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Governor pares NU budget to meet goal of tax reduction

By Dick Piersol

Nebraska Gov. J. James Exon Tuesday announced \$6.8 million in line item vetoes to the NU operations budget, and vetoed entirely capital construction funds for the Health, Physical Education and Recreation Bldg. at the University of Nebraska at Omaha (UNO).

The Nebraska Legislature had appropriated \$2 million for the \$6.7 million building to be spent in the coming year. Exon vetoed the same project last year.

Exon said the university should "call off its lobbyists" and accept his NU budget figure of \$87.6 million in state tax funds, \$3.5 million more than his original recommendation. Other NU capital construction projects were retained, including the \$14 million combined state office building and continuing education center in downtown Omaha.

The governor vetoed \$30 million totally from the Legislature's appropriations, including \$15 million in increased state aid to schools.

Tax reduction

He said if the Legislature sustains his vetoes today, the last day of the current session, the state income tax rate may be reduced from 15 per cent to 13 per cent of federal income tax liability and the state sales tax rate retained at 2.5 per cent.

Should the Legislature override his vetoes, Exon said, a state tax rate increase may be required, perhaps including an immediate increase in the state sales tax rate. The increases would be determined by the State Board of Equalization within 15 days of the Legislature's adjournment.

The governor's vetoes included \$1 million from state aid to technical community colleges, dropping it to a \$12 million appropriation. He had requested \$13.4 million for those schools contingent upon a local one-half mill property tax ceiling reduction. Since that ceiling was not reduced, the governor rescinded his plan for more state aid to the colleges. Exon also vetoed \$600,000 from the state colleges' budget.

Undergraduate instruction cut

Included in the governor's line-item reductions for the university were:

-nothing from the central administration and

computer budget.

-\$29,392 from the State University of Nebraska (SUN) leaving a \$100,000 total appropriation.

-\$1.5 million from instruction and research at UNL for a total appropriation of \$22.1 million.

-\$550,000 from an appropriation earmarked for the improvement of undergraduate instruction at UNL for a total appropriation of \$300,000.

-\$565,993 from the Institute of Agriculture and Natural Resources, of which \$519,546 was earmarked for several areas of improvement including a chancellor's discretionary fund for salary improvement, areas of excellence, conservation and survey, the Water Resources Research Institute and the Animal Health Complex.

The governor left \$400,000 to be distributed to those areas at the NU Board of Regents' discretion and left \$70,184 earmarked for AGNET, the computerized agricultural information service. He cut \$70,000 from plans for a \$145,000 swine and beef facility at Curtis. The total remaining appropriation for the institute was \$14.4 million.

State support increases

-\$389,684 in state tax support for the UNL sports complex maintenance for a total of \$200,000. Exon said he was disappointed no plans for using rental and concessions proceeds from the sports complex had been forthcoming from the university. That responsibility, he said, must then fall on the Legislature.

-\$699,978 from support at UNO, \$200,000 of which the Legislature specified for audio-visual, physical education and library improvements. The total UNO appropriation stands at \$7.6 million.

-\$3,048,299 from the University of Nebraska Medical Center for a total appropriation of \$19.2 million. The governor vetoed \$500,000 of a \$906,688 appropriation to replace lost federal funds and \$25,000 in seed money for a cardiovascular research, treatment and education unit which the governor said eventually could cost \$15 million and which was not contained in the regents' request.

The governor said with these vetoes, state financial support still would increase 10.3 per cent at UNL, 10 per cent at UNO and 25.1 per cent at the medical center.



Photo by Steve Boerner

Following the 48th Annual Honors Convocation Tuesday, a senior focuses on a classmate and her family on the Coliseum steps. See related story on page 2.

Organic Act's legality challenged in student court

By Bryant Brooks

The Organic Act, brought before the ASUN Senate March 31 which proposes that all powers, functions and money from ASUN be transferred to the Coalition for University Reform, has been challenged in the ASUN Student Court.

A hearing on the challenge was set Tuesday for 1:30 p.m. Sunday in the Nebraska Union, according to Student Court Chief Justice Doug Voegler, senior law student from Schuyler.

The complaint was filed Tuesday by Richard Blunk, psychology major from Omaha; Avery Loschen, junior political science major of Upland; ASUN President-elect William Mueller, junior pre-law major from Ogallala; and Joseph Stavas, junior English major from Columbus. It states that petitions which brought the Organic Act before the Senate last week do not comply with ASUN's Constitutional requirements.

