

# Student Court's indecision puts elections in limbo

By Janet Fix

ASUN elections were postponed indefinitely by the Student Court early Wednesday morning because the court could not come to a decision on a petition to abolish ASUN, chief justice Fritz Stehlik said Wednesday. The court issued the restraining order after a lengthy hearing with a vote of 4-0-2.

Justices voting for the restraining order were Don Wesely, Mike Moore, Jackie Learned and Susan Ugal. Stehlik and Rich Moderow abstained, according to Wesely.

The Court postponed final action on petitions heard until March 29. The Court then will rehear the cases before making a decision or rescheduling the election.

The two petitions tested the constitutional validity of ASUN actions taken during the past three months.

In the first petition, the High People's Coalition (THC/LSD) party questioned the disqualifications of nine party candidates.

The candidates were disqualified by the ASUN Electoral Commission last week because petitions filed lacked the 35 signatures from the candidates' college required for filing.

The second petition, filed by Britt Miller and Randall Murphy, sought to abolish ASUN.

Stehlik said final action on the THC/LSD petition hinges on the argument basic to both issues.

The argument, raised by Miller and Murphy, questioned the Senate's appointment of four senators Dec. 15. The petition contends that ASUN lacked a quorum and had only 20 of the required 24 senators present.

ASUN president Bill Mueller Wednesday, said ASUN did not violate the quorum constitutional rule.

"The Senate action of Dec. 15 is questioned because

ASUN lacked a quorum," he said, "but the action that day did not require a quorum."

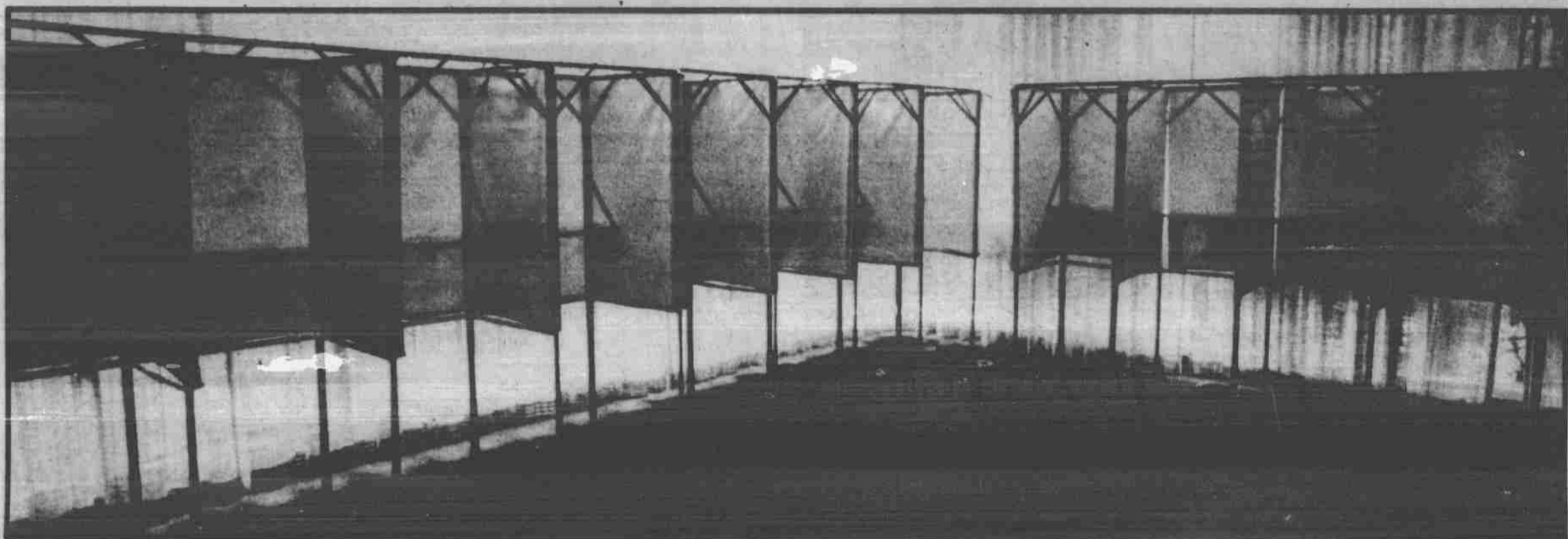
Mueller said only a main motion requires a quorum. A main motion would be introduction or passage of a resolution, he said.

"An incidental main motion does not require a quorum," Mueller said. "This motion only reaffirms previous actions."

The Dec. 15 ASUN vote was a reaffirmation of previous committee action recommending appointing the senators, he said.

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Daily Nebraskan photo

Voting booths in the Nebraska Union remained empty Wednesday due to a Student Court decision postponing ASUN elections.

## Sources say long preparation behind Greek slate

By Mary Jo Pitzl

A Greek slate has been drawn up for the now postponed ASUN election, the *Daily Nebraskan* learned Wednesday. However, some key fraternity and sorority members contacted would not confirm the slate's existence.

