

# SG election procedures challenged

## Computer foul-up delays results

By PHYLIS HENDERSON  
Battalion Staff

A problem in the computer used to calculate Student Government election results caused results to be delayed until sometime today.

Greg Dew, executive vice president of Student Government, said it was thought that the problem developed in the computer tape which stored the ballot information during the running of the program, but that nothing could be determined until a supervisor was contacted today.

The Battalion will have complete election coverage and information on Wednesday's run-off election today.

The Student Government Judicial Board is scheduled to review today student body presidential candidate Matt Woodruff's request for appeal of the election commissioner's decision to deny voting rights to graduating seniors.

A ruling in favor of Woodruff will result in invalidation of the election results. If the board's decision goes against Woodruff, he will have 48 hours to submit a formal appeal to the Judicial Board for a hearing of the case.

"I just made the decision," Leah Whitby, election commissioner, said. "The decision was based on the fact that these elections are made for the school year 1981-82 and constituency is the big deal here. That's what I'm basing this thing on — constituency."

Paul Bettencourt, Judicial Board chairman, said: "The decision was made because it (the election) doesn't apply to them (graduating seniors). It's all based upon what happens in the fall."

Whitby said the decision was based on a section in the student body constitution which states the student body president will be elected by his constituency for his constituency; however, Whitby could not point out this phrase in the constitution, nor could it be found.

"Even if one were to accept that the constitution makes such a statement," Woodruff said, "one fact remains: the student body president assumes office 14 days after the election is certified. Graduating seniors are still students at

this time; therefore, they are constituents of the new student body president.

"An Aggie is concerned about the University after he leaves. That's what makes us unique. However, the merits of whether or not they should vote is not the issue."

The issue, Woodruff said, is whether or not the election has been held in accordance with the rules and regulations governing it.

In a letter to the Judicial Board, Woodruff cited three other reasons for his appeal:

— "The decision is in direct violation of the 1981 Election Regulations." Section 3400 states voter qualifications are enrollment at Texas A&M and a valid, current University I.D.

— "The decision also violates the student body constitution, Article II, Section II, ... the Student Body President who shall be elected at-large by a majority vote of the Student Body during the Spring Semester."

— "The violation is not due to oversight, but rather to a willful and wanton disregard of the aforementioned documents by the election commissioner."

"I don't like loose ends," Woodruff said, "and that seems to be the problem here — inattention to detail."

Graduating seniors have always been able to vote in Student Government elections before, Woodruff said. "We are now seeing a complete reversal of this," he said.

Although Woodruff made his appeal Wednesday morning, before student elections were over, the decision was made not to review the appeal until after the elections were over, Paul Bettencourt said. "If the policy had been changed in the middle of the elections," he said, "the elections would have been automatically appealed."

Bettencourt said: "Nowhere is it (the issue of graduating seniors) spelled out in our rules and regulations." The final decision rests with the Judicial Board, he said.

If the board decides in favor of Woodruff, Bettencourt said, in all likelihood, a special election will be held next week for graduating seniors only. The election, he said, would affect only those offices that the seniors would be eligible to vote in.

If the board decides against Woodruff, Bettencourt said, "he will have 48 hours to submit nine copies of his writ in my office." Both sides will be given a chance to present their case, he said, and they may obtain legal counsel to represent them.

Reaction to Woodruff's appeal was mixed.

David Collins, another student body presidential candidate, said he agreed with Whitby's decision. "You're talking about allowing people to vote who aren't going to be here," he said. "I don't think it's necessary to have another election. I don't think the graduating seniors make up enough of a proportion of the student body to make a difference in the election."

"If there is another election, though, we'll be in there kicking."

Marc Schneider, a third candidate for the office, said he felt graduating seniors had the right to vote. "I think they should have a say in who's going to be student body president. If there are enough graduating seniors who want the vote, I'm for them getting the vote."

The two remaining candidates, Ken Johnson and Mary Elizabeth Herring, could not be reached for comment.

Jess Mason, Class of '81 president and a graduating senior, pointed out a problem with the regulation. "I voted in the election and several of my friends who are graduating voted too," he said.

Enforcement of the regulation was left to the Aggie Code (of Honor), Whitby said. "There's no possible way we can check 6,200 ballots," she said.

"We ask them if they are a graduating senior," Bettencourt said, "and Aggies usually respond honestly."

Mason said graduating seniors should be able to vote in the elections. "I think they have the experience at A&M," he said, "and I think they have the responsibility to vote."

