

The highs today and Friday will be in the mid-60s. The low tonight will be in the mid-40s. There is a slight chance of rain.

The Daily Tar Heel

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The women's field hockey team defeated Davidson 5-0, and the soccer team defeated Campbell College 1-0 in overtime Wednesday night. Details in Friday's DTH.

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Please call us: 933-0245

Cox files suit saying bylaw unconstitutional

Charges vote on fees violates CGC rights

By ROBERT THOMASON
Staff Writer

A suit challenging the constitutionality of a 1973 Campus Governing Council (CGC) bill that requires student body approval of fee increases has been filed with the student Supreme Court.

The Supreme Court will hear arguments in the case at 3 p.m. today.

Chip Cox, chairperson of the CGC Rules and Judiciary Committee, filed the suit last week against CGC Speaker Gordon Cureton. Cureton was named in the suit because he is the head of the agency which must enforce the law.

Cox said he felt the 1973 bill violated the Student Constitution, which gives CGC the right to determine student fees with the approval of the UNC Board of Trustees.

The bill Cox is contesting states that the CGC may levy a change in student fees only if the change is approved by two-thirds majority of voters in a general election in which at least 20 percent of the student body votes. "The CGC cannot yield its inherent constitutional power by mere statute," Cox wrote in his statement to the Supreme Court.

Cox said that according to the present law, any referendum on student fee changes would be binding and thus a violation of the constitution.

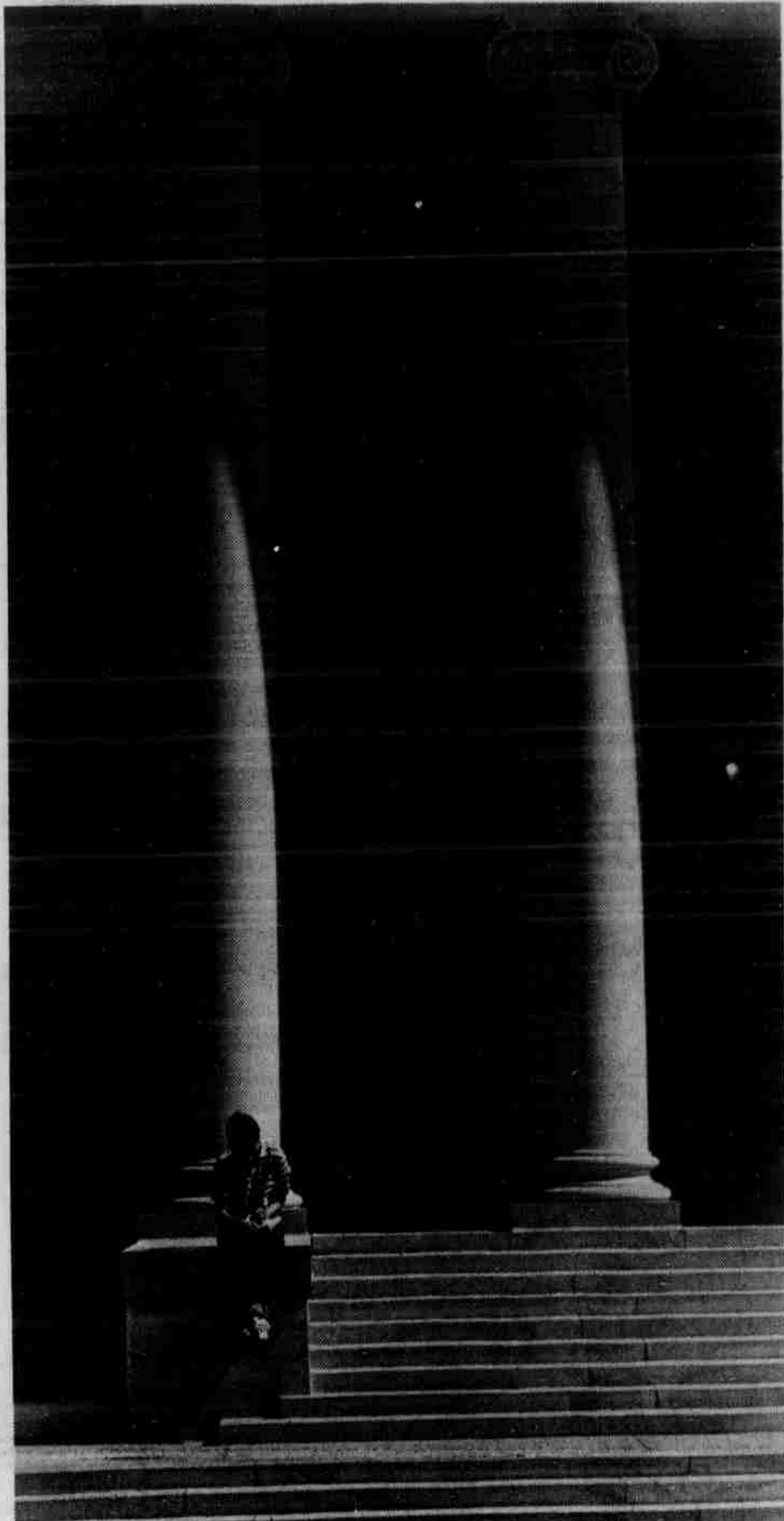
Cox said he favors a student fee increase. He also favors holding an advisory referendum on the fee increase.

