

Judges vie for Supreme Court spot

By LAURIE DUNCAN
Assistant State and National Editor

The White House may scrap a list of potential Supreme Court nominees used to select Douglas Ginsburg and find fresh contenders for the vacant seat, said Peter Smith, a Senate Judiciary Committee spokesman.

"Everybody on that list has some kind of problem," said Smith, who could not name the problems.

The White House is not ready to nominate a candidate, so the judiciary committee is just watching and waiting, he said.

But Sen. Jesse Helms, R-N.C., did more than watch and wait this weekend. At a Republican fundraiser in Raleigh, he endorsed former Wake Forest Law School Dean Pasco Bowman of the 8th Circuit Court of Appeals to succeed Lewis Powell's seat on the U.S. Supreme Court. Bowman appeared on the list from which Ginsburg was chosen, but Smith said he was not one of the top three contenders.

The intense scrutiny given to

News Analysis

President Reagan's two former nominees, federal appeals court judges Robert Bork and Douglas Ginsburg, has not dampened the desire of several other potential candidates, including federal appeals court judges Anthony Kennedy of the 9th Circuit and William Wilkins of the 4th Circuit.

More than two weeks ago, the Senate dealt Bork an unprecedented 58-42 confirmation defeat after examining his record and finding his conservative views out of sync with mainstream American thinking. Ginsburg's subsequent nomination was short-lived after revelations that he smoked marijuana in the 1960s and 1970s, but his youth and inexperience would have caused confirmation problems anyway, said Daniel Pollitt, a UNC professor of law.

The White House is scrambling to find a nominee who has a chance of

getting confirmed before the new year because if the Reagan administration does not find a successor before then, the new administration in 1988 can make the nomination.

Bowman, a judge on the 8th U.S. Circuit Court of Appeals since 1983, is a pretty fair-minded person, but has received criticism for ties to the Right to Work Law Committee, a lobbying group opposing mandatory union membership for workers unwilling to pay union dues, Pollitt said.

Before the White House chose Ginsburg as its nominee, Bowman said, the press speculated about his ties to a lobbying group which proved false.

He said Helms' praise of him came as a surprise.

"It gives me a good feeling to think that he (Helms) would think that highly of me," Bowman said in a telephone interview from St. Louis.

The White House has not contacted him about the possibility of a nomination or an interview, Bowman said.

A Helms spokesman said Bowman's forte is in business law rather than social issues. However, Pollitt said Bowman has a libertarian viewpoint, which opposes government involvement in the social areas as well as in the economy.

If Bowman's beliefs on social issues correspond with traditional libertarian beliefs, Bowman could be more acceptable to Democratic senators, said Tom Boney, a Helms spokesman.

Before Ginsburg's nomination, Helms said he opposed Kennedy, the choice of moderate conservatives in the White House and a major candidate for the next nomination.

Wilkins of South Carolina has Sen. Strom Thurmond's, R-S.C., support and held the third spot for the nomination when Ginsburg was chosen.

But, Smith said, other candidates may emerge who both conservative and moderate White House factions find palatable.

U.S. may reopen negotiations with Sandinista government

From Associated Press reports

WASHINGTON — President Reagan said Monday the United States would be willing to reopen substantive discussions with Nicaragua's leftist government once serious cease-fire negotiations begin between the Sandinistas and the U.S.-backed contra rebels.

Reagan made the disclosure in remarks to a gathering of hemispheric foreign ministers attending the Organization of American States General Assembly. Nicaraguan Foreign Minister Miguel d'Escobar was among the 50 officials gathered in a State Department room overlooking the Potomac River.

The United States has had no substantive negotiations with the Sandinista government since the latter half of 1984.

Reagan made clear that he envisions talks with the Sandinistas as part of a broader discussion involving other Central American countries as well.

News in Brief

The beast retreated into the sewer but kept baring its teeth at passers-by, causing panic throughout the street, witnesses said.

A man who was involved in the capture said the crocodile probably strayed out of the Cooum Canal and into the sewer.

Soviets to rewrite criminal code

MOSCOW — The Soviet government announced Monday that it is rewriting its criminal code to abolish internal exile as punishment, narrow the list of death penalty offenses and shorten the maximum prison term from 15 to 10 years.

The proposed overhaul of the nation's 30-year-old criminal code by a government review committee was discussed by Justice Minister Boris Kravtsov in an interview with the official Tass news agency.

