

Funding: Tax refund required by law

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trator for House Democratic Caucus, 75 percent of individual taxpayers will only receive an average of \$67 in return.

However, Republican members do not support the governor's proposal and want to refund the money to taxpayers.

"That money should go back to the taxpayers because that's what the law says," said Senate Majority Leader Gene Derfler R-Salem. "If you want to change the law, then that is one thing, but not to follow the law is another."

State income tax collections were more than projected by approximately 2 percent, creating the kicker fund.

Further into the debate lies the issue of whether the legislature or Oregon citizens should vote on retaining the kicker fund.

In order for the legislature to use the fund, 31 votes will probably be

needed in the House just to bring the issue to a vote, Rep. Prozanski said. If it is brought to a vote, two-thirds of the House, or 36 votes, would be needed in order to retain that money.

"[Legislators] have got to step up to the plate and take a position on this issue," Rep. Prozanski said. "We need to let people see how we vote on a certain issue because that's why we're elected officials."

Without using the kicker fund, some changes could be in the future for the prison expansion program that was passed in 1994 as a part of Measure 11.

Rep. Prozanski said Measure 11 required \$1 billion to be spent on building additional prisons, even though no funding mechanism was in place. The legislature could modify the measure to reduce the number of prisons to be built and in turn use that money for education and social services, he said.

Majority Leader Derfler agreed, "If cuts need to be made, [corrections] is where they could come from."

The possibility of a tuition freeze for Oregon higher educational institutions will also be debated. Representative Piercy said she thought there was some bipartisan support for freezing tuition for students.

However, freezing tuition across the board was not a popular idea for Republican Senator Derfler. "I think that [a tuition freeze] should be based more on student need than for all students," Derfler said.

Besides budget issues, republicans and democrats will be dealing with environmental issues such as clean streams and ways to pay for them, land-use, possible deregulation of energy companies and transportation management due to the growth of the state.

Three Arkansas inmates executed

■ **DEATHS:** The state's triple execution was described as 'more efficient'

By Edith Paal

Associated Press Writer

VARNER, Ark. — Arkansas executed three killers Wednesday night, the third after he waited on a gurney with needles in his arms while the U.S. Supreme Court considered his last-minute appeal.

Kirt Wainwright waited 40 min-

utes until the high court refused to hear his final plea in the 1988 killing of a convenience store clerk. Earlier, Earl Van Denton and Paul Ruiz were executed for the murder of a town marshal and a park ranger in 1977.

Only once before had three convicts been put to death on the same night since the U.S. Supreme Court allowed states to resume use of capital punishment in 1976.

Denton, 47, was chosen first.

Ruiz, 49, was executed an hour later. Neither man made a final statement.

Denton winced, coughed and jerked his head when his execution started. Ruiz coughed repeatedly, then raised his right arm, lifting the board to which it was strapped.

When Huckabee scheduled the triple execution, spokesman Rex Nelson said killing three men in one night would be "substantially less costly and more efficient."

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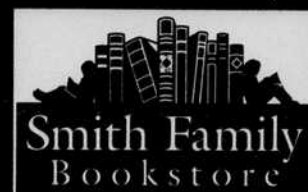
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