# THE BATTALION

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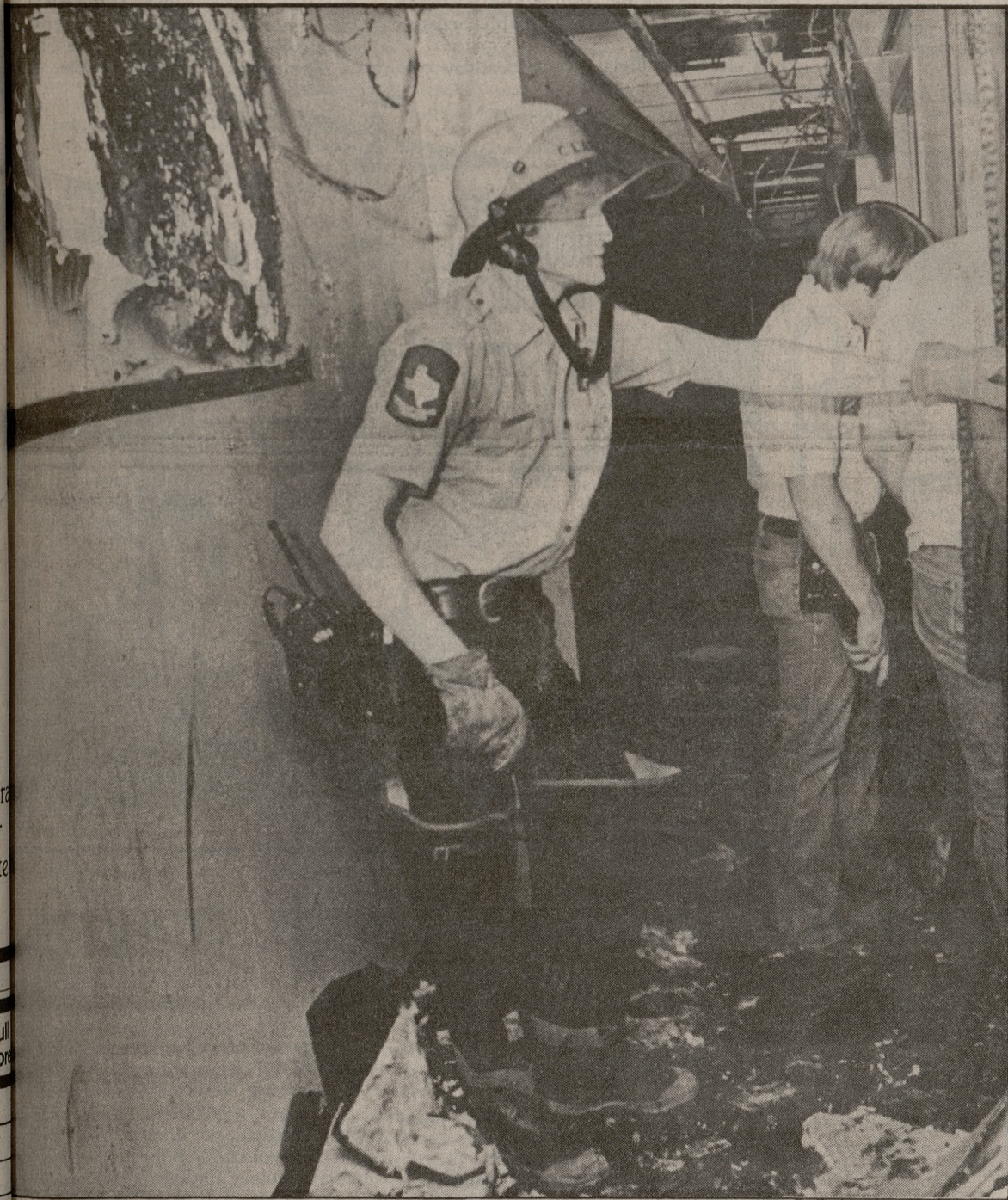
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Thursday, April 2, 1981  
College Station, Texas

USPS 045 360  
Phone 845-2611

### The Weather

Today	Tomorrow
High . . . . . 82	High . . . . . 84
Low . . . . . 65	Low . . . . . 63
Chance of rain . . . . . none	Chance of rain . . . . . none



Staff photo by Greg Gammon

Two explosions called attention to a fire in the Facilities, Planning and Construction Building on the corner of Asbury Street and University Drive around 7:20 p.m. Wednesday.

