

# daily nebraskan

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# Court wants to start hearing anew

By Liz Crumley

After two hours filled with court recesses, objections and precedent on court rulings and motions for a delay, the ASUN Student Court decided Sunday to "start from the beginning" on the open hearing concerning the controversy between the ASUN Senate and the Council on Student Life (CSL).

The controversy surrounds the ASUN Senate's rescission of its six CSL student appointees Nov. 19. The plaintiffs, both CSL appointees, are Chip Lowe, a senior

political science major from Sioux City and Dennis Synder, a senior English major from Lincoln. The two charge that the Senate had rescinded the appointees without proper authority. The petition named the ASUN Senate as the defendant.

Chief Justice Doug Voegler said the hearing was to determine the factual situations leading to the rescission. Voegler, a senior law student from Schuyler, said another hearing dealing with the legal questions involved in the controversy would be scheduled.

The first question raised, was by ASUN President Jim Say, about whether Lowe's testimony was factual. The court decided it was.

Bruce Smith, first year law student from South Sioux City and legal council for the CSL members, then introduced the Senate-passed resolution that called for the rescission as evidence. But Sen. Frank Thompson (Graduate School) objected to the entire proceeding.

Thompson said he thought he was not being afforded due process at the hearing because the Senate's legal council was not present.

He added that he was not given written notice about the hearing.

After a recess, the court decided against Thompson's objections, saying that because he was properly represented by ASUN Senate officials, (Say and Second Vice-President Paul Morrison), he was not in a position to object.

The court also said that because Thompson had admitted he had known about the hearing, he couldn't "complain" because he had not received written notice.

Smith then called Sen. Simonson to testify. After deliberation between Thompson, Say and Morrison, another recess and decision by the court, Simonson refused to testify.

The court had decided it could not force a witness to testify. However, it said a witness could not "pick and choose" what testimony he wanted to give, but once he decided not to testify could not answer any questions.

However, the court changed its decision and allowed witnesses to pick and choose the questions they answered.

Say explained that Simonson did not want to testify because legal council was not present.

Say then asked for a delay of the hearing.

The court agreed and set the new hearing for Feb. 8 at 1 p.m.

Smith agreed with the delay, saying, "Obviously they (the ASUN senators present) don't like what's going on today. We don't like what's going to go on if we can't get anybody" to answer our questions.

The court then said briefs by both sides must be received by Feb. 4 and that rules and procedures for the hearing probably would be developed by that time.



Photo by Ted Kirk

From left to right, Frank Thompson, Paul Morrison and Jim Say discuss legal strategy at one of the Student Court's recesses Sunday.

# UNO students prepare suit over budget disparity

By Kim Shepherd

Three University of Nebraska at Omaha (UNO) students are preparing to sue the state to increase UNO's share of the NU budget.

The students responded to an advertisement placed by former State Sen. David Stahmer of Omaha in the UNO student newspaper, Gateway. Stahmer offered to pay up to \$5,000 in legal fees for any UNO student wanting to sue for a greater portion of funds allocated to NU by the Nebraska Legislature.

Stahmer refused to identify the students or the lawyer who will handle the case. He said the names would be released as soon as the suit is filed. The decision on whether or not to file the suit in Lancaster or Douglas county has not been made yet, nor have the defendants been named, Stahmer added.

The suit will be filed in six to eight weeks, he said.

The suit is intended to make up alleged disparity in financing between UNO and UNL. Stahmer said that UNO students pay proportionally more for their education than UNL students.

### Two alternatives

Stahmer said there are two alternatives that could eliminate the so-called disparity: UNO tuition could be lowered to reflect what he called the lack of services provided at UNO, or the state could give UNO an additional \$877,000 to bring financing up to UNL's level.

"If they (UNO students) have something less," Stahmer said, "they should pay something less."

State Sen. Glen Goodrich of Omaha is supporting the move to give UNO more money.

