Your Independent Media Source



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STATE UNIVERSITY OF NEW YORK AT STONY BROOK

SUNY approves \$100 health service fee

By Eric F. Coppolino Student Leader Press Service

ALBANY (SL) — Students across the State University system will pay up to \$100 more to attend school next year with the overwhelming approval of a mandatory health services fee by the SUNY Board of Trustees last Thursday.

The new fee, which is not covered by most forms of financial aid, will place a \$10 million annual burden on SUNY students starting next Fall, increasing to \$14.5 million per year after two years. After three years SUNY officials said the amount would go even higher.

That providing health services currently costs the SUNY system \$7.75 million per year and that the fee resolution does not commit to any new or expanded services has prompted students working on the issue to criticize the fee as a revenue gaining measure rather than a means of providing health care. A similar fee was killed after one year in 1978.

The profit issue took a sudden development last week when it was discovered by students that SUNY officials had doubled the amount of the proposed fee without consulting student leaders who had been working on the issue for months.

Student government presidents, called to Albany for an emergency strategy meeting Wednesday night by the Student Association of the State University (SASU), were sharply critical of user-fees as a revenue measure of the SUNY's closed-door decision to suddenly double the price of the fee.

No New Service Committed

The bottom line for all students at the University Center campuses in Albany, Binghamton, Buffalo and Stony Brook is a new mandatory "health services fee" of \$100 next year that covers only on-campus health care, such as routine visits to the infirmary.

Students at State University colleges, such as Geneseo and Fredonia, will pay fees of \$50 to \$100 per year starting next year, and \$100 per year after two years, according to a spokesperson at SUNY's Office of Business and Finance. Community colleges are not affected by the decision.

For the University Centers, the health fee joins a rapidly growing list of user fees, surcharges, service fees and fines that have already cost many students more than \$200 to attend school this year than last.

The fee resolution does not commit the University system to providing any specific services, and does not stipulate the criteria

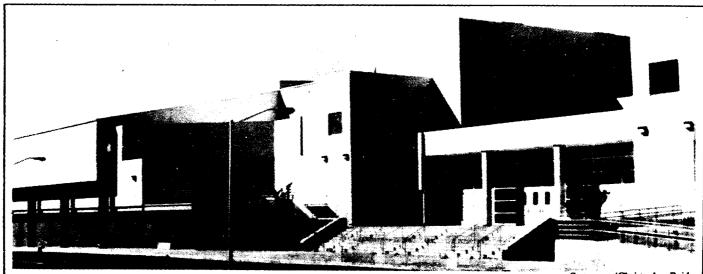
by which the individual campuses will decide what services to offer. The result of this is expected to be proliferation of a policy that allows different campuses to provide significantly different health services programs.

While the fee language says that campuses will provide "quality" health care, this was criticized as seeming "very broad" by Trustee Rodney Cho, who unsuccessfully urged the trustees "to put forth a rational set of standards" on which the campuses would

have to base their health care programs with the fee.

Trustee Nancy Nielsen of Buffalo, who is a physician, argued that SUNY should pro-

See FEE on page 2



The new Stony Brook Indoor Sports Complex will accommodate more than 5,000 people for basketball and special events. SAB is planning to utilize the complex for concerts in the near future. Look for details on page 7. And look for *Statesman*'s Special Section on the complex in Thursday's issue.

NYPIRG plans upcoming activities

By Lillian Zajack and Laurie Biggerstaff

Voter registration, free legal procedure counseling, and standardized testing reforms were among the issues and programs discussed at last Wednesday's New York Public Interest Research Group meeting.

NYPIRG's upcoming activities include Voter Registration Week, which is a program designed to encourage individuals to register to vote. According to NYPIRG, in 1988 only 30% of Americans between the ages of 18 and 24 were registered to vote, and only a small fraction of these people actually voted.

"Politicians don't have to care because the youth can't do anything about it — they don't vote," said Voter Registration Intern Greg Maron, in reference to these statistics. Maron also announced a candidate forum to be held on campus. Voter Registration Week will take place October 1 through 5.

NYPIRG is also planning a fall confer-

ence in Binghamton, which is open to all students and will take place October 26-28. The cost is \$15, which includes housing, transportation, a rally for the environment and a party. Another conference is to be held in the spring.

Also announced at the meeting was the Small Claims Court Action Center, where Project Leader Stephanie Lawal explained that free legal procedure counseling is available through NYPIRG.

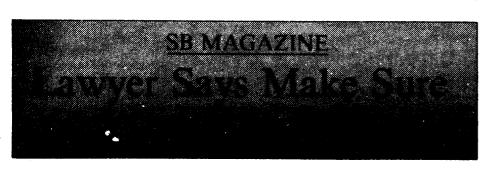
The topic of environmental preservation was also discussed. The WRAP Act — a Waste Reduction And Packaging proposal that will be taken into consideration this April — would require corporations to use recyclable or reused packaging. A similar proposal will be made to the Stony Brook administration.

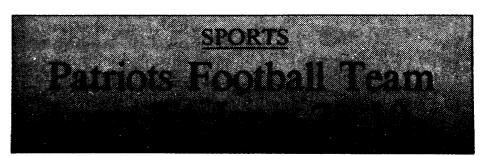
Last year when Gov. Mario Cuomo proposed a \$70 million recycling bill, students felt it was not enough. Four hundred students from all SUNY schools rallied in Albany and two weeks later the Governor re-issued the bill for \$300 million, according to NYPIRG. As stated by WRAP Act Project Leader Sue Bojdak, "We can make a difference."

In attendance at the meeting was NYPIRG attorney Christopher Meyer. He called the nineties "the well-intentioned decade," and went on to say, "NYPIRG is the antidote for this era."

The future goals of NYPIRG include the preservation of the right to vote on campus and a law banning cigarette vending machines in Suffolk County. In addition to these are car insurance regulation and the ban of standardized testing in grades kindergarten through second grade. NYPIRG also plans to continue playing an active role in the reduction, reuse and recycling program across the state.

NYPIRG is primarily concerned with consumer protection, environmental issues and social justice. The group is established, directed and supported by New York State college and university students.

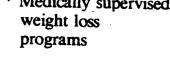




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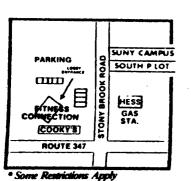
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State Briefs

Woman Strangled at SUNY Buffalo

AMHERST, N.Y. (AP) - A woman jogger was found strangled along a bicycle path at the State University of Buffalo, a killing apparently linked to two rapes in the last year, police said yesterday.

The body of Linda Yalem, 22, was found about 5:20 p.m. yesterday on the campus in the Buffalo suburb of Amherst.

Yalem, a University of Buffalo sophomore, had been reported missing by her roommate at 9:30 p.m. Saturday. The roommate told police Yalem went jogging about 12:30 p.m.

Police believe Yalem was attacked sometime before 2:30 p.m. in a remote area along the bicycle trail, Lt. Thomas Gould said. Her body was found in the woods about 50 feet off the trail, he said.

An Amherst police officer found the body. The search included bloodhounds, a helicopter and foot patrols.

Yalem apparently was sexually assaulted and possibly raped, although police would not be certain until they got autopsy results, Gould said.

Two other women were raped in the same area in the past year, Gould said. Police think the same assailant may have killed Yalem, he said.

"The method of attack was similar," Gould said.

Yalem. a native of Thousand Oaks, California, was studying communication and had transferred to the University of Buffalo from the State University College at Old Westbury on Long Island three weeks ago.

'Bias Crime' Definition Expanded

ALEXANDRIA BAY, N.Y. (SL) — The Public Safety union endorsed a proposed law that would expand the definition of "bias crime" to include crimes committed deliberately against disabled people, gays and lesbians, or committed on the basis of age or sex.

The endorsement came during the union's annual conference held in late September.

'Bias crimes are an ever-increasing problem at campuses across the US and in New York State, said Donald Kreger, president of Council 82, the Public Safety Union. "This is not a SUNY bill, it's for all college campuses in New York State," Kreger said. "It's something that we feel should be addressed.

The legislation would boost the crime category and penalties for crimes such as assault, threats, obscene phone calls, and other acts related to the race, religion or national origin of the victim, and add sex, age, disability and sexual orientation to the existing statute.

This legislation comes up before the legislature regularly, though it fails in the Senate because Republicans don't like the sexual orientation clause, according to sources in the Capitol.

SUNY recommends health fee

FEE from page 1

vide health care based on a voluntary fee system.

"Students need health care, but they also need food and they also need shelter," Nielson argued. "We do not charge a mandatory food and shelter fee. We charge voluntary fees based on students who use those services."

Two Questions

"Students have to ask themselves two questions when considering the issue of a mandatory fee," SASU President and Student Trustee Judith Krebs, the only trustee to vote against the fee, argued during debate.

"One is, What are students getting for the money they're paying?' and two is, How are at-risk students going to be safeguarded?" So far neither of these two questions have been answered."

Krebs has said that mandatory administrative fees are permanent structures and are unlikely to be removed, even with an increase in tuition, particularly given the tight fiscal situation of the state.

The health services fee cannot be waived. and does not cover health insurance. Health insurance is a separate mandatory charge at University Center campuses and at some colleges, though this charge can be waived if the student has adequate outside coverage. Even students with outside health insurance or membership in a health maintenance organization (HMO) will be required to pay the \$100 health services fee.

