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Senate approves funding

By PHILIP GUTIS
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The state Senate passed a 5.8 percent increase amounting to \$127 million in appropriations for the University yesterday.

Gov. Dick Thornburgh will now receive the appropriations legislation, and since the General Assembly passed his initial recommendation, is expected to sign it.

However, Art Ciervo, director of Public Information and Relations in Old Main, said the University may not get the appropriation passed by the General Assembly.

He said there is still a \$41 million deficit in the state's budget. The state is trying to fund the deficit by obtaining \$26 million from the Liquor Control Board and \$15 million by increasing various fees, including restaurant and river pilot licenses, Ciervo said.

If the legislature cannot fund the deficit, Ciervo said, "there is a good possibility that they will take it out of the non-preferreds (Penn State, University of Pittsburgh, Temple University and Lincoln University) — we hope it won't."

Voting unanimously, 49-0, the Senate passed the appropriation, said Sen. J. Doyle Corman Jr., R-central Pa.

"I'm happy we got it through at the level we did," Corman said. "Penn State was happy with the level.

"Certainly we'd always like to get more — its better for the students and for the economy in Centre County," he said.

Ciervo said "We appreciate the Senate approval of the

budget at the level proposed by the governor."

The University Board of Trustees already approved a new budget calling for a 10.5 percent increase in tuition starting Fall Term. This increase is not in addition to the 5 percent tuition increase announced last summer.

Along with the tuition increase, the budget is going to be balanced by \$2.2 million in internal reductions and reallocations, said University President John W. Oswald. The University will also cut \$2.6 million in essential expenditures, he said.

Salary adjustments for faculty members and staff represent the largest increases in expenditures, according to Public Information and Relations in Old Main.

This approved appropriation leaves the University with a \$13 million deficit in its original budget.

Last September the University submitted a \$140 million 1980-81 appropriations request representing only the University's most urgent financial needs, according to budget information presented to the House of Representatives by the University.

The Senate Appropriations Committee decided not to hold appropriation hearings for the University, but last week they sent the \$127 appropriation level to the floor of the Senate.

Along with the general funds appropriation the state has given the University, it has also received \$8 million for renovations to the West Campus Power Plant and \$4 million for completion of the new sewage treatment plant.



Bubbling with pride

These young men joined hundreds of other gay rights supporters in New York City who came "out of the closet" and into the street for Sunday's Gay Pride Day march. The festive spirit of the parade, coupled with the camaraderie of the marchers, spread through the streets and warmed the atmosphere of an otherwise damp and cool day. See related story and photos on Page 3.

Carter orders airlift to Thailand

WASHINGTON (AP) — President Carter ordered yesterday an immediate airlift of about \$3.5 million in artillery and rifles to help Thailand's armed forces in the face of Vietnamese Army attacks from Cambodia.

Carter's action follows an urgent appeal from Thailand for a speed-up in delivery of some equipment from the United States already ordered and paid for.

The relatively small amount of arms, as well as ammunition, covered by

Carter's speed-up order, suggests it is a token demonstrating U.S. support.

However, Pentagon officials said they are examining the possible availability of additional equipment from U.S. military stocks which could be shipped to Thailand soon.

The Thais have nearly \$600 million in a wide range of military equipment, spare parts and other items on order in the United States.

Carter's directive will lead to early airlift of 1,000 M-16 rifles, 18 105-

millimeter howitzers, 38 106-millimeter recoilless anti-tank guns and what were described as "significant quantities" of artillery and machine gun ammunition.

The rifles, artillery and anti-tank guns will be flown across the Pacific in six or seven U.S. Air Force C-141 transport planes.

The Pentagon said the U.S. government will absorb the \$1 million airlift cost "as a measure of our support for Thailand in the wake of Vietnam's attack on her border area."

Russian 'spying' must stop, Iran says

From our Wire Services

Iran's powerful Islamic fundamentalists warned the Soviet Union yesterday that its diplomats may be treated the same way as the 53 captive Americans unless they stop "spying" on Iran.