If the Supreme Court rules in Cox's favor, the law requiring a student body mandate for the fee increase would be struck down, and the CGC then could pass action on an advisory referendum, Cox said.

If the ruling goes against him, Cox said he hoped a resolution would be passed to repeal the 1973 bill. "I don't think that I will introduce a resolution," Cox said. "It would make me look like a sore loser."

If someone else were to introduce the resolution, Cox said he would support it.

Cureton could not be reached for comment.



The Greek columns and stately architecture of the west wing of the Morehead Planetarium seem almost to overwhelm this studious young man. At least he's found an isolated, sunny place to bone up for midterms. Staff photo by Allen Jernigan.

CGC held in filibuster on Moss budget veto

By HOWARD TROXLER
Staff Writer

Regular business of the Campus Governing Council (CGC) ground to a halt Tuesday night as the result of the first filibuster in CGC history.

Council member Darius Moss used the filibuster to prevent a vote on Student Body President Bill Moss' veto of the recently approved WXYZ budget until sufficient votes to overturn the veto could be secured.

"I am very opposed to this bill (to approve a new budget suggested by Bill Moss)," Darius Moss told the council. "I am so totally opposed to it that I intend to continue talking about it for the rest of the evening."

Under CGC bylaws, any member may retain the floor for discussion as long as he wishes. The bylaws have no provision for the cutoff of a filibuster.

When Moss announced his filibuster, several members left the meeting and, because there was no quorum, it had to be adjourned until next Tuesday, when the council will come to order and Moss will still have the floor.

The filibuster originated when Speaker Pro Tempore J. B. Kelly, Darius Moss and council member Sonya Lewis realized they did not have enough votes to overturn the veto. Moss will continue his unlimited discussion at the next meeting until either a sufficient number of votes to override are secured or the CGC finds a way to cut off the filibuster.

The pro-override forces contend that since Bill Moss vetoed the original WXYZ budget because of a single provision within it, the veto is an attempt at an item veto because Moss submitted a new budget without the vetoed appropriation. They argue that item veto is a power that the student body president does not have.

Moss vetoed the original budget because it contained a \$2,800 appropriation for a news service to the radio station. Moss argued before the CGC that the expenditure was one the council could not afford under its current financial squeeze.

"I'm not trying to set up the president against the CGC or WXYZ," Bill Moss said. "This is a matter of us just not being able to afford it."

In a statement to the council, Speaker Pro Temp Kelly said, "What this has basically done is give the president veto power over individual terms. This is granting the

president an enormous amount of power — more power than he should have."

Darius Moss insisted that he would continue his filibuster as long as he deemed it necessary. "I will continue talking until CGC fully realizes that the president of the student body cannot dictate to them," he said. "Secondly, I intend to show that there is an essential need for this news wire."

An angry Bill Moss said after the meeting, "How can the same person who said 'It should not be the prerogative of one person to reconsider bills' then disrupt the entire legislative process of the student body?"

Moss termed the filibuster irresponsible and said, "I think it is very unfortunate that this meeting was disrupted. I have problems with the idea of one person disrupting all the legislative functions."

Some CGC members themselves were more outspoken about the maneuver.

"This is the most juvenile parliamentary trick I have ever seen in any organization I have experience in," said Chip Cox, chairperson of the Rules and Judiciary Committee. "There has not been an act of this sort on the Carolina campus since Mike O'Neal."

O'Neal was Student Government (SG) treasurer two years ago and temporarily froze funds appropriated for certain campus

organizations, including the Black Student Movement and the Daily Tar Heel.

Phil Searcy, Finance Committee chairperson, said after the meeting that Darius Moss "had taken it upon himself to try and do this while we had matters more important to consider. He's completely ruined the chances of other student organizations."

