

Voters will get chance to send city councilors' first paycheck

■ A debate arises over the measure with arguments concerning diversity and the meaning of service

By Darren Freeman
Oregon Daily Emerald

Civic responsibility and the structure of Eugene government have come under scrutiny in debate over Measure 20-29 on Eugene's May 16 primary ballot, proposing city councilors and mayors be paid for the first time.

Supporters of the measure say the jobs of city councilors and mayors have become increasingly demanding and that very few people can afford to commit the time required to fill unpaid positions.

"It's difficult for people making a modest living to work on the council," said Rob Zako who served on the committee that drafted the proposal the council forwarded to the ballot.

Supporters argue that paying city councilors \$1,000 a month and mayors \$1,500, as the measure proposes, would allow a more diverse candidate pool and, therefore, improve representation. The measure, which would go into effect July 1, 2001, also allows the elected officials access to the city's retirement and insurance plans.

Those who oppose the measure, however, say the city charter prohibits payment of elected officials for a reason — serving on a city council, they argue, is a civic duty and should be treated as an act of volunteerism.

Councilors report working 20 to 40 hours per week preparing and attending meetings, researching

and responding to constituents.

Many councilors say they've sacrificed professional and personal opportunities to serve on council. Councilor David Kelly said he's cut his computer consulting business's workload by 75 percent, and Councilor Bobby Lee is leaving the council when his term expires in January, 2001, to explore job opportunities that the time commitment of city council has previously made impossible.

Mayor Jim Torrey said he works 50 to 60 hours a week while running his communications company and sleeps only five hours a night. Nonetheless, he said he would donate any pay he receives to charity, though he supports payment if it increases diversity among candidates.

A candidate for the Ward 2 City Council seat, Azra Khalidi, opposes the measure. She said councilors would serve less passionately if they were paid.

Jeff Miller, former mayor of Eugene and an agent at Pacific Benefit Consultants/ Eugene Insurance, said city councilors are unnecessarily overworking themselves and shouldn't be paid.

"If the council feels it's overworked, they need to get disciplined and focus on long-term issues," Miller said. "The city council wasn't intended to micro-manage the city."

Eugene's City Council sets policy guidelines, and the city manager's office oversees city administration according to those policies.

Miller said the City Council is focusing too much on administrative issues. If councilors are paid, they would have no incentive to scale back their focus, he said.

Measure would limit jury awards

■ By limiting damages that can be awarded in civil suits, some argue businesses will be less accountable

By Josh Ryneal
Oregon Daily Emerald

State Ballot Measure 81 would amend the Oregon Constitution to allow the Legislature to limit the damages plaintiffs receive in civil cases, and is garnering support from the medical community, insurance companies and business organizations, which all say the measure would limit their civil liability and keep costs down.

Opponents charge that Measure 81 would allow the Legislature to grant immunity to whole sections of industry and deny Oregonians rights to a fair trial.

If voters pass the measure at the polls on May 16, they would grant the Oregon Senate and House of Representatives the power to enact statutes limiting damages awarded to plaintiffs in civil trials, rather than allowing juries that discretion.

Rep. Floyd Prozanski, D-Eugene, appointed by the Oregon Secretary of State to help draft the measure's "impartial explanation" in the Oregon Voters' Pamphlet, said that the measure would cap non-economic damages at \$500,000.

In essence, Prozanski said, the measure would allow the Oregon legislature to regulate damages for pain and suffering, mental duress or any other punitive damages not directly related to a plaintiff's immediate physical care.

Prozanski said the measure is

"written so broadly, it goes way beyond non-economic damages." He foresees an abundance of abuses by vested interests in both the Senate and the House.

"The medical sector is concerned about keeping their fees up and cutting liability," Prozanski said. "Big businesses want protection from expensive lawsuits."

David Fidanque, executive director of the Oregon American Civil Liberties Union, also sees problems with Measure 81.

"The ACLU doesn't usually take positions on so-called 'tort reform' but the language in this measure is so sweeping and broad," he said, stating the measure could be used to grant immunity to businesses and other parties supporting its passage.

"The Oregon Bill of Rights states that you cannot grant immunity to any citizen or class of citizens, and this measure is a clear violation of that," Fidanque said.

He called the bill "sloppily written and hastily pushed through the Legislature."

Supporters of the measure point out that if civil liability goes unchecked, not only will businesses and insurance companies suffer, but so will the public.

"Measure 81 will not only protect small business owners, hospitals and doctors, but it will also protect government agencies, non-profit organizations, volunteers, good Samaritans and the public taxpayers," said Jim Kronenberg, associate executive director of the Oregon Medical Association.

Kronenberg said supporters realize this is a contentious issue.



Measure 20-29

The Eugene ballot measure would amend the City Charter to allow city

councilors to be paid \$1,000 a month and mayors \$1,500. The elected officials would also gain access to the city's retirement and insurance plans.

Supporters say the jobs of city councilors and mayors have become more demanding and few people can afford to work the long hours without pay. Payment of councilors and mayors would increase the number and diversity of candidates and improve representation, supporters say.

Opponents say the city councilors and mayors shouldn't be paid because serving in the elected offices is a civic responsibility. Opponents also worry that councilors receiving pay would be encouraged to work longer hours and focus on administrative issues, which are the domain of the city manager's office.

Like most opponents of the measure, Miller feels diversity among city councilors is sufficient and that there is no shortage.

Zako, however, said wealthy councilors fare better than others under the current system.

"If you're making \$40,000 a year and have to scale back to \$10,000, you probably can't afford to take that cut," Zako said. "If you make \$400,000 and cut to \$100,000, you can get by."



Measure 81

The state ballot measure would amend the Oregon Constitution to allow the Legislature to limit jury awards

in civil cases.

Supporters say the measure would protect government, medical, insurance and business organizations from exorbitant jury awards.

Opponents say the measure would jeopardize the right to a fair trial and grant immunity to industries that should be held accountable by the courts.

"We don't want to deprive victims of their rightful damages," he said.

As for the "broad" language of the measure, he said the measure encompasses potential statutes.

Kronenberg listed several problems that he foresees if Measure 81 doesn't pass.

"If it doesn't pass, malpractice premiums will go up, insurance premiums will go up and hospital care may become more expensive," he said. "If a public agency is sued, the individual employees as well as the agency could be held liable in a civil lawsuit."

Besides, the public "already has plenty of other safeguards for injured parties," Kronenberg said. In his opinion, the only people who would benefit if Measure 81 fails are those trying cases in civil litigation.

If voters don't pass Measure 81, Kronenberg predicts that "it will become open season on everyone for trial lawyers in civil cases."

Calendar

Monday, April 24

Open Enrollment Meeting: Representatives of the Unum Life Insurance Co. and the Oregon Public Employees' Benefit Board explain new long-term care insurance plans for University employees. 3:30 p.m. EMU Fir Room. Free. For more information, browse

pebb.das.state.or.us/LTC2000.html or call 346-3159. Repeats at 6 p.m.

EMU Cultural Forum Concert: Virtuoso guitarist John Scofield performs. 8 p.m. Ballroom, EMU. \$18 general, \$14 University students with ID. For information, browse darkwing.uoregon.edu/~cultural/ or call 346-4373.

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