While the health fee is technically covered by the Educational Opportunity Program (EOP), that assistance program is severely underfunded and EOP students should expect to pay the fee out-of-pocket next year, SASU leaders say. The fee is not presently covered by the Tuition Assistance Program (TAP), which means students relying on TAP can also expect to pay the fee

It is for these reasons that SASU repeatedly raised the fee issue as an issue of access for underprivileged students, and were especially critical of the University's decision to double it.

Revenue Issue Emerges

While most of the University's defense of the fee proposal centered on the quality of health care that the fee would ostensibly provide, discussion of the fee as a revenue tool began to emerge in the final minutes before the 13-to-1 vote in favor of allowing campus presidents the right to levy the fee against students.

On the issue of revenue, Board of Trustees Chairman Fred Salerno of Manhattan argued that, "One way to balance the budget is to hike fees," adding that he would be willing to reconsider the issue of mandatory fees in the context of a possible tuition increase

Trustee Rosemary Solomone of Jamaica, New York, said during debate, "Here we are again moving toward endorsing a new mandatory fee," noting that it had become an annual endeavor with the recent passage of the parking fee and the athletic fee. "I would like to step back from this and look at it more in the context of revenue-raising."

'Simply an Error'

SUNY Chancellor Bruce Johnstone, interviewed Wednesday, defended SUNY Central's decision to double the fee, claiming that the original price of \$50 per year was a mistake. Student leaders discovered that the proposed fee had doubled when they re-read the final draft of the proposal that was sent to the trustees last Friday and discovered that the words "\$50 per year" had been switched to "\$50 per semester."

Johnstone said that the original level of the fee in the draft proposal was "simply an error. There was never supposed to be a \$50 fee," adding that after campus presidents read the proposal, they could not provide health services on their campuses for \$50 per student.

Johnstone said that it was the presidents at Albany, Binghamton, Buffalo and Stony Brook — the four largest campuses in the system — who were the most influential in the decision to double the limit on the fee.

Trustees delay grad health plan resolution

By Eric F. Coppolino Student Leader Press Service

ALBANY — The State University Trustees voted Thursday to table a resolution until the October meeting endorsing the concept of health insurance for the system's 5,500 graduate student employees.

The decision to delay the measure came at the urging of Jane Ely, chair of United Graduate Student Organizations of SUNY (UGSO-SUNY), who told the board that SUNY's offer of \$2 million a year was inadequate to provide health insurance coverage for every graduate student employee in the SUNY system, many of whom have families.

Ely, vice president of Stony Brook's Graduate Student Organization (GSO), told the board that SUNY-Central's proposal for a stipend increase of about \$375 per student, with which the graduate student employees would theoretically purchase a year of health insurance coverage on the open market, "was not by any stretch of the imagination" adequate.

"We're Not Dumb"

"We are your graduate students and we're not dumb," Ely said. "We know how to question your methodology. We're questioning your methodology." Among other things, Ely criticized the Central administration for conducting an insurance coverage study of peer institutions that did not resemble the SUNY campuses to which they were compared.

Ely said that proper health insurance would require at least \$10 million in funding, and urged the trustees, "to put it in the budget and let us fight for it" in the state legislature, where they are gaining significant support.

Ely described how graduate students, who earn as little as \$3,300 for a year's teaching, would delay trips to the hospital after an injury because they could not afford

a doctor, and said that some graduate student employees receive welfare in order to survive.

Health insurance is a pivotal issue in the efforts of graduate students to form a labor union, which both SUNY and the state have been opposing in special labor courts for nearly a decade.

Students or Employees?

SUNY Provost Joe Burke, defending SUNY's insurance proposal of \$375 a year, said that trustees, "should remember that graduate students are first of all students and second of all professors in training," suggesting that this does not entitle them to full insurance coverage.

It is this reasoning that SUNY is using to deny graduates students the right to unionize. In court documents on the unionization issue, graduate students are compared to state prisoners, whose employment as license plate makers is said to be "incidental" to their incarceration.

Graduate students teach every subject from molecular physics to T.S. Eliot, and teach as many as half of the sections in many departments including English and sociology.

Defending graduate student employees, Trustee Arnold Gardner of Buffalo said that they, "are indentured servants. We pay them quite nominally, and I think, poorly. The real issue is what is fair and what is humane in dealing with these people."

While Chancellor Bruce Johnstone said that the unionization issue was "unavoidable" in relation to health insurance, Trustee Rosemary Solomone of Jamaica, Queens, urged that, "we should not think of them merely as students. The labor issue should be set aside."

Meeting in Binghamton

The leaders of UGSO-SUNY, which is a federation of graduate student organizations on the University Center campuses in Buffalo, Binghamton and Stony Brook, met this past weekend in Binghamton to discuss strategy on the health insurance issue.

Ely said that the strategy included continued research of acceptable health plans, lobbying trustees and legislators for additional support, and building vocal support within the work force.

Ely said that graduate students had "come a very long way" since one year ago, when the issue was not remotely considered

vinnable

She said that the more central issue of unionization would also emerge as a major issue in the coming months, and that UGSO was lobbying in support of legislation that would force SUNY to recognize that graduate student employees are in fact state employees.

That legislation is sponsored by Assemblyman Frank Barbaro, chair of the Assembly's Committee on Labor Relations.

Buffalo enforces bus fee

BUFFALO (SL) — University at Buffalo officials said they would enforce the \$50 bus pass fee starting today, denying transportation to students who had not purchased either the passes or \$1 tickets to travel between campuses.

Bus passes had previously been enforced on an "honors basis," though only 1,000 of the University's 27,000 students had purchased the passes by mid-September.

SUNY-Buffalo students, who must pay

more than \$200 in new fees this year, took part in a major protest Sept. 10 in which 1,800 students rallied and then several hundred stormed the administration building.

But sources within the University said the bus drivers, who are not unionized and paid extremely low wages, would not be interested in enforcing the passes themselves. About 15,000 students ride the buses, which connect SUNY-Buffalo's two massive campuses, every day.

Budget cuts spark protest

CORTLAND (SL) — Students at SUNY's Cortland College held an emergency meeting last night to discuss their options in response to massive budget cuts, faculty firings and the closing of two departments.

Students are accusing administrators of "budget shuffling" after announcing last week that the department of Environmental Science would be beefed up despite massive cuts to other departments.

The plans to eliminate the departments of Communication and Dance were

announced earlier this semester by administrators in response to \$400,000 in budget cuts. The closings would result in the firings of three full time faculty, which is known as retrenchment, and the elimination of one of the College's most important majors — Radio and Television Studies.

Students Against Retrenchment (SAR) called the meeting yesterday to discuss possible protest action today. Leaders of the organization would not comment on the nature of the protest.









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GOP Funding Probed

ALBANY, N.Y. (AP) — Eight state attorneys general have complained to President Bush about a Republican fundraising scheme they compared to "mail-order frauds and telemarketing scams."

In a letter to Bush dated today, the attorneys general said the Republican Presidential Task Force has mailed \$25 checks to more than a million potential campaign contributors. The task force tells recipients they are receiving the checks for their support of the Republican Party.

The task force then asks recipients to deposit the checks in their checking accounts to test a new Republican fundraising procedure, New York Attorney General Robert Abrams said yesterday. The money is then deducted by the task force from recipients' accounts in two monthly installments of \$12.50.

Abrams said the task force continues to take out \$12.50 from recipients' accounts indefinitely unless consumers take steps to halt payments.

"This solicitation marks a shameful low in the history of American campaigning," the attorneys general wrote to Bush. "It reduces the political process to the level of integrity normally associated with fly-by-night con artists, mail frauds and telemarketing scams."

Abrams said a 83-year-old New York woman tried to stop the payments for three years, needing the money for medical expenses. The task force had taken \$210 from the woman's account by the time the payments stopped, he said. Abrams said state officials intervened and the task force refunded twice what had been deducted from her account.

Others mailed the \$25 checks included a Democrat who had been dead for six years and a 16-year-old who did not have a checking account the attorneys general said.

Besides Abrams, the attorneys general of Minnesota, Oregon, Alabama, North Dakota, Connecticut, Michigan and Illinois signed the letter. Attorneys General Don Siegelman of Alabama and Neil Hartigan of Illinois have filed lawsuits against the task force.

The task force is an arm of the National Republican Senatorial Committee.

American Pilots Killed

DHAHRAN, Saudi Arabia (AP) — Two U.S. Air Force pilots were killed yesterday when their F-15 fighter plane crashed during an exercise in Saudi Arabia, the U.S. military command said.

They were the first Air Force personnel reported killed in Saudi Arabia since the beginning of Operation Desert Shield nearly two months ago. Another F-16 crashed earlier but the pilot was not hurt. The aircraft, assiged to the 4th Tactical Fighter Wing, was on what was described as a routine mission in the southern Saudi desert yesterday morning, officers said.

The pilots' names were withheld pending notification of relatives. A board of inquiry was assigned to investigate.

The crash brought to five the number of U.S. sericement killed in Saudi Arabia during Operation Desert Shield.

Five crewmen were injured in the crash of an Army UH-60 Blackhawk helicopter on Saturday. Officers said one remained in critical condition, three in good condition and one was released.

