

# An independent newspaper Oregon Daily Emerald



## War on the horizon

Joey Harrington and the No. 5 Ducks begin their week-long preparation for No. 8 OSU. **PAGE 7**

## Sustainable showcase

A symposium held today in the EMU will highlight environmentally-conscious modes of use. **PAGE 3**

WEATHER  
TODAY



RAIN  
high 50, low 37

SINCE 1900 UNIVERSITY OF OREGON EUGENE, OREGON

# Nation waits as Florida recounts ballots

■ A federal judge granted permission to continue the manual recount in four Florida counties

By Anne Gearan  
The Associated Press

MIAMI (AP) — George W. Bush lost a round Monday in the post-election legal battle, when a federal judge let contested ballot counts go forward in the aftermath of Florida's close-as-can-be presidential voting.

Meanwhile, Democratic opponent Al Gore went to a different court to stave off a deadline for finishing the Florida count.

A federal judge rejected the Bush

campaign's attempt to cut off manual recounts requested by Democrats that both sides say could favor Gore.

U.S. District Judge Donald Middlebrooks said election mechanics are state responsibilities and challenges to them must be handled by state courts. Republicans did not immediately say whether they will appeal.

"A federal court has a very limited role and should not intervene," Middlebrooks said.

The Bush campaign is expected to make a decision on appealing the federal judge's ruling Tuesday.

Two options under consideration are appealing to the 11th Circuit Court of Appeals in Atlanta or making an emergency appeal directly to

the U.S. Supreme Court, according to a Republican source familiar with the Bush campaign's legal strategy.



The day's legal clashes put the unresolved Nov. 7 election before state and federal courts and increased the sense that judges will control the eventual outcome. Both sides have said

they feared the election could get caught in a legal tit-for-tat, yet both campaigns put their names on lawsuits in recent days.

Florida's 25 electoral votes hang in the balance, and will likely determine who becomes president.

Middlebrooks, a Clinton nominee, issued his ruling from the bench shortly after Florida's top election official said she would require all counties to submit their vote totals by Tuesday at 5 p.m., a deadline she said was fixed in state law.

Democrats suggested Secretary of State Katherine Harris was motivated by her Republican affiliation.

Senior Gore adviser Warren Christopher acknowledged that the legal back-and-forth "seems to be getting a little bit argumentative," but said his side kept its powder dry until forced into court by Harris.

"We want to be able to defend ourselves, to defend the rights of the voters of Florida to have a fair outcome."

Under Florida law, manual recounts are allowed if a candidate meets a post-election deadline to request them and the local election board agrees. Democrats asked for recounts last week in four heavily Democratic areas of the state, including Palm Beach County.

A local judge, James Carlisle, recessed himself Monday from considering lawsuits filed by voters who said they were confused by Palm Beach County's ballot.

Lawyer Harry Winderman, who was in court on another matter, ac-

Turn to Elections, page 4

# Repeated police visits will now carry fines

■ Despite ASUO input, EPD's Special Response Fee gets unanimous council support

By Lindsay Buchele  
Oregon Daily Emerald

After carefully considering the opinions of University students, the Eugene City Council voted unanimously Monday night to pass the Special Response Fee Ordinance, which will fine Eugene residents for repeated police response to parties at their home.

Proposed by the Eugene Police Department, the ordinance has been under review of the council for more than a year before its final revision was approved.

A unanimous vote was also cast for the Emergency Clause to the ordinance, which puts it into effect immediately.

ASUO community outreach director Christa Shively and ASUO President Jay Breslow both spoke to the council during the public forum before the vote was cast.

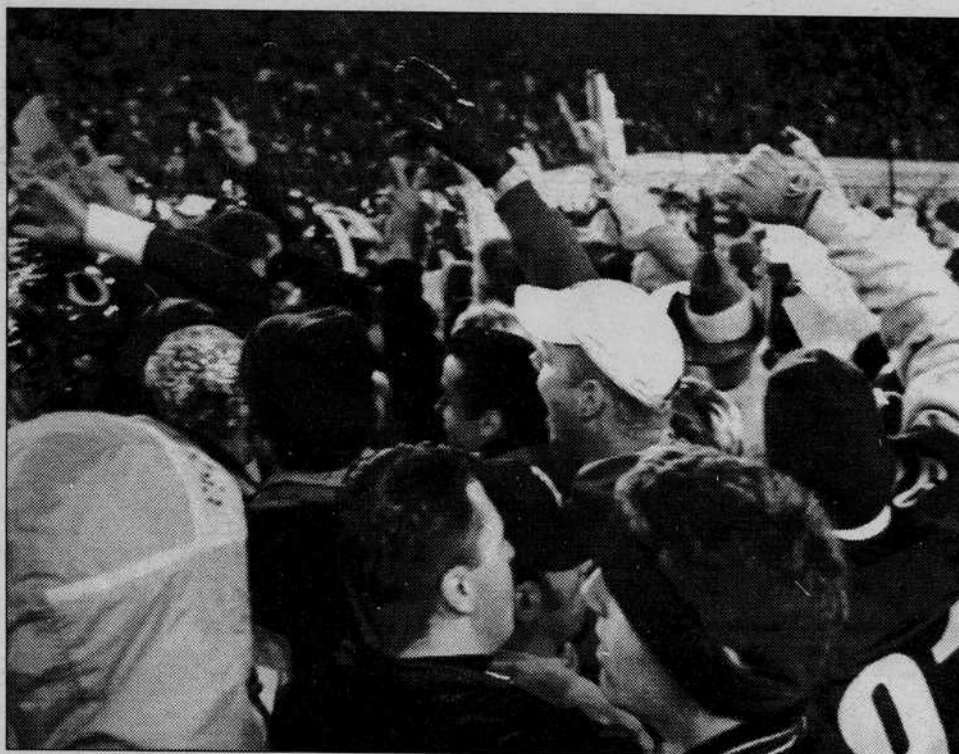
"We do not feel [this ordinance] is the best form of action and we would not support it," Shively said. "However we know the ordinance will pass, so we just ask that the work we have done with the council will be taken into consideration."

