

Play fall!

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The Daily Tar Heel

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Wednesday, October 28, 1981

Chapel Hill, North Carolina

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Board seeks health fee hike

By KEN MINGIS
DTH Staff Writer

The UNC Student Health Advisory Board recommended Tuesday that Student Health Fees be increased by \$4 per semester beginning next fall, in order to meet higher operating costs.

The board's vote was 7-0 to raise the fee from \$134 to \$142 a year. Before it goes into effect, however, it must first be approved by the UNC Board of Trustees.

"We can't waste any more time," said board member Danny McKeithen, who made the motion for the increase.

"We need to approve this motion, get it out of the way and get on with looking for alternative ways of bringing in revenues," he said.

Student Health Services Director Judith Cowan, who prepared the revised budget, pointed out that this year's costs would be about 10 percent more than last year. An 8 percent increase is expected next year, she said.

"The fee increase represents an increase of about 6 percent against a cost increase for us of 8 percent," Cowan said.

McKeithen said there were areas in SHS in which costs were not covered by the prices students are charged,

especially in-patient care.

"Costs are constantly being incurred for a small number of students at a high rate," he said. "The average stay for a student in the infirmary is three and a half days."

"That represents the equivalent costs of two student health fees, just for one student," McKeithen said.

Even today, student fees do not cover the SHS costs, Cowan said.

"This year, we anticipate spending about \$142 per student," she said. "and since we're only collecting \$134, there will be a small deficit."

There was some sentiment on the board that this increase be approved in an effort to gain time to look for other ways of raising revenue.

"The only reason I support this now is that it gets this out of the way so we can start looking to the future," said board member Wayne Rackoff.

"Nothing says that this (fee increase) can't be rescinded for second semester if we find other amenable sources of revenue," he said.

One idea being looked into by the board is the practice of double-billing, Cowan said.

This occurs when a student is already covered by his family's insurance plan, in addition to coverage provided by the Student Health Service, Cowan said.

Billing the charges to a third party (the insurance company) would be one way of collecting higher costs, she said.

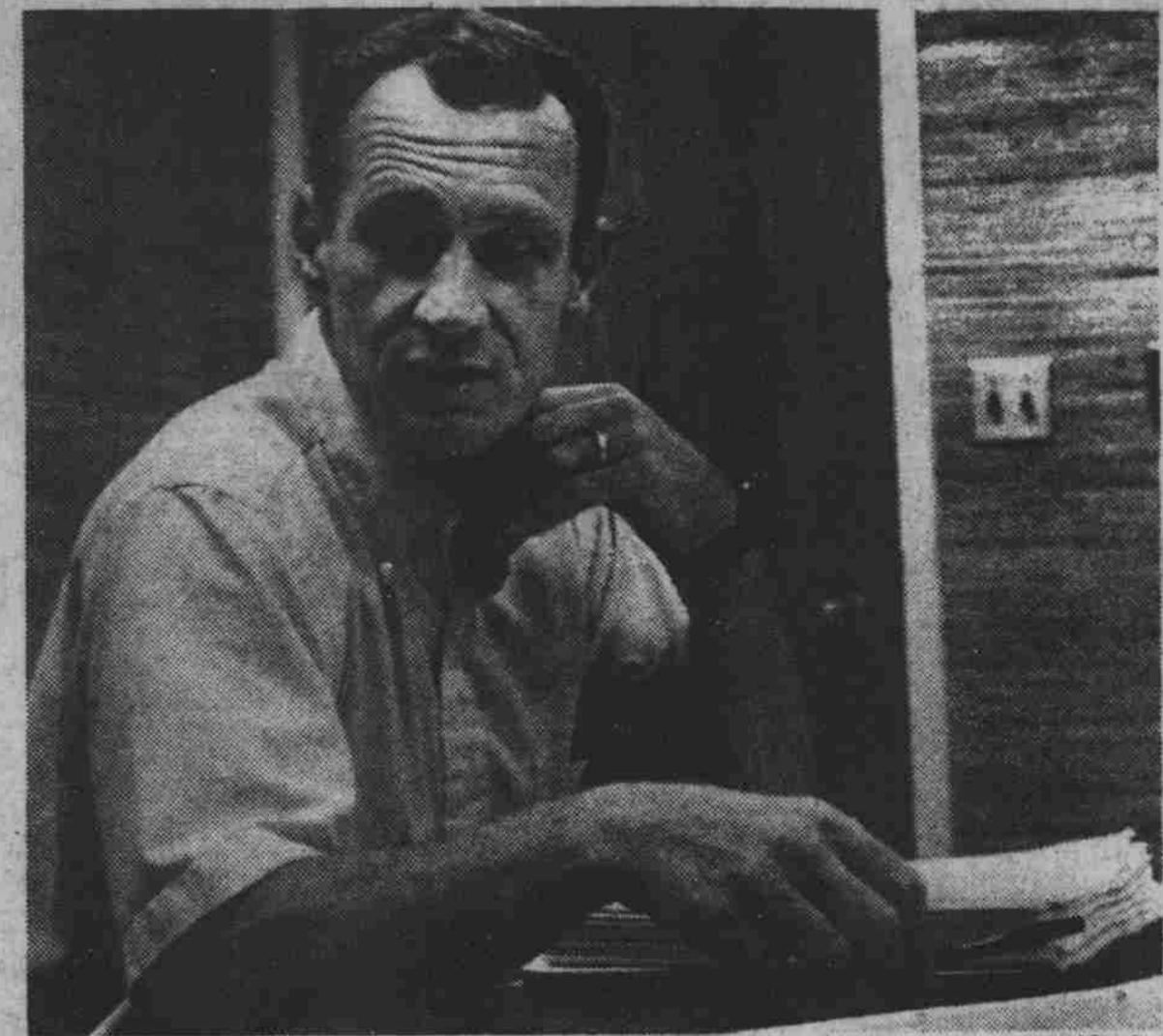
In terms of actual figures, the 1982-1983 budget shows projected expenditures of \$3,637,364 and income of \$3,327,642. The \$4 increase would help cover the resulting deficit along with \$159,722 taken from the previous year's surplus funds.

