

# Tentative election figures show Johnson victor

Greg Johnson of the Students for University Need (SUN) party is the apparent winner in the ASUN presidential race, tentative vote totals released about 1:45 this morning indicate.

Election commission member Jackie Learned said the preliminary count, showed Johnson had 1,004 votes, Eric Carstenson had 729 and Randy Musselman had 116.

Charles Fellingham and Ken Christofferson, SUN party first and second vice presidential candidates, also appeared to be the winners, Learned said.

The apparent vote count for first vice president showed Fellingham with 1,324 votes, independent candidate Michael Stein with 373 votes and High People's Coalition (THC) party candidate Donald Thompson with 101.

In the second vice presidential race, Christofferson had 1,323 votes, followed by independent Harlan Milder with 228 votes and THC candidate D. Marcus Armstrong received 206 votes.

The tentative returns of Johnson, Fellingham and Christofferson victories were greeted with loud cheers and applause from the other SUN party candidates.

## Division on campus

"This campaign showed a lot of division on campus and I think we are going to have to strive for unity. We have a lot of problems on campus—tuition, student fees, football tickets and parking tickets are going up.

"The students have to unify and realize that they have common goals that overcomes petty geographical differences," Johnson said.

"There have been a lot of rumors about (Theta Nu Epsilon) TNE, MECA, and the Faction. These rumors originate with a few people and serve only to divide the students, when they are just rumors in reality," he added.

A computer foul-up delayed the release of results of the election.

Scott Buckley, ASUN Electoral Commission spokesman, said the foul-up occurred when the computer rejected about 37 cards and those votes had to be hand counted.

The votes were tabulated early Thursday in the Nebraska Hall computing facility.

A preliminary count showed that 2,127 students or about 10 per cent of the stu-

dents voted in the election, Buckley said. That turnout means the proposed constitutional amendments did not pass, because 15 per cent of the UNL student body did not vote for approval, he said.

## Turn out less

The preliminary figures indicate that this year's turnout is slightly less than the turnout last year, Buckley said.

The delay displeased the remaining presidential candidates Eric Carstenson and Randy Musselman. Kirk Hemphill withdrew from the race last Friday.

Contacted before the results came in, Carstenson echoed the thoughts of other candidates and election workers at 1 a.m., when he said "those darn machines never work when you need them."

Because computer malfunction caused a delay in election results, Carstenson said it was too early to outline his plans if he is elected president.

## Not enough known

Contacted about 1:35 a.m. with tentative results in, Carstenson said "We don't know enough. We don't know what per-

centage is in, and it's too early to call it (the election)."

He said he plans to stay up all night to monitor the election returns, and he said, "I wouldn't begin to make a judgment on those figures."

Carstenson said if he lost, he would work in close cooperation with the victor.

"I have basic talents and abilities I would contribute to ASUN," he said. The independent candidate said he heard Wednesday's voter turnout was great.

"I heard a lot of people were getting out to vote," he said.

A phone call to Randy Musselman at 12:45 a.m. found the ASUN presidential candidate pursuing a normal night at home.

Musselman said he did nothing unusual while awaiting presidential election results.

"This is what I usually do on Wednesday night," he said, explaining that he had been watching television and working on his novel.

He said it was not a shock to him that

the ASUN Electoral Commission had run into problems processing election results.

Musselman said he would not wait for election results.

"Unless it's God or somebody who owes me money, I won't get up," he said of the possibility of having election results released as late as 8 a.m.

## Finishing third

Musselman predicted he would fare better than expected in election outcomes, adding, "I feel I have a much better chance at finishing third now that Hemphill's withdrawn."

Johnson advocated ASUN Senate restructuring and specialization in his campaign. The Senate should be broken into a committee structure like the Nebraska Legislature, Johnson said.

He said he will also form an ASUN appointed task force to study every UNL student governing body.

ASUN should have total control of student fees by making the Fees Allocation Board a subcommittee of the Senate, he said.



Wednesday's apparent victors: President Greg Johnson, First Vice President Charlie Fellingham and Second Vice President Ken Christofferson.

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## Bylaws discrepancy places obstacle in ASUN path

By Paula Dittrick

The UNL Student Court met in executive session after the Fees Allocation Board (FAB) hearing Tuesday night and voted 6-0 to refer a decision about the validity of the ASUN constitution to Richard Armstrong, vice chancellor for student affairs, the ASUN president and possibly to the NU Board of Regents.

Chief Justice, Fritz Stehlik, and Associate Justice Don Wesely will meet with Armstrong this afternoon to decide what must be done to resolve the questions raised.

Graduate student Carolyn Grice and Susan Reitz, a journalism and pre-med major, asked the court for a declaratory statement or clarification about an apparent discrepancy between the ASUN constitution and the regents' bylaws.

A clause in the ASUN constitution states the constitution may be amended if 15 per cent of the students vote in favor of the amendment.

However, section 2.14 of the regents bylaws demands a "majority vote of the students" to amend the constitution. The regents bylaws take precedence over the UNL bylaws which in turn preside over the ASUN constitution.

UNL bylaws make ASUN the official representative of the student body.

Wesely said the court could not make a decision about the discrepancy because it does not have the power to invalidate the ASUN constitution.

## Student vote

If the constitution is ruled invalid, students must vote either to approve the old constitution with the needed amendments or to completely reorganize student government and write another constitution, Wesely said.

