

MEASURE 87 DEALS WITH UNINTENDED CONSEQUENCES

In a season of highly controversial ballot measures and no-compromise, multimillion-dollar “yes” and “no” campaigns, Measure 87 is set to be among the more peaceful decisions Oregonians have to make in November. Facing no organized opposition, the “fact specific and very narrowly drawn” measure would amend the state Constitution to permit state judges to simultaneously serve in either the National Guard or as a paid teacher in public universities. According to UO Assistant Professor of Political Science Daniel HoSang, the measure would modify a valuable section (Article XV, Section 8) of Oregon’s Constitution that prevents one from working in two branches of government for compensation. “What you are trying to prevent is a judge, let’s say, also working in the state Legislature — someone who is interpreting the law also passing the law,” HoSang says. But, he adds, even valuable, time-tested laws can have an “unforeseen impact.”

To Sen. Floyd Prozanski, the measure’s main advocate, Article XV’s “unforeseen impact” can be seen

here in Eugene, where Lane County’s Judge Karsten Rasmussen volunteers at the UO School of Law by teaching Oregon Civil Procedure and legal history courses, but is unable to receive compensation.

Considering the unmatched level of experience and expertise that active state judges could pass on to their students, and the prospect of attracting more judges to teaching at public universities by paying them for their time, Prozanski says, Measure 87 would be a huge benefit to Oregon’s public school law students.

Judges can and do teach at private universities for pay as they are not a different branch of government.

Given that the bill is a “housecleaning” bill, or one meant to efficiently clean up old language of the Constitution, Prozanski and his colleagues in the Legislature thought it would be a missed opportunity to not also include a provision for judges who wish to serve in the National Guard.

“Checks and balances — that’s the beauty of the Constitution,” Prozanski says. “This is one exercise to show how it can be changed by the voters and only by the voters. It also shows that the Constitution is what we would consider a living, breathing document that is not something that should be allowed to go stale. Sometimes you have to revisit it.” — Ben Stone

- **Time to get those ballots filled out** and in the mail by Thursday, Oct. 30. Ballots also can be dropped off at Lane County Elections at 10th and Lincoln, or in one of the white ballot boxes downtown or on campus. Deadline is 8 pm Tuesday, Nov. 4, and postmarks don’t count. See our endorsements round-up in this issue and for more information, dig out last week’s EW from the recycling bin or go to eugeneweekly.com. Some candidate races and measure votes could be squeaky close and the nation will be watching Oregon next week to see what happens with measures to legalize pot and label GMOs. Be a part of history. Vote!

- **What will the new City Hall actually cost?** In this column Oct. 2 we predicted some “buyer’s remorse” for the Eugene City Council when over time the real costs of wrecking and rebuilding City Hall are revealed. We’re seeing a preview this week with the council approving \$2.5 million to add an unfinished fourth floor to Phase 1. So the much-touted \$15 million new City Hall will now cost \$17.5 million or more. A proposal was nixed (for now) to add 17 to 20 below-grade parking spaces for \$1.4 million, or \$70,000 to \$83,500 per space. WTF? Underground parking usually costs about \$30,000 a space.

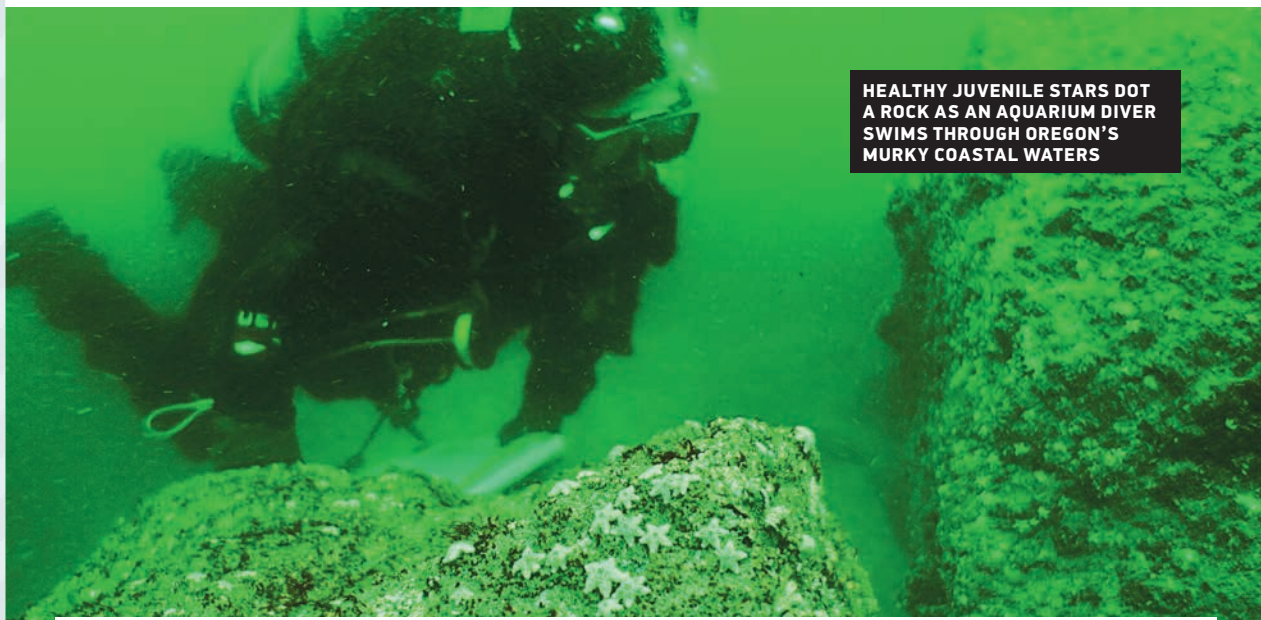
The city cut library hours and parks are not getting the attention they need, so where will the extra \$2.5 million come from? Looks like Public Works has a \$2.5 million “surplus.” Shall we credit excessive stormwater fees?

