

State Seeks Strategies to Curb Smog

By COURTNEY OBRINGER
Staff Writer

Experts are considering stricter emissions regulations for factories and automobiles as possible solutions to North Carolina's high smog rating.

The U.S. Public Interest Research Group Nationwide recently completed a study that ranked North Carolina among the nation's highest for exceeding nitrogen oxide levels set by the Environmental Protection Agency.

But officials say the figures, while daunting, might be slightly misleading.

The state ranked third in the number of monitoring sites that detected unhealthy nitrogen oxide conditions, but fourth in the number of unhealthy days in 1999. The group considers a day unhealthy if any of its monitors detect high smog levels.

But more nitrogen oxide might have been detected due to the state's extensive monitoring system, perhaps skewing the state's third-place ranking.

However, officials are still concerned. "Power plant and automobile emissions together cause 95 percent of the pollution problem," said Tom Mather, spokesman for the N.C. Division of Air

Quality.

While the state has already passed automobile regulations, the State Environmental Management Commission is reviewing options to reduce power plant emissions.

Mather said two options existed that could reduce emissions by 66 percent. One would require nitrogen oxide emissions to be reduced to a specified level.

The other option would place harsher restrictions on the top five smog-producing plants in the state. "We have coal-based power plants which are allowed to emit four to 10 times the amount of nitrogen oxide, which contributes to smog," said Jennifer Counts, spokeswoman at the regional Public Interest Research Group.

"If these (regulations) go through, we will see a 60 percent reduction."

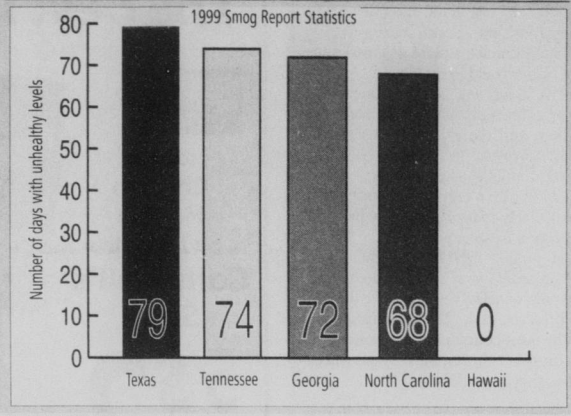
Rep. Joe Hackney, D-Orange, said automobile emission regulations in a bill he co-sponsored presented a valid solution for tackling the smog problem.

The bill regulates automobile emissions through requiring the use of low-sulfur gasoline and increasing testing for harmful emissions, Hackney said.

But Rep. Cary Allred, R-Alamance, said he supported the law that would

North Carolina Faces Smog Dilemma

A recent study ranked North Carolina as the state with the fourth highest incidence of days with dangerous smog levels in 1999. Arkansas, Hawaii, Montana, North Dakota, South Dakota, Oregon and Wyoming had no incidents of unhealthy smog in 1999.



SOURCE: U.S. PUBLIC INTEREST RESEARCH GROUP

require the use of low-sulfur gasoline, but strongly opposed the attempt to mandate automobile emissions testing. "The cost of doing the testing is pro-

hibiting compared to the results."

The State & National Editor can be reached at stntdesk@unc.edu.

N.C. Pro-Life Group Protests Ad Laws

The organization claims campaign ad laws should not apply to it because it doesn't endorse candidates.

By ANNE FAWCETT
Staff Writer

N.C. Right to Life filed two lawsuits in recent months claiming that state and federal authorities have infringed upon their First Amendment rights.

The organization claims that it has come under too much regulation by the government because its methods are interpreted not as promoting issues, but as supporting candidates.

On Nov. 30 N.C. Right to Life filed a suit against the N.C. Board of Elections protesting its classification as a political action committee.

In a suit filed Jan. 3, the group also asked the judge to rule against Federal Election Commission rules barring it from making contributions to federal candidates.

The FEC prohibits most corporations from making campaign contributions. Federal court decisions have declared an exemption for N.C. Right to Life, but the FEC has not recognized that exemption.

N.C. Right to Life is a nonprofit ideological corporation, said Paul Stam, the organization's attorney. Members take political action through issue advocacy, which includes airing television advertisements stating incumbent politicians' votes on abortion issues.

The subject of contention is the government's interpretation of ads naming specific politicians. State regulations classify political action committees as organizations spending more than \$3,000 each year supporting or opposing candidates.

But Stam said N.C. Right to Life is an advocate for pro-life issues, not candidates.

"An ad might be that John Edwards did a bad thing on voting to keep abortion legal into the ninth month," Stam said. "That's not the same as saying 'vote for whoever is going to run against him next time.'"

One consequence of the PAC classification is that N.C. Right to Life would not be able to accept donations in amounts exceeding \$4,000, Stam said.

But a major reason N.C. Right to Life sued to avoid classification as a PAC was a rule mandating disclosure of donors. Stam said the organization feared members might retaliate if they were named.

The News & Observer reported Wednesday that the purpose of N.C. Right to Life's lawsuit was to be able to run anonymous advertisements.

But Stam said N.C. Right to Life has never run or intended to run anonymous ads. "What we're entitled to keep confidential as our First Amendment right is the identity of our contributors."

Deborah Ross, executive director of the N.C. American Civil Liberties Union, concurred, saying N.C. Right to Life's focused on issues, not candidates. "If they're saying that so-and-so voted this way on a bill of interest, that's a factual statement, and they don't have to identify who they are and who their members are," Ross said.

But UNC political science Professor Thad Beyle said such a stance was splitting hairs. "All these groups are trying to have their way," he said. "They're saying, 'we're not involved in political campaigns, but before you vote we want you to think about what the candidate has done.' It's a fine line."

The State & National Editor can be reached at stntdesk@unc.edu.

"What we're entitled to keep confidential as our First Amendment right is the identity of our contributors."

PAUL STAM
Attorney for N.C. Right to Life



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