The complaint also charges that "No verification has been made of the authenticity or validity of the petitioners. . .no determination has been made that those petitioners who are proven to be authentic and valid comprise five per cent of the total number of regularly enrolled full-time students attending the University of Nebraska. . .(and that) fifteen days have not elapsed since introduction of the petition initiative." which is required by the ASUN Constitution.

The complaint continues that "the proposal at issue is not an Organic Act within the meaning of the ASUN Constitution. . ."

Technical points

Mueller declined to comment on the reasons for filing the complaint because, he said, "Many of these points are technical. They are interpreted differently by both sides. There are certain questions not answered by just reading the Constitution, so we are asking the court to interpret them."

Mueller said the new elections, required by the referendum, would cost about \$1,800 in student fees.

"I would just as soon not throw that money away," he said.

Sam Brower, senior law student from Fullerton, is representing the plaintiffs.

"There are certain portions of the (ASUN) Constitution that are clear and the ones I have pointed out in the complaint are among them," he said.

Although petitions for the Organic Act were notarized, Brower said that does not ensure their validity.

"The fact the petitions were notarized does not prove the signers were full-time students," he said.

Refusing comment on the outcome of the case, Brower said, "I would hate to prejudice any opinion the Student Court might render."

Preserve status quo

"We're attempting to maintain and preserve the status quo until such time as the validity of proposed initiative can be decided by the Student Court," he said.

Defendants named in the complaint are current ASUN executives Jim Say, senior political science major from Norfolk; Mary Jenkins, pre-med senior from Lincoln; and Paul Morrison, political science graduate student from St. Paul. Also named were Electoral Commission members David Ware, senior English major from Lincoln; Richard Moderow, junior business major from Oakland; and Stephen Korff, sophomore business major from Omaha; ASUN advisers Bert Evans, UNL economics professor; Paul Byerly, UNL physics associate professor; Jack Guthrie, business officer for the Center for Students and Organizations; and the ASUN Senate.

Fritz Stehlik, junior law student from Nebraska City, will represent the defendants.

Kray's supporters challenge ousting

Supporters of Fred Kray, ASUN Professional College senator-elect who was ousted Friday from his Senate seat by the ASUN Electoral Commission, are circulating a petition to show student support for Kray as senator, said Steve Porr, a junior law student from Omaha.

In addition, junior law students Gerry Arnold of Streator, Ill., and Richard Roberts of Fremont, Tuesday filed a private suit with ASUN Student Court asking that the Commission's decision be declared void and that "our votes be counted like everyone else's."

Porr, director of the Committee to Reinstate Fred Kray, said Tuesday more than 200 signatures had been collected and the commission's decision will be challenged.

The Electoral Commission Friday issued a ruling allowing the election of Clarke Stevens as Professional College senator, but decided to have the ASUN Senate appoint the second senator. Kray, a write-in candidate, won the second senator spot in the March 17 balloting with two votes.

The Electoral Commission did not certify Kray, a

Dennis Martin, junior law student from Elgin and member of the Coalition, said he thought the plaintiffs had "missed the boat."

"As of tomorrow (Wednesday) night the executives change," he said. "Then Bill Mueller, a defendant, becomes a plaintiff."

Martin said Brower's claim that 15 days must elapse after introduction of the petition initiative before it can be filed for a referendum is incorrect.

"ASUN (Senate) has acted on the measure in the original form and since they've voted 'no' twice, there's no way it can return to the floor," Martin said. There would be no reason to wait an additional 15 days.

Martin said he doubted that many signatures could be proven invalid because of a recent ruling requiring seven hours for classification as a full-time student.

Martin said he also disagrees with Brower's opinion of the Organic Act.

"In my opinion it is an Organic Act because it was brought as a legislative action as an Organic Act under article seven, section one, paragraph D of the ASUN Constitution, which defines Organic Act as dealing with acts concerned with the functions of ASUN," he said.

junior law student from Tavernier, Fla., as a winner because about two more professional ballots were cast than the number of eligible voters, according to Paul Byerly, ASUN faculty adviser.

Stevens had 24 of 36 possible votes, while Kray had two write-in votes and several other write-in candidates received one, he said. This prompted the commission to allow the Senate to appoint a representative to the second seat.

Arnold said he and Roberts think they have been denied rights guaranteed by the 14th amendment to the U.S. Constitution (due process), that they have been deprived of their right to participate in the electoral process as stated in Article 3 of the ASUN Constitution, and that the commission has exceeded its powers by removing Kray and by giving the Senate power to appoint another senator.

"We want the court to void the decision of the commission that removed Kray," Arnold said. "We'll just limit it to that."

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