He said the Student Court will attempt to prevent

the regents from handing down a decision which students must comply with concerning student government.

Noting "It's surprising that the matter hasn't been raised before," Wesely said he considers this the most important case to come before the court during his two-year tenure.

Although he said nothing may come of the situation and the constitution may not be challenged, he added, "I don't see how the constitution can be declared valid."

## Difference known

Wesely said he has been told by James Lake, NU law professor, that the discrepancy was known when the UNL bylaws were written authorizing ASUN.

The discrepancy was ignored because when the UNL bylaws were rewritten in January 1976, both CSL and

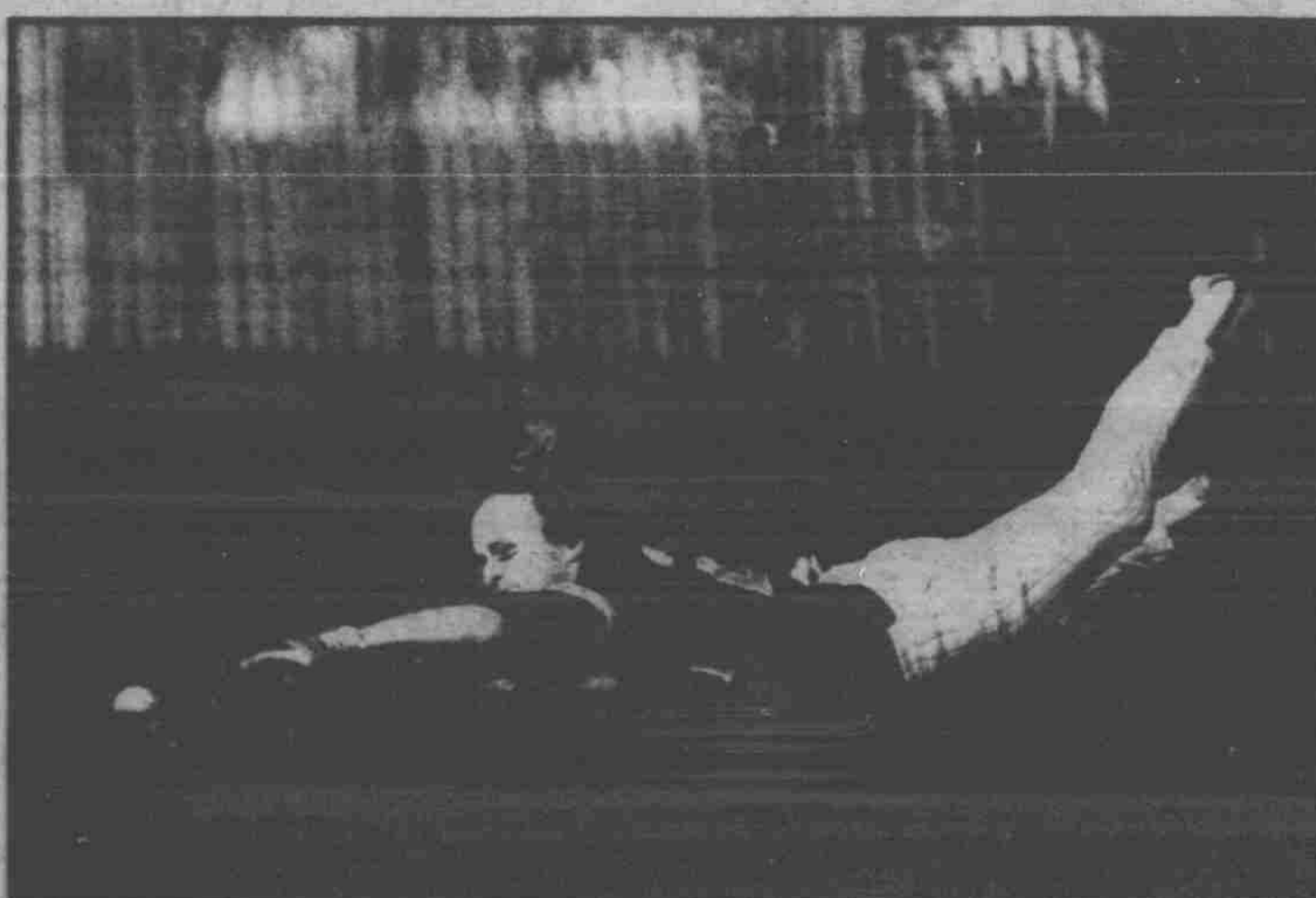
ASUN were clamoring for recognition as the official representative of the UNL student body, Wesely said.

According to Wesely, Lake approved the bylaws authorizing ASUN and its 1967 constitution to keep the Council on Student Life (CSL) from becoming the authorized representative.

Lake, who helped write both the regents and the UNL bylaws, was not available Wednesday for comment.

The current ASUN constitution took effect in 1967 and few amendments have been approved since, Wesely said.

Wesely said the constitution stifles change in student government, which in turn has led to student dissatisfaction, apathy with the student government and low voter turnouts in ASUN elections.



Wayne State rightfielder Kevin Mahlberg's error in the fourth inning helped the Huskers take a come-from-behind win and improve their record to 18-4. For more on the game, see page 14.

Photo by Kevin Higley

## thursday

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