The warning, contained in the official newspaper of the Islamic Republican Party, came as Tehran Radio reported what appeared to be President Abolhasan Bani-Sadr's toughest attack on his fundamentalist critics to date.

Iranian officials also announced that even if the cancer-stricken deposed Shah of Iran dies, the 53 American hostages will not be freed unless the United States ends its economic embargo and promises not to meddle in Iran's affairs, according to a Tehran newspaper, Donyayeh Iran.

In a speech made on Monday but not carried by the radio until yesterday, Bani-Sadr said Iran was "endangered from within" by fundamentalists whose excesses are just as bad as those of the deposed shah.

"It is possible to mention numerous examples which illustrate how our revolution is endangered from within," Bani-Sadr said.

"In the past regime (of the shah) it was possible to attack the life and property or position of anyone illegally. It is also possible in this regime.

"In those days (it was done) in the name of the

shah, and today in the name of the campaign against counter-revolutionaries," he said.

"Censorship rules this country," the president declared.

"When the people are kept ignorant, they do not understand. When they do not understand, they do not obey. When they do not obey, they are thought of as rebels. Then you begin using force . . . and when force is used, you get addicted to (it)," he said.

If this is allowed to continue, he said, there will be "no difference between this regime and the one just overthrown."

Bani-Sadr and the fundamentalists have been locked in a bitter struggle for power that has pushed back the start of a parliamentary debate on the fate of the 53 American hostages, who will complete their eighth month in captivity July 4.

Parliament has been charged by Ayatollah Ruhollah Khomeini with deciding what to do with the hostages.

The Islamic Republican Party, the fundamentalists' political alliance, meanwhile reacted to Monday's expulsion of a Soviet diplomat accused of spying by warning Moscow that its "spies" would be treated the same way as American agents.

Clark urges conciliatory moves

WASHINGTON (UPI) — Ramsey Clark asked Congress yesterday to investigate past American actions in Iran, try to lift the sanctions President Carter imposed on Tehran and meet with Iranian legislators.

Clark, the former attorney general who recently traveled to Iran without a State Department OK, told House members that such conciliatory moves might not free the hostages who have been held since Nov. 4.

But at least, he said, such moves would help quell the anti-American mood in Iran.

Clark spoke at a luncheon hosted by Rep. John Conyers, D-Mich., and the Fund for New Priorities, a liberal political group.

"We should apologize (to Iran) if we did wrong and I think we did wrong," Clark said, adding that an apology would be "acknowledging the truth and our responsibility."

New no-fault divorce legislation in effect

Pennsylvania's new divorce legislation, allowing for no-fault divorces, went into effect yesterday.

However, only one divorce petition was filed yesterday with the Centre County prothonotary's office, said Ruth Rudy, prothonotary.

The Centre County Domestic Relations office held a meeting with county lawyers last night to discuss the local provisions and proper procedures for filing petitions last night.

After this meeting, Rudy said, she is expecting many petitions.

The no-fault provision in the legislation allows one spouse to win a divorce without regard to fault. As the law existed one party had to be judged at fault before a divorce was granted.

The new legislation, the first major divorce reform in the state in nearly 200 years, establishes four major areas of reform:

- Divorce by mutual consent 90 days after a petition has been filed in court.
- Contested divorce granted after a

separation period of three years and after the filing of a petition stating the marriage is irretrievably broken.

