

Senate: Interpretation of guideline raises concern about public disclosure

Continued from page 1

included on the agenda notification sent to the public and news media, he said.

"If there is no mention of the executive session in the public notice, the notice is absolutely a violation of the law," he said.

Youm said the statute Andries referred to is in place because executive sessions are considered part of regular meetings though they may not be a regular occurrence.

He added that looking at executive sessions as totally separate from regular meetings is not how Oregon's Public Meetings Law should be interpreted, adding that the Senate's interpretation was "artful."

What is most important, Youm said, is not whether the Senate violated the law but whether the Senate knowingly and willfully violated the law. The argument that notification for the executive session is not needed "might be more bona fide," Youm said, if it "has a lot to do with misunderstanding or simple ignorance."

Every senator contacted about the executive sessions felt the Senate was within the law by holding them. Andries said he considers the public notice requirement for executive sessions that aren't the only part of the meeting as "commentary" rather than the actual statute itself.

"It says we should; it doesn't mean we have to," he said. "The meeting wasn't solely an executive session meeting; it had both parts."

Orchard said the law "is very to the point" that advance notification on any executive session is required. There is no need for media outlets to make a separate request for notification of executive session because they are covered by the regular meeting notification requirement, he said.

There are circumstances in which

an executive session may be called on a whim, but Orchard said those circumstances are rare and definitely not evident in this situation. The Senate called the executive sessions to discuss the merits of the candidates for president, vice president, treasurer and ombudsman before voting, something Orchard said is not an unanticipated activity.

"It's hard for me to believe that the election of officers within the ASUO Senate is not a regularly, routinely anticipated event that happens on some kind of periodic basis," Orchard said, questioning why the election of officers was even something that needed to be done in a closed-door session.

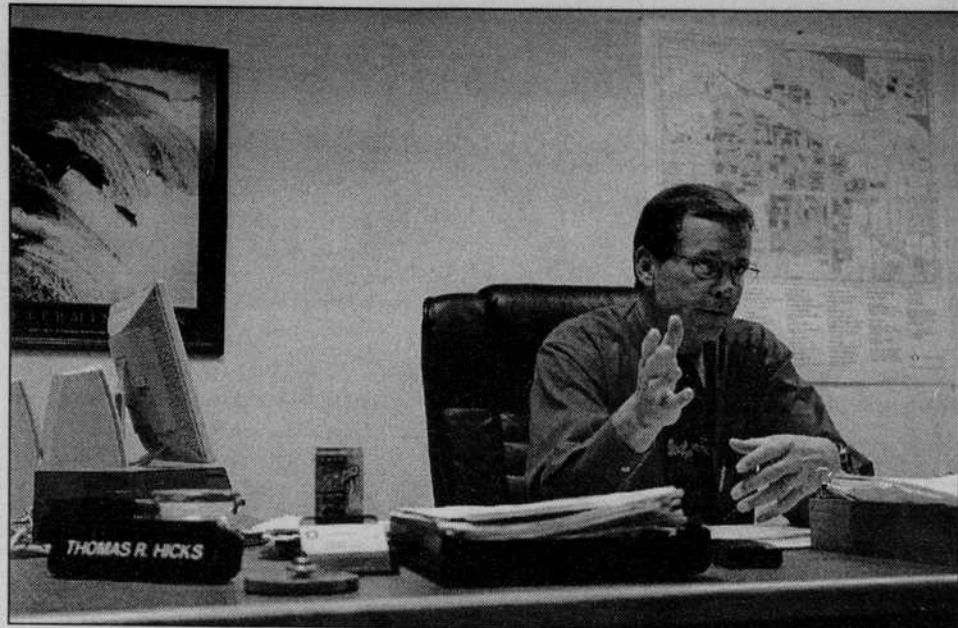
Youm said though the law does not prohibit the discussion of the merits of elected officials to take place in an executive session, whether a governing body decides to do so can be a reflection of its openness to public scrutiny.

This is not the first time confusion about the proper interpretation of laws and guidelines has arisen in the Senate. Summer-session senators questioned whether they had the authority to pass issue resolutions without the title of full Senate.

Despite those concerns, the Senate passed a resolution regarding the Graduate Teaching Fellows Federation's ongoing contract negotiations with the University on June 24. No conclusion was ever reached in the Senate as to the legitimacy of the resolution.

The Senate has yet to conclude whether the executive sessions held on Oct. 6 and Oct. 13 were in violation of law. Andries said he may be wrong, but his interpretation of the law says the sessions were legal.

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Tom Hicks has been the interim director for the Department of Public Safety since April 2003.

LAUREN WIMER
SENIOR PHOTOGRAPHER

Hicks: Director's duties must be defined

Continued from page 1

what type of action to take.

"There's no point in beginning to search until we're clear in our own minds exactly what the responsibilities will be of the director," Williams said. "My hesitancy in all this has nothing to do with the performance of Tom Hicks or anybody else in the department at all."

Fourteen patrol officers, three sergeants and one lieutenant comprise

the campus's uniformed patrol, which is supplemented by three EPD officers and one EPD sergeant, Hicks said. There are 38 employees at DPS.

And with no associate director appointed to cover the duties left by Hicks' appointment to interim director, the department's three managing sergeants have absorbed some additional duties, Hicks said.

Parking and Transportation

Manager Rand Stamm said he hasn't noticed much of an increase in his responsibilities.

"We've always done business the same way," Stamm said. "When something needs to get done, we spread out the duties so it gets done. We look on Tom as the director. He's done an excellent job."

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Moore: Visit 'crucial' for reaching voters

Continued from page 1

"They are rightfully cynical, but this year their motto will be: 'Bush and Kerry both suck — that's why I'm voting for John Kerry,'" Moore said.

Catherine Matthys, contemporary issues coordinator for the Cultural Forum, said she was thrilled that people will hear Moore's message as the Nov. 2 election nears.

"During one of the most politically

charged elections of the century, it's crucial for cultural icons like Michael Moore to become involved with encouraging young people to vote," Matthys said.

Shuttles will run to the event from 12th Avenue and Kincaid Street every 10 minutes, between 10:30 a.m. and 11:45 a.m., according to www.michaelmoore.com. Immediately after the event, shuttles will

depart from 13th Avenue and Monroe Street.

Tickets cost \$5 and are available through the University Ticket Office in the EMU.

The Cultural Forum is a student group that offers a variety of events in music, fine art, performing arts, film and contemporary issues throughout the year.

— Parker Howell

Economy: State seat candidates focus on education, small businesses

Continued from page 1

Washington that never comes back," Fitzgerald said. "We could use that to solve the statewide budget and help solve unemployment. We're a builder state and current politicians are bleeding us dry."

Candidates for the state seats have

also weighed in on the issue.

Floyd Prozanski, the Democratic candidate for State Senate seat for District 4, said the most important issues in Oregon are to "keep jobs and to stop shipping Oregon tax dollars."

"We need to take economic recovery money and invest it in small busi-

nesses where it's needed," Prozanski said. "The best way to help Oregon is to develop existing businesses and expand the businesses already here. In rural areas, we need to encourage jobs, and we can do that by giving tax credits for businesses

that are located in smaller communities."

His opponent, Republican Norm Thomas, said there is a lot of money in the state that could be reprioritized for issues such as education and economic recovery.

"We can still be ahead if we use

natural resources in a sustained manner," he said. "If we did that, we'd have education and jobs. I'm not talking clear-cutting; I'm talking about cutting growth which we have the most of in the states and use these resources."

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