Two soldiers have been killed and one hurt in vehicle accidents, and a sailor was accidentally electrocuted on a ship. A Saudi man was killed in a collision of a taxi and a Marine Froce pickup truck.

Gunfire Killed Reporters

SAN SALVADOR, El Salvador (AP) — Two journalists whose deaths were reported as traffic fatalities were apparently killed by gunfire, a church-related human rights agency reported yesterday, and it demanded a government investigation.

The bodies of the two Salvadoran reporters, Pedro Martinez, 28, and Jorge Euceda, 38, were found in their car Friday on the Pan American Highway, 27 miles east of San Salvador.

"There was definitely a criminal hand in this, but many things remain to be cleared up," said Maria Julia Hernandez director of the Roman Catholic Church's Legal Aid office.

Police reports blamed the deaths on a traffic accident. But Hernandez said her office had demanded an autopsy that showed Martinez had bits of ammunition in his left eye and cuts on the sides of his body.

The deaths immediately aroused the suspicions of reporters, who requested the assistance of Legal Aid. The news media and relatives of the victims have called for a complete investigation of the deaths.



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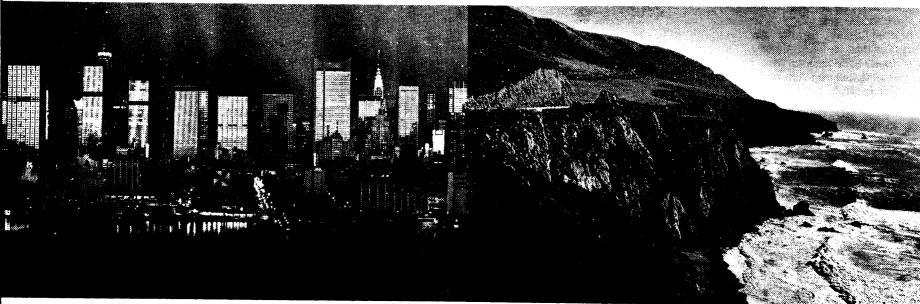


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Iran-contra Set Bad Precedent In American Politics

HE IRAN-CONTRA affair was a symbol of all that is corrupt in American politics. It was a betrayal of the people of the United States who demanded there be no military intervention in Nicaragua. And it ignored the Constitution, on which our country is based.

News Views David Joachim

Meanwhile, it is the four year anniversary of Eugene Hasenfus' capture in Nicaragua which led to the scandal's unravelling. Since then, there have been seven convictions; none of which involved the planners of the operation, only the scapegoats.

All along there has been discussion over President Ronald Reagan's role in the affair. This was magnified when Rea-

gan "forgot" major events and meetings that were believed to have been associated with the sketching of the affair when he testified in John Poindexter's trial, the most recent Iran-contra conviction.

Active investigation into Reagan's role has not yet opened, and probably never will, despite his weak account of

More importantly, reports in the past three years have linked then-Vice President, now-President George Bush to hands-on activity in the illegal air drops of arms into Nicaragua in 1986.

Testimony by various players have indicated that Bush was meeting regularly and was briefed on the contra aid network, which attempted to dodge legislation by Congress in 1986 that banned U.S. aid to the rebels due to lack of public

Questions have also been raised about a supposed Bush memo concerning a meeting between him and CIA agent Felix Rodriguez, who was a major contributor to the affair from contra bases in El Savador.

Bush has repeatedly denied any involvement in the scandal.

His denials, unfortunately, have been enough for most investigators. This is quite understandable because most people would rather keep their jobs than uncover a national scandal.

Even more disturbing has been the media's reluctance to press Bush, Reagan and other higher-ups on their respective roles in the affair. In fact, when Dan Rather was bold enough to question Bush during the 1988 presidential campaign, he was denounced as being disrespectful to the honorable George Bush.

But isn't this the role of a free press? Shouldn't we be allowed to feel free to question politicians on these kinds of issues?

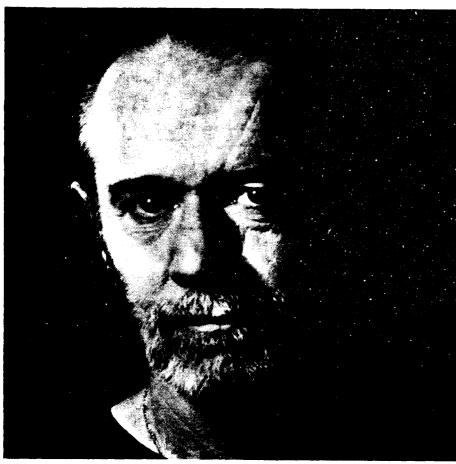
The press is an additional check on the government and it should be treated as such. Maybe if the media stopped worrying about the financial affect a story might have on it, it would be fulfilling its responsibility of informing the public of these kinds of injustices.

The importance of pursuing the Irancontra affair should not be underesti-

mated. By allowing the leaders of the scandal to avoid responsibility, we are setting a precedent that entitles the executive branch of government to establish its own policy and spend our tax money without our consent. This, in essence, is a dictatorship.

What would happen if Congress decided tomorrow to cut off military aid in the Middle East? Would Bush then be given the go-ahead to perform covert operations in the conflict without the support of the American public? In this scenario, we are leaving the fate of an entire nation in the hands of a few, if not one, person. And we have supposedly been fighting wars for almost a century against this type of governing.

We must not forget that our Constitution is designed clearly for a series of checks and balances that allow for little in the way of personal decision-making. And by permitting a betrayal of this design, we are committing irreversible damage on a system in which individual branches of government function on their own, and the media cares too much about itself to report it.



SAB has booked George Carlin to perform on October 13.

Events planned by SAB

By Sean Doorty nan Staff Writer

The Student Activities Board has announced the main events they will sponsor to kick off the school year, including Homecoming Weekend.

At a meeting held last Wednesday, SAB committee members discussed future campus events at Stony Brook. The focus was on SAB's involvement with the Homecoming events, which will take place from October 11 through October 14.

Tokyo Joes, an SAB sponsored Dance Party held in the Union Ballroom, will begin the Homecoming celebration on Thursday night, October 11. A masquerade ball will be the theme of the event.

There is a Boogie Down Production Concert scheduled for October 12, which has been co-produced by SAB Concerts and the Minority Planning Board; a division of SAB.

On Saturday October 13 comedian

George Carlin will perform in the Stony Brook gymnasium.

The new sports complex, which is scheduled to open to the public in November, will be a major benefit to SAB activities. The complex is able to seat over 5,000 people, which is 3,500 more than the capacity of the old gymnasium. This will allow SAB to draw "big name acts" to Stony Brook, said Scott Levine, SAB concerts chair. "We will be lucky to get a concert this semester. It doesn't look possible, but definately next semester."

Other events SAB will sponsor this semester include comedy night, which will begin on November 2 at The End of the Bridge Restaurant, and a candidate forum on October 29 where various political candidates will be present to answer questions.

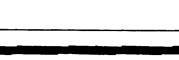
The SAB is composed of Executive Chair Patrick Thomas, Comedy and Speaker Chair Sean Joe, Concerts Chair Scott Levine with his assistant Brian Harkins and Activities Chair Brian Dooreck.

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Stony Brook Students Must Register To Vote

Are you registered to vote? If you are eligible and are not registered, you are taking lightly a principle for which millions in history have died.

Even in our nation's history, many have been denied the right to vote for unjust reasons. Two centuries ago in the United States, if you were anything but a white male landowner, you were disqualified from

Today though, any citizen over the age of 18 can vote on anything from surrogate court judges to the President of the United States. A vast improvement; but the system is still far from perfect.

It seems that although politicians theoretically represent all people in a given area, they only focus on

the people who matter: the electorate. For these are the only ones who determine the politicians' length of office — which is their main interest.

The others, or the non-voting population, are usually safe from being ignored by politicians because they are represented in the electorate in some capacity. For example, if you are not registered to vote, your next door neighbor is, and he or she will represent your interests in the community.

But the rules change on a college campus. A 1988 survey found that only 30% of all citizens between the ages of 18 and 24 were registered. On campus, most of us fall into this age category. And the implications of this survey's results are disastrous.

The inference can be made that if less than 1/3 of the Stony Brook campus community is registered to vote, student issues in the community will go basically ignored by policy-makers, who realize we have no say in their re-election. Therefore, student issues that are decided on the state or federal level have no chance of leaving campus. And students are left without adequate representation.

