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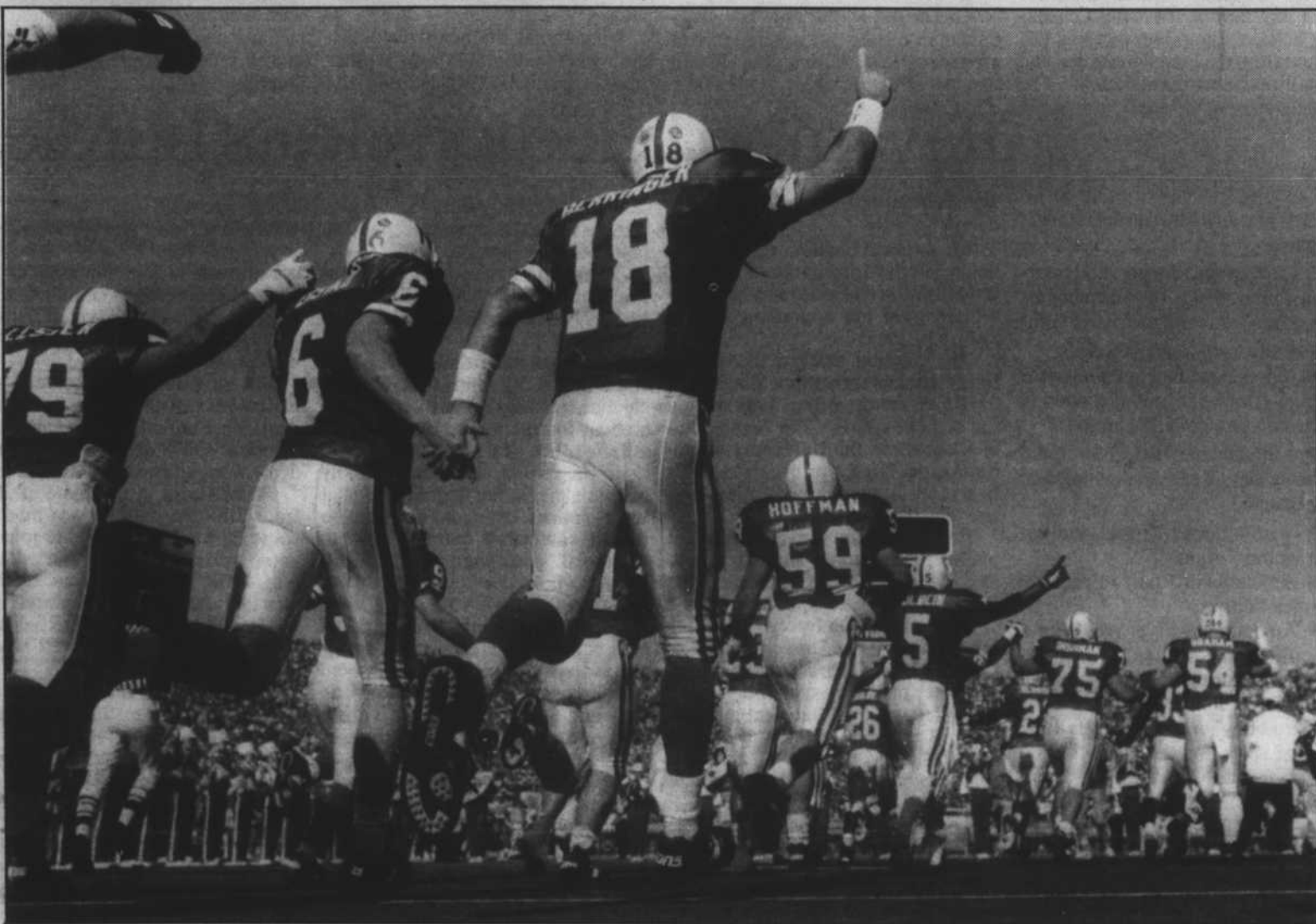
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No DOUBT ABOUT WHO'S No. 1



Travis Heying/DN

NU quarterback Brook Berringer enters Memorial Stadium on Saturday with the rest of the Cornhusker football team. Behind Berringer's 267-yard passing performance, Nebraska defeated the Kansas Jayhawks and took the No. 1 position in both college football polls.

Homeless man dies in Union

By Brian Sharp
Senior Reporter

A man found dead in the Nebraska Union on Saturday apparently complained of severe stomach pains the night before, one of his friends said.

David M. Ball, a 47-year-old homeless man, was discovered by a Nebraska Union employee around 7 a.m. Ball apparently died of natural causes, a Lincoln newspaper reported. No autopsy will be conducted.

Brian Parish, another homeless man who frequents the union, said he saw Ball holding his stomach and moaning Friday night.

That was the last time he saw him, Parish said. When he returned to the union on Saturday, a custodian told him Ball had died.

Jason Wyant, assistant night manager, said he was walking through the building around 6:30 a.m. Saturday, turning on the lights, when he saw Ball lying in the south vestibule area.