"Secondly, this is an after-the-fact reaction to the big (U.S. Senate) energy filibuster. Some CGC member thinks he's going to do the same damn thing and act like a senator."

Speaker Gordon Cureton, President Moss and Searcy all contend that the filibuster is preventing the CGC from taking action on other issues.

"The veto caught us off-guard," Cureton said. "I'm sorry to say that now there's a lot of groups we won't be able to serve. More people are being hurt by this than just CGC members."

The CGC is split almost evenly on the issue. There was favorable reaction to the filibuster from both CGC members supporting the override and WXYZ management.

The veto of the WXYZ budget is still in effect because the filibuster prevented any further action on the matter.

Filibuster delays consideration of budgets and other matters

The Campus Governing Council (CGC) has its hands tied.

The council is in the midst of a filibuster, the first in the history of UNC student government. CGC member Darius Moss currently has the floor and will retain it when the next meeting is called to order Tuesday. He does not plan to yield the floor until he is satisfied the council will override a veto by Student Body President Bill Moss.

President Moss last week vetoed a \$14,000 budget for radio station WXYZ that the CGC previously had passed. Moss says he does not object to funding the radio station, but he is opposed to

specific provisions within that budget. Moss wants the CGC to consider a new budget with the modifications he desires.

Darius Moss opposes the veto, saying that if the new budget is passed, it would be tantamount to "giving the president the right to an item veto — a right he doesn't have."

A group of CGC members are mounting an offensive in the council to override the veto, but they say they do not have enough votes yet. Darius Moss aims to tie up CGC procedure until enough votes to override are secured.

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Council still searching for friendly faculty member

By MEREDITH CREWS
Staff Writer

A proposal to extend the four-week drop period was prepared Wednesday by the Campus Governing Council (CGC), but the CGC cannot find a Faculty Council member to present it at the meeting on Friday.

"Most of the professors we talked to were in favor of hearing our proposal for an extended drop period but were not going to

be at the meeting," CGC member Sonya Lewis said.

"We're going to keep on trying to find someone to present it before the council," she said. "Even if a council member doesn't agree with the proposal, we would like very much for it to be discussed."

The Educational Policy Committee will present a recommendation to the Faculty Council which supports the continuation of the four-week drop period.

The CGC proposal states that it fully supports a recommendation by the Educational Policy Committee for an increase in the drop-add period to five class days but does not support the continuation of the four-week drop period.

"I hope someone presents the proposal out of the feeling that it should be voted on and our views should be considered," CGC member Bob Long said.

Included in the CGC proposal for extending the drop period is a survey of approximately 120 students conducted by the CGC which indicates overwhelming support for a six-week drop period.

Also included is an April 1977 CGC survey of general faculty members in which 53 percent said they did not object to a six-week drop period.

Long said the heart of the argument for extending the drop period is the arbitrary assignment of four weeks as an acceptable drop period.

"I don't think the wishes of the students or even the wishes of general faculty members have been considered," Long said.

"We agree with most of their (the Educational Policy committee) judgments and reasons for a shortened drop period, but

we present substantial arguments to lengthen the drop period," he said.

Proposed educational reasons for an extended drop period include allowing students additional time to consult with advisers and to evaluate courses or work loads and reducing the number of panic drops.

"The extra two weeks will give students time to reasonably evaluate a course when otherwise they might drop it out of fear," Long said.

The proposal also states that special problems of adjustment for freshmen and transfer students should be considered as a reason for extending the drop period.

In addition, the proposal suggests that faculty members might benefit from an extended drop period, as they could give tests when a sufficient amount of material

has been covered rather than being compelled to give a test during the first four weeks of class.

"The general faculty may have support for the extended drop period as it (the four-week drop period) can cause grief for professors trying to give tests on an insufficient amount of material covered during that time," Long said.

Another reason given in the proposal for an extended drop period is that the shortening of the drop period from twelve to four weeks did not significantly reduce the total number of drops.

Many of the educational reasons given in the proposal were expressed by some thirty students who attended an open hearing on the drop period conducted by the CGC Oct. 11.

City employees air gripes to board seat candidates

By KEITH HOLLAR
Staff Writer

Representatives of the town transportation and sanitation departments aired their employee grievances before seven candidates for the Chapel Hill Board of Aldermen at a forum held Tuesday night at Hargraves Recreation Center.