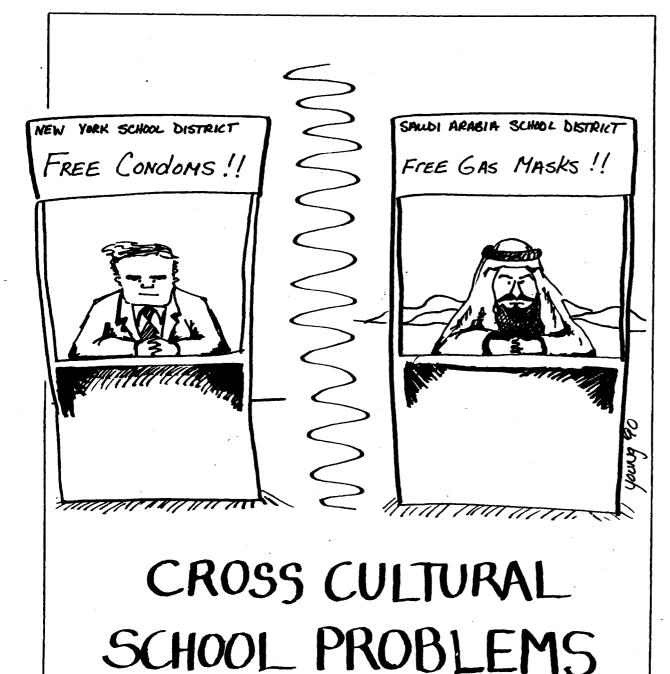
The typical excuses for not registering include: "I have no time," or "I can't make a difference." At Stony Brook this week, these are both invalid.

The former excuse will be alleviated this week as SASU, NYPIRG, and Polity join together to spark Voter Registration Week. During this time, students needn't look far to find registration forms because they will be where you go to classes, study, eat and sleep. And the organizations are conveniently taking the forms back to mail for you, which means none of your precious time will be spent sending in the forms. Also, the form takes approximately three minutes to fill out; a minor price to pay for the opportunity to vote.

The latter excuse is also illegitimate because the organizers say that only 1,000 new registered voters are needed to establish the University's own voting district. Each student who registers brings us much closer to our goal of becoming recognized as a 16,000member campus constituency.

Approximately 400 people have been registered to vote on campus in the past month, thanks to the efforts of a few dedicated students. This week though, with the efforts of three organizations, the number should pass way beyond the goal. Good, because the more who register, the more we will gain support of local and state legislators.

And with talk of more student fees and program cuts, we need all the powerful help we can get.



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Statesman • § Magazine

Take care of business first

By Richard P. Dieguez Special to Statesman

"Get it in writing." If there is any simple rule you should get into your brain, it's that one. Sure, it can feel awkward to bring up business and money just when the creative relationship is blooming. And, yes, it does take time and cost money to have an attorney do the paperwork. But by taking care of business now, you'll avoid having to "worry about it down the line"

Such was the case many years ago with a fellow named Mr. Rober Vernon, the owner of Sound Doctor Recording Studio, Inc., and Mr. Steve Conn, a musician. Vernon did not get paid for recording Conn or for his costs in trying to shop Conn's tape. Although Vernon held possession of the master, he was unable to get Conn's permission to market, sell or distribute the music. Unfortunateley, there was no written or verbal agreement between Vernon and

So, Vernon sued Conn for approxiametely \$2,000.00 in unpaid studio time, \$1,000.00 in travel expenses incurred in shopping the tape to a publisher and \$85.00 for the cost of the tape.

In court, Vernon lost his claim to recover the costs of the studio time, shopping and tape. But Vernon did win the right to market, sell and distribute Conn's music. The case was appealed, and the higher court reviewed the decision of the lower court.

In this case, the facts were crucial. Why? Because the courts had nothing else to go by. Remember, Vernon and Conn did not have a written agreement to guide the courts' decision, so it was one party's word against the other. Indeed, the court had to repy on the oral testimony of Vernon and Conn as well as the testimony of witnesses.

When that happens, the court may place great weight on the particular words used in the tesevents are described. The credibility of the person testifying is also crucial. You may be telling the truth, but if you don't appear to be truthful, the court will not be persuaded and may believe your opponent instead. Your demeanor, attitude, appearance, and consistency can make all the difference.

I dwell on this point because the higher court ended up reversing the lower court by denying Vernon the right to market, sell and distribute the tapes and, instead, found totally in Conn's

favor. The higher court's reason- migraine. But bear with me. ing for the decision often hinged on very subtle differences in each side's testimony. As the higher court explained, "the [lower] court was of the opinion that the relief according [to Vernon] was justified under the relevant facts that were properly proven at trial. We are left wondering, by the [lower] court's brief reasons for judgement, which relevant facts were properly proven and which were not." Obviously, if there was a contract, the emphasis of the court's analysis would have been on the wording of the agreement rather than the facts.

Check out how the higher court focused on what it felt were the key facts leading to its decision:

"The most that can be said of the relationship existing between [Vernon and Conn] is that Conn recorded songs at Sound Doctor Recording Studio at the continued insistence of [Vernon]; that Conn participated in a "musical showcase" arranged by Vernon; and that Conn traveled to New York, at Vernon's expense, to meet with a representative of a publishing company. We do not think these facts, especially when considered in the light of other facts duly established by testimony ... are sufficient to support a finding of an implied contract.

The higher court also noted that even though Vernon and Conn may have assumed that there was a possibility of the music being successfully shopped, this common goal was never discussed. "There was no contract when the songs were being recorded," concluded the higher court, "because the studio time was being provided free of charge."

Wait a minute. How did the higher court know that the studio time was being provided free of charge? This certainly wouldn't have been Vernon's testimony! Vernon testified that he was "fronting" the studio time. In other words, Conn was timony and the way in which not to pay for the time until the music was successfully marketed.

But this was not the testimony the higher court relied on to reach its conclusion. Instead, the higher court believed the testimony on Conn's buddy, J.D. Milliner, who recorded with Conn at Vernon's studio. The higher court explained that even though J.D.'s "testimony clashed with that of Vernon ... the musician's understanding that the time was provided free is reasonable in the light of other circumstances."

I know. This is giving you a

Let's see what these "other circumstances" are. I'll let the higher court explain:

...having opened his studio approximately six months before [,] Conn felt that Vernon was seeking to gain prestige through associations by having Conn and other musicians record at his studio. Vernon admitted that he solicited Conn's services and also admitted that he considered Conn to be one of the area's best musicians. Under this set of circumstances, Conn's belief that the studio time was being provided free of charge was a reasonable one. Conn denied that he agreed to or was aware of a fronting arrangement. We conclude that if Vernon had told Conn of the fronting arrangement, there would have been no need for Conn to ask the question: "What's in this for you?" because he demostrated from his testimony that [Conn] was very familiar with the term fronting."

Now here comes the rub:

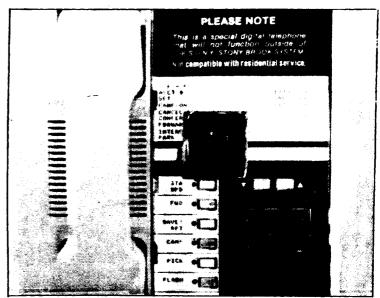
"In any event, Vernon had an excellent opportunity in the early stage of their relationship to explain what he expected of that relationship when he was questioned by Conn. Instead of answering forthrightly, however, Vernon's answer "We'll worry about that down the line was vague and uncertain."

As you can see, a lot is left up in the air when parties neglect to even discuss their business intentions let alone reduce those intentions to a written agreement. Even the lower court and the higher court in this case were in disagreement on how the case should have been decided.

Of course, that's not to say that you won't end up in court if you have a written contract. The point is that you will have a less difficult time proving your case, and thus you minimize the chance that the court is going to come out whith what you feel is the "wrong" decision.

If you were siding with Conn, the artist, don't reach the conclusion that all worked well for Conn even though he didn't have a contract. Even Conn would have been better off with a written agreement. He would have had an easier time defending himself, which could have possibly meant avoiding a lawsuit altogether, settling out of court or avoiding the appeal -and all the time, butterflies and legal expenses that go with it.

Richard P. Dieguez is an entertainment lawyer from Roslyn Heights, New York.



Students may soon be able to take their multiple choice exams on this ROLM phone at Stony Brook.

Take-'phone' tests

Please push in the answers To your quiz, after the tone

CHICAGO (AP) — Thank you for calling Telequiz. After the tone please leave the answers to your college exam.

In what is believed to be the national debut of student testing via push-button phone, student at Governors State University telephoned in the answers to their Psychology 519 quiz from the comfort of home.

"I loved it," student Teresa Barker said Monday. "It was totally relaxed and really fun."

Students were allowed to call anytime Saturday or Sunday to take a multiple choice test of 10 questions. They answered by punching in numbers that were registered with computerized voice-mail equipment.

The Management 421 class will try the program this week, taking an exam of 15 true or false questions by pressing 1 for true and 2 for false.

"It's a replacement for the oldfashioned No. 2 lead pencil," said Donald Fricker, a professor of management information systems who developed the idea.

Fricker said the set-up saves time and money.

just two or three days as opposed to where the secretary has to type it, I have to coppy it, the class has to meet, and I still have to grade it," he said.

The system also eliminates the need to travel to the college in suburban University Park. The school has about 5,000 students and no dormatories.

Teachers record the test and then tell their students which days they should call. It's up to the students to decide when to dial.

Barker summoned up her courage on Sunday night, sitting at the

kitchen table after she had cleared the dinner dishes.

"Being at home, it was different than being somewhere where there's a lot of pressure," said Barker, 52, a child-welfare worker who returned to school to get a degree.

Some students called as early as 8 a.m. Saturday and Sunday. The last student to call Saturday took the psychology test at 10:38 p.m.

The system "gives a student tremendous flexibility," Fricker said.

The student can be at his most relaxed. He can call in at 4 a.m. if that's when he's achieved nirvana and feels he knows the material."

