

Shanthi, Shanthi, Shanthi

As T.S. Eliot said when it rained. There's a 50 percent chance of showers today, with highs in the mid-80s and lows in the low-60s. Thirty percent chance of rain tomorrow.

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We want legs
And we know how to show them. See the entry blank on page 3 and maybe you can bring your modeling skills to this year's fall fashion review.

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Safe Roads cases test U.S. drunk driving laws

By FRANK PROCTOR
Staff Writer

The fate of nationwide efforts to curb drunk driving may be decided by N.C. Supreme Court decisions for several cases challenging the state's 1983 Safe Roads Act.

Seven cases challenging the controversial bill will be heard beginning Oct. 9.

"My guess is that they (the Supreme Court) will try to have these opinions issued before the Legislature gets back into session, or at least before they get too deep into their session," said Greg Wallace, clerk of the Supreme Court. This will enable the General Assembly to act immediately to change any

elements of the act that are found unconstitutional, he added.

Wallace said there's no way to tell what impact the Supreme Court's decision will have on the Safe Roads Act. "It depends on whether the Court tries to add dicta (legal comments on portions of the Act). These are not legally binding but would serve as a strong guide to the General Assembly," Wallace said. He added "If they try to add dicta, it could be quite important — it has potential."

Numerous constitutional challenges to the act have arisen since its enactment on Oct. 1, 1983, with most of the controversy centered on two provisions of the act. The first provides for the

automatic pre-trial suspension of the driver's license for 10 days when a driver registers a blood-alcohol level of 0.10 or more. The second allows courts to accept as evidence affidavits from breathalyzer operators rather than forcing the operators to appear in person.

Usually cases must be heard in appeals court before moving on to the Supreme Court, but the seven cases to be heard in October have bypassed normal appeals channels.

Three cases were brought to the Supreme Court because of petitions by litigants. The Court itself brought up the other four because they raised

different constitutional questions, according to Wallace. He said cases were chosen to represent as many constitutional questions as possible.

"They are not frequently used channels," said Wallace of the petitions and the selection of cases by the Supreme Court. "In fact, they brought up one case yesterday (Thursday) because they were notified by the Attorney General's office that it contained a different constitutional issue," he said.

Wallace added that Attorney General Rufus Edmisten had been the major force behind getting the cases before the Supreme Court. "The Attorney General was instrumental in getting the package

of cases together (but) I do know that everyone wanted them up here because of the need to interpret the law," he said. Both Gov. Jim Hunt and House Speaker Liston Ramsey wrote letters to the Court asking that it hear the cases as soon as possible.

One of the cases is a suit by Edmisten against seven state judges who have upheld constitutional challenges to the act. A superior court judge dismissed a case in June, saying his court did not have jurisdiction in the matter.

"The Attorney General's case will not make it up here on constitutional grounds, but on procedural grounds," Wallace said. In other words, the

Supreme Court will only issue a ruling on whether the lower court has jurisdiction in such cases.

Assistant Attorney General David Blackwell said he thought the act was constitutional, but added, "I wouldn't even begin at forecasting what the Court will do."

Despite the frequent challenges to the act, Blackwell said judges still want to end drunk driving.

"I don't think any judges are in favor of drunk driving. You have a statute which represents substantial changes in the law as it was before." According to Blackwell, this makes challenges to the law almost inevitable.

UNC athletes to get drug tests

The Associated Press

Four Atlantic Coast Conference schools — North Carolina, Wake Forest, Maryland and Georgia Tech — will test their athletes for drugs this year, while others will rely on drug education programs for athletes.

UNC will use urinalysis tests, but they will be voluntary and confidential, said athletic director John Swofford.

"We hope to accomplish a couple of things — first, to find out in a confidential manner if any of our athletes have problems with drugs," Swofford said. "We and then provide rehabilitation through the student health service. Second, that it will serve as somewhat of a deterrent to experimenting with drugs."

Swofford said the department was not interested in punishing the player found to be using drugs and that he had no plans on making the testing mandatory.

Wake Forest athletes this fall will begin taking urinalysis tests to detect illegal drugs, said Dr. Gene Hooks, Wake Forest's athletic director.

Hooks declined to give specifics of the testing, but said it will be directed by the Bowman Gray School of Medicine and samples will be examined by a local lab. He said the testing will include coaches, managers and cheerleaders.

