



STATE TREASURER

Party controversy comes early, stays late

Normally a sideshow, this year's treasurer's race has gone Hollywood high-wire.

On the Democratic side, there's House Speaker Grat-tan Kerans running unopposed. No contest there.

But three Republicans — McMinnville Rep. Bill Rutherford, former New Mexico Gov. David Cargo, and Beaverton Finance Manager David Chen — are battling it out for the

support of their party. And what a battle it's been.

Certainly from a local angle, it started out looking interesting. Late-winter speculations had Kerans, from Eugene, taking on one of the three Republican candidates who had already jumped into the fray.

Then came March, the month that comes in like a lion. All in one week, lame

duck Treasurer Clay Myers resigned eight months before his term was up, Kerans announced his candidacy, and — enter controversy — Gov. Vic Atiyeh appointed Rutherford to complete Myers' term.

Critics around the state, Cargo among the most vocal, questioned the propriety of appointing a candidate for an office to that office.

"Let the people of Oregon

decide," Chen said at a candidates fair held at the University last week, adding "the Republican Party should be a party of opportunity."

Suddenly Republicans, known more for displaying their solidarity than airing their dirty linen, were fighting. And suddenly people were taking notice.

Raised by Cargo, the controversy continued, this time

over Rutherford's campaign slogan, "one of our own...one of our best." Both Chen, born in China, and Cargo have said the slogan has overt racist implications, and have asked Rutherford to change or alter it.

"He says that's not what he meant — but it could be construed that way. And language should be precise," Chen said.

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It's at Track Town.

Look for details in Wednesday's ODE.

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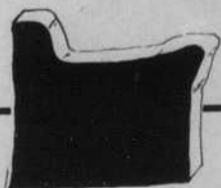
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SUPREME COURT JUDGE

Race is anything but dull

Oregon Supreme Court races tend to be dignified and dull, but the three-way race for Position One has been the subject of controversies that many feel will hurt the credibility of the court.

Incumbent Supreme Court Justice Hans Linde is being challenged by David Nissman, Lane County assistant district attorney and adjunct professor at the University's law school, and Albin Norblad, a circuit court judge in Marion County.

Both Linde and Norblad are campaigning on their experience. Linde, a former University law professor for 18 years, has served on the high court since 1977, and Norblad has 16 years experience as a trial court judge on both the state and municipal level.

But Nissman, who has never served as judge, has attacked Linde's performance on the court, calling him a "part-time judge" and accusing him of being more concerned with criminals than with their victims.

In a recent letter to the Register-Guard, 16 law school professors attacked Nissman's charges as "irresponsibly misleading" and endorsed Linde as the most capable for the position.

Nissman stated that Linde only writes

about 11 opinions a year, but Linde says he has written 178 opinions for the court in seven years, an average of 24 opinions a year.

A change in the duties of the Supreme Court may account for the drop in the number of Linde's opinions. The court now has jurisdiction over fewer cases and they tend to be complex and take more time, says Law Prof. James O'Fallon.

Though he disapproves of Nissman's tactics, Norblad says he agrees with some of the charges Nissman has leveled against Linde.

"Linde doesn't carry his full load. He's slow, and his opinions are not clear," Norblad says.

But court opinions "don't need to read like novels" in order to be useful to lawyers and judges, O'Fallon says.

While the controversy rages around Linde and Nissman, Norblad's campaign is being all but ignored.

Norblad emphasizes that he is the only candidate with experience as a trial judge. His work as a juvenile court judge has had a significant effect in lowering juvenile crime in Marion County, he says.

By Paul Ertelt



SECRETARY OF STATE

It's names versus numbers

One's got the name, the other's got the contributions and the organization.

The name is Roberts, as in

Barbara, a two-term representative from Portland and the House Majority leader. Roberts, 47, is running for the

Democratic nomination for Secretary of State, and got the name from her husband Frank, a state senator from Multnomah County. His first wife, Betty, lost races for governor and the U.S. Senate, and won one for the state Supreme Court. His daughter Mary is a two-term state labor commissioner.

The other major Democratic candidate is Portland Sen. Jim Gardner, 37, who trails Roberts in his own most recent poll, 40 to 28 percent — with 18 percent undecided. Gardner has outspent every other candidate for state office, in the process picking up contributions from everywhere.

Gardner has raised \$144,084 to Roberts' \$77,643.

Roberts, meanwhile, believes her business experience — 15 years — makes her more qualified for the job.

Gardner counters that his committee assignments are more relevant to the job than Roberts'.

Gardner and Roberts disagree on vote-by-mail and last day registration. Gardner, who says he supports expanding the electorate, supports both. Roberts opposes both.

"I'm opposed to vote-by-mail," she says. "My concern is secrecy, the privacy factor."

By Brooks Darreff

Monday, May 14, 1984

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