Psychology professor Suzanne Prescott ackowledged the system is largely limited to testing students' ability to recall facts.

"You can't ask a student what he thinks is the impact of 20th century literature on lifestyles in the 1950s," she said. "But I think it's the wave of the future."

The system lets instructors record up to 30 questions, though only one student can call in at a time. A student has six or seven seconds to think of an answer before the next question is asked.

elequiz will be demonstrated in November to representatives of 600 schools at the annual Computers on Campus conference in Myrtle Beach S.C.

Students already have provided some input. They talked instructors out of giving pop quizzes.

"We thought abot the idea of calling them at home and forcing the test on them at the time of the call, but there were massive protest," Fricker said. "They argued that people could be in the middle of dinner — or in the middle of giving cardiopulmonary resuscitation."

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Kid Violence Leads to Con Games

NO LONGER ENJOY participating in the violent recreational activities I indulged in as a child. And I am not the only one who shares this point of view. I mean how many of us still look foward to a good game of kill-the-guy-with-the-ball?

The Funny Bone Otto Strong

Let's face it. We've all been exposed to these violent sports, whether it was during recess or gym class in grade school or at your nephew's sixth birthday party where the most popular games involve pinning a tail on a donkey or making mincement of some rainbow colored pinata shaped like a donkey. No wonder these animals are stubborn with humans. We've been beating them up ever since we were children. As far as recess and gym goes, the more violent a game sounded, the more kids wanted to play it. For instance, kickball sounded violent,

but of course is not. Dodgeball is not considered to be violent, but the potential for head and bodily harm is there. Welts and dizzy spells, sounds like fun, eh? Then there's kill-the-guy-with-the-ball. A real popular recess game among packs of eight-year-olds whose sugar imbalance was thrown out of whack by lunch, which consisted of sucrose-flavored pop tarts and frosted flakes. Pit bulls run the other way when they see these boys coming.

Cops n' robbers was also a favorite pastime, so should it be any wonder our penal system is in disarray? For instance, a criminal may be sent to Sing Sing for 25 years to life for committing a horrible crime and within one week he's playing centerfield for cell block D's softball team. These are guys who are running around with a bit more testasterone than they probably needed in the first place, and now we're going to have them in competitive sports? Somehow I don't feel this is a such a good idea unless we're using Nerf bats and balls. However, if it keeps them off the streets, then I'm all for it.

The last thing I want to see is nine dangerous inmates equipped with Louis-

ville Sluggers. After all, the premise of nine bat weilding guys was probably the reason they wound up in jail anyway. The next thing you know, they're using the guards as batting practice. What's an intimidating line here, "Yo, I killed your mother!" Why don't we just get these guys involved in archery while we're at it

And wouldn't you love to see your favorite convicts have their own baseball card series.

"Hey Petey, I'll trade you three Son of Sam's for a Charles Manson."

I wonder if death row inmates have their own softball league as well. Although I suspect there aren't too many night games seeing as how they have to conserve electricity for other activities on campus. I guess this is one league where nobody wants to be in the "on deck circle."

So unless you're going to your nephew's sixth birthday party, have exceeded your recommended daily level of testasterone or compete on the rugby team, you should steer away sports such as kill-the-guy-with-ball and seek participation in croquet. Then again croquet players use long wooden mallets.

Lucas uses 'force' with Skywalker

LOS ANGELES (AP) — Luther Campbell of the rap group 2 Live Crew has agreed to stop using the name Luke Skywalker and pay an undisclosed amount to settle a \$300 million lawsuit filed by George Lucas' film company.

The lawsuit, filed in March, said Campbell's use of the name violated the copyright on "Star Wars" movie character Luke Skywalker.

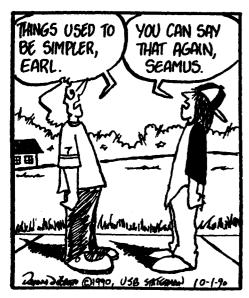
Campbell has already changed his record company's name from Skywalker Records to Luke Records.

Lucasfilm attorney Charles Shephard announced the agreement Monday.

The "Star Wars" character is a clean-cut space warrior; the rap group's album "As Nasty As They Wanna Be," has been declared obscene by a Florida judge, and members of the group have been arrested on obscenity charges.

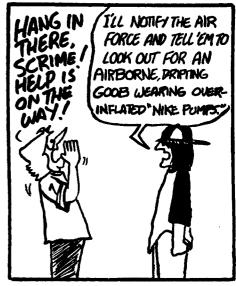
Campbell attorney Howard Frumes said the agreement was made in order to focus on the Florida case, "where the issues are more important".

BUGGERS









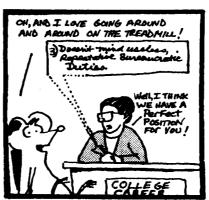
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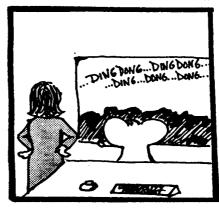
















Statesman/SB Magazine Monday, October 1, 1990

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Article Was Inadequate

To the Editor:

I attended the Sept. 17 lecture given by Tenzin Gyatsu, 14th Dalai Lama of Tibet. I was moved by this great man's words, and expected your article to reflect the experience. Instead, you simply summarized the surface contents of the lecture while failing to note the discrepancies that marred the afternoon.

A major world event, the lecture had been advertised for weeks. Yet, on the day of the event, people passing by the Staller Center stopped to ask what the fuss was. When informed of the Dalai Lama's historical visit, the invariable reply was, "Who?" It is inconceivable to me that so many (supposed) university-level students could never have even heard of the Dalai Lama, spiritual leader of Buddhism and former political leader of Tibet. Granted, few people are really acquainted with the ins and outs of Chinese martial law, but where's our general sense of global history and current events?

During the lecture, the speaker absolutely radiated a sense of inner peace and hope for his country in spite of the many seemingly insurmountable setbacks he has faced. Obviously, the robed and distinguished platform party took this inner peace to heart, for they then proceeded to nod off, right on stage!! This did not only show profound disrespect toward the 1989 Nobel Peace Prize recipient, but also showed profound ignorance on the part of the leaders of our university. If they weren't interested in the words of this wonderful speaker, they could at least have had the courtesy of appearing to pay attention. Their actions spoke louder than any of their syrupy words. Acting President Tilden Edelstein even interrupted His Holiness when smattering of polite applause woke him from his catnap and prompted him to believe the lecture had come to an end. I was absolutely mortified, and I wasn't even on the stage. Those bigwigs were there to represent us, as students and as an audience. Beyond that, we are supposed to be learning from people such as these. I can't imagine what this great leader must have thought of the future of America. Do we entertain thoughts of inner and global peace only to placate those we label as "radical"? Do we justify ourselves by claiming a peaceful world is not the "real" world? The Dalai Lama's true message goes unheard by sleeping adminstration and close-minded politicians. Global peace becomes reality through inner peace, and IT CAN WORK IN REAL LIFE !!!!

Finally, on a disturbing topic: an honorary degree was conferred upon the Dalai Lama by Frederick Salerno, chair of the SUNY Board of Trustees. It was declared that this was Salerno's first visit to Stony Brook, ever. The highest honcho on the SUNY ladder had never been to SB? Decisions that affect our whole campus are being made by people who don't know what Stony Brook is all about. I am incensed by this fact. SUNY had become a big business headed by pencil-pushing executives out to make a buck. We, fellow students, are the consumers. And in the end, the consumer gets screwed.

Public education is not a privilege, not a gournet treat for the aristocracy. It is an irrevocable right; it is a necessity in today's world. It is time the State of New York and the SUNY system got away from their desire to turn a profit and got back to providing a public service. It is time for us all to wake up and realize that we're missing the point the Dalai Lama tried so hard to make.

Barbara A. Cohen

-Viewpoint

Tuition Is Not Main Problem

By Mandy Yu

In response to Statesman's September 27, editorial, I agree strongly that students should accept a tuition increase. And, I believe it is also true that when compared to private institutes, SUNY's tuition is quite low. However, I believe the issue is not as simple as a tuition hike. It is all the other surprises that cause students to become confused, angered, and frustrated.

For example, each person pays \$1,169 a semester for sharing a double room. In a six persons suite, the university will receive a total of \$7,014. Each student is given a desk, a mattress and a dresser. In the cooking area, only a small counter, a table and chairs are provided. Every semester, students have to bring their burners and ice boxes. In addition, the mandatory telephone fee of \$65, which doesn't include outside, local calls, are included in the bill. I can understand that two years ago students had to pay for the installation charges. After the initial fee, what other installation charges are there? This doesn't make sense.

Another frustrating issue is the parking situation. Why can't the university understand that most students are poor. That's why they come to a state university in the first place. If you think getting financial aid is easy, you should double check your facts. Your family has to be making almost nothing for the student to receive any financial aid, and I'm talking about grants and scholarships. With the parking issue, if you are a full time student with more than 57 credits, you can get a residential sticker, and if you are a full time faculty/staff, you can get a sticker that practically allows you to park anywhere on campus. The price for

both types of sticker is \$5.00. I don't understand if there is a budget problem, why can't the faculty/staff members share some responsibility. They get a salary. Students don't. Some students who work don't even make enough money to pay for their books. And, if you work in New York City, unless, you are an executive officer, you have to pay more than \$300 a month for a parking space. Perhaps, the faculty/staff should pay more than \$5.00 to help with the budget problem.