Kenneth Stephens, night custodial superintendent, said the cause of the fire is unknown. He said the explosions were probably caused by chemical spray cans on janitorial carts in the closet where the fire apparently started.

Lt. Robert Kruepe of the College Station Fire

Department said firemen had the fire under control 21 minutes after their arrival.

Kruepe said the fire gutted the janitorial closet where it began and scorched the ceiling in the hall and rooms which adjoin the closet. He said smoke damage occurred throughout the building.

No estimate of damage was available Wednesday night.

# Clayton introduces college financing bill

By LIZ NEWLIN  
Battalion Staff

Easter may bring more than chocolate bunnies to Texas state colleges. By that time, the House of Representatives is expected to approve a bill to create a huge endowment for college construction and repair.

The plan, presented by House Speaker Bill Clayton, would also protect the Permanent University Fund basically as it is now. For several years, universities outside the University of Texas and Texas A&M systems have been greedily eyeing the fund, a guaranteed source of money during uncertain budget times.

The proposed constitutional amendment would reinstate the state property tax to finance the new endowment until it exceeds \$2 billion, then abolish the tax.

In hearings earlier this week, Texas A&M and the University of Texas endorsed the plan along with the Coordinating Board, Texas College and University System, and other universities not covered by the PUF.

George Works, press secretary for House Speaker Bill Clayton, said Wednesday that the bill should pass the House. Now the bill is in a subcommittee for technical revisions.

"We're fairly certain it'll be passed out of subcommittee and to the floor," Works said in a telephone interview from Austin. "He (Clayton) is fairly confident that it will pass in the House and get a thorough airing in the Senate."

Seven constitutional amendments were scheduled for hearings at the session, but only Clayton's bill was heard.

Robert G. Cherry, assistant chancellor for Texas A&M, said, "The speaker, apparently, had been able to get the authors of these bills together behind a common bill. All seven of the bills were laid on the table, with the exception of the ... substitute for House Joint Resolution 111."

Cherry, a long-time observer of the Legislature, expects the bill to pass both the House and Senate.

The only significant opposition to the plan is from Rep. Wayne Peveto, D-Orange, who said Monday the PUF will be big enough to finance construction and repairs needed by all state colleges. He released a study that shows the deregulation of oil prices will increase the PUF to more than \$4 billion by 1990. Other legislators, however, disagree, and Works said the Peveto's opposition is rooted in the state tax provision.

"It's because of the taxing structure," Works explained. "He does not want to reinstate any kind of state income tax. It was a Peveto bill that wiped out all but a tiny fraction of the tax."

Technically, the 10-cent state property tax is still on the books, but a 1979 Peveto bill levies the tax against only .0001 percent of property market value. The Clayton plan calls for reducing the tax rate to 3 cents and levying it against 100 percent of market value. This, it is estimated, would raise \$133.8 million in 1983 and \$315 million a year by 1992.

Clayton's bill proposes dedicating \$100 million a year of the revenue to use for new construction, land acquisition, major repair and rehabilitation projects, equipment and library books. Each school's board of regents would decide how to spend its allocation. The excess would be put in a "higher education endowment fund" every year until it totaled \$2 billion, estimated to occur in 1992. The property tax would be abolished the next year.

Thereafter, the new endowment would provide \$100 million to \$200 million annually for state universities outside the UT and Texas A&M systems.

The PUF, shared by the state's two super-systems, would remain about the same.

In one change, all schools in both systems would be able to use the fund for construction and major repair. Now in the Texas A&M System, Moody College is ineligible for construction funds, as are several of the newer schools in the UT System. Those schools have moved into the system since the Texas Constitution was last amended to include then-newly added schools as participants in the fund.

The bill would bar schools in the UT and Texas A&M systems from asking the Legislature for money for projects included in the plan. Only Prairie View A&M and Texas Southern University, the state's historically black colleges, would be able to petition for money to bring them up to current standards.

In another provision, the "enhancement fund" would remain the sole possession of UT-Austin and TAMU at College Station. This fund is composed of money left over from PUF profits after construction bonds and interest are paid. In the fiscal year ending 1980, for example, Texas A&M received a total of about \$28 million. Of that, \$8.5 million paid for bonds and interest on projects throughout the system. The \$19.5 million left over went to Texas A&M at College Station.

Cherry said no opposition surfaced to continuing this arrangement.

This year Texas A&M used part of the \$19.5 million to hire 40 professors to help cope with the unexpected growth in enrollment.