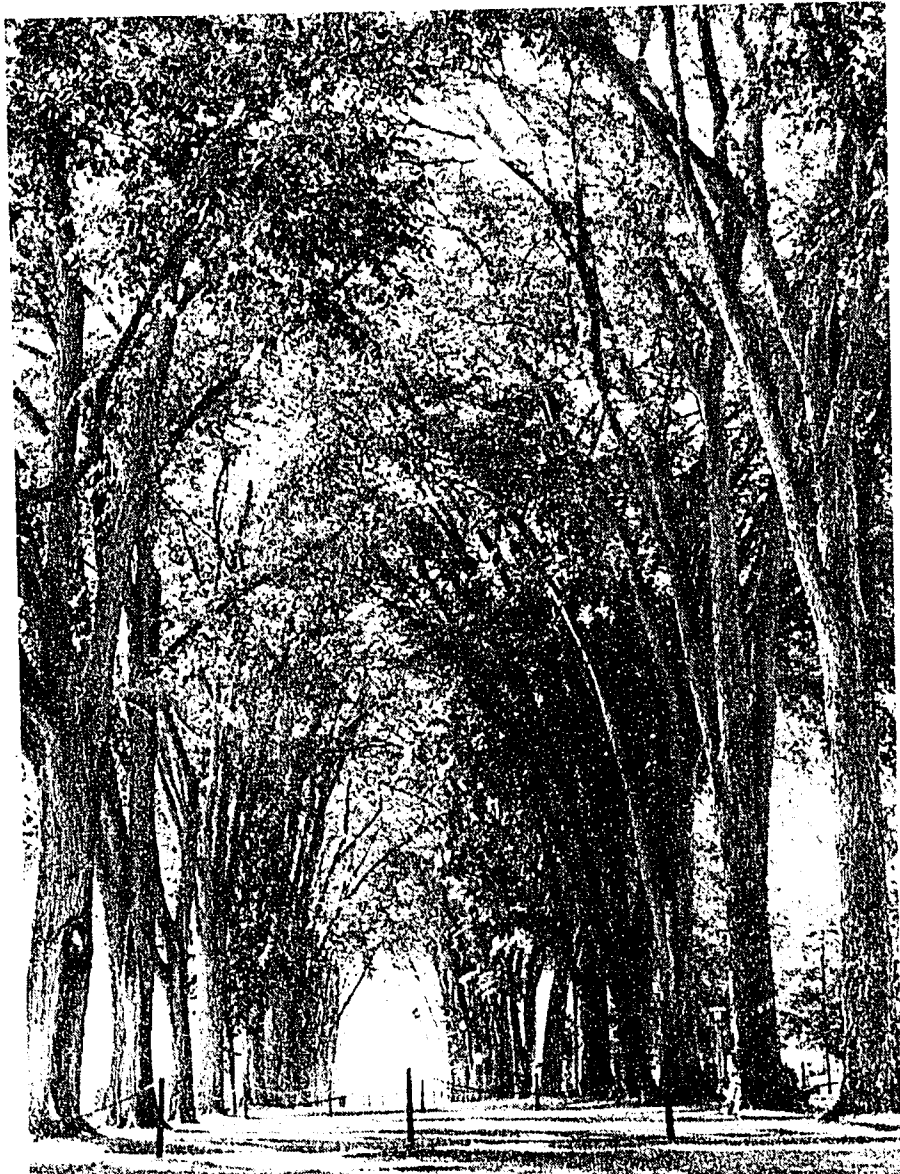
- Equitable division of property.
- Alimony when property settlements are deemed insufficient.

The legislation still provides for divorces on the basis of the following faults: adultery; cruel or barbarous treatment endangering the life or health of the injured and innocent spouse; imprisonment for a term of two or more years; mental abuse; and confinement in a mental institution for at least three years.

State Rep. Gregg Cunningham, R-Centre County, one of the main supporters of the legislation in the House, said, "It (the new legislation) is an imperfect effort to minimize a vast problem."

"We are going to have fine tune it," he said. "As problems are identified with I stand ready to make the adjustments that are needed."

—By Philip Gutis



Scenery greenery

The Summer Term view down the Mall, in this photo strangely devoid of people, resembles an open air Gothic cathedral. This month's Central Pennsylvania Festival of the Arts will provide the same scene a much more crowded and bustling look.

Students could receive \$350,000

Suit against University possible

By PHILIP GUTIS
Daily Collegian Staff Writer

A class action suit filed against the University — which could result in payments of about \$350,000 to students — will probably be certified, said Judge Harold B. Fink.

"I think I have resolved the matter in favor of certification," he said.

Certification would allow two students who resided in the dorms Spring Term 1978 to file suit on behalf of 11,626 fellow dorm residents, said Virginia Eisenstein, attorney for the students.

Fink, in the Centre County Court of Common Pleas, delayed his decision until Eisenstein and Mark Faulkner, attorney for the University, file briefs.

