

# Summer Nebraskan

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## Marijuana laws changed effective date uncertain

By George Wright

Nebraska may have two sets of marijuana laws as a result of amendments passed during the Legislature's special session, according to the county attorney's office.

During the June session, the Legislature extended the 1978 criminal code until January 1979 when the new code, passed earlier this year, becomes effective.

But the Legislature also amended the 1979 criminal code by reducing the charge of possession of less than an ounce of marijuana from a misdemeanor to an infraction, changing it from a criminal to a civil offense.

"The drug amendment to LB28416 (the new criminal code) results in a law amending a law that doesn't become effective until January 1979," Bob Gibson, assistant county attorney said.

The county attorney's office will handle possession of marijuana as a misdemeanor until January, Gibson said.

But because marijuana amendments were part of the bill that extended the criminal code from July 1 to January 1, 1979, the effective date of the amendments could be interpreted as July 1, Gibson said.

The amended law states that for first offense possession of less than an ounce of marijuana, a citation and fine of \$100 can be levied, while possession of an ounce to a pound is a misdemeanor, Gibson said.

The old law stated that possession of less than a pound of marijuana was a misdemeanor.

The amendments to the criminal code include other changes in the drug laws. Second offense possession of less than an ounce of marijuana calls for a possible fine of \$200 and 3 days in jail, third offense a \$300 fine and 7 days in jail.

Possession of an ounce to a pound has a possible \$500 fine and 7 days in jail, Gibson said.

Possession of over one pound of marijuana or delivery of any amount of marijuana is a class 4 felony which carries a maximum five year sentence in the penitentiary and a \$10,000 fine.

Possession of a controlled substance, narcotics such as heroin, cocaine, etc.) is also a class 4 felony, he said, while delivery of narcotics is a class 3 felony with a possible sentence of 20 years in the penitentiary and a \$25,000 fine.



Photo by George Wright

Jan Fischbach, part-time worker at the UN-L dairy plant, scoops in ingredients for vanilla ice cream. More on page 2.



Photo by Gary Adams

The July Fourth festivities were apparently not all that joyous for this somber youngster who is lit up by his sparklers.

## Officials say Bakke ruling to have little effect at UN-L

Editors note: The following story was compiled by members of the advanced newswriting and reporting class at the UN-L School of Journalism.

The University of Nebraska will not be affected by last week's Supreme Court ruling on the Bakke case, according to University admissions officials.

But UN-L affirmative action, equal opportunity, and multi-cultural affairs spokesmen said they are afraid that the ruling will encourage tendencies to discriminate by colleges and private business.

The U.S. Supreme Court ruled in a 5-4 decision that Allan Bakke, 38, must be allowed to enter medical school at the University of California at Davis. The Court said Bakke, who is white, was discriminated against because the school twice rejected his application while admitting minority students with lower grade point averages and test scores.

The Court said the school's quota system, which designated 16 of 100 medical school openings to minority students, is unconstitutional.

No quota systems here

Because UN-L is required by law to accept any Nebraska resident who has graduated from high school, UN-L admissions will not be affected, said Don Payne of the UN-L admissions office.

Non-resident students are accepted on academic standards and race and sex are not considered, he said.

He thinks the University strongly recruits minority students and that those efforts will continue, unaffected by the Bakke case, Payne said.

Two of the University's professional schools will not be affected by the

decision because neither has a quota system, according to spokesmen for the schools.

"It (the decision) has reaffirmed what we've already been practicing," said Michael Carver, assistant dean and admissions chairman of the University of Nebraska College of Medicine.

John W. Strong, dean of the Law School, said the Law School will continue to accept minority students.

"I don't agree with the people who have been quoted as saying that this decision will strike a death blow to affirmative action programs. Things will continue to grow here at the same rate as before," he said.

Affirmative action not affected

Bradley Munn, affirmative action officer for the office of the chancellor, said UN-L does not have an affirmative action plan for admitting students to programs and departments.

UN-L's affirmative action program is a hiring and promotion program for all segments of the University work force, according to Munn.

He said the plan, known as a desired goal plan, establishes a department time table for attempting to hire women, minorities and handicapped persons.

Munn said that technically the Bakke decision does not apply to affirmative action programs because federal laws governing affirmative action do not cover admissions. Admissions are ruled by other statutes, he said.

But he said he is afraid that the ruling will be misunderstood.

"I'm afraid people will look at this decision and think that affirmative action is unnecessary. They will misconstrue

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