# Brady speaks first word since shooting incident

United Press International  
WASHINGTON — "Raccoon," whispered White House press secretary Jim Brady, his first word since losing a portion of his brain to a would-be assassin's bullet.

"Raccoon" is Brady's nickname for his wife Sarah. And Mrs. Brady, at his bedside, then gently encouraged her critically ill husband to count aloud from one to 10.

It was that kind of progress Wednesday, considered against the backdrop of a near-fatal wound, that prompted White House chief of staff James Baker to call Brady's recovery "miraculous."

There were other encouraging signs that Brady, 40, was responding well to treatment after the attack Monday that

also left President Reagan, a Secret Service agent and a District of Columbia policeman wounded. Doctors said Brady was "breathing well" on his own, was able to wiggle his left arm and leg and even "played catch" with a rolled up ball of gauze in the intensive care unit of George Washington University Medical Center.

Brady was able to move his right side Tuesday, but movement of his left side was considered crucial to his recovery. The movement was "minimal, but hopeful," a spokesman said.

A large portion of the right frontal lobe of Brady's brain, which controls the left side of the body, was removed during a 6½-hour operation Monday. The bullet entered his head above the left

eye and passed through the tip of the left frontal lobe before tearing into the right side of the brain.

Considering the severity of the wound, news that Brady and his wife were "playing catch" was warmly greeted in the White House press room.

Mrs. Brady, whose nickname "Raccoon" relates to her dark eyes, was said in classic White House understatement to be "very encouraged" by her husband's progress. And, through Brady's deputy Larry Speakes, she relayed her appreciation for the support and prayers for his recovery from Brady's friends and erstwhile antagonists in the White House press corps.

# Reagan still progressing, may leave hospital soon

United Press International  
WASHINGTON — President Reagan, still suffering some soreness on his left side where a bullet pierced his lung, had his "best night's sleep" since entering the hospital and was in "extremely good spirits" today, his doctor said.

Dr. Daniel Ruge, Reagan's personal physician, reported the president "looks fine," had nine hours of sleep, and was "awake, alert and talking to hospital personnel" at 6 a.m. EST.

"His vital signs are normal, although he is still complaining of soreness on his left side, which is quite normal," Ruge said.

The doctor said the president is in "extremely good spirits" and had his "best night's sleep" since he entered the hospital.

Senate and House committees called hearings today to pose questions about how well the president was protected during Monday's assassination attempt — which left three others, including White House press secretary Jim Brady, critically wounded.

Reagan's accused assailant, John W. Hinckley Jr., 25, also had a preliminary hearing scheduled for today.

While still sore from the surgery he underwent for removal of a bullet

lodged in his lung, Reagan was up and around his \$234-a-day hospital room Wednesday for the first time since Monday's assassination attempt.

Law enforcement sources said the bullet that hit Reagan — one of six fired in his direction — probably ricocheted off his limousine and then struck him in the chest. There was speculation a ricochet would account for the badly "mangled" slug removed from Reagan's chest.

CBS News reported FBI analysts based the ricochet theory on a microscopic fleck of black paint found on the slug.

There also were reports Wednesday the president was more seriously injured than first thought when brought to George Washington University Medical Center.

Two paramedics who helped Reagan enter the emergency room said he looked pale, his eyes rolled back and his knees buckled.

"By the look on his face — he was so pale — we thought he was having a heart attack. I thought we were going to lose him," said Roberto Hernandez, a fire department paramedic.

Officials said Reagan's condition was never serious. But in Los Angeles, son Michael Reagan said the president told

him Tuesday he felt "like the gun had exploded against his rib" — he coughed up blood, had trouble breathing and "said it was the biggest fear in his life."

There have been no photographs of the president in the hospital, but deputy press secretary Larry Speakes said some may be released today. Officials insisted the delay was not a coverup but a matter of privacy.

In a medical bulletin issued Wednesday afternoon, Dr. Daniel Ruge, Reagan's personal physician, said:

"The president continues to make excellent progress toward full recovery. He experienced some pain during the day, which is normal for one experiencing an injury and surgery of this type. He is now resting comfortably."

With his recovery picture bright, aides were saying Reagan may be able to leave the hospital sometime next week to continue his convalescence at the White House.

The president would like to travel to the West Coast as planned to meet with Mexican President Jose Lopez Portillo April 27 and 28 in San Diego, Calif., and Tijuana, a spokesman said. But there were estimates it would take at least two months before he is feeling up to par again.