"An effort is being made to recognize the disparity in state support between the two campuses," Goodrich said. "It is the result of a study made by three Lincoln faculty, three Omaha faculty and two systems officials."

Goodrich said the study showed there was a disparity in financing amounting to \$877,000 based on last year's budget figures. The disparity this year is \$1,493,000, he said.

Those wanting to correct the disparity are not after funds that otherwise would be earmarked to Lincoln, Goodrich said.

### Don't take from UNL

"We will not go in the direction of taking from Lincoln," he said. "This is just part of the overall pressure that the Omaha delegation is fielding to get the problem solved."

UNO Chancellor Ronald Roskens declined to comment on the pending suit, but agreed with Goodrich that any additional funds provided to UNO should not come from UNL.

"I don't think we should ever get into the matter of depriving one campus of funds to give to another," Roskens said.

Stahmer said educational quality on both campuses lacks in comparison with Kansas University campuses he

# Anti-rape escorts start walking soon

Female Cather-Pound-Neihardt (CPN) residents no longer will have to walk home alone after studying at night because of a new anti-rape escort service to be started at the complex sometime this week.

The service is staffed by volunteers from CPN and is available only to CPN residents, according to Randy Burden, a junior pharmacy student from Gering and originator of the service. It will operate from 8 p.m. to midnight Sunday through Thursday and is available by calling 472-1095.

Phones are located in the Residence Hall Association (RHA) office, Neihardt 107, Burden said. Both women and men CPN residents will answer phones each night, and five walkers will be on-call, he added.

Burden said all male walkers will have identification so women will know they are from the service.

Burden said he thought of the service because he was "tired of walking by girls at night and seeing them scared."

Burden said calls also will be accepted from women who may have been raped. Counselors from the Lincoln Personal Crisis service and Rape Line, as well as Lincoln pastors will be on-call to help them, he said.

Walker applicants will be screened by a committee comprised of Burden and three other CPN residents, he said.

Burden said he hopes this will stimulate interest at other dormitories and fraternities to start similar services.

CPN men interested in volunteering for the service should call Burden at 472-9022. An organizational meeting will be tonight at 8:30 in Cather's multi-purpose room,

has visited. He said he blames this on the state not spending enough for education.

Clint Bellows, UNO student government president, and Mike Gilmore, UNO student senate speaker, will appear before the Legislature's budget committee Wednesday and ask the Legislature to allocate \$877,000 in additional funds to UNO.

Bellows said he will have to wait for the Legislature to act before he has any comment on the law suit.

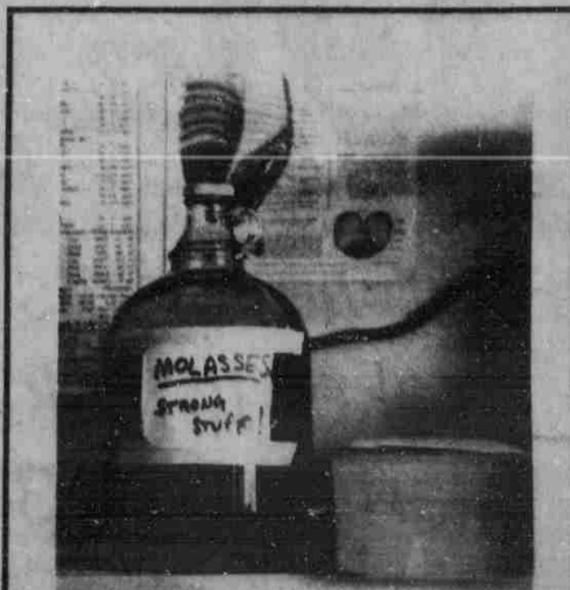


Photo by Ted Kirk

This molasses may or may not be "strong stuff," but it definitely is one of the items available at Lincoln's Open Harvest Food Coop. The co-op, which offers organically-grown foods, had its grand opening Saturday. For more pictures and a story, see pages 6 and 7.