

Weather:

Cloudy and foggy today with a 40 percent chance of light rain this afternoon. Easterly winds 5-15 mph with a high of 44. Cloudy tonight and Thursday with a 60 percent chance of rain. Low tonight 40. High on Thursday near 48.

KJ95 plays 'adult hits' for mellow listeners

Arts and Entertainment, page 9

Nebraska swim teams begin defense of titles

Sports, page 7

Daily Nebraskan

November 13, 1985

University of Nebraska-Lincoln

Vol. 85 No. 59

Legislature to vote today on last reading of budget-cutting bill

By Kent Endacott and Todd von Kampen
Staff Reporters

The Legislature will decide today whether to vote on final passage of a budget bill that includes a \$3.4 million reduction in NU's 1985-86 budget.

Senators will vote on a motion by Neligh Sen. John DeCamp to suspend legislative rules and allow for early adoption of the bill, which would trim about \$17 million from state spending this fiscal year. Without the motion, which needs 30 votes to pass, senators will have to wait until Friday to vote on final passage.

Earlier in the day, senators advanced three bills intended to raise the state's income tax and cigarette tax rates. LB10, which would raise the income tax rate by 1 percent for 1985 only, advanced to the final stage of floor consideration on a 27-18 vote. Its twin, LB35, moved to the second round on a 27-17 vote. Senators voted 26-21 to advance to the final round LB3, which would raise the cigarette tax by 5 cents a pack.

LB10, introduced by Waverly Sen. Jerome Warner, was declared beyond Gov. Bob Kerrey's call for the session by Attorney General Robert Spire. After

budget cut would encourage more changes and unravel the bill.

"We have worked long and hard to put together the package we've put in place, and it's moving forward," Carsten said. "I would urge you to think twice and maybe a third time (before changing the bill)."

Twenty-five members of UNL's Greek system, as well as ASUN Sens. John Stick and Chris Gunderson, watched the debate. Senators made no attempts to eliminate or further reduce the 2 percent cut in NU's state support contained in the budget bill.

Imperial Sen. Rex Haberman withdrew an amendment to eliminate the \$5 million in state funds targeted for the proposed Lied Center for Performing Arts.

The income tax bills generated little debate on the floor of the Legislature. During debate on LB35, senators rejected attempts to earmark part of the money from the tax hike for local governments and change the time period of the tax increase to the first six months of 1986.

Omaha Sen. Vard Johnson told senators they should support the cigarette tax increase because society should tax harmful drug use in times of economic crisis. He said a higher tax would discourage people from picking up the cigarette habit.

"The commodity (tobacco) is legalized," Johnson said. "But at the same time, we say there is a stiff price for using that drug."

After Johnson spoke, he left the floor of the Legislature to smoke a cigarette.

Speaker of the Legislature William Nichol of Scottsbluff said neither the income nor cigarette tax increases seem to have enough votes to take effect immediately after they pass the Legislature.

If the tax hikes do not get the 33 votes needed to pass with the emergency clause, he said, Kerrey is likely to make deeper budget cuts with his line-item veto authority.

Senators hope to end the special session Friday.



Warner



David Cresmer/Daily Nebraskan

Joe Jisa in Odyssey Imports.

Bong arrests raise questions

By Linda Hartmann
Staff Reporter

Recent court cases involving store employees charged with delivery of drug paraphernalia have stirred up questions about the Nebraska bong law's wording, constitutionality and enforcement.

In July, five people were charged in connection with police investigations of some Lincoln stores that sell pipes, including water pipes and bongs that can be used with drugs.

Lincoln attorney Tom Keefe said the law is vague because it deals with the intentions of the buyer and seller. Keefe said the law contends that something is not illegal until someone plans to use it for the wrong reason — a concept that cannot be defined clearly, he said.

To help define their intent in selling water pipes and similar items, most stores display signs that say, "These items are not

intended for the ingestion, inhaling, or otherwise consumption of controlled substances."

William Thierstein of Exotica Fashions and Gifts said he sells tobacco samples with each water pipe and requires buyers to sign a receipt saying they do not intend to use the pipe with drugs.

Members of the Nebraska Civil Liberties Union also question the law's constitutionality.

Attorney George Green, a member of the NCLU lawyer's panel, said people found guilty of delivery of drug paraphernalia are not given due process of law. He said the government must give citizens prior notice of what acts are unlawful. The bong law's vague wording does not do this, he said.

Keefe cited some examples of how the law is enforced discriminatorily.

He said a private investigator, who was hired in connection with a case involving Odyssey Imports at

2235 O St., bought a pipe from a so-called legitimate smoke shop. Before buying the pipe, Keefe said, the investigator told the clerk that the pipe would be used with marijuana. The clerk sold the pipe anyway, he said.

Keefe said the investigator also bought cigarette papers in a grocery store and a convenience store, telling both clerks that he would use the papers with marijuana. He said the clerk of one store showed the investigator some papers that would be better for that use.

Keefe said the law is enforced unevenly because police don't investigate some smoke shops and grocery stores that sell items that could become drug paraphernalia.

Lt. Duaine Bullock, head of the Lincoln Police Department's narcotics division, said investigations into sales of water pipes and related items usually are done because of complaints police receive.

NU, other Big 8 schools listed as good buys in new guide

By Molly Adams
Staff Reporter

An NU education still is a good buy, according to a recent study.

A guide compiled by New York Times education editor Edward Fiske outlines more than 200 colleges that offer high-quality education at a reasonable cost.

UNL and all other Big Eight schools were listed in "The Best Buys in College Education."

Fiske sent UNL a questionnaire to help him compile the guide, said James

Raglin, former NU director of public affairs. Universities had to meet certain guidelines before they received the questionnaire. Requirements included a faculty with at least 60 percent of faculty members with doctorates, a good graduate school acceptance rate and selective admission requirements.

UNL's two-page guide summary emphasizes its 110 undergraduate programs made up of nearly 2,000 courses. It lists chemistry, biological science, physics, business administration, engineering, agriculture, journalism and

teaching as its strongest programs. UNL's two internationally recognized research facilities, the Midwest Center for Mass Spectrometry and the Beklen Physics Lab also are mentioned.

UNL's support of agricultural research, educational TV and service to the handicapped also are included in the guide.

The guide indicates that 28 percent of UNL students receive financial aid based on need. It also says the university provides scholarship money to any National Merit finalist attending UNL.

Raglin said he thinks Fiske put more

focus on the academic strengths of the university than he did in a similar guide published a few years ago.

Raglin said he thinks Fiske was "better informed" about UNL this time around.

UNL, one of 93 public colleges and universities listed in the guide, has the sixth-highest fixed expenses for out-of-state freshmen and 38th-highest for in-state freshmen.

The guidebook indicates that 47 percent of UNL freshmen graduated in the top fourth of their high school

class. About 82 percent graduated in the top half of their class, the book says.

The book also mentions the predominance of Cornhusker football in campus activities.

"Though knowing the difference between a post pattern and a goal post may not be a requirement for acceptance at UNL, being able to cope with football fever almost should be," Fiske writes.

The only negative comment about UNL is that it is "impersonal in character."