

The UO School of Music and Dance
presents

MUSIC TODAY FESTIVAL

"Contemporary Crossroads 2007"

January 26-30



UNIVERSITY OF OREGON

For more information or Festival brochure, call **346-1163**
or check our calendar website: music.uoregon.edu

Friday, Jan. 26 • 8 p.m., Beall Hall
THE POWERS-CHILDS DUO
"Celebrating a World of Music"

Vanguard Concert Series;

\$10 General Admission, \$8 students & seniors

Also featuring Japanese koto master Mitsuki Dazai and tango dancers Rebecca Rorick Smith and Adam Hamilton. Music by Piazzola, Saint-Saens, Petkere, plus a Brazilian song; Russian Folk Song Medley; Japanese Folk Medley; Blues with a Feeling; and 1930s classic jazz standards, with tap dancers.



Powers & Childs

Saturday, Jan. 27 • 8 p.m., Beall Hall
PHILIP AND ELLEN FROHNMYER
"A Euro-American Vocal Journey"

Vanguard Concert Series;

\$10 General Admission, \$8 students & seniors

First half includes classical song repertoire by Mozart, Purcell, Handel, Strauss, and Brahms. Second half features vocal selections by Leonard Bernstein, Benjamin Britten, Ned Rorem, John Ireland, Virgil Thomson, Michael Balfe, and Cole Porter.



The Frohnmyers

Monday, Jan. 29 • 8 p.m., Beall Hall
SO PERCUSSION ENSEMBLE
"Celebrating Steve Reich at 70"

Vanguard Concert Series;

\$10 Gen. Admission, \$8 students & seniors

Program: *Music for Pieces of Wood*, *Four Organs*, and *Drumming: Part One*, all by Steve Reich; plus the so-called laws of nature by David Lang.



So Percussion Ensemble

Tuesday, Jan. 30 • 8 p.m., Beall Hall
PACIFIC RIM GAMELAN
"New Music for World Orchestra"

\$7 Gen. Admission, \$5 students & senior citizens
With guest artists the So Percussion Ensemble. Featuring world premieres of music by Jason Ger-raughty, Luke Carlson, Alexander LaFollett, Jamie Keesecker, David Roberts, Scott Ordway, Jesse Jones, John Heer, Ken Strand, Aaron Manela.



Pacific Rim Gamelan



LandWatch Lane County

'For every request filed by a small landowner seeking to build a residence under Measure 37, there have been six claims filed by developers, speculators and corporations.'

—Gov. Ted Kulongoski

proclaims that with the "overwhelming" potential of Measure 37, "the most spectacular real estate investment in the world is currently in Oregon."

Creswell neighbor Pendell's attorney, Douglas DuPriest, argued in testimony to the state that such legal contrivances to evade claim transfer restrictions won't hold up in court. The perpetual purchase option with the McDougals for the full purchase price leaves the Bernheims with only an "ephemeral" interest in the property, with nothing left that they can transfer or sell, according to DuPriest.

Even if such options are eliminated, there could still be legal ways to evade the transfer issue. For example, a gravel pit owner leasing land near Sweet Home got a waiver for more blasting and around-the-clock noise based on the landowner's long-term ownership. Billboard advertisers that lease land have also sought waivers through long-time property owners.

Plum Creek timber didn't acquire the 32,000 acres it's claimed exemptions on until five years ago when land use restrictions were already in effect. But the Seattle corporation claims that it's still legally allowed the waiver because it purchased the land by means of a corporate merger that retained the waiver rights.

Some attorneys who argue the waivers aren't transferable concede that they could be legally "vested" if a property owner takes substantial action to develop the land before the transfer.

What exactly "substantial" means and whether developers could use this as a practical loophole remains undecided in the courts.

Jona Maukonen, an attorney with the Harrang Long Gary Rudnick firm in Eugene, wrote in a law journal article last year that while such vested transfers are possible, courts may consider whether the landowner acted in good faith, and courts "will likely disfavor" waiver transfers because of their impact on land use plans.

Also uncertain and untested in court is the effect of the Measure 37 exceptions for health, safety, nuisance and federal regulations. The Portland City Council has denied waivers of local environmental rules, arguing that they involve health and safety issues.

State and local governments could also effectively block Measure 37 development when it comes time for permit approvals by

refusing to extend roads and by citing the health and safety risks of septic systems and traffic accidents.

But while some cities and counties may seek ways to control Measure 37 sprawl, many rural counties have long opposed the state land use laws and have seized on the opportunity to waive them.

The "political reality" in many locales is that they aren't likely to look for technical ways to block permits for waived claims, Goal One's Just said. "It just isn't going to happen."

Another big uncertainty is valuation. Right now, state and local governments are simply accepting developer claims that there was a decline in value and granting waivers.

But Rogers and other attorneys argue that the waivers must be substantiated by a real appraisal and that any waiver must be proportionate to the actual decline in value.

Economists and other critics of the developer money claims have said that they fail to consider that, by the law of supply and demand, their land is worth less because it competes for buyers with so many other Measure 37 claims.

Critics also argue that farm and forest tax breaks and new regulations have also enhanced claimants' land value and that it may be worth the most as farm and forest land.

Willis, the development attorney, dismisses all the "blunderbuss attack" of legal challenges as delaying tactics. "They've been able to impose huge delays and problems," he said, but Measure 37 opponents won't prevail in court. "They're so clearly wrong."

Whatever the case, it could take the courts five years or longer to unravel many of the big legal questions surrounding Measure 37.

If the Legislature and courts fail to protect against sprawl, there's always the initiative. But environmentalists say that's an expensive battle that could take at least two years from signatures to passage.

Even with increasing negative publicity, environmental groups say their polling shows that an outright repeal of the measure may not pass. Measure 7 passed by 54 percent while Measure 37 passed by 60 percent.

But Pendell, the neighbor mom, hopes that all the big developer schemes that had nothing to do with Dorothy English will wake opposition to Measure 37. "This is way overboard, this is crazy."

EW