Approval of the fee increase would mean a surplus of \$47,678, according to the budget proposal.

"When you're working with a total budget of \$3.4 million, a \$50,000 surplus is pretty tight," McKeithen said.

Actually, Cowan said, the budget proposal for 1983 is seen as more of a holding budget. She also said she would rather raise fees than cut services. "That would be a big mistake."

McKeithen pointed out that, like other universities, UNC had to face higher operating costs. "We don't like increasing costs, but the University is not immune to the high cost of medical care," he said.



Fred Mueller, chairman of Student Health Advisory Board ... board recommended a fee increase at Tuesday's meeting

Phi Gamma Delta loses noise permit privileges

By GREG BATTEN
DTH Staff Writer

A UNC fraternity has had its noise permit privileges revoked for six months by the Town of Chapel Hill.

Phi Gamma Delta became the first holder of a permit to lose its privileges since the noise ordinance was adopted by the Town of Chapel Hill last spring.

The fraternity, located at 108 W. Cameron Ave., lost permit privileges from Oct. 22, 1981, until April 22, 1982, said Capt. Arnold Gold of the Chapel Hill Police Department.

The revocation of permit privileges came as a result of a morning mixer at the fraternity house on Oct. 16, Gold said.

Gold said the fraternity had received several cautions concerning previous ordinance violations.

"We sent them a letter notifying them of the ordinance violations that had taken place after the first complaints received," Gold said. "After continued complaints we issued an official warning stating that permit privileges would be revoked upon the next violation."

Gold said the noise at the morning mixer constituted a clear violation of the noise ordinance, as amplified sound may not exceed 60 decibels before 5 p.m. on Fridays.

"We received a complaint at 8:18 a.m. and warned the fraternity, and another



Norberg

complaint at 10:50 a.m.," Gold said. "We had no choice but to take action."

UNC Student Body President Scott Norberg said he thought the police had been fair about the situation.

"In general, the ordinance has worked out fairly well thus far," Norberg said. "Although there are parts of the ordinance that I do not agree with, the police department has cooperated extremely well so far with the students."

Phi Gamma Delta President Buckley Strandberg also said the police department had been fair in handling the situation.

"However, I do think there is a problem with the noise ordinance," Strandberg said. "I think the part dealing with amplified sound needs to be reworded."

Strandberg said he checked the noise level at one mixer without music playing and the decibel level exceeded the noise ordinance limitations.

The ordinance permits amplified sound up to 70 decibels without a permit and up to 85 decibels with a permit.

Noise may go as high as 85 decibels during certain hours if a permit to exceed is issued.

The hours are Thursday from 5 p.m. until 11 p.m., Friday from 5 p.m. until 1 a.m., and Saturday from 10 a.m. until 1 a.m.

Gold said that although four other fraternities had received letters concerning violations, no other official warnings had been issued.

"Overall, problems with noise have been much better this year," Gold said. "And I feel the new ordinance has had a lot to do with that."

Gold also said he did not expect any further problems from the Phi Gams, but that further violations could result in a charge to be settled in court.

