involved.

"The green tape notebook rules are very clear and the result was expected," says ASUO Pres. Mary Hotchkiss. The notebook contains the ASUO Con-

stitution and various rules.

But IFC member Marc Spence disagrees.

"There's still a danger of the Executive assuming too much power," Spence says.

However, IFC Vice Chair Sheila Schain supports the court's decision. Schain was the only member of the committee to vote against the resolution when the IFC adopted it. She argued then that the resolution is unconstitutional.

Another IFC member, Lois Day, says that even though the court did not rule in favor of the committee's resolution it did concede that the IFC has legislative powers.

"We lost the resolution, but not the battle," Day says. She also points out that a dicta added to the decision makes it clear that the Executive has no option in the case of a program misusing its funds. The Executive must freeze such a program's budget, says the decision.

IFC Chair Julie Davis agrees with Day.

Davis says the committee probably will republish its resolutions without the questionable resolution. Another option is to attach similar language as the resolution to each program's budget, Davis says.

The resolution will be addressed during the IFC meeting today at 3:30 p.m. in Century Room F of the EMU.

Student poses conduct question

The Constitution Court announced Monday the adoption of a temporary set of rules governing the conduct of court members. The rules are intended to be in effect for a few months until an Executive-appointed committee can recommend a code of conduct for the court.

The question of the court having such rules was raised by University law student Rebecca Craven following the OSPIRG court case.

In a letter sent to the court, the ASUO Executive and the Oregon Daily Emerald, Craven said "the

power of the Constitution Court has become apparent."

She asked that the court's bylaws be published and said that "the student body should be aware of any code of ethics to which the members of the court are bound."

Until the court's adoption Monday, there was no such code.

Because of Craven's letter, Court Chair Alan Contreras asked ASUO Pres. Mary Hotchkiss to "appoint a small, knowledgeable committee to review the various questions involved."

Two unrelated incidents involv-

ing court decisions were outlined in Contreras' request, which he said sparked the evaluation of court members' conduct.

"During the OSPIRG case, questions were raised regarding the appropriate role of court members in assisting in the development of the general issues to be addressed," he said in his letter.

Contreras said he tried to assist other court members and raised questions that neither party might have raised because of the complexity of the case.

This ensured that the issues were not presented in such a manner that would waste time, he said. Contreras said he developed the issues because of a "concern of the process."

Hotchkiss has chosen two members of a three-person committee to examine the question and make a recommendation.

The committee is not expected to reach a conclusion until sometime winter term.

Convocation will address moral justification of arms

The Third Annual Armistice Day Convocation for Peace, to be held at 8 p.m. tonight in the First Congregational Church, 1050 E. 23rd Ave., will center on the theme, "Can the use of a nuclear weapon ever be morally justifiable?"

The free program will feature four speakers: Robert Berdahl, dean of the College of Arts and Sciences at the University; Patrick Lynch of the University Newman Center; Stephen Reynolds, associate professor of religious studies, and Cheyney Ryan, associate professor of philosophy.

State Rep. Mary McCauley-Burrows, of Eugene, will moderate the discussion, which is sponsored by the University Faculty Arms Control Group in conjunction with Students for a Nuclear Free Society and the social concerns committee of the First Congregational Church.

Berdahl will review "Ethics of the Arms Race: Past, Present and Future." Lynch will discuss "Applying Moral Principles to Nuclear Issues." Reynolds will address the recent Roman Catholic Pastoral Letter on the issue "Bishops and Bombs: A Moral Dilemma." Ryan

will talk on "Morality and Reality in the Arms Race."

Dan Udovic, University biology professor, chairs the Faculty Arms Control Group.

Child care will be provided.

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