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Judge rules Measure 37 land-use act unlawful

Circuit judge declares property rights law unconstitutional, which sparks a local debate

BY CHRIS HAGAN
NEWS REPORTER

There is a common feeling this week among those involved with Measure 37: shock.

Marion County Circuit Judge Mary James' decision Friday that the land-use planning law voters approved in November is unconstitutional instantly changed the debate about the law and about land-use planning in Oregon.

The law allows land owners to be compensated when new land-use laws restrict their ability to develop their land. The government can either pay owners or give them waivers that allow them to develop their land as they could have when it was originally acquired.

In response to a lawsuit filed by land-use watchdog group 1000 Friends of Oregon and four county farm bureaus, James found Measure 37 unconstitutional on multiple grounds, one being that the law favors some land owners over others by allowing only those who purchased their land before a land-use law went into effect to file a Measure 37 claim.

Stakeholders on each side say they are amazed at the decision.

"To say it caught me by surprise would be an understatement," said Ross Day, Director of Legal Affairs for Oregonians in Action, the group that wrote the measure.

"Being an attorney, I thought: 'What do we do next?'" Day said. "I was sort of in fight or flight mode."

Since his initial reaction, Day said his thoughts have gone to those affected by the ruling.

"Once I digested it, I felt bad for the people who had their rights restored and in one fell swoop had everything taken away," he said.

1000 Friends of Oregon sees the ruling as correcting the inequalities in the law.

"We thought Measure 37 was unfair, and we're delighted a judge agreed with us," said Kate Kimball, Director of Communications for 1000 Friends.

Day sees the ruling as a case of judicial activism attacking the rights of voters.

"It's unfortunate that one person feels they can invalidate the votes of over a million Oregonians because they don't agree with the measure," Day said.

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Eugene gears up for 2008 Olympic trials

The University and supporters are eager to reclaim the city's prominence as Track Town, USA

BY MEGHANN M. CUNIFF
NEWS EDITOR

The University and its supporters hope the 2008 Olympic Track and Field Trials will push the track and field program back to its previous level of prominence, and they'll be fundraising millions to ensure it happens.

USA Track & Field awarded the trials to Eugene, host of the 1970, 1976 and 1980 trials, on Friday over 2000 and 2004 host Sacramento. The event, which runs from June 27 to July 6, 2008, is expected to bring several thousand people and an estimated \$20 million to the Eugene area.

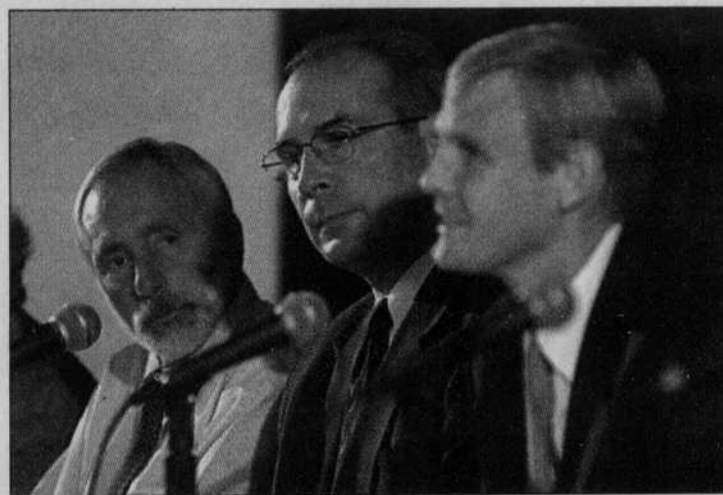
Planned renovations for Hayward Field will cost an estimated \$2 million to \$2.5 million, Athletic Director Bill Moos said at a press conference Wednesday with

representatives from Northwest Event Management and the Oregon Track Club. The groups worked with the athletics department to secure the trials.

