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UNL student seeks money for damages

By Barbara Lutz

A Harper Hall resident is seeking \$25 in damages because his tropical fish and plants died as the result of what he called excessive heat in his residence hall room during Thanksgiving vacation last semester.

Ken Donner, a sophomore engineering major from Wisner, said when he returned to school Nov. 30, the temperature in his room was 114 degrees. Other students' property also sustained damage, he said. Records were warped, candles were melted and food was spoiled, he added.

Richard Armstrong, director of housing, said, "I cannot tell you the cause, but it appears there was an excessive amount of heat over the Thanksgiving holiday." He said he does not know why but there is "no question that it did happen."

Physical Plant Director Harley Schrader said, "We don't know what happened." Normally, during vacations, residence hall temperatures are "reduced to conserve energy," he said.

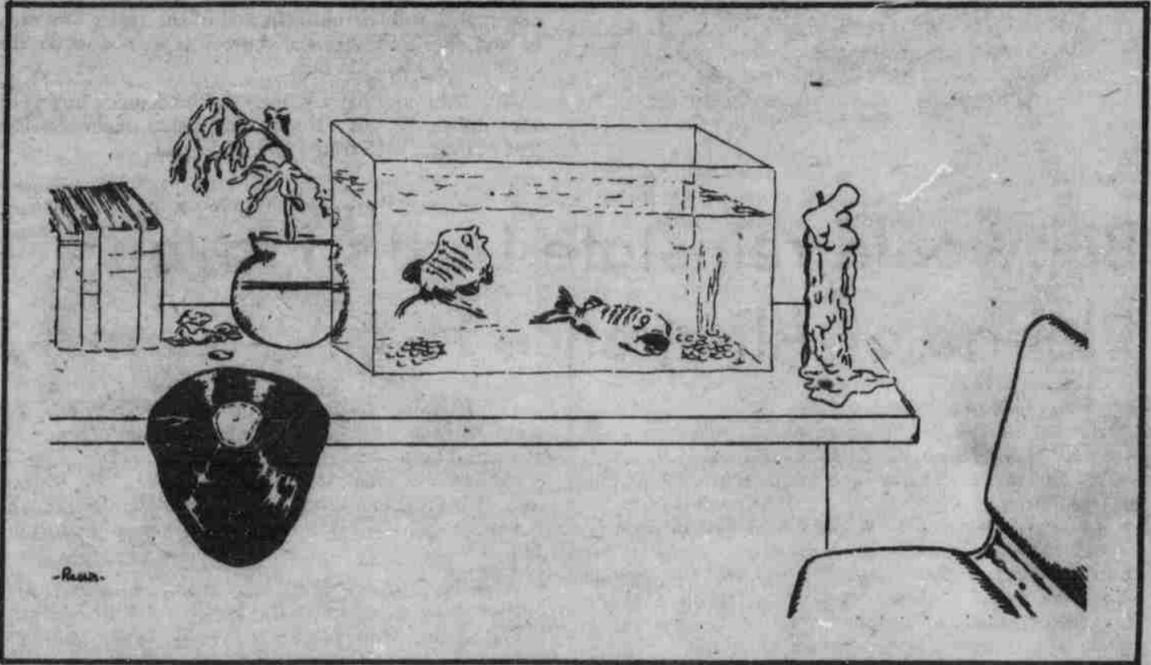
Donner said students are told to unplug everything during vacation except aquariums and refrigerators and turn off lights and fans in their heat vents. "They are supposed to regulate the heat at the power plant," he said.

A lot of red tape

Donner said he talked to his floor's student assistant, the Harper Hall resident director and the Harper-Schramm-Smith complex director about the heat damages, with no results. He said he then was referred to the UNL Physical Plant, maintenance officer, housing office and student legal service lawyer David Rasmussen. He "ran into a lot of red tape," Donner said.

Rasmussen said he told Donner to make an itemized list of his losses and send them to Ray Loudon, director of personnel and the university's liaison with Aetna Insurance Co., which insures UNL buildings.

Approximately \$150 damage occurred in the fifth



floor of Harper Hall, which "times nine floors is \$1,350 in losses," Donner said.

A claim representative for Aetna, P.E. Pettinger, visited Harper Hall last semester to "investigate" the claims, Donner said.

Donner said it bothers him that there are "two different stories" in the insurance investigation of the incident. "Two stories"

He said one "story" was the Feb. 13 notice from Pettinger to fifth floor residents denying their claims. He said the statement read "(We) failed to establish that your losses were produced by factors that would give rise to liability on the part of the University of Nebraska... (We) advise you that we have no alternative but to respectfully deny your claims."

But Donner said Pettinger told Rasmussen that the insurance policy does not cover plants and aquariums.