Last semester, the mirror in the hall which I lived in was cracked. Everyone who lived in that hall paid for the broken mirror. It is paid for, but we haven't yet seen it replaced. They put tape over the cracked mirror. I must emphasize that I am not complaining about the tuition hike, but I am questioning the administration of the university. What is going on? The university beautified the external parts of the campus, especially around the administration build ing, but, what about the internal parts? The residential area? It is everything else that gets me all steamed up, all the mandatory fees and all the surprises. It just seems that the faculty/staff members try to overlook our needs as students. They seem to have all

In conclusion, I believe that the tuition hike is not the main problem. It is only a symptom of many underlying factors that contributed to students outrage. In order to make this a better environment to live and to study in, I think the first step must come from the faculty/staff members. They must show some kind of understanding and concern for students' welfare and stop thinking about themselves.

GOT THE PICTURE?

If you're a good photographer and/or have any darkroom experience, Statesman could use your help. Join our photo staff and become part of your campus newspaper - Statesman. Come down to room 075 of the Student Union on Sunday or Wednesday evenings or call 632-6480

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- 5. Call a cab if you're not sober—or not sure.

Hosts:

- 6. Serve plenty of food.
- 7. Be responsible for friends' safety.
- 8. Stop serving alcohol as the party winds down.
- 9. Help a problem drinker by offering your support.
- 10. Set a good example.



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Jets fly over Pats

By Howard Ulman **AP Sports Writer**

FOXBORO, Mass. (AP) - Brad Baxter ran for two touchdowns and Ken O'Brien threw for 282 yards as the New York Jets pinned a 37-13 loss yesterday on the troubled New England Patriots, still reeling from a sexual harassment allegation.

New York's Rob Moore caught nine passes for 175 yards, including a 63-yard scoring play. O'Brien completed 19 of 28 passes. Pat Leahy added field goals of 18, 24, and 46 vards and rookie Blair Thomas had his first 100-yard day with exactly 100.

The game battled for attention with speculation that Patriots general manager Patrick Sullivan might be fired following Boston Herald reporter Lisa Olson's claim she was sexually harassed by several New England players 13

Patriots owner Victor Kiam said before the game there would be major management changes. Comissioner Paul Tagliabue said later he told Kiam not to make any changes before an NFL investigation is completed, and Kiam said he would comply.

The woes of New England (1-3) mounted early as the Jets (2-2), looking nothing like the team that lost 30-7 to Buffalo last Monday night, scored on their first possession. Baxter's 1-yard run capped an 11-play, 54-yard drive.

The Patriots, looking remarkably like the team that lost 41-7 to Cincinnati last Sunday, allowed their opponent to score on four of their first five possessions for the secodn consecutive game.

Baxter added a 28-yard touchdown run in the third quarter, making the score 31-6, after Michael Mayes' first NFL interception.

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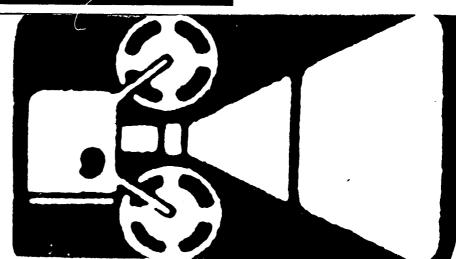
Student Polity Page

S.A.D.D

Students Against Driving Drunk

Meeting; Oct 10 8:00pm Union Rm 201

Alcohol Awareness Week Oct. 14-20 ALL WELCOME!



The French Club will show a film on Monday, Oct. 1, 1990 at 4:30 pm room A061 of the library. The next meeting of the French Club will be Wednesday Oct.3 in the same room. Elections will be held. All are welcome Call 2-9196 for information.

POLITY ELECTIONS

On October 9, 1990
VOTE On Freshmen Rep.
And Polity Treasurer.
Residents vote in their Quads.
Commuters vote in Javits
Polls will be open 10:00am - 8:00pm
MEET THE CANDIDATES in the
Fireside Lounge, Oct.5,1990
from 12:30-2:30pm

S.A.I.N.T.S

OPEN HOUSE OCT.3, 1990 Union Room 236 at 7:30pm

Refreshments will be on hand. For information contact:

Joan 2-3447 Amelia 2-7192

GEORGE CARLIN

Tickets: Students \$12 Gen Adm. \$15 Reserved Faculty/Staff \$16-\$20 Public \$20-\$24





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October 3, 1990

Homecoming '90 Oct. 11-14

Raiders maul Bears 24-10; Chiefs scalp Browns

Raiders 24, Bears 10

The Raiders won their ninth straight at home under coach Art Shell with yet another superb defensive display. They have allowed only 35 points this season and have produced lots of offense with their defense.

Aaron Wallace stripped the ball from Jim Harbaugh and Greg Townsend ran it in for a touchdown on one of the Raiders six sacks. Los Angeles went 4-0 for the first time since 1984. The loss dropped Chicago to 3-1 and was only its second defeat in September since 1985, a period in which the Bears are 19-2.

Oilers 17, Chargers 7

AFC passing leader Warren Moon threw for 355 yards and two touchdowns, completing 27 of 46 passes. His TD passes were 22 yards to Ernest Givins and a 9-yarder to Drew Hill as Houston evened its record at 2-2.

Fuad Reveiz, who had been warned by coach Dan Henning that he had to perform better, missed two field goals and has made only two of seven this year for San Diego (1-3).

Chiefs 34, Browns 0

The Browns were a playoff certainty under Marty Schottenheimer. But now he coaches the Chiefs, who ripped apart his former team as Kevin Ross and Chris Martin each scored touchdowns off blocked punts and Steve DeBerg threw two scoring passes.

The Browns (1-3), who forced out Schottenheimer two years ago. are off to their worst start since

On Martin's 31-yard touchdown return of a punt blocked by Charles Washington in the second period, Washington shot through the middle almost untouched.

Albert Lewis, with his third blocked punt in as many weeks, did almost the same thing later, coming up the middle to block a kick at the 27. The ball skittered around until Ross picked it up at the 4 and went in for a 34-0 lead.

Colts 24, Eagles 23

Two weeks ago, when the Eagles blew a lead and lost at home to Phoenix, it was a shock. Then what was this loss to the Colts, who were 0-3 going in?

Jack Trudeau, starting because

top draft choice Jeff George was injured, completed seven passes in a 14-play, 83-yard drive. He started it with passes of 27 and 11 vards to Albert Brooks and 13 to

Stanley Morgan.

Randall Cunningham completed 22 of 34 passes for 274 yards and two touchdowns and scrambled for 61 yards, while Keith Byars achieved career highs with 12 receptions for 133 yards for Philadelphia (1-3).

Packers 24, Lions 21

The Majik was back for the Pack (2-2) as Don Majkowski rallied Green Bay for two fourthquarter touchdowns, including a 26-yarder to Jeff Query with 55 seconds to go.

Majkowski, in his second start after a lengthy contract holdout, completed 28 of 46 passes for 289 yards. He brought the Packers back from a 21-10 deficit in the second half.

Majkowski hit five of six passes for 44 yards and ran for 15 as the Packers drove 61 yards to cut the deficit to 21-17 with 11:01 left. He flipped a 4-yarder to Michael Haddix for the score.

Dolphins 28, Steelers 6

At Pittsburgh, Miami (3-1) had a 229-27 yardage edge at halftime and the game well in hand.

Sammie Smith ran for two touchdowns and a 31-yard pass from Jim Jensen to Ferrell Edmunds on a fake field goal led the Dolphins. Defensively, Tim McKyer had two interceptions and Eric Kumerow one.

The Steelers' offense gained only 160 yards and hasn't scored a touchdown since the second quarter of last season's playoff loss to Denver. All it got yesterday was two field goals by Gary Anderson.

Buccaneers 23, Vikings 20, OT

At Minneapolis, Vinny Testaverde passed for all 74 yards on the tying drive, capped by his 11-yard pass to Bruce Hill with 24 seconds left. Testaverde had only 88 yards passing before the drive.

In OT, Wayne Haddix's interception of Rich Gannon's pass set up Christie's third field goal. Ironically, Christie was kept and Donald Igwebuike cut by the Bucs in preseason. Igwebuike, who was bitter after his release, missed a 48-yarder with 9:41 left in over-

time, his first miss in nine attempts for Minnesota.

Tampa Bay (3-1) is off to its best start since going 4-0 in 1979, when it won the NFC Central. Minnesota is 1-3 for the first time since 1972 and saw a 13-game home winning streak snapped.

Bills 29, Broncos 28

At Buffalo, the Bills struck quickly to turn around what was a sound beating at the hands of Denver (2-2). Buffalo (3-1) turned a blocked field goal, an interception and a fumble recovery into 20 points in a 1:17 span in the fourth

Down 21-9, the Bills stormed back. Nate Odomes blocked a 24yard field goal attempt by David Treadwell. The ball bounced to Cornelius Bennett and he sprinted 80 yards for the first touchdown of his four-year career.

Then, John Elway's pass was tipped at the line by defensive end Leon Seals.