The proposed changes were called for under Soviet leader Mikhail Gorbachev's "perestroika," or restructuring of Soviet society, according to Tass.

Any new criminal code would have to be approved by the Supreme Soviet, the nominal parliament, on the recommendation of the Communist Party Central Committee.

Dole announces presidential bid

RUSSELL, Kan. — Senate Republican Leader Bob Dole formally opened his presidential bid on Monday, pledging that if elected, he will sit down with congressional leaders "as long as it takes" to hammer out a balanced budget plan.

In his announcement speech, Dole took subtle swipes at chief rival Vice President George Bush, extolling the Reagan administration's record but adding, "It's not something to run on. It's something to build on."

Dole's announcement rounds out the presidential field of six Democrats and six Republicans.

Will North Carolina get a state lottery?

By HELLE NIELSEN
Staff Writer

State lotteries are slowly encroaching upon North Carolina's borders, putting pressure on the state legislature to bring the lottery issue to a referendum.

Although a bill to get a statewide lottery referendum on the ballot did not pass a N.C. Senate committee this year, proponents of the bill say the Virginia lottery, passed last week, may force the N.C. General Assembly to put the lottery to a public vote.

"It will have an impact on our economy," said Rep. Frank Rhodes, R-Forsyth. "People will be going up there (to Virginia) and buying not only lottery tickets, but also groceries."

Rhodes said he did not know how much revenue the state would lose.

Virginia will allow North Carolinians to play its lottery, said Ken Storey, spokesman for Virginians for the Lottery.

"(The lottery) is open to anybody who wants to play," he said. "There's nothing illegal about it."

But North Carolinians with a gambling itch will have to go to

Virginia to buy the lottery tickets, as federal postal regulations forbid ticket sales by mail across state borders.

To get the tickets, people in states without lotteries have pooled money and sent couriers to buy lottery tickets, said William Fiars, a Virginia senator and sponsor of the bill that set up Virginia's lottery referendum.

Fiars said he advocated a lottery "to keep Washington, D.C., and Maryland from taking money from Virginia."

Fiars said Virginia lost about \$20 million a year when Virginians played lotteries in neighboring Maryland, West Virginia and Washington.

Fiars said he based the figure on sales from a Virginia city that has a pier reaching into the Potomac River. The pier is under Maryland's jurisdiction but allows access from Virginia. This one sales location made \$77,000 each month selling lottery tickets to Virginians, Fiars said.

Competition for revenue has helped spread lotteries from state to state, said Ralph Batch, director of Public Gaming Research Institute in Maryland.

"Over the past 20 years, economic reasons have been more compelling than anything else," Batch said.

Since New Hampshire began the first modern state lottery in 1964, 28 states and the District of Columbia have legalized state lotteries, he said.

Experience from other states indicates that competition for lottery revenue among states does not necessarily end when a state sets up a lottery. The size of the jackpot pool also comes into play.

In 1985, New Hampshire, Vermont and Maine set up the first joint lottery in the United States to be able to compete with large jackpot pools of the bordering states.

"We (the three states) were losing an estimated \$1.2 million weekly," said Rick Wisler, games manager of New Hampshire's Sweepstakes. The three states had individual lotteries, each with a jackpot pool of \$50,000, he said.

"But you can sustain only so much interest in that figure when neighboring states have large jackpots," Wisler said. "In the players' eyes, \$1 million is an attractive figure to bet on." Virginia is aiming for a million-

dollar starting base to compete with Maryland and the other states, Fiars said. He said it will take a year to get a lottery of that size going.

But Virginians and people of neighboring states should be able to play an instant game in six months, he said.

Instant lottery tickets can be checked immediately by scratching the ticket to make the number appear. This appeals to out-of-staters, who otherwise have to check Virginia newspapers for the lucky number, Fiars said.

Rhodes said a bill for a referendum will not be presented to the N.C. General Assembly until 1989, because the issue is too controversial for the short term of 1988.

Despite the outcome of the Virginia lottery referendum, Gov. Jim Martin remains opposed to a state lottery.

Martin's director of communications, Karen Hayes Rotterman, said, "Martin thinks a lottery is a means of developing revenue designed to prey on those who can normally least afford to be preyed on."

Garbage barge illustrates waste disposal problem, speaker says

By STACI COX
Staff Writer

The Islip, N.Y., garbage barge punctuated the national waste disposal dilemma, including who should be ultimately responsible for waste treatment, a professor at the State University of New York Waste Management Institute told about 30 people in Mitchell Hall Monday afternoon.