Jane B. Brennan and Edward D. Joseph are the main plaintiffs in the case stemming from the University's shortening Spring Term '78 by five days because of a widespread coal strike in the country, said William H. McKinnon, assistant vice president for Housing and Food Services.

Brennan originally filed suit with District Magistrate Clifford Yorks asking for a \$23,49 refund. She lost that case in May 1978 and, with Joseph, changed her suit to a class action.

They then appealed Yorks' decision to a Common Pleas court.

The judge heard testimony to determine if a class action is warranted. If he decides class action is appropriate, the case will then be tried again to determine damages.

During April '78 the University credited the general deposit of each student residing in the dorms Spring Term \$8.40 for services not supplied.

University President John W. Oswald

said the \$8.40 figure was calculated based on double room costs of \$6.13 per day minus \$4.45 in fixed costs. The Daily Collegian reported April 12, 1978.

"They (the University) got scared because they didn't want to get involved in many suits," Joseph said.

Testimony yesterday and Monday at the County Court House in Bellefonte concerned the actual length of the term and the students who would be included in the class action.

Eisenstein and the plaintiffs contend that under the original term calendar students were entitled to 80 days of housing and food services and under the revised schedule only 75 days of services were supplied.

Brennan and Joseph are seeking a 6.25 percent refund for the five days, an average of \$30 per student, they said.

On Feb. 23, 1978 the University changed the term calendar.

Instead of beginning Spring Term March 5 and continuing it until 3 p.m. May 23, the University delayed the term and began March 12 and continued till 3 p.m. May 25, the plaintiffs said.

Faulkner said the housing and food service contract does not designate an exact number of days students are entitled to the services.

However, Brennan said 80 days were allowed "not by contract, but by precedent."

McKinnon said students are "encouraged" to leave the dorms by 3 p.m. the day following their last exam.

"I think they basically do," he said.

Faulkner added that students staying after that time do so at the courtesy of the University.

The contract states dorms open on a

certain day and students are required to leave the day following their last final exam, he said. There are some students who do not have final exams who should leave the day following their last class, he added.

This means there is no definite period in which students are entitled to the services, Faulkner said.

Also, graduating seniors are allowed to stay in the dorms without additional charge, with no food services, until graduation day, he said.

Brennan testified she "never remembers the University forcing a student to leave before the dorms closed."

During the statements of facts in the case Fink said, "No matter how you look at it (the delayed term)."

John F. Brugel, director of the Office of Student Aid, testified that 4,000 students received grants — complete or partial — which would exclude them from a class action suit.

However, Fink said he would not refine the proposed class and exclude any students receiving full or partial grants.

"It is not the design of this court that they (students receiving full grants) be compensated by any reimbursement . . . for they paid nothing in any event," he said.

A large portion of the testimony also dealt with the notification procedure to be followed if certification is granted. The present plaintiffs would have to try to notify all 11,626 possible plaintiffs in the case, said Fink, a judge from Potter County.

Since many students living in the

dorms spring '78 are now alumni and many are still enrolled in the University, locating current addresses would involve \$650 to \$1,000 in computer charges, testified Keith D. Wheeland, manager of process control for the University.

Eisenstein formulated another — possibly less effective — plan to notify students. She proposed using parents' addresses on dorm contract student files, which would be less costly but also less effective, she said.

The two students have only \$700 available for legal services and all related costs, Fink stated in his findings of facts in the case.

Before adjourning for the day and continuing the case, Fink said the suggested class does not contain so many people that all could not be adjudicated.

However, speculating that it would take six months to do so, Faulkner said, "I perceive this class as a monster . . . I'm prepared to have 11,000 cases adjudicated separately."

Clouds for a day

Today will be quite cloudy and rather humid with a few showers and thunder showers scattered about. The temperature will struggle toward a high of 78. A few lingering showers early this evening will give way to partial clearing later tonight with a low of 60. Tomorrow will be partly sunny with a delightful high of 79. The Fourth of July will see a spectacular display of sunshine with just a thin spattering of clouds as the temperatures rise freely toward a high of 81 degrees.