On the Broncos' next offensive play, center Keith Kartz and Elway flubbed the snap. Bennett recovered the fumble at the Denver 2 and Ken Davis ran in on the next play.

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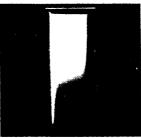
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ARMY NURSE CORPS. BE ALLYOU CAN BE:

The party is kaput

By Jim Donaghy

NEW YORK (AP) - The New York Mets lost to the Chicago Cubs yesterday already knowing Pittsburgh had clinched the National League East championship.

The Mets, once again favored to win the title, were frustrated yet again as the Cubs rallied for two runs in the ninth inning off John Franco.

While coming back from a 2-0 deficit, the Mets watched the scoreboard as the Pirates and Cardinals battled through seven scoreless innings. The Mets were hoping to pull within three games of first on Sunday and then sweep a three-game series in Pittsburgh to force a one-game playoff.

When the scoreboard flashed Pittsburgh scoring two runs in the eighth inning, there was a groan from the fans at Shea stadium and several hundred showed it was time to start thinking about next year by heading for the exits.

The Pirates' 2-0 victory was posted on the scoreboard in the top of the ninth and several Mets bowed their heads and toyed with dirt.

Trailing 5-4, the Cubs scored two runs of Franco (5-3) on Derrick May's RBI single and an error by shortstop Howard

Jose Nunez (4-7) pitched two innings for the victory and Mitch Williams finished for his 15th save.

Down 2-0 in the fifth inning, the Mets scored three runs off Steve Wilson with some help from third base umpire Frank Pulli.

Darren Reed led of with his first major league homer and, one out later, Charlie O'Brien hit a playable popout into foul territory. Third baseman Domingo Ramos lost the ball and shortstop Shawon Dunston ran into Pulli as the ball dropped untouched.

O'Brien then walked and scored the tying run one out later on Gregg Jefferies' triple. Dave Magadan, the league's second-leading batter, gave New York a 3-2 lead with a single.

The Mets added a run in the sixth on Reed's RBI triple and made it 5-2 in the seventh on Magadan's sacrifice fly. The Cubs got close on Dwight Smith's two-run pinch double off Franco in the eigth.

Andre Dawson hit a two-run homer in the first off Sid Fernandez. It was Dawson's 27th home run and it gave him twenty-four RBIs in twenty-eight games this month.

Fernandez, who had lost six of his previous seven decisions, gave up three hits in five innings.

Outfielders Darryl Strawberry (back) and Kevin McReynolds (toe) were not in the lineup for the third straight day, and the Mets also lost center fielder Daryl Boston with an injury. Boston made a spectacular backhanded running catch in right-center field to rob Ryne Sandberg of a hit in the fifth.

Boston hit the base of the outfield fence, which caused a slight left shoulder separation.

8 Statesman Monday, October 1,

AMERICAN LEAGUE East Division W L Pat. GB 86 73 .541 -Boston 85 74 .535 1

Toronto Detroit 77 82 .484 75 85 .469 Cleveland 11% 74 84 .468 72 87 .453 Baltimore Milwaukee New York 66 93 .415 20

West Division W L Pct. GB 102 57 .642 -X-Oakland Chicago 93 66 .585 9 82 77 .516 20 Texas 78 81 .491 24 California 76 83 .478 26 Seattle Kansas City 75 84 .472 27 72 87 .453 30 Minnesota

Sunday's games Baltimore 6, Cleveland 3, 1st game Cleveland 7, Baltimore 3, 2nd game Detroit 1, Minnesota 0 Toronto 10. Boston 5 New York 7, Milwaukee 2 Chicago 2, Seattle 1 Oakland 4, Texas 3 Kansas City 2, California 1

Cowboys-Giants Stats Dallas 0..3..7..7 - 17 N.Y. Giants7.10..0.14 - 31

NYG — Ingram 12 passes from Simms (Bahr Kick), 13:27 Dal - FG Willis 22, 3:20 NYG - FG Bahr 34, 8:49. NYG — Mrosko 7 passes from Simms (Bahr kick), 13:44. Dal - Smith 4 runs (Willis kick), 7:59 NYG — Hampton 27 pass from Simms (Bahr kick), :38

NYG - Hostelter 12 run (Bahr kick), 9:40 Dal - Novacek 7 pass from Aikman (Willis kick), 13:02 A -- 75,923.

Individual Statistics

RUSHING - Dallas, E. Smith 12-28, Wright 1-12, Highsmith 5-9, Martin 1-2, Aikman 1-0, New York, Anderson 17-79, Hostetler 3-33, Hampton 5-14, Tillman 7-6, Carthon 1-4.

PASSING — Dallas, Aikman 21-26-1-233, New York, Simms 16-22-0-188, Hostetler 2-2-0-24.

RECEIVING - Dallas, Novacek 9-85, Martin 5-65, E. Smith 4-38, McKinnon 2-36, Johnston 1-9, New York, Hampton 4-65, Cross 2-33, Ingram 2-27, Baker 2-26, Anderson 2-21, Mrosko 2-11, Rouson 1-12, Turner 1-10, Meggett 1-4, Carthon 1-3.

1 2 3 4 Final 7 0 7 14 28 Ione 7 0 7 14 28 STONY BROOK 0 3 7 0 10

IC - McGraw 1 yard run SB - Black 25 yard FG SB - Moran 3 yard run (Black kick) IC - Rhett 25 yd pass from Cooney (Bergin kick)

IC - Womack 14 yd run (Bergin kick) IC - Arteberry 2 yd run (Bergin kick) NATIONAL LEAGUE East Division W L Pat. GB

94 65 .591 x-Pittsburgh 89 70 .560 5 New York 82 77 .516 12 Montreal 76 83 .478 18 Philadelphia 75 84 .472 19 Chicago 70 89 .440 24 St. Louis

> West Division W L Pat. GB

x-Cincinnati 89 70 .560 84 75 .528 5 Los Angeles San Francisco 84 75 .528 5 Houston 74 85 .465 15 74 85 .465 15 San Diego 63 96 .396 26 Atlanta

x-clinched division title

Sunday's Games Philadelphia 2, Montreal 1 Pittsburgh 2, St. Louis 0 Chicago 6, New York 5 San Diego 3, Cincinnati 0 Houston 6, Atlanta 2 San Francisco 8, Los Angeles 2

Yesterday's Games Late Game Not Included New York Glants 31, Dallas 17 New York Jets 34, New England 13 Buffalo 29, Denver 28 Green Bay 24, Detroit 21 Indianapolis 24, Philadelphia 23 Miami 28, Pittsburgh 6 Tampa Bay 23, Minnesota 20 OT Los Angeles Raiders 24, Chicago 10 Kansas City 34, Cleveland 0 Houston 17, San Diego 7 Washington at Phoenix (n) OPEN DATE: Atlanta, LA Rams, New Orleans, San Francisco

Yankees 7, Brewers 2

New York

Totals ... 33.7.9.7

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New York 100 040 101 — 7 Milwaukee 010 100 000 — 2 E — Sveum. DP — Milwaukee 1. LOB — New York 8, Milwaukee 4. 2B — Vaughn, JeBarfield, Gantner, Sax. HR — Vaughn (17). SB - Kelly (42), Sax (40). - Sax, Mattingly

East W L T Pa. PF PA Buffalo 3 1 0 .750 92 75 3 1 0 .750 88 57 Miami New York 2 2 0 .500 88 89 Indianapolis 0 .250 60 119 New England 1 3 0 3 0 0 1.000 87 43 Cincinnati 2 0 .500 77 84

AFC

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Houston

Scattle

Cleveland

NFC East

W L T Pa. PF PA New York 0 0 1.000 106 47 Washington 0 .667 63 41 **Phoenix** 0 .333 30 80 Dallas 3 0 .250 56 92 Philadelphia 3 0 250 91 95

Central 3 I 0 .750 77 53 Chicago 0 .750 98 Tampa Bay 2 0 .500 76 93 Green Bay 3 0 .250 93 Detroit 3 0 250 Minnesota

West

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New York

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Salazar If 3000	Boston cf 1010
Pavkasp 0000	Jelic If 1000
DwSmtph 1012	Hughes If 2000
Nunez p 0000	OBrien c 2100
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Berryhill c 3020	Fradez p 1000
Dunston ss 4 1 1 0	Herr ph 1000
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Chicago 200 000 022 -- 6 New York 000 031 100 - 5 E -- HJohnson 2. LOB -- Chicago 7, New York 6. 2B — DwSmith. 3B — Jefferies. DReed.

HR — Dawson (27). DReed (1). SB HJohnson (34). SF — Magadan.

The 50 watch is on for Fielder's blast

DETROIT (AP) — Would-be fielders of Cecil's big blast are waiting, and the cheap seats rarely have been so popular. The count is two and holding for Cecil Fielder in the chase for 50 home runs.

Fans with gloves in hand have crowded the left field seats since early September in hopes of a catching one of the burly Fielder's prodigious shots.

If it's the 50th homer, a fan could:

Donate it to the Baseball Hall of Fame. The Hall has the record 61st home run ball Roger Maris rocketed into the right field stands of Yankee Stadium in 1961. Fielder's 50th would be part of its 1990 collection that will be displayed through 1992.

- Sell it. Collectors say the ball could be worth \$200 or more.

