

Court to decide on suit abolishing ASUN Senate

By Theresa Forsman

The UNL Student Court is to meet Monday at 6:30 p.m. in the Nebraska Union to decide on a suit seeking to abolish the ASUN Senate and all other UNL student organizations.

Don Wesely, court justice, said the court could not get together before Monday because the petition came in too late and some justices could not meet before then.

The court also will rule on a petition filed by members of the High People's Coalition parties in the ASUN election who charged that their names should not be removed from the ballot.

UNL students Britt Miller and Randall Murphy are plaintiffs in the suit to abolish the ASUN Senate. They allege that ASUN has not had a legal quorum since Dec. 1 and that any action taken since then should be declared null and void.

The suit claims that because ASUN appointed four senators on Dec. 20 when a quorum was not present, those senators are not eligible to serve.

Wesely said the court decided in December that a quorum of ASUN senators would be 24—2/3 of the full—rather than the previous quorum requirement of 2/3 of all seats filled at the time.

The suit claims that the Senate has only 18 valid members of the 35 listed as ASUN senators. Ten senators have been appointed without a quorum and seven have at least

three unexcused absences, it claims. According to the ASUN constitution, senators with three unexcused absences are ineligible to serve.

Senators named in the suit as having been voted into the Senate by fewer than a quorum are Rick Martin, Clayton Earl, Lisa Danberg, Dave Roehr, Mike Herman, Charles Lui, Cathy Koubek, Dave Eberhart, Sheila Jones and Andrew Jefferson.

The senators named in the suit as having three or more unexcused absences are Julie Brodbeck, Jay Hodges, Julie Metzger, Roger Davis, Fred Kray, Marian Lucas and Clarke Stevens.

If the senators named are ineligible to serve, the suit claims, then ASUN with only 18 valid members, can no longer obtain a quorum, vote, take any action, approve any legislative or executive action or approve any election rules.

The suit also claims that the appointment of Karen Tejka as election commissioner and Paul Byerly as faculty adviser are not valid because they were appointed without a quorum present.

Stop election

The suit asks that the ASUN elections scheduled for March 16 be stopped because there are no valid election rules and the senate cannot pass election rules due to lack of a quorum.

The suit asks that any moneys spent or appropriated

by ASUN since Dec. 1 and all other ASUN funds in its account be put in an escrow account with the UNL Student Activities Office to be redistributed to each student (on an equal basis) if it is shown that ASUN can no longer spend or appropriate funds due to the lack of a quorum.

The suit asks the court to recommend the removal of ASUN as a student organization due to its inability to take action or hold an election.

As ASUN is invalid under its own constitution, the suit says, all student organizations also are invalid because these organizations' constitutions are valid only through the ASUN constitution (Article VII, Section 1, L) and through the NU regents by-laws granting this power to ASUN.

The suit asks the court to enjoin the UNL Fees Allocation Board, the NU administration and the NU Board of Regents from granting any student organization the use of student fees because said student organizations are now invalid.

Facts incorrect

ASUN President Bill Mueller said that not all facts in the suit are correct. He said that on Dec. 20 the executives discussed whether it was legal to appoint senators without a quorum.

"The chair ruled that it was legal as far as we knew. We knew it was questionable, but decided that if it wasn't, someone could take it to student court," Mueller said. He also said if the plaintiffs were "that concerned" they should have brought the suit earlier.

Mueller said that not all persons named as having three unexcused absences have that many. He explained that vice president Tony Williams, who records absences, does not keep records of excuses and absences in the same book.

If it is determined that ASUN acted illegally, "I can't see penalizing other student groups for our mistakes," Mueller said.

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Senate should allocate fees—ASUN candidates

By Janet Fix

Reorganization of student government and ASUN control of fee allocations were cited as major election issues by the four ASUN presidential candidates at a debate Thursday.

The four candidates met to discuss issues and election platforms at a fireside chat sponsored by the UNL Student Alumni Board and Builders.

Greg Johnson of the Students for University Need (SUN) party, Kirk Hemphill of the High People's Coalition (THC) party and independent Randy Musselman called for reorganization of ASUN for better representation of the student body.

Independent Eric Carstenson, currently an ASUN senator, said that although the past Senate has had difficulties, the system has some "merit."

ASUN committees have had a problem with leadership in the past, but Carstenson said, committee strength is inherent and only needs to be exercised.

"ASUN is a joke," Johnson said. "It is a self-serving, inept body that does not serve the student body."

Represents no one

Musselman and Hemphill said the ASUN Senate represents no one and the Senate's action in the past year has shown no leadership.

"ASUN has been a clique of university elites looking for good recommendations to get them into law school," Musselman said.

Election of ASUN senators by geographic rather than academic areas was supported by Musselman and Hemphill.

If each living unit was represented in an ASUN election, they said, all students would have a voice in student government.

Hemphill said the college advisory boards would suffice the need for representation by academic colleges.

The four candidates called for a resolution that would grant ASUN the power to allocate student fees. Currently the Fees Allocation Board (FAB), whose members are appointed, not elected, allocated student fees.

Student regent power

The idea of increased power for the student regent was supported by the four candidates.

Johnson said the student regent has a lot of potential, but it has not been used in the past.

"The regent should not be a rubber-stamp for central administration," he said.

Carstenson said he disagrees with those that say the student regent has no power.

"We have a tremendous amount of influence on the regents. But they view our regent as a student, and, therefore, restraints are placed on him," Carstenson said.

The four candidates were asked what contact and working relationships they have developed with UNL administrative officials.

Johnson said through his work on the ASUN Government Liaison Committee, he said, he has had contact working with many administrators.

Musselman said, "To be honest I have avoided contact with administrative officials until this year. Because it's a waste of time."

