

Oregon Daily Emerald

Where have all
the Rajneeshees gone?
See Page 6

Wednesday, January 21, 1987

Eugene, Oregon

Volume 88, Number 84



Photo courtesy of The Register-Guard

The justices of the Oregon Supreme Court seat themselves at the opening of Tuesday's session in front of the University law school. Students and faculty were able to observe the court as it considered five cases.

Oregon Supreme Court visits, students see 'real-life' action

By Stan Nelson
Of the Emerald

The Oregon Supreme Court paid a visit to the University law school on Tuesday, hearing oral arguments involving the First Amendment, evidence seized at police roadblocks, prayer at a public school commencement and other issues.

The court, which made its first appearance at the University in conjunction with the law school's course in legal research and writing, has visited Lane County yearly since 1980.

The Oregonian Publishing Co. vs.

O'Leary case involved the question of whether the media and public may be excluded from that portion of a criminal trial where a witness's testimony may be self-incriminating, and whether self-incriminating evidence in itself creates a privacy right.

The Oregonian case arose from a 1984 Clackamas County murder trial where a witness refused to testify on the grounds he might incriminate himself. The trial court judge then closed the court to the public to determine whether the witness's refusal to testify was valid.

The newspaper filed suit to challenge the court's decision to deny its reporter access to the summary hearing.

The plaintiff argued the state's provision to allow summary judgments outside of the public is a violation of the Oregon Constitution, which prohibits the Legislature and courts from imposing blanket exclusions on trial hearings.

And while the court privilege against self-incrimination protects against governmental prosecution or

Turn to Court, Page 5

Measure proposes to limit student fees

By Chris Norred
Of the Emerald

SALEM — A measure designed to lower tuition by cutting student incidental fees has been proposed in the Oregon House of Representatives.

The bill would lower tuition at the University by about \$41 per term, but student government leaders say that savings would not be worth the severe "decimation" of student programs and services that are funded with incidental fees.

Rep. Ron McCarty, D-Portland, introduced the bill, which would require the State Board of Higher Education to limit student incidental fees to a maximum of \$20 each quarter or \$60 per year.

The incidental fee is a portion of total tuition by which students finance non-academic, student activities and services such as athletics, the EMU and various minority student organizations.

"The problem is that the cost of tuition continues going up to the point where the average student cannot afford a college education... you're denying students an education by having expensive incidental fees," McCarty said.

But the benefit gained from cutting the incidental fee would be minor compared to the damage caused by loss of student activities and services, said Katy Howard, Incidental Fee Committee member.

"If you say \$100 a year makes the difference whether someone can go to college or not, you have to stop and consider that it equals \$11 a month.

"I can't believe that \$11 a month makes the difference between attending college and not attending," Howard said. "But I do think \$11 a month worth of resources and activities, which the incidental fee provides, really could make the difference in whether someone felt they could stay in school."

But McCarty believes that incidental fees are too high and that those students who use a service or program should pay for it. McCarty said the proposal to limit incidental fees was drafted after some students had contacted him.

"A lot of them who contacted me said there were certain functions of the incidental fees they objected to, primarily the picking and choosing by the fee committee. Then they brought up the fact that (the fees) were still too high," he said.

However, the bill McCarty introduced contains no guidelines limiting the functions of incidental fees.

But the state constitution requires that student buildings such as the EMU be self-liquidating and self-

Turn to Fees, Page 5

Five bills to be overridden, say House demos in caucus

By Shawn Wirtz
Of the Emerald

SALEM — House Democrats made a final decision Tuesday in caucus to override five bills vetoed by former Gov. Victor Atiyeh.

The House will not put 10 other vetoed House bills to a vote, said Assistant Majority Leader Ron Eachus of Eugene. "Usually it is because we don't think the votes are there based on the last session, or the supporters want to try for what they believe is better legislation," he said.

The bills were previously passed by both the House and Senate. An override vote will require two-thirds of the Legislature, and Eachus expects the five to pass. "The last I understood was that the Republicans would vote on the merits of the bills," Eachus said.

House Assistant Minority Leader Randy Miller of Lake Oswego said last week that Republicans might vote against the bills to retaliate against House Speaker

Vera Katz for considering eliminating the proportionality rule in order to shore up Democratic support on committees.

"I think we're at a position now where I hope it's not something people play political games with," Eachus said. "That doesn't mean necessarily that those who voted for it previously are going to vote the same way. I assume there will be Republicans who, even though they voted for the bills, in deference to Atiyeh will abstain."

"Randy Miller doesn't speak for our caucus," said House Republican Leader Larry Campbell of Eugene. "We have no caucus position. Every legislator in the Republican party should make his or her own determination."

"If my determination was that it really didn't make any difference to override or not to override, I would probably vote in deference to the (former) governor," Campbell said. "I can't understand why

Turn to Override, Page 5

New bill to establish trust fund as method of saving for school

By Shawn Wirtz
Of the Emerald

SALEM — A bill that would establish a trust fund for parents to begin pre-paying their children's education was filed with the House on Tuesday and should be introduced within the week, said Rep. David Dix of Eugene.

"Passage of this measure will allow families to set aside money in a state trust fund that would be used to pay for a college education," he said.

The trust fund differs from a savings account in that "the money is held by the state, and the state considers it as its money," said Rep. Tom Mason of Portland, co-sponsor of the bill along with Dix and Rep. Mike Kopetski of Salem.

The advantages of a fund administered by the state are that interest from the account would be exempt from state and federal taxes and that by

pooling the funds, a higher interest rate can be earned, Mason said.

"It will not only give every family the opportunity to realize the dream of seeing their children complete their education by receiving their undergraduate degree, but it will also provide the State System of Higher Education with a secure tuition base," Dix said.

If the measure passes, higher education officials can "begin to monitor how many families are taking advantage of the trust fund," to predict enrollment, Dix said. "Right now they have no idea how many people are going to attend," he said.

"The vehicle as it is now is taken from Michigan," said Mason, who expects amendments concerning the administration of the funds.

The "Oregon Baccalaureate Educa-

Turn to Fund, Page 5