

Governor, legislature optimistic about session

SALEM (AP) — Despite a continuing money squeeze and philosophical differences between Democratic Gov.-elect John Kitzhaber and the Legislature's Republican leaders, all sides say they are optimistic that the 1995 session, which convenes Monday, will be a short, productive affair.

The memory of a snarly 1993 Legislature that dragged on into the late summer no doubt is behind much of the talk about having lawmakers do the people's work in a businesslike fashion and then go home.

"I think 1993 was a dysfunctional year for the Legislature. It was awful," said Senate President-elect Gordon Smith. "The public deserves a break this year, and I think we can give it to them."

Adding to the air of optimism around the State Capitol is the sense that Kitzhaber and the GOP leaders will be able to work together, in contrast to the shaky relations Gov. Barbara Roberts had with lawmakers.

One observer, Salem lobbyist Ted Hughes, notes Kitzhaber has been recruiting some experienced hands to help him get his administration off the ground. Hughes cites as an example Mike Thorne, the former Pendleton senator and Port of Portland director who has agreed to make sure state agencies meet Kitzhaber's goals.

"When you look at the way Kitzhaber is shaping up his office and you look at the makeup of the Legislature, it looks pretty compatible to me," Hughes said.

Kitzhaber has been meeting regularly with Smith and House Speaker-elect Bev Clarno, and already they have come to informal agreement on one of Kitzhaber's key proposals — to use lottery money for schools.

Kitzhaber wants lawmakers to send a measure to voters, for a March election, to make it clear that lottery dollars could be used for schools as well as economic development.

"There's general agreement on doing

that," Clarno said.

There are sure to be sparks between the Republican leaders and the new Democratic governor, especially over some issues that are near and dear to Kitzhaber's heart.

Kitzhaber is expected to resist Republican efforts to loosen environmental controls and to restrict some of the collective bargaining rights now enjoyed by state and local government workers.

Kitzhaber said he doubts that those sorts of disagreements will cause serious estrangement between the Republican-dominated Legislature and him.

"I have no reason to believe that," Kitzhaber said. "I've had excellent dealings with the new legislative leaders. I feel good about it."

Smith, the new Senate president, echoes that sentiment.

"We will work with Gov.-elect Kitzhaber if we can and against him if we must, but we don't think that will be necessary," the Pendleton Republican said. "His style and his approach gives everyone reason to be

optimistic."

Smith adds, however, Republicans are ready to make their mark now that they are in control of both the House and Senate for the first time in 40 years.

First and foremost, he says, that means no new taxes.

"The 1993 Legislature wasted eight months debating a sales tax that the people did not want," Smith said. "We're not going to spend this session trying to dig more money out of people's pockets."

Smith, who owns a successful Umatilla County business that produces frozen peas and corn, says he still has his sights set on adjourning the Legislature by pea harvest time — which is late May to early June.

Hughes, the Salem lobbyist, said he thinks that lawmakers will be able to attain their goal of a timely adjournment.

"I believe them," Hughes said. "Maybe I'm too optimistic, but I've already made some plane reservations for the middle of June."

Wyden cooperating with Republicans

WASHINGTON (AP) — Rep. Ron Wyden's top aide says the Oregon congressman was sending a message of cooperation when he joined Republicans in voting for a rule change to make it more difficult for Congress to raise income taxes.

Wyden was one of 52 Democrats who supported the measure, which would require a three-fifths "super majority" for any increase of income taxes.

All the House Republicans from Oregon and Washington state voted for the amendment, part of the new House rules, Wednesday night.

It was opposed by the other Democrats from the region — Oregon's Elizabeth Furse and Peter DeFazio and Washington's Norm Dicks and Jim McDermott.

Wyden, the dean of Oregon's delegation entering his eighth term, was not immediately available for comment Thursday.

"Ron believes that economic growth and tax issues are so important and so explosive right now that they need bipartisanship," said Josh Kardon, Wyden's chief of staff.

Wyden also is a longtime supporter of cutting taxes on capital gains, another idea included in the GOP's "Contract With America."

Backers of the income tax measure say it is important to protect taxpayers from future rate increases.

"People work hard for their money. It should be hard for Congress to take it from them," freshman Rep. Randy Tate, R-Wash., said in his first House floor speech Wednesday night.

Critics said the biggest beneficiaries would be those with incomes over \$200,000 and that the "super majority" would not apply to other taxes, such as consumption taxes, that hit hardest

on low- and middle-income families.

The measure passed the House on a vote of 279-152. No Republican opposed it, with 227 supporting it along with the 52 Democrats. Independent Rep. Bernie Sanders of Vermont and 151 Democrats voted against it.

"The time is here to cut taxes, reform welfare and end the onslaught of red tape and regulations which strangle businesses and job creation," Rep. Doc Hastings, R-Wash., said.

McDermott said Thursday that allowing 40 percent of a legislative body to "stymie its capacity to operate is not a good principle to establish.

"The Constitution says we live by majority rule. If people don't like the decisions we make, they can vote against us. But to make this unworkable because you can't get a super majority... doesn't make sense," he said.

Law professors seek severance pay at University of Puget Sound

TACOMA (AP) — The sale of the University of Puget Sound's law school entitles law professors to early retirement and severance pay, 11 professors claim in a lawsuit.

Each of the tenured professors is seeking severance pay equaling an average annual salary of \$93,000 and early retirement pay up to \$162,750, a UPS official said.

None of the professors lost their jobs as a result of the sale and continued teaching at the law school in Tacoma after Seattle University took over from UPS last August. But the lawsuit contends the sale of the school equates to dismissal from their former posts.

"We were terminated by the University of Puget Sound," said former UPS law professor James Beaver. "When they terminate you, it requires them to pay."

Beaver, a founding law school professor, said the lawsuit was aimed at making the university honor its contract with its faculty.

The lawsuit, filed last month in Pierce County Superior Court, names UPS, UPS president Susan Resneck Pierce,

and UPS financial vice president Ray Bell.

UPS spokesman John Gallagher said the lawsuit is meritless.

"These professors are still employed at the same law school," said Gallagher, UPS' vice president for university relations. "They have not been dismissed nor have they retired."

No Seattle University officials were immediately available for comment.

Gallagher said UPS professors aren't eligible for early retirement pay if they continue teaching at another school.

"They simply are not entitled to any sort of severance or retirement pay," he said. "There was no harm done. No harm, no foul."

But the professors contend other UPS faculty members have taken early retirement and continued teaching elsewhere.

Seattle University plans to keep the 850-student law school there until 1999 at the latest, when it will be moved to the Seattle University campus on First Hill in Seattle.

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