Trade it. Tiger officials say anyone wanting to give it to Fielder would be escorted by an usher to the stadium office, where the fan could meet the first baseman after the game, and possibly trade the ball for another ball, a bat or other items.

- Keep it, as for what Tom House calls "a vicarious connection" to a star.

'A baseball is a physical representation that connects a person of star status with a person of something less than star status," said House, pitching coach of the Texas Rangers. "It ties the two of them together in a way they never would be otherwise.

"That's why people will tear up a \$500 suit to get a \$6 baseball."

In 1974, Henry Aaron's 715th home run off Al Downing broke Babe Ruth's career record. House caught it in the Atlanta

bullpen.

"It made me an answer in Trivial Pursuit." House said. "I do 10 or 15 clinics every year around the country, and I'm always introduced as the guy who caught Hank Aaron's 715th homer.'

The last Detroit Tiger to hit 50 homers in a season was Hank Greenberg, who finished with 58 in 1938. He didn't keep the 50th or the 58th, said his son, Steve Greenberg, deputy baseball commisioner.

"My dad's philosophy was that he was going to go out and do something even greater next season than he had done the previous year. He didn't dwell on nostalgia, if you will," Greenberg said.

A fan might need some signed statements from ushers and other witnesses to prove the authenticity of the ball, Tigers spokesman Dan Ewald said.

When Fielder became the third player to hit a ball over the left-field roof at Tiger Stadium, on Aug. 25, Ewald presented him with that ball, recovered from a rain gutter by a member of the grounds crew. Then four fans showed up at the Tigers offices the next day claiming they had the ball.



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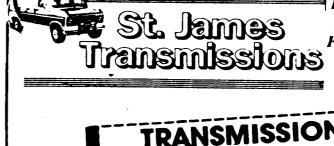
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Patriots extend losing streak

FOOTBALL from page 16

Brook had rushed for more yards than Iona.

The second half began well for the Patriot defense. About a minute into the third quarter Mike Benedetto pulled in the first of his two interceptions. It was the third interception thrown by Hyland on the day.

The Pats took advantage of the turnover. On the first play of the series, Kornegay carried the ball seventeen yards to the Ional thirtythree. Two plays later Moran, avoiding a blitz, threw a twentytwo yard pass to Anthony Meola, who was wide open because of the blitz. The Pats almost got their first touchdown on the next play when Moran hit Joe Cappellino in the end zone, but a vicious hit by Justin Meaghar knocked the ball loose. The moment of truth came on the next play when Moran took the ball in himself from the Iona three yard line. Stony Brook took the lead 10-7 with the score.

After Hyland threw his fourth interception of the game, Coach Harold Crocker replaced him with Ted Cooney, a transfer from Division I Delaware.

Cooney turned the game around. After mission in his first pass attempt, he completed three straight passes, the last of which was a twenty-seven yard screen to Geoffrey Rhett for Iona's second touchdown. The eight play, eighty-two yard drive made it 14-10 in favor of the Gaels.

Cooney, who finished the game with eleven completions in twelve attempts for 191 yards, threw his second touchdown pass a few minuted later, making it a 21-10 game. A few possessions later, running back Mike Arterberry completed an impressive drive with a three-yard touchdown run. This last touchdown sealed Iona's 28-10 victory.

Despite giving up twenty-eight points, the Patriots defense held its own against Iona's well stocked backfield. One defensive standout was Benedetto, who had two interceptions and a sack. Both interceptions came in the third quarter. When asked about his team's performance, the sophomore line-backer said, "The team played a good game, but a few breakdowns ... mental breakdowns, hurt us."

Coach Kornhauser was pleased with his team's effort.

"It was a real proud effort. The defense played very hard. Our offense played their best game of the year."

"We took a step in a positive direction," he added. "We're going to get better because of the players' efforts today."



Statesman Sports Monday, October 1, 1990

Patriots blown off course by Gaels, 28-10

By Pete Parides
Statesman Associate Sports Editor

A much improved Patriot football team took their fourth loss in as many games Saturday. The big news for the Pats, who lost 28-10, to the Gaels of Iona College, is that the offense has finally gotten the monkey off its back by putting some numbers on the board.

Coach Sam Kornhauser started quarterback Joe Moran, who hasn't played since he went down with a back injury in the season opener. Moran seemed a bit rusty at first, but as the game progressed he rediscovered his rythm. Moran's slow start was evidenced by the fact that the Pats could not move the ball for any yardage in their first two possessions. As Kornhauser put it "If you haven't played in four weeks, you're not going to be at 100 percent. Sure he was a little rusty. But he's a good quarterback.'

Iona found the end zone first, scoring in their opening possession. With a first down at their twenty-three yard line, quarterback Bill Hyland dished off a shuffle pass for a twenty-two yard gain. A few plays later, in a third and seventeen situation, he hit his favorite receiver, Garrick Faide, for twenty-three yards and a first down.

On the next play, Iona's sophomore quarterback found another of his receivers, John Farrelly, wide open down the middle to put the Gaels on the Stony Brook



Statesman/Ed Polania

YES!- Jubilation erupted when the Patriots scored their first points of the season Saturday against Iona, but it wasn't enough: the Pats lost 28-10.

three-yard line. One play later running back Tyrone McGraw carried the ball across the goal line. The extra point was good and Iona had a 7-0 lead.

The Patriots came close to scering later in the quarter after an interception by Chris Lopata put them in good field position. But a field goal attempt by Rich Black was blocked and the Pats came up empty.

Stony Brook's offense came alive in the second quarter. After Pete Orlowsky came up with an interception at the Iona forty-eight yard line, Moran and his offense went to work. On the first play following the turnover, freshman running back Steve Kornegay ran for a seventeen yard gain. Three plays later Moran stopped up into the pocket as if to pass, but kept the ball himself for a gain of sixteen yards. After three unsuccessful plays Black booted a twenty-five yard field goal for Stony Brook's first score of the year. The field goal made it a 7-3 game in favor of Iona.

The rest of the second quarter saw the Patriots move the ball successfully, especially on the ground. By the end of the first half, Stony

See FOOTBALL on page 15

'We are family'-1990

ST. LOUIS (AP) — The Pittsburgh Pirates clinched their first National League East title since the disco days of "We are Family," beating the St. Louis Cardinals 2-0 yesterday on Doug Drabek's three-hitter.

Pittsburgh, which has won a season-high seven straight games and 10 of 11, will play Cincinnati starting Thursday in a rematch of the 1979 NL playoffs. The Reds and the Pirates were the only NL teams not to win division titles in the 1980s.

The Pirates, who finished fifth last season with a 74-88 record, dominated the NL East at the start, closing April with 10 victories in 11 games to take over first.

Pittsburgh has led the division for 147 of 175 days, moving into first place for good by beating Philadelphia on Aug. 4 and then sweeping a three-game series from New York Mets.

A three-game, season-ending series between the second-place Mets and Pittsburgh will now be meaningless.

While the Pirates reached the top, the Cardinals dropped to 70-

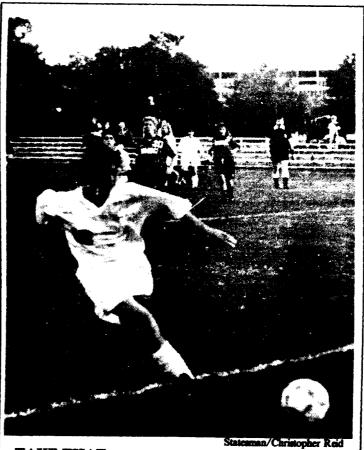
89 and ensured they will finish last for the first time since 1918. It was the longest streak any club had gone without finishing last.

Drabek (22-6), the NL Cy Young Award favorite, closed out the clincher in style with his third shutout of the season and ninth complete game. He pitched to only one batter over the minimum through seven innings and won for the eighth time in nine decisions. He has lost only twice in 18 starts since June 28.

Drabek gave up a one-out double to Terry Pendleton in the second, a leadoff single to Jose Oquendo in the third and a one-out single to Milt Thompson in the fifth. But he stranded Pendleton on third and helped himself by picking off both Oquendo and Thompson.

Gary Redus followed with a sacrifice fly to center and, after Jay Bell walked to reload the bases, Andy Van Slyke grounded to first and Lind beat a wide throw from Pedro Guerrero at the plate.

Magrane gave up five hits and two runs in eight innings with three strikeouts and three walks.



TAKE THAT - The women's soccer team triumphed over Maryland-Baltimore County 1-0 Friday to gain their first win of the year.

Simms passes Giants to win

By Tom Canavan
AP Sports Writer

EAST RUTHERFORD, N.J. (AP) — The Dallas Cowboys dared the New York Giants to throw the ball and the offer was just too good to resist for Phil Simms and the NFL's most boring offense.

Simms threw three touchdown passes for the first time in more than a year and moved past Hall of Famer Terry Bradshaw into 20th place in all-time completions as the Giants continued their dominance of Dallas with a 31-17 decision yesterday.

The victory, New York's sixth straight over the Cowboys, also was the second in three weeks against Dallas (1-3) and sent New York into the NFC.

The win was similar to New York's 28-7 decision in Dallas, with one exception: the Giants opened things up more with the pass instead of pounding it out on the ground like the first game when they rushed 50 times for 168 yards.

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