Armstrong said Donner told him that Harper residents had received notice from the insurance company, but the housing office has not received any written conclusion yet from Aetna.

Armstrong said Loudon would notify him on the settlement of the claims, and nothing could be done until then.

Loudon was unavailable for comment.

Question of liability

Rasmussen said Donner's legal position is that "the University is liable due to negligence of the university employes which caused him (Donner) financial loss and he seeks reimbursement."

UNL's legal position is that "they are not liable and they are not responsible for (Donner's) losses," he said.

Rasmussen said he cannot represent students in court, but can refer them to other agencies and advise them of their rights.

"Once Donner has been turned down by the insurers, the next step is to file a claim with the State Claims Board," Rasmussen said. The claims board processes the claim and either sends it to the municipal small claims court or denies it.

If Donner's claims are denied, Rasmussen said, he can file suit in Lancaster County Court.

UNO center pending 'conditions'

By Dick Piersol

The proposed University of Nebraska at Omaha (UNO) downtown educational center came a step closer to reality last week when Gov. J. James Exon told its supporters that he would not oppose it if certain conditions are met.

The governor did not say he would support or endorse a new construction plan of a combined state office building and UNO educational center, which also will have space reserved for Metro Technical Community College, according to Norman Otto, Exon's administrative assistant.

Plans for such a building, which would encompass two blocks in downtown Omaha, will depend on a compromise on the state's share of money to build it.

Conditions

Exon's approval depends upon several conditions, said Stan Matzke, director of the State Department of Administrative Services.

One condition is that the state's share of the building should not exceed \$9 million. The Nebraska Legislature in 1974 appropriated \$8 million for an Omaha state office building.

Sen. Glenn Goodrich of Omaha introduced LB838 this session, which would appropriate \$5 million more for the downtown center. To comply with Exon's conditions, that bill would have to be reworked to reduce the state's share to \$1 million plus the \$8 million previously provided.

Omaha World-Herald publisher Peter Kiewit has pledged to contribute \$2.5 million to the project, to be matched by other Omaha businesses.

The \$9 million would be used to make lease payments to the city of Omaha. For actual construction, Omaha would have to issue revenue bonds, which would be retired over a decade by the state's lease payments, Matzke said.

The building would be in the state's name, not UNO's as originally planned, he said.

If the Legislature agrees to those conditions, Exon said he would not oppose the bill.

120,000 sq. ft. for UNO

Space allotments would be 120,000 sq. ft. for UNO, 65,000 square feet for state office use and about 5,000 for Metro Tech, Matzke said. The state now maintains about 40,000 sq. ft. of offices at various Omaha locations. The fate of the proposed UNO Health, Physical Educa-

tion and Recreation Bldg. (HPER), for which construction costs are provided in LB838, is less certain because Exon vetoed its construction last session. It has been given second priority for construction by NU administrators and the downtown Omaha campus center is sixth in priority.

The downtown educational center and HPER are of equal importance to Omaha senators, Omaha Sen. John Cavanaugh said.

The University has made a special plea to members of the Appropriations Committee to retain provisions for its construction in LB838, said NU President D.B. Varner. LB838 provides \$2 million of \$6.7 million total construction costs for HPER.

UNO government may be changed

By Kim Shepherd

The University of Nebraska at Omaha (UNO) Student Senate may be abolished and replaced by a board of directors, said Mike O'Connor, UNO student senator.

In a plan to be submitted this week by Clint Bellows, UNO Student government president and student regent, the Senate would give way to a "county board" type of government to be headed by the UNO student regent, he said. Since there no longer would be a need for a president, UNO students would be voting for a board chairman, he said.

Bellows said he philosophically believes the student government has an administrative, not a legislative, duty. The board concept would fill this need, he added.

Bellows will present the plan to the Senate Wednesday. He said several student senators have been helping him develop the idea of the board government.

The UNO Student Senate currently has 32 seats, two of which are vacant, O'Connor said. The plan would reduce the number of student representatives to between 10 and 15, he said.

Student government elections at UNO will be March 24 through 26.



Photo by Ted Kirt

A late winter storm afforded six UNL students the opportunity to show off their creative talents. The result of their effort is Bruce the Snowperson, who is residing at 16th and R streets, at least until warmer weather arrives. Bruce's "parents" are from left to right; Greg Houser, a sophomore agriculture economics major from Sidney, April Dannehl, a junior elementary education major from Holdrege, J. Sue Robertson, a Beatrice junior majoring in speech pathology, Bill Mueller, a Teacher's College junior from Ogallala, Bob Idelrow, Lincoln junior majoring in business and Ana McBride, a sophomore business major from Blue Hill.