"The financial aspect of it was the only thing that held us back," Hooks said, adding that the plan will cost about \$3,000. "We're not instituting it because we have a problem, but because we don't know whether we do or not. We want to head it off if it occurs."

The University of Maryland will begin periodic, unannounced urinalysis tests of its athletes for drugs proposed as banned substances by the NCAA in its summer meetings.

Parents would be notified and the athlete would be required to undergo counseling the first time a test came back positive. The second or third offense would lead to suspension and termination of an athlete's scholarship.

Georgia Tech's athletic department began administering on-site urinalysis tests to its football players last August and will extend the program to all its sports this fall. Tests will be administered about four times yearly.

Players found to have illegal substances in their systems go through rehabilitation and counseling, said Bill McDonald, Georgia Tech's athletic director for sports medicine.

He said players would be disciplined only if they did not cooperate when they needed help.

Other ACC schools said they had no plans to begin drug testing.



DTH/Charles Ledford

On the shores of the Seine

Although many students used Monday's holiday to head home or hit the beach, some found serenity elsewhere. This scene at University Lake signals the end of summer and the beginning of fall.

Student fees expected to increase again next fall

By ANDY MILLER
Staff Writer

Student fees, which increased by \$3.75 per student per semester this fall, may increase again in the fall of 1985.

"The increase in costs for operating Student Health Service mandated an increase, and we will probably have another increase next year," said James Cansler, associate vice-dean of student affairs.

The student activity fee and the student health fee are two components of the general student fees. The other four components are: the SHS debt retirement fee, the athletic association fee, the Student Union building fee, and the Student Service Facility debt retirement fee. Student fees for the fall are \$146.50 per semester for undergraduates, and \$144.50 for graduate students.

This year's increase in student fees resulted from a 50 cents per student per semester charge for Student Television, which was passed by campus-wide referendum in February; a \$2 per semester increase in the student health service fee; and a \$1.25 per semester increase in the student activities fees

targeted for the Intramural/Recreation programs, an increase passed by the Board of Governors that did not require student approval.

Cansler said the student health fee was raised from \$77 to \$79 per semester to cover increased costs of personnel and to maintain the reserve funds of the service. The nurses at student health this year, Cansler said, filed a grievance with the State Personnel Board to address the disparity between their salaries and the salaries of nurses at North Carolina Memorial Hospital. Also, the SHS Advisory Board in voting the increase realized there would be an increase for all state employees voted this summer by the state legislature, Cansler said.

The University administration proposed and passed the IM/Rec increase, Cansler said, because the number and size of the programs offered to students have increased.

"A good part (of the money) will go to officials' salaries," Cansler said. "The programs have expanded, and more officials are needed. Also, equipment has to be replaced."

Parker said he did not support a

'I'm for the one-man, one-vote system. By not voting, you're casting a vote. No democratic system operates like that.'
— Paul Parker

requirement that 20 percent of the students must vote to pass an increase in the student activities fee. "I'm for the one-man, one-vote system," he said. Under the current proposal, non-voting students will in effect be casting "no" votes, he said. "By not voting, you're casting a vote," he said. "No democratic system operates like that."

Parker said he favored a simple majority of those voting to make the decision on the fee increase. The Campus Governing Council last week passed a proposal that would require a simple majority of 20 percent of the voting student for passage of a fee increase. Previously, two thirds of 20 percent of the voting students had to approve the increase.

In February, students narrowly defeated a student activity fee increase, under the two-thirds of 20 percent requirement.

The student activities fees supply student government with funds to support The Daily Tar Heel, the Student Union, the Graduate and Professional Student Federation, and 34 student organizations.

Parker said student activities fees have not been increased in at least seven

Student Health Service fees predicted to increase soon

By ANDY MILLER
Staff Writer

A rise in Student Health Service fees for next year is probable because of salary increases for personnel.

This follows a marked increase last year in the fees by \$2 per semester per student to \$79.

SHS Director Dr. Judith Cowan said the SHS Advisory Board based this

semester's fee increase on a 5 percent increase in salaries, but with the state enacting a 10 percent increase, the service will have to use reserve funds to meet this added cost.

"We will run some deficit, in our estimation," she said. "We'll have to dip back into the reserve. I think while salaries are mandated in increments, your operating expenses will always go up year to year."