Discussion of the ordinance began after police found themselves responding more frequently to problematic parties. These parties often involve excessive noise, obstruction of public streets or sidewalks, minors in possessions of alcohol, serving alcohol to minors, littering, fights, and disorderly conduct.

Modeling the ordinance after similar ones in Berkeley, Calif. and Corvallis, Ore. Lieutenant Carolyn McDermed and Lieutenant Rick Gilliam are two officers who set out to provide Eugene with a way to respond to fees incurred by responding to local parties.

"We've been having to pull officers from other parts of the city and hire additional officers just to respond to out of control parties," McDermed said.

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Catherine Kendall Emerald

Stadium security officers keep a watchful eye on crowds of football fans in case the excitement gets out of hand.

# Drunk with Victory

■ The Ducks' final home game packed Autzen with fans, but some celebrated a bit early

By Lisa Toth  
Oregon Daily Emerald

The first ejection of Saturday's football game between the Oregon Ducks and the California Bears didn't happen to a player on the field.

It occurred at halftime when Crowd Management Services and the Eugene Police Department removed an angry, intoxicated student from the Autzen Stadium grandstands.

The unidentified student, who recently turned 21, wasn't cited, but EPD Sgt. Tim Mc-

Carthy took over, handcuffed the student and placed him under protective custody because the student was verbally resistant.

Police confiscated a flask of alcohol, the student received a criminal trespass warning and police escorted him off stadium property.

Monday's EPD crime log featured 14 incidents from Saturday's game, which don't include ones such as Sgt. McCarthy's when no citation is given. Similar to past weekends this season, EPD and CMS worked to handle a fight in the student section, remove beach balls thrown onto the football field and arrest a student who was fined for possession of mar-

ijuana and alcohol.

When enthusiasm turns to chaos in the middle of 45,845 screaming fans, the Star Plex Crowd Management firm and the EPD are expected to step in and take necessary enforcement measures. But in the massive crowd, some students said major problems are overlooked by those in charge.

Jill Methvin, a junior education major, said she twice reported to CMS that a rowdy group of students next to her were smoking marijuana and drinking alcohol.

Methvin said CMS told her they would keep an eye on the group, but when they patrolled the aisles, Methvin said they

Turn to Crowds, page 4

# Council passes Eugene smoking ban

■ In a 7-1 vote late Monday, the Eugene City Council banned smoking in local bars

By Rebecca Newell  
Oregon Daily Emerald

The Eugene City Council ended a plethora of public controversy by banning smoking in bars, taverns and bingo parlors at Monday night's meeting. Effective July 31, 2001, all business establishments in Eugene with two or more employees will be smoke-free.

"I wasn't sure if it would pass and I'm relieved it did," Councilor Betty Taylor said. "It was the right thing to do."

Despite a lengthy consideration of exemptions for smoking rooms by the council, the measure passed without any changes. A motion by Councilor Gary Papé to exempt facilities which have a separate smoking room did not

receive support to put it to a vote. Mayor Jim Torrey's suggestion to allow bars, taverns and bingo halls to allow a separate smoking room utilized only for smoking, not for eating or drinking, was also voted down.

"[The separate smoking room] is not enforceable and workers would feel pressured to go into those rooms and serve patrons," Councilor Bonnie Bettman said.

Councilor Gary Rayer added that a letter from the Oregon Liquor Control Commission says a separate smoking room would be difficult to enforce — such as keeping the doors shut and keeping patrons from drinking in the smoking room. Rayer also said air quality would also be hard to control or monitor.

Councilor Pat Farr, who registered the lone 'no' vote against the ordinance, said he would support the ordinance. Turn to Smoking ban, page 3