Earlier this week a list of Greek candidates running in this year's elections was distributed. It was supposed to include all Greeks running for office, according to organizers, but at least 16 Greek candidates were left off the list.

The slate, however, was to include only selected Greek candidates. It was to be passed out Wednesday morning to house presidents.

Kappa Sigma fraternity president Gary Abel allegedly said meetings to organize a Greek slate have been held weekly over the past year. Abel said these meetings have been public. Abel's comments were made at his fraternity's chapter meeting Monday, according to Kappa Sigma member Ken Havelka.

Havelka said when he protested Abel's statement that the meetings had been public and argued with Abel on several points, Abel threatened to remove Havelka from the meeting.

Abel said he was unaware of any list resembling a Greek slate.

"The only thing I know about is the one that you talked to me about," he said, referring to the information list of Greek ASUN candidates printed in Wednesday's *Daily Nebraskan*.

Sources said a meeting to compose a Greek slate was held around 9:30 p.m. Tuesday night at the Kappa Sigma house. Abel denied knowledge of such a meeting.

"That's cute. That's cool," Abel said. "If there was (a meeting), I wasn't even here."

Abel interrupted his telephone interview with the *Daily Nebraskan* and could not be reached for further comment.

Havelka said Kappa Sigma member Rick Joseph admitted that he was a member of a faction backing the Greek slate, but withdrew so he could run in the ASUN elections.

Joseph is an independent senate candidate in the College of Business Administration.

According to Havelka, Joseph said the faction was

playing on the ignorance of Greeks who blindly vote to achieve the faction's needs. Joseph reportedly said he was interested only in finding candidates representing his personal needs, and was not convinced this representation could come from anywhere other than the Greek system.

Joseph denied Havelka's charges.

"I didn't say any of that," Joseph said. "I don't know where Ken got that." Joseph said he was working downtown during the alleged Greek slate meeting Tuesday night.

Another Kappa Sigma member, Scott Howlitt, denied knowledge of the organized group Abel discussed at the Monday chapter meeting.

"The group you've heard of is non-existent," he said, adding his fraternity's by-laws forbid him from breaking the privacy of house chapter meetings.

He said he was not a member of the slate group, saying, "If I was involved, I couldn't say anything."

Howlitt said he did not see Havelka at the Monday

meeting, but later said, "He could have been, but not to my knowledge."

Howlitt denied the meetings Abel allegedly described were secretive and elite, as Havelka had said.

"They're open to anyone who wants to come," Howlitt said, adding "they definitely concerned ASUN politics and the political stands of certain candidates."

Howlitt declined to say how long these meetings had been going on or how many had been held because he "is not willing to guess."

He refused to comment on the extent of his involvement in these meetings.

"If the meeting concerned the candidate and if the candidate wanted the people there, it's up to them to inform them," Howlitt said.

Attendance for the informal meetings drew a cross-section of residence hall, off campus and Greek students, Howlitt said, but not necessarily the same group attended all meetings, Howlitt said.

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## Administrators are disappointed in ASUN election turn of events

By Barbara Lutz and Betsie Ammons

UNL administrators were disappointed early Wednesday morning—and it wasn't just because they were called to the phone between 1 and 3 a.m., they said.

Ron Gierhan, acting vice chancellor for student affairs, said when ASUN President Bill Mueller called him in the wee hours of the morning to tell him Student Court had postponed the election, he was very disappointed.

"It is costly to run an election, and when we are electing a student to a state office (Member of the board of regents), we have to be more particular," Gierhan said.

Election commissioner Karen Fejcka and commission member Joe Stavas said the election delay will cause problems because new ballots and election announcements may have to be printed.

"It will cause severe financial problems," Stavas said.

The current ballots contain the election date, he said, and the constitution states the ballots must have the correct date on them.

Stavas said the election would have cost an estimated \$2,100 if it had gone Wednesday as scheduled. However, he said it might cost an additional \$900 if a new election is called.

Richard Armstrong, vice chancellor for student affairs—designate, said his initial response was to go ahead with the election.

"I shared my thoughts with Gierhan at 1:30 a.m.," he said, "and after I rolled over I thought going against the court would cause problems in the future."

UNL Chancellor Roy Young also was contacted by Mueller Wednesday morning, but was unavailable for comment later in the day.

The cost of another election may double the amount to be taken out of student fees, Gierhan said. Mueller was "very concerned that there are not enough funds for another election, but somehow we'll have to make funds available."

Gierhan said "we'll either go in debt or find another way of funding" another election.

The present ASUN election budget would not cover the added expense, according to Stavas. Instead, he said, the commission would have to "seek other sources of income."

Stavas said they would ask Armstrong for assistance in finding money.

The Student Court "screwed us to the wall with their decision" Stavas said because the commission spent money advertising and planning an election which did not occur.

Mueller wanted to use his power as ASUN president to order the election to proceed, Gierhan said, but he advised Mueller to check the ASUN constitution. The constitution "has a clear statement that when Student Court makes a decision that is not turned over by Council on Student Life (CSL) the legislative branch (ASUN Senate) is bound to abide by and enforce the decision of the court," Gierhan said.

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