

The Daily Tar Heel

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Two candidates for the N.C. Court of Appeals emphasize the need for integrity in the classroom.

Freedom Forum

A UNC student creates Web site as a forum for student interaction via the Internet. See Page 11

Gravel Pit

A professor leads a dig that uncovers a lost city. See Page 5



Weather

Today: Partly Cloudy; H 85, L 61
Wednesday: T-storms; H 78, L 60
Thursday: T-storms; H 78, L 61



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Lawmakers Set to Vote On Budget Proposal

Lottery clause in budget could be pulled out

By ELYSE ASHBURN
State & National Editor

RALEIGH — After hours of wrangling behind closed doors, N.C. House conferees signed off late Monday on a \$14.3 billion budget proposal for the 2002-03 fiscal year that includes a provision for a lottery referendum.

Senate conferees approved the same budget proposal earlier in the day.

"The report is being read in at this time, and there is a lottery referendum in it," House Speaker Jim Black, D-Mecklenburg, said late Monday.

He said that today, "We will decide whether to run it that way or not."

The budget proposal could be rolled out for an initial vote today and might not ultimately include the provision for a lottery referendum, he said.

Black said the referendum provision can easily be removed from the budget proposal before today's vote because no appropriations are tied to lottery revenue.

"We don't include the money with the lottery referendum," he said. "We're not tied to (the lottery), but the only way to have it in there is to report it in tonight."

But Black said the House will definitely vote on the lottery today — either as a budget provision or as a separate bill.

"You're going to get a lottery vote (today)," he said. "We will run it (today) one way or another."

Lottery legislation would have to be approved by Wednesday to make it on the Nov. 5 ballot.

It remains unclear whether the lottery has enough support to pass the House, Black said. "We'll know that (today)," he said. "It's very

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University Cuts Down Water Use

Officials make efforts to adhere to area guidelines

By HEATHER KNIGHTON
AND JOELLE RUBEN
Staff Writers

On Sept. 9, the Orange Water and Sewer Authority declared a state of water supply emergency for Chapel Hill and Carrboro and advised its customers to decrease water usage by 25 percent.

Although the University is exempt from town requirements because it is a state institution, officials have taken actions to decrease the amount of water used on campus by the same amount.

The University, including UNC Hospitals, is OWASA's largest customer, using 30 percent of the organization's water supply.

In 2001, UNC used 837 million gallons of water, most of which was directed toward utilities and research laboratories.

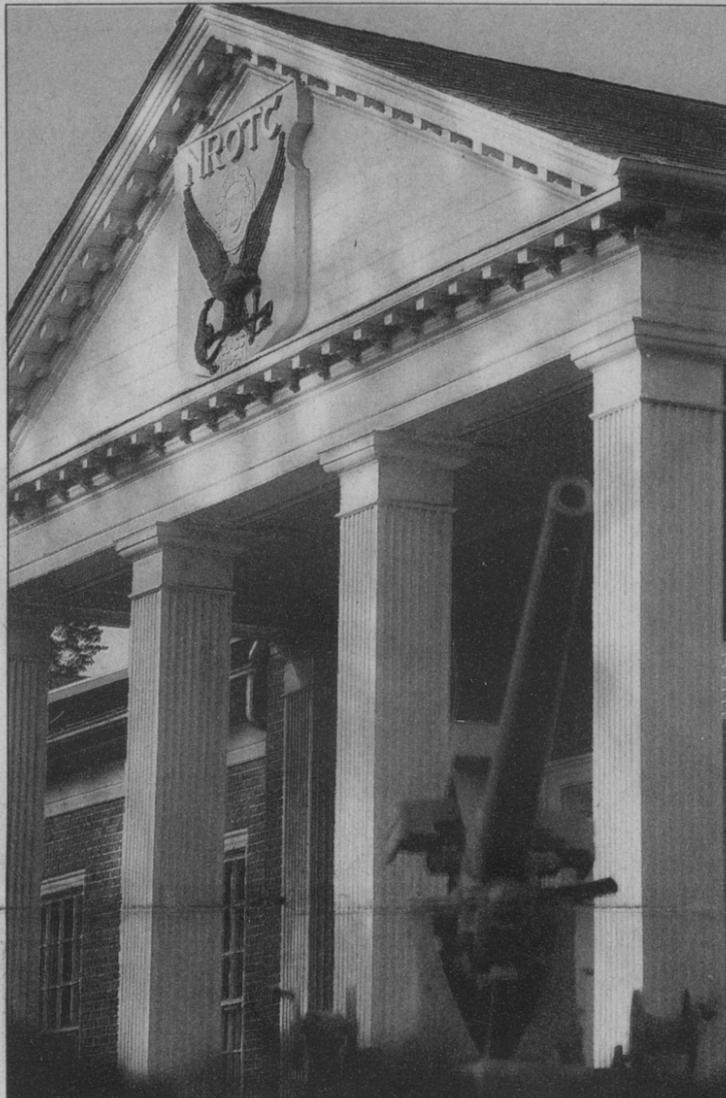
Dean Bresciani, interim vice chancellor for student affairs, said it is the University's duty as a large consumer of water to approach the problem as comprehensively as possible.

"It is in our best interest as well as the town's best interest to approach this situation aggressively," he said.