Strandberg said the fraternity would have to seek alternatives to outdoor mixers due to the permit suspension.

"There is no way we can beat the system," Strandberg said. "So we are going to move the parties downstairs and close the windows."

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Despite his success with others, the president failed to sway at least five opponents — Sens. Paula Hawkins, R-Fla., Howell Heflin, D-Ala., William Roth, D-Del., Wendell Ford, D-Ky., and David F. Durenberger, R-Minn. — as he continued his one-on-one lobby blitz at the White House.

AWACS lobbying works

Reagan wins Senate votes

The Associated Press

WASHINGTON — President Ronald Reagan switched three opponents and picked up five other votes from among the uncommitted Tuesday in a major gain for his fight to rescue an \$8.5 billion Saudi arms sale from Senate defeat.

The gains put the president within six votes of a come-from-behind victory for the sale of AWACS radar planes and F-15 jet fighter weaponry.

The latest Associated Press count had 52 senators declared against the sale, 46 were leaning in favor, and two undecided.

Switching in favor of the sale were Sen. Roger W. Jepsen, R-Iowa, who had been a declared opponent, and Sens. Charles E. Grassley, R-Iowa, and J. James Exon, D-Neb., both of whom had been leaning against it.

Five senators who had been uncommitted came out in favor of the sale Tuesday. They were: Bob Dole, R-Kan., Harrison Schmitt, D-N.M., Walter D. Huddleston, D-Ky., David L. Boren, D-Okl., and Frank H. Murkowski, R-Alaska.

At the White House, President Reagan lobbied senators individually for the second day in a row Tuesday and his chief spokesman said the president was very encouraged by the day's developments.

Describing the administration as being within a very few votes of winning Senate approval, David R. Gergen said, "We definitely can win. The gap is closing. We're within a handful of votes."

Gergen said the president was spending much of the day "in what we call quiet persuasion," meeting separately with at least nine senators in the study in his living quarters.

In addition, Reagan telephoned a handful of senators and planned to continue his meetings today.

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Early birds

Junior Beth Melaragno beats Dean Smith to the front of the line waiting for Clemson block tickets Tuesday. Melaragno and 40 other students are taking two-hour shifts until Sunday when block seats for next Saturday's football game can be reserved. The students' idea to camp out early is their way of showing the flaws in UNC's new distribution system.

Case raises questions about capital punishment laws

By ALAN CHAPPLE

DTH Staff Writer

Despite the Supreme Court's denial to review the death sentence appeal of convicted murderer Velma Barfield last week, the case has posed questions concerning North Carolina's capital punishment laws.

The high court refused to hear arguments from Barfield's attorneys that the state's death penalty system was flawed because jurors never were told a convicted murderer would receive a life prison term unless the jurors voted unanimously for a death sentence.

Barfield, a 48-year-old Robeson County woman, was convicted in December 1978 of the poisoning death of her fiance, Stewart Taylor, 56, of Saint Pauls, N.C. earlier that year. Her execution had been stayed three times prior to the Supreme Court decision.

"We're certainly faced with an uphill battle to overturn the death sentence," said Richard Burr, an attorney for the Southern Prisoners Defense Committee, representing Barfield. He said he would continue to appeal the decision until he found a sympathetic court.

The continued appeals and stays of execution have posed questions concerning North Carolina's capital punishment laws.

One question, which arises directly from the latest appeal in the Barfield case, is that of jurors' knowledge of the unanimity requirement.

The appeal argued that jurors should be told that a less than unanimous recommendation for the death penalty would result in a life sentence. The North Carolina Supreme Court has ruled that no such requirement exists.

According to the appeal, 13 other states require a unanimous jury vote for the death penalty before an execution may be ordered. Of the states, only Louisiana courts have ruled that jurors must be told of the unanimity requirement.

Burr speculated that the Supreme Court could have refused to consider the case because the matter "may be such a clear violation of the law that there are other courts that may deal with it."

Another major question deals with the length of time and the number of appeals which can be made before an ordered execution is carried out.

"In general, we are not opposed to judicial review," said John Elmore, special assistant for the N.C. attorney general. "Of course

there are possible abuses and we will review it (capital punishment) continually."

"Taking someone's life is fairly serious. Quite naturally the process will take some time, but ... we want everything done right," he said.

Kenneth Brown, dean of the School of Law, also believes appeals are necessary in capital punishment cases.

"The remedy is so drastic, so irretrievable, that you have to give the person every last possible opportunity," he said.

"Once capital punishment is enforced, that's it; you can't go back," Brown said. "The willingness of courts to rehear cases is perfectly understandable."