

COMMENTARY

Open meetings law obstructs creativity

By Davison Soper

I would like to reply to the *Emerald* editorial of Oct. 29, concerning the first meeting of the Assembly Committee on Multicultural Curriculum.

Acting as president of the University Senate, I convened that meeting and acted as its temporary chair. I organized the meeting as a meeting of committee members only, not as a meeting open to the public, acting in the belief that the Oregon Open Meetings Law did not apply to the ACMC meetings.

Accordingly, I explained to University student Preston Cannon when he came to visit the committee meeting, that the meeting was not open to visitors. Subsequent investigations turned up a clause in Oregon law that, it can be argued, brings the ACMC under the Open Meetings Law. I am not inclined to contest this interpretation. Thus, we should have announced the meeting and had it as an open meeting in order to be in compliance with the law. My apologies to Mr. Cannon for excluding him when he probably had the right to attend.

The *Emerald* editorial states that "no meeting of this type should have to fall under some law in order for it to be made open to the public." Here I beg to differ. The committee should, of course, gather information from the University community, according to its charge to consult widely. The question is, what value is there in the committee meeting by itself?

I submit that the ACMC has important work to do — work that involves creative effort. For creative work, I believe in using the model that I myself use for physics research. I get together with collaborators and discuss the issues in private. All of us are free to say whatever comes to mind, even something that might, upon careful reflection, turn out to be silly or stupid. Even something that might turn out to be so silly or stupid that we would be embarrassed to have said it in public.

In fact, my collaborators and I should feel free to say especially those things that just bubble up from the unconscious and have not been analyzed — just those ideas that we would not want to state publicly. That is where creative ideas come from. Accordingly, when I meet with collaborators to work on creative research, we do not invite outsiders. Only when we have begun to sort out our ideas do we present them to the outside world for its criticism.

I had hoped that this model for creative work could apply to the ACMC. I am sorry that, because of the Open Meetings Law, it will not.

Davison Soper is president of the University Senate and a professor in the University's physics department.

COMMENTARY

Delivering facts on sales tax

By Bobby Lee

What is all this fuss about a sales tax anyway?

Welcome to Oregon, folks. We are in the midst of an enormous debate over stable funding for state services, including higher education. On Nov. 9, members of our student body will be voting on a statewide sales tax initiative called Measure 1. Measure 1 earmarks all of the money it makes for education. You will hear great arguments from both sides, but here I will attempt to present the facts gathered primarily from Oregon Tax Research (OTR) concerning the sales tax package.

When the Legislature began to formulate this tax package, they applied four basic principles: to provide stable funding for schools, provide property tax relief, maintain Oregon's progressive tax system (based on ability to pay), and to simplify the tax system. The vehicle for enacting the tax is known as HJR 10, which, if approved by voters, amends the Oregon Constitution to establish a sales tax. This amendment will be placed on the ballot before Oregonians on Nov. 9. Once it is passed, it cannot be changed without the vote of the people. The implementing statutory legislation (HB 2500 and HB 2443) become effective only with passage by the voters of the legislatively referred tax proposal.

Here are the facts about the sales tax itself:

First, all the monies generated must be dedicated to public education, grades K-12 and community colleges.

Second, it establishes a 5 percent limit on the sales tax. Other limits in the constitution include: prohibition of local sales taxes (what has happened in California, where cities and counties can enact their own

tax, will not happen here). There are constitutional exemptions on food for home consumption, shelter, prescription medications, essential services, water, light, heat, power, aircraft and motor vehicle fuel, feed, seed and fertilizer for farm production and more. If it passes, the sales tax will take effect starting May 1 of 1994.

Other elements of the sales tax bill include:

- An increase in the corporate income tax rate, from 6.6 percent to 7.6 percent, beginning in 1994.

- The addition of an earned income credit. Beginning in 1994, working families with children earning generally less than \$24,000 would qualify for an earned income tax credit equal to half of the federal earned income tax credit.

- Sales tax relief for working families. Based on household income and size, low income families would be eligible for a refund of part of the sales tax paid. Generally speaking, families earning less than \$27,000 will qualify for the rebate.

- An up-front investment in school reform, beginning in the 1994-95 school year. It is estimated that, from the time of enactment (May 1, 1994) to the end of the 1995 fiscal year, the state will collect \$651 million. Of these monies, \$351 million will be allocated directly to schools. The spending of income taxes is limited to inflation plus the rate of growth in population. Any expenditures beyond this limitation must be approved by a super-majority of each house in the state Legislature (60 percent) and be signed by the governor.

Third, this sales tax will eliminate property taxes for operating public schools on owner-occupied principal residences. This means property taxes will be lowered an additional \$5 per

\$1000 of home value below the limits of 1990's Measure 5.

Fourth, there will be changes in how the lottery funds are used. At least one half of the net receipts must be used for education and other children's services.

Finally, this initiative also provides voters with a chance to change their minds. All laws regarding the sales tax are temporary, unless voters choose to continue them in 1998.

How much will the sales tax raise? So far, lawmakers believe that for the biennium of 1993-95, about \$569 million will be earned, with an approximate net gain of \$2,009 billion per biennium beginning in the 1995-97 biennium. Oregon's higher education system, which includes this University, was not successful in becoming part of the dedicated use of the proceeds of the sales tax. However, some have argued that by providing secure funding for grades K-12 and community colleges, the higher education system will not have to further increase tuition and could avoid more cuts to programs and services. Furthermore, higher education will be eligible to apply for programs funded by the Education Trust Fund earnings and lottery funding. Education reform initiatives, Head Start programs, early childhood intervention programs, and other children's services (which are programs which often include higher education involvement) are eligible for targeted funding.

Remember, a good price is not necessarily what an object is marked, but what it is worth to you. Remember to vote on Nov. 9.

Bobby Lee is a student member of the Oregon State Board of Higher Education, and is a former president of the ASUO.

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