The SHS must by state law be totally self-sufficient and receives no state appropriations, Cowan said.

Because it is an auxiliary service, student health can carry over any excess funds from one year to the next. This reserve fund contains about \$500,000, Cowan said.

To offset the rising costs of medical care, Cowan said the service had found other ways to finance its operation. Two years ago, the service began charging students for in-patient care, or hospitalization, and for referrals to clinics.

Hospitalization through student health is \$110 per day, which Cowan said was more than \$50 per day less than the rate charged by N.C. Memorial Hospital and other Triangle hospitals.

"We are trying to look at alternative ways of financing, rather than just increasing the student fee," she said.

The SHS has also added an appointments secretary this fall, to assist in the scheduling of appointments for students, which is a new feature of the service, Cowan said.

Ice threatening safe return of space shuttle Discovery tomorrow

The Associated Press

CAPE CANAVERAL, Fla. — Violent shaking didn't work and sunshine didn't help, so NASA told the Discovery astronauts Monday to be prepared to make an unscheduled space walk to knock off two lumps of ice clogging the toilet drain on space shuttle Discovery.

Astronauts Steve Hawley and Richard Mullane immediately put on space helmets to breathe pure oxygen, one of the preparations for venturing outside the cabin this morning.

The worry at NASA was not for the inconvenience caused the five-man, one-woman Discovery crew by the blockage on two waste water ports on the side of the ship. Instead it was that the ice might come off during the shuttle's re-entry into Earth's atmosphere tomorrow, possibly damaging the spacecraft's fragile tiles.

"I guess I've been concerned all along about the size of that thing and its implications for re-entry," said shuttle commander Henry Hartsfield.

The space walk was only one possibility. Others were to use the shuttle's robot arm to brush against the two-foot-long, one-foot-thick chunk of ice, pressurizing the water line to try to force it out, or using the shuttle's big maneuvering engine to jolt it off.

All of the options had drawbacks, and a team of engineers planned to spend the night making a choice. Mission control said a spacewalk was on the bottom of the list.

To get ready for going outside, Hawley and Mullane had to breathe pure oxygen for 45 minutes to purge their bodies of nitrogen, much like a diver, to avoid getting the bends. After that, Hartsfield lowered the cabin pressure to aid in the nitrogen purge.

"We've determined we're going to have to take a harder look at the ice column on the supply water valve," the astronauts were told by flight director Randy Stone.

"We haven't made up our mind which procedure to use but obviously if that was going to be done tomorrow, we'd have to start tonight."

The crew, meanwhile, was ahead of schedule on engineering tests of a 102-foot solar panel, but the manufacture of a hormone was running into new setbacks.

Industry engineer Charles Walker was having trouble with the equipment he was using to extract a pure hormone from materials he brought aboard the shuttle. A degassing unit was working improperly and mission control said he probably would return with only 80 percent of the amount he had expected. The chunks of ice were projecting out

of 2½-inch ducts on Discovery's port side, between cockpit and wing. They formed Sunday when the crew tried to dump excess water through one duct and waste from the toilet tank through the other.

Engineers want to be rid of them, not only to do away with a major inconvenience for the crew but also because they fear the ice might break off and bang into the shuttle when it re-enters the atmosphere tomorrow.

While the astronauts slept early Monday, Discovery's port side was turned toward the warmth of the sun. That helped a little, but not enough, and mission control in Houston instructed commander Henry Hartsfield to rapid-fire all its jets to rattle Discovery's frame.

"It didn't do a thing; we've still got the ice blobs," pilot Michael Coats reported.

The shuttle's waste tank was 98 percent full and there was only enough room for one or two crew members to use the toilet for liquid waste.

"We're down to basics in space flight," Stone said. "We're handling our waste as we did in Apollo." On the moon shots of the late '60s and early '70s, Apollo astronauts used plastic bags.

While astronaut Judy Resnik put a huge solar array through more tests, the only other American woman to have been in space was trying in Houston to devise ways of knocking off the ice with the shuttle's arm-like crane.

"Sally Ride came in and operated one of our simulators here to check out procedures for bumping the ice ball with the arm," Stone said. A drawback to that procedure, he said, is that the drain outlets are on the port side of the spacecraft, between cockpit and wing.

The government is the only known vessel that leaks from the top — James Reston