The chief complaints were a lack of proper training and safety programs in the sanitation department, lack of guaranteed full-time pay for full-time bus drivers, displeasure with the present grievance procedure, and the lack of provisions for union activity in Chapel Hill.

The seven candidates — Marilyn Boulton, Gerry Cohen, Bev Kawalec, Bill Lindsay, Jim Merkel, Marvin Silver and Bill Thorpe — responded individually to the complaints of the panel of representatives. Four seats are open on the board in the election on Nov. 8.

James Lewis, representing the sanitation department, complained of outdated and dangerous equipment.

"We're asking for a safety program, but management says it has no time for safety programs."

He also cited the need for a training program. "People call to ask why their trash has not been picked up. Usually the answer is 'Well, we've got a new man.'"

"The problem is no one has trained him to do his job."

Chris Carlson, spokesperson for transportation employees, said full-time bus drivers no longer are guaranteed pay for a 40-hour work week when they work fewer than 40 hours. She added that other part-time drivers sometimes work full-time, but they do not get fringe benefits, such as medical and retirement benefits, which accompany full-time status.

"He (Bob Godding, director of transportation) severely miscalculated the number of full-time drivers needed," she said.

Carlson also expressed discontent with a grievance system which requires employees to channel their complaints through their supervisors, who may be the target of the complaints.

Otis Stroud, president of the local chapter of the Amalgamated Transit Union, said he would like to see the town recognize union representatives as spokespersons. He also said employees who are union members occasionally should be given time off to attend union meetings.

"We would go to these meetings and bring back some good and solid and necessary information," Stroud said.

Each of the board candidates said he supports greater representation for employees and an evaluation of the grievance procedure.

"The thing that comes through very clearly is the question of communication," said Silver, who is seeking re-election to the board. "I need the advice (from employees) to make the appropriate decisions."

"Employees should come to the board members with specific problems in the processes so we can get something worked out before they become grievances," said Gerry Cohen, who also is seeking re-election.

Merkel said that although the board should seek input from employees, "Any decision the town makes shouldn't represent the special-interest group. I think the board's role is to set the broad policy, not to deal with specific details."

Gov. Hunt addresses accountants in Chapel Hill

By DAVID STACKS
Staff Writer

Cranking up North Carolina's state government is like firing up a locomotive in the trainyard, Gov. Jim Hunt said Wednesday.

"It's kind of slow getting out of the yard," he said. "But pretty soon, the wheels begin to move faster and faster until it's hauling full speed down the tracks. That's what running state government is like."

Stumping the state promoting passage of five constitutional amendments and two bond issues on the referendum ballot next month, Hunt carefully skirted the issue of gubernatorial succession while speaking to the N.C. Association of Certified Public Accountants in Chapel Hill Wednesday.

"It (succession) will come nearer passing if I don't get involved in it," the governor said in an interview afterwards. "If I get in on it, it will become a Jim Hunt issue."

"But the issue is bigger than Jim Hunt. The issue is whether the people want their governor to be able to have strong control of state government."

"I would welcome a referendum on just myself. But that's not what this is. If succession doesn't pass, I'm going to work just as hard."

Hunt alluded to the possibility that succession may not pass and that he and Lt. Gov. Jimmy Green may be prohibited from running for re-election in 1980.

"If you ever get anybody into office who thinks he's got to stay in to make a living, you're in trouble," Hunt said.

The governor also emphasized his education programs, including the minimum-competency test high school students must pass before they can graduate.

"We're going to have some trying times when those first test scores come back," Hunt said. "It's going to take time to raise the standards of our public schools and put accountability back into education."

Improved elementary and secondary education is the state's long-range solution to raising the standard of living, he said. The short-range answer is to pass the issues on the ballot next month.

"Education is the long-range answer," Hunt said. "But there are things we can do between now and Christmas," such as passing the \$230-million water bond and the \$300-million road bond.

"The public investment decision we are about to make is absolutely essential if we are to make any kind of progress toward fulfilling our needs," he said.

"It's easy to say, 'That's the governor's program. The legislators passed it. Let them do it.' But we the voters have got to approve the amendments and bonds before state government can do anything."

He said passage of the bonds and amendments are essential to making the state attractive to outside industry considering locating here.

"North Carolina's economic infrastructure will not be complete until outside firms look at the state for what it offers instead of what it does not offer," Hunt said.



Gov. Jim Hunt, traveling across the state to promote several constitutional amendments, spoke Wednesday to the N.C. Association of Public Accountants at the Carolina Inn. He stressed the need for improving education, but skirted the succession issue. Staff photo by Mike Sneed.