"If we run out of water, we all run out of water."

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A FATE UNCERTAIN



DTH/KIMBERLY CRAVEN

The Future Naval Officers Association is asking that the ROTC building be listed on the National Register of Historic Places to prevent the building from being torn down.

ROTC Members Protest Demolition of Armory

By LYNNE SHALLCROSS
Staff Writer

While UNC's 50-year blueprint for campus growth was created to better the University, the Future Naval Officers Association see it as a home-wrecker.

The FNOA is located in the Naval Armory, which houses the ROTC divisions, but Phase II of the Master Plan involves demolishing the structure to build the new science complex.

New science complex to take place of ROTC building



But FNOA members are fighting to keep their 60-year-old building on the corner of South Columbia Street and South Road.

The officers are requesting a nomination from the N.C. State Historic Preservation Office to be listed on the National Register of Historic Places — a move that would protect the building

from being torn down.

But if the ROTC building is saved, that part of Phase II "can't be done," said Jonathan Howes, director of the Master Plan. "It would seriously change the kind of science complex that has been designed."

Phase II of the science complex project involves building a new multipurpose building that will include a parking deck, office research space and a science library in the ROTC building's location.

Phase II is not scheduled to begin until 2005.

Officials will begin by clearing out Venable Hall and the ROTC building before eventually knocking them down.

The UNC Naval ROTC Alumni Association investigated the situation and determined that petitioning the University likely would not be effective.

"We've pretty much been told that there's no way the University won't tear it down, so we're trying to go above them," said FNOA President Mel Ahle.

The FNOA now is trying to save the building with the help of the national register.

To be considered as a nominee for the register from North Carolina, the FNOA has to apply to a study list, which will then assess the historical significance of the building.

According to the register's criteria, the site must be associated with both significant events and lives in history.

The FNOA sent in its application Monday and expects to hear the results of the study list by the middle of October.

The group's members say that they think the ROTC building's deep history is worth saving and that they hope the register will agree.

Ahle said that the ROTC building was built in 1942 and that all naval aviators of World War II were trained there, including Ted Williams, former President George Bush and former President Gerald Ford.

If the building is demolished, Howes said those who use the ROTC building will have to be relocated, although no final plans have been made.

Ahle said the FNOA has talked with administrative officials about relocating, but she said she is concerned by the lack of concrete plans.

"To me, that means they don't have a permanent place for us."

The University Editor can be reached at udesk@unc.edu.

Kinnaird Wins Recount; Lee May Request Another

Recounts frustrating for both candidates

By JOANNE JORDAN
Staff Writer

N.C. Sen. Howard Lee, D-Orange, is considering yet another recount of votes cast in last week's primary election after results of a second tally released Monday declared Sen. Ellie Kinnaird, D-Orange, winner of the election.

Lee initially called for a recount after Kinnaird defeated him in the election by 114 votes. By state law, a losing candidate can request a recount if the vote margin is less than 1 percent of the total votes cast.

Lee said he insisted on holding the first recount because of the probability of miscounting. He wanted to make sure no votes had been missed, he said.

In the recount, Kinnaird beat out Lee again, this time by 119 votes.

Lee said he will announce today whether he wants to demand a manual recount or to throw in the towel. He said that he has not thought ahead as to what he will do in the future if he decides against another recount.

Kinnaird said another recount will exhaust her. She said she has, for now, put her general election campaign plans on hold to accommodate Lee's requests. She added that if she is again successful against Lee, the remaining part of her campaign period will not be as formidable as the past part.

Kinnaird said the campaign was difficult for her and for her constituents. "It has not been an easy or happy campaign running against such a widely admired person," she said.

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ROUND TWO



DTH FILE PHOTO

ELLIE KINNAIRD
50.2%, 12,488 votes



DTH/BRIAN CASSELLA

HOWARD LEE
49.8%, 12,369 votes

Trademark Lawsuit Awards \$325K to UNC

By JOHN FRANK
Assistant University Editor

A federal district court judge recently ruled that a pornographic Web site featuring University trademarks must pay more than \$325,000 in damages for copyright infringement, University officials said Monday.

In an Aug. 2 decision ending a three-year battle with the Web site, Judge William Osteen ordered the operators of UNCgirls.com to stop using the "UNC" abbreviation, which the University owns the trademark rights to.

Former site owners previously said the abbreviation stood for Universal Nude College Girls.

He also ordered that the Web site domain be transferred to the University.

As a result of the lawsuit, the site has been registered to Craig Hyatt, manager of information technology auxiliary services at UNC. Hyatt obtained the site last week and set up a page routing traffic to UNC's home page. The UNCgirls.com site now includes a statement explaining the lawsuit and the settlement.

Formerly, the Web site featured a Carolina blue background with snapshots of the Pit and Franklin Street and professional pictures of partially nude women in sexually explicit positions.

Before UNC sued in May 2001, it sought to privately negotiate to end the site's operations. The domain name was originally bought by a UNC law student.

The student has stated in the past that

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HONOR WEEK KICKS OFF



DTH/MELISSA LIN

Former UNC basketball coach Dean Smith talks to students in the Pit on Monday as part of the kickoff of Honor and Integrity Week, which is sponsored by the UNC honor system.

Nearly all legislation is the result of compromise.

Joseph Cannon