Fundraising efforts should cover the costs of the Hayward renovations and added amenities, expanded seating, a resurfaced track, an expanded press box and additional lights, Moos said.

"We don't have an account right now that's full to the brim with resources to pay for these things, but we have, I think, a pretty good record of fundraising," Moos said.

The site selection committee chose Eugene because of its commitment to the sport and because of the passion displayed by those involved in the bidding process, USA Track & Field Chief Executive Officer Craig Masback said at the



TIM BOBOSKY | PHOTO EDITOR

Oregon Track Club President Greg Erwin, right, praises Oregon track and field coach and Associate Athletic Director Vin Lananna, left, and Athletic Director Bill Moos for their involvement in securing the 2008 Olympic Track and Field Trials.

conference via telephone.

Eugene's bid package also offered more money for the event than Sacramento's, Masback said.

The difference was in the hundreds of thousands of dollars,

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Hurricane Katrina cleanup

Picking up the Pieces

Residents try to remain positive as they return to the Big Easy to reclaim homes and businesses

KELLY BROWN
NEWS REPORTER

NEW ORLEANS — Piles of household debris — furniture on the bottom, clothing and small items in the middle and Sheetrock on top — line the streets. Refrigerators, some with spray-painted political slogans, add pungency to the air, even more than seven weeks after Hurricane Katrina ravaged the city.

The Big Easy has become a commuter city. Many residents are just returning, boosting the city's population during daytime cleanup efforts and clogging roads to Baton Rouge at night.

Yet residents of New Orleans' uptown neighborhood who have stayed in the city or returned to the area are remarkably positive about the city's prospects for the future.

Anne Hasuly, a Tulane University sophomore,



KELLY BROWN | NEWS REPORTER

Maria Esperanza Fingerman examines the mold inside her living room on a picture her son painted. It was her first day back in New Orleans.

sits on her porch swing, smoking a cigarette and occasionally talking with the chatty electrician working next door. She said although she's only lived in New Orleans for one year, it's impossible to imagine herself at another school or city.

"It's New Orleans," Hasuly said. "I just couldn't be anywhere but here."

She said she was in Meridian, Miss., with three

friends when the storm passed through.

"There was no power, no TV, no news, just sketchy cell phones."

After relocating to Austin, Texas, she and three friends found what she describes as a "commune kind of collect of people," with whom she took

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KAI-HUEI YAU | FREELANCE PHOTOGRAPHER

Senator Vicki Walker, left, tells a family story with her daughter, Sara Walker, during an interview in The Buzz Coffeehouse. Vicki Walker wants to get rid of the "Good Ol' Boy" politics that she believes make citizens apathetic to politics.

★ OREGON VOTES 2006 ★

Senator ponders gubernatorial bid

Democrat Vicki Walker is unsure, yet hopeful about candidacy as she plans her campaign with her daughter

BY CHRIS HAGAN
NEWS REPORTER

Sara Walker reaches across from her chair in The Buzz Coffeehouse on campus to brush at her mother Vicki Walker's forehead.

"Hold on," she said. "You've got a hair sticking up."

Twenty-five-year-old Sara Walker's gesture is both a sign of daughterly care for her mother and an act as her cam-

paign manager, making sure the candidate is presentable to the photographer snapping pictures around them.

Vicki Walker, a 49-year-old Democratic state Senator from Eugene, is evaluating a run for governor but isn't sure whether it will happen. She plans to decide by the end of next month. The uncertainty is a new thing for her, she said.

"It's hard being in this maybe-candidate phase," she said. "I'm a more deci-

sive person than that."

For the time being, though, she says she is acting like she will run.

"My thought process is: 'I'm running for governor,'" Vicki Walker said.

She is looking into what kind of support she can drum up financially, hoping to raise at least \$750,000 to stay in the race.

"Money, unfortunately, is a big key," Vicki Walker said. "If you don't have money to win, it doesn't matter what your message is."

Her daughter is in charge of the

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