Dr. Sheldon Reaven, who served as a waste management consultant to the city, said 2 million inhabitants of Long Island create 9,000 tons of garbage each day. To protect Long Island's ground water supply, New York has required all Long Island landfills to close by 1990, Reaven said.

Taxpayers in Islip paid \$86 per ton of garbage for the Waste Alternatives Company (WAC) to transport it out of state, he said.

WAC then paid Texas businessman Lowell Harrelson \$10 a ton to take the garbage. Harrelson thought

he could transform the garbage into methane for heating fuel, Reaven said.

The trash was bailed, loaded on a barge and prepared for shipment to a North Carolina landfill for Harrelson's experiments, he said.

Harrelson secretly leased a N.C. landfill for his garbage operation, Reaven said. But when the public found out, it protested until the state denied Harrelson access to any N.C. landfill, he said. The barge, towed by a tugboat, left North Carolina's coast and sailed down the eastern seaboard, while Harrelson contacted almost every state trying to get permission to unload his garbage, he said.

Harrelson became desperate, and after the National Guard prevented him from entering the Mississippi River, he decided to tow the barge to the Caribbean, Reaven said. The Navy Coast Guard decided to follow the barge to make sure the garbage was not dumped into the ocean, but somehow lost the barge until it

reappeared in the Gulf of Mexico, he said.

Harrelson tried negotiating with Mexico to land his barge, but the president responded by gathering the Mexican army on the coast to prevent the garbage disposal, Reaven said.

Harrelson then attempted to tow the barge to a Bahamian coral island, a move he said would create a paradise on the island because the decomposed garbage would fertilize the land, Reaven said. Harrelson's request was again denied, he said.

Finally, the state of New York agreed to take care of the garbage, and the New York Department of

Environmental Conservation (DEC) asked Islip to take the garbage back, he said.

Because the DEC had not allowed Islip to expand its landfill to accommodate the trash in the beginning, Islip still had no room for the trash, Reaven said. An Islip waste supervisor met with a DEC commissioner and one of the governor's deputy secretaries to work out a deal allowing the Islip landfill to stack the trash higher instead of widening the landfill's area. The DEC commissioner failed to consult the DEC, who objected to the plan, and was fired, he said.

N.Y. Public Information Regula-

tion Group, an environmental group, complained that the expansion set a bad precedent for other Long Island landfills, and blocked the agreement with a court order, he said.

In an attempt to prevent an agreement and keep its huge profit, WAC said over 50 percent of the garbage belonged to New York City, and the town of Islip withdrew its offer, leaving the garbage burden on New York City, Reaven said.

Denying the reports, N.Y. Mayor Ed Koch said the city generated only 5 percent of the garbage and refused responsibility for more than that amount, Reaven said. Harrelson, under pressure from the barge's

owner to return it, said he would unload 5 percent of the trash on the city's docks, but a police stakeout prevented him, Reaven said.

Finally, New York and Islip agreed that New York would burn the trash and Islip would bury the ashes in its landfill, but before the cities could act, incinerator employees, afraid of catching AIDS, refused to work until the garbage was tested, Reaven said.

An EPA investigation found no danger in the garbage, and in September New York burned the garbage and Islip buried the ashes, all at the expense of WAC, Reaven said.

The unbelievable sequence of events surrounding the barge illustrates the problems the United States faces in waste disposal, Reaven said.

"Don't look to science to solve the problem, because for every two experts you have three opinions," Reaven said.

Morality and ethics must govern the handling of waste disposal, and Americans cannot leave this problem for their children to deal with, Reaven said.

STV

probably ask for a 50 cent increase in each student's fees.

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experience students receive through working with Student Television.

"This University is a major pro-

Assault

said. She does not remember all the details of the attack, and she did not recognize the assailant.

"I have no idea of how he got into the house," the fraternity member

said. "He could have just wandered in off the street — it was Saturday night and the doors were open. Also, there weren't many people around at any one time. They came in and out."

The source said he considered the fraternity house safe. "Usually there are lots of people around, and we stop suspicious people."



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For the Record

The article "Publication chain buys Chapel Hill Newspaper," in Monday's paper said, "With the addition of The Chapel Hill Newspaper, the chain owns 22 newspapers in 12 states with a total daily circulation of 580,000." The sentence should have said 23 newspapers. The DTH regrets the error.

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