Meanwhile, the old City Hall is looking good now that the flaking façade is gone. It’s an impressive building with 120 underground parking spaces, all about to be pulverized. The council voted unanimously this week to tear down and recycle the circular council chambers, which makes sense from an architectural standpoint. It will no longer be the iconic centerpiece of anything.

- **The UO Senate Task Force** to Address Sexual Violence and Survivor Support presented a list of more than 20 recommendations for dealing with sexual violence and misconduct on campus on Oct. 22. The report was called “Twenty Students Per Week” for the number of students at the UO who face attempted or completed sexual assaults. The task force’s recommendations include establishing one central office to coordinate sexual and gender violence — currently UO students dealing with sexual violence are presented with a bewildering array of options to report to, and some have complained of repeatedly having to retell the painful story of their assault. Other recommendations include mandatory sexual assault prevention classes, expanding women’s self-defense training and empowering the Senate Intercollegiate Athletics Committee (IAC) so it can address sexual violence issues as they pertain to athletics.

- **Rep. Phil Barnhart** is up for re-election and his Republican opponent, cattle rancher Andy Petersen, has managed to discredit himself with some outrageous last-minute statements about Barnhart’s voting record. Even some Republicans will likely be offended by Petersen’s fear-mongering claims that Barnhart voted for releasing sex offenders from the state registry and releasing “convicted killers.” A closer examination shows Barnhart voting for common-sense changes in our laws, changes supported by both parties. Petersen’s distortions and exaggerations reflect poorly on his character and his suitability to serve the public interest in the Legislature.

- Big kudos to Lisa Arkin and Beyond Toxics for bringing **Tyrone Hayes** to Eugene and Oregon for three appearances Oct. 24. Hayes is a professor of integrative biology at the University of California, Berkeley, who has been trying to educate America about atrazine. He told a City Club of Eugene audience that he and his family have been personally threatened by the chemical industry because of his studies of this endocrine disrupter which is the second most widely used pesticide in the world, and is now banned in Europe. So what do we do about it? Litigation, legislation, regulation, Hayes recommends.



HEALTHY JUVENILE STARS DOT A ROCK AS AN AQUARIUM DIVER SWIMS THROUGH OREGON’S MURKY COASTAL WATERS

SEA STARS MAKING A COMEBACK ON THE COAST?

On a recent recreational swim near Florence, diver Diana Hollingshead was astonished once she realized what she was seeing underwater: thousands of healthy juvenile sea stars. Due to sea star wasting syndrome, a disease that causes sea stars (aka starfish) to develop lesions, fall apart and die in a matter of days, the discovery of healthy sea stars was an encouraging one.

Historically, sea stars have been a common sight on the Oregon coast, but this is no ordinary year: Starting around April, sea star wasting syndrome appeared in Oregon tide pools, and the disease quickly spread, affecting up to 60 percent of sea stars in some areas.

Hollingshead, co-owner of Eugene Skin Divers Supply, reported the discovery to the Oregon Coast Aquarium in Newport after she spotted the juvenile sea stars. “They were so plentiful that they were mistaken for acorn barnacles at first,” Hollingshead says.

Sea stars all along the West Coast have been afflicted by this syndrome, so the discovery of the juvenile sea stars in Oregon could be a promising sign. According to Bruce Menge, a professor of ma-

rine biology at OSU, the discovery of the juvenile sea stars “may be encouraging,” but more research is still needed.

“The disease is ongoing,” Menge says. And such a discovery is not necessarily an indication that the wasting syndrome is tapering off. “Judging from their size, they may actually be from last year,” he says.

Sea star wasting syndrome is a poorly understood phenomenon, and scientists remain unsure of what causes it. Some connection has been made between the wasting syndrome and rising ocean temperatures, though that connection is not yet clear. “We’ve just got to see what’s going to happen,” Menge says.

The juveniles were so numerous that scientists on the dive team from the Oregon Coast Aquarium had to improvise a method in order to count them.

“I’ve never seen sea stars in this density before,” says Stuart Clausen, assistant curator of fish and invertebrates at the aquarium, who checked out the sea star sighting after Hollingshead reported it. “It was a surprise, a very pleasant surprise.”

Clausen emphasized that “nothing is definite yet” and called it “a continuing research project.” The dive team at the aquarium plans to return to Florence regularly to monitor the sea stars, but at this point they are too small for biologists to identify their species. — Daemion Lee

PHOTO: OREGON COAST AQUARIUM