Hemphill said he has no "ins or buddies within the system." He added he has had some contact and some opportunity to work with administrators.

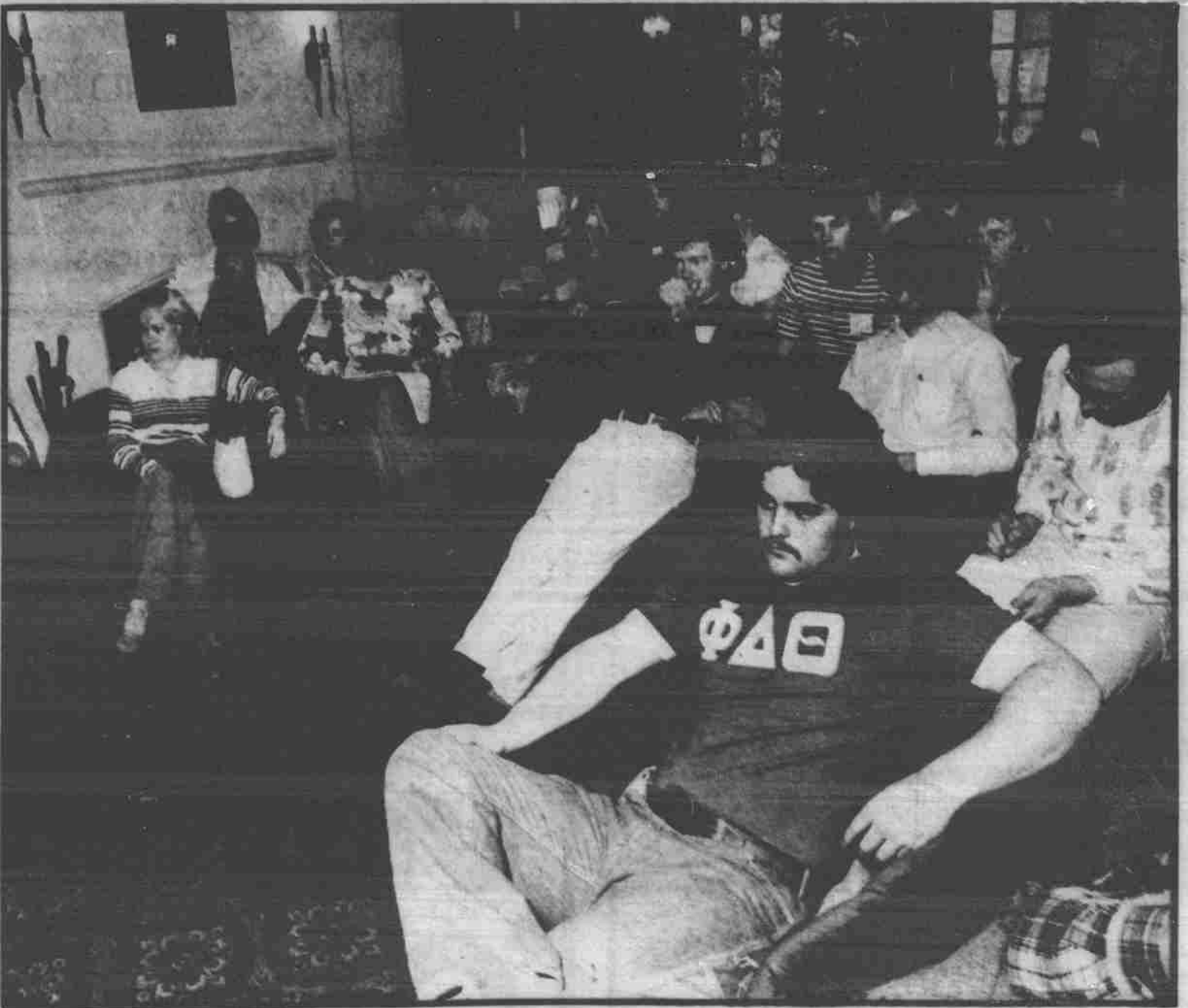


Photo by Kevin Higley

About 30 UNL students Thursday listened to ASUN presidential candidates debate election issues at the Alumni House.

Kelly introduces alcohol abuse bill

Grand Island Sen. Ralph Kelly has introduced a resolution suggesting the Nebraska Legislature's Miscellaneous Subjects Committee study "the problems of teenage alcohol abuse."

The referral committee is holding LB19 for further action.

Kelly introduced the resolution following the death of his proposed LB369, which, if passed, would have boosted the legal drinking age from 19 to 21.

Admitting disappointment that the bill was killed, Kelly said the Miscellaneous Subjects Committee showed a lack of knowledge or understanding.

UNL students testifying during the public hearing on LB369 requested stricter enforcement of liquor laws, Kelly said, adding that his resolution asks for an examination of current law enforcement.

He said 19-year-olds should be "socked for the adults they claim to be."

Few 19-year-olds are charged with manslaughter if involved in a car accident while drunk; however, this is the charge filed against 21-year-olds committing a similar

offense, Kelly said.

The resolution states that prosecutors are extremely lenient and plea-bargaining is rampant in cases dealing with minors who have violated liquor laws.

Kelly said he hopes a resolution study will pave the way for legislation to boost the drinking age.

"Nothing convinces me it's a benefit to have the drinking age at 19," he said.

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News: Three students complained about UNL parking at a meeting Thursday p. 2
Entertainment: Why is Albrecht Roser's puppet show X-rated? See him and more this weekend in the Union p. 12
Sports: Big 8 membership handicapping UNL student-athletes discussed in Rebounds. p. 14

For a detailed look at next Wednesday's ASUN election and what the candidates are offering, see the Daily Nebraskan election special section inside.