



The Rebel Yell

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PHOTO BY ROB WEIDENFELD

Monsoon

Students resorted to umbrellas Monday as rain fell steadily throughout the day.

Foley recall effort appears doomed

BY ERIN HIMES
STAFF WRITER

A Nevada constitutional technicality has derailed the recall effort against Regent Joseph Foley.

A hearing was held at District Court 5 Monday to determine validity of the petitions calling for Foley's recall.

The recall was organized by Citizens for Recall, a group of supporters of former men's basketball coach Jerry Tarkanian unhappy with Foley's conduct.

"I can't uphold the petition effort because it goes against the constitution," said Judge William Beko. Beko was referring to a provision of the constitution that bases the number of petitions on the previous election.

The boosters based their figure on a number they say they obtained for Douglas Lovitt, assistant registrar of voters. Lovitt told the boosters they needed 3,607 signatures, a figure based on voters registered for the 1990 election.

Foley's argument, one apparently held by Beko, was they should have based it on the most recent election in 1992.

This would have increased the signatures needed to 5,272. The group actually collected 4,192.

The group's lawyer, Dan Albrechts, argued that not only had Lovitt adamantly told them the amount of signatures needed but they had also sent Foley a letter of intent to recall.

Albrechts argued that Foley had plenty of time to contest the number but waited until just before the hearing to contest it.



"Nobody had a problem with the number of signatures needed until they started preparing for the hearing," Albrechts said. "There was no objection when the figures were turned in. Now they're objecting."

"The fact that they relied on the registrar is their problem," Dan Foley, Joseph Foley's son and attorney said.

"They should have had their attorney's for consulting. It's their tough luck. It's too bad they didn't get the numbers they needed."

The petition faced another roadblock as well when Debra Morrison Phillips, a witness for Foley, said that she was misled about what the petition was for.

According to Phillips, the recallers said the petition was for Foley's mining efforts at Redrock and the dismissal of Tarkanian.

"There was no explanation given just that the petition was for the mining," Phillips said.

Phillips also claimed that Laree Bates, one of the members of the recall effort told her that Phillips would get \$100 to gather signatures for the effort.

The hearings continue today at 10:30a.m.

New bill the result of videotaping scandal

A bill outlawing electronic surveillance, except in criminal investigations, will come before the Legislature next week.

BY THOMAS MOORE
NEWS EDITOR

Paranoia lingering from the University Police's videotaping of the men's basketball practice could disappear if Nevada State Senator Bob Coffin has his way.

Coffin, D-Las Vegas, said he plans to introduce a bill outlawing video-taping or electronic surveillance unless it's for specific criminal investigations.

The bill is fallout from the video-taping incident two years ago when University Police hid a video camera in an air vent to catch student athletes in the act of allegedly violating NCAA rules.

The incident prompted the Board of Regents to write a system-wide regulation prohibiting surreptitious taping on campus. But Coffin feels this is not enough.

"I think that it's a dangerous thing and it's better as a state law than as a policy of the regents," Coffin said. "I think it (the regulation) said they would allow taping if the president of the university OK'd it. This runs against the grain of Nevada."

Coffin said there are state laws covering wire taping and his law would extend similar rules to other electronic surveillance including videotaping.

"It will prohibit electronic surveillance on campus unless it's for a criminal investigation," Coffin said. He added that anything of a nature that serious should involve Las Vegas Metropolitan Police.

Coffin said he doesn't believe that right now anyone in the present administration will be using this tactic again.

According to one other senator, Dina Titus, D-Las Vegas, the bill stands a good chance of passing.

"I think Bob wants to put video on the same level as audio," Titus said. "If you need video or audio you can

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Ashe leaves legacy behind

Former tennis great succumbed to AIDS-related pneumonia Sunday in New York.

THE ASSOCIATED PRESS

NEW YORK—Arthur Ashe, a pioneering black tennis player and crusader off the court for human rights and AIDS research, died Sunday of AIDS-related pneumonia. He was 49.

Ashe, the only black man ever to win the Wimbledon championship and the U.S. Open, revealed April 8 that he had AIDS in an emotional news conference prompted by his fear that a newspaper was about to publish the story.

He was infected by a blood transfusion during heart bypass surgery, probably in 1983.

He insisted that he should have the right to keep his illness private. But after going public, he became active in the fight against AIDS, forming a fund-raising foundation and joining the boards of the Harvard AIDS Institute and the UCLA AIDS Institute.

"A great leader has been taken away," tennis player Tim Mayotte said from the Volvo tournament in San Francisco.

"I saw him not too long ago, and he was talking about how well he was feeling. I certainly



wasn't prepared for this to happen," Mayotte said.

New York City Mayor David Dinkins, an avid tennis player, said he mourned the loss of his close friend.

"From his very early youth, Arthur Ashe always kept his eye on the ball, not just on the tennis court but in every aspect of life," Dinkins said. "There were so many victories for him to win and for us to celebrate."

Battle with AIDS loses a warrior

BY CHED WHITNEY
EDITOR

As the tennis world mourns the passing of Arthur Ashe, his loss may be felt most in the fight against AIDS.

"If he had remained alive, he would have contributed exorbitantly to the fight against AIDS," said Ken Tomory, student representative to the campus committee on AIDS. "And because he was heterosexual, he would have heightened overall awareness."

Ashe became a leading crusader in combating the disease when he was forced to go public about his illness in April. Soon after, he established the Arthur

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In an interview last November, Ashe said that his days were busier than ever, although he had his good ones and bad ones. "I'm not sick," Ashe said. "My

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