See DEATH on 2

Regents to get petition

By Brian Sharp
Senior Reporter

In the debate about whether to create a separate engineering college in Omaha, one voice has been forgotten.

It's a voice that Andrew Loudon, president of the Association of Students of the University of Nebraska, said he wanted the NU Board of Regents to remember — the students' voice.

Loudon announced Saturday that a petition, which contains the signatures of more than 500 engineering students at the University of Nebraska-Lincoln, would be sent to the regents.

Loudon made the announcement in front of Broyhill Fountain.

"This is to show that we really need to focus this argument on students," Loudon said.

ASUN engineering senators and members of the UNL College of Engineering and Technology executive

See PETITION on 3

Member voted out of 4-H committee

By Brian Sharp
Senior Reporter

Ray Massey didn't think a proposal striking sexual orientation from an amendment to a 4-H camp's non-discrimination policy would draw much attention.

He certainly didn't expect it to cost him his committee position.

But Massey said a letter he received Wednesday stated that he was removed from the committee of University of Nebraska-Lincoln faculty and staff that oversees the camp.

The letter came from Ken Bolen, director of the cooperative extensions office, Massey said. The office oversees the ad-hoc committee, which will be dissolved as soon as a new director for the Southeast Research and Extension Center is found.

Bolen could not be reached for comment.

"I have been removed because of my expressed views," Massey said Sunday, reading from a prepared statement. "I have not been accused of any discrimination. I have been censured because of my views instead of my actions."

Massey told the Daily Nebraskan on Tuesday that he proposed striking sexual orientation because exposing children to a homosexual lifestyle could put them at risk. Massey had been on the board since it was formed six months ago.

The committee was working to amend the constitution and bring it into compliance with the UNL non-discrimination policy. Sexual orientation was included in the proposed amendment but was removed. The amendment passed 20-15.

Since receiving the letter, Massey, who is an assistant professor of agri-

cultural economics, said he had filed a complaint with the affirmative action office. Attempts to reach those officials were unsuccessful.

Massey said he didn't plan to take any legal action.

Massey said he had spoken with several UNL officials last week, Bolen included, who said they were upset with his actions and thought he had given the camp the go-ahead to discriminate.

Massey said he saw the amendment as granting camp officials the freedom to choose who their counselors and staff would be.

UNL officials also were upset that his proposal went against UNL policy, he said.

Massey said he had never discriminated against any of his students for any reason, and officials he spoke with confirmed that no complaints

had been filed against him.

The letter stating he was dismissed was the first indication that any action would be taken against him, Massey said. Officials said last week they would only work to enforce the nondiscrimination policy.

The proposal was seconded by a voice vote, but Massey said he didn't know if that member of the committee had been contacted. The voting was done by secret ballot.

Massey said he had made many attempts to be reinstated to the committee. He said he had spoken with Bolen; Eric Jolly, director of affirmative action and diversity; Linda Crump, associate director of affirmative action; and had someone contact Irv Omtvedt, vice chancellor of the Institute of Agriculture and Natural Resources. All attempts failed, he said.

Court not likely to rehear amendment case, officials say

By Brian Sharp
Senior Reporter

A motion to reconsider striking five constitutional amendments from the ballot probably will go unheard, state officials said.

Secretary of State Allen Beermann filed the motion for rehearing late Friday, after the Nebraska Supreme Court ruled in a 4-3 decision that the five proposed constitutional amendments must be taken off Tuesday's ballot.

Sen. Tim Hall of Omaha said that because

the court released its decision at such a late date, it probably would not rehear the case. Hall is chairman of the Executive Board of the Legislative Council, which was responsible for submitting the proposals to Beermann.

Denny Busick, a Grand Island attorney who argued against the amendments before the court, said he saw no reason to rehear the motion because it would raise nothing new.

The court's decision stated it "determined that the filing deadline was not met." The proposals, which were submitted to Beermann on July 8, were one day late. State statute requires that they be submitted not less than four months prior to the election.

"For a filing of July 8, we begin computing the four-month period," the majority opinion

stated. "Applying our general definition of the term 'calendar month,' we determine that a four-month period beginning July 9 ends on Nov. 8. That is not prior to the election."

Beermann had cited a past ruling in 1968 in which the court allowed a filing of July 5 for a Nov. 5 election. The court stated, however, that "the language of the time deadlines differs."

In that case, the language stated that the election was to be held not less than four months after the petition filing date.

The court also stated that case didn't apply because the time line was set by the Nebraska Constitution. In the case on the five amendments, the deadline was set in statute.

"This was a terrible decision on the part of

the court," Hall said. "They basically make new law here and overturn themselves."

Beermann's motion, submitted to the court by Attorney General Don Stenberg, stated the court erred twice in its decision.

The motion contends the court made its first mistake by not following a past ruling that stated constitutional amendments should not be pulled if they were filed with substantial compliance with the law.

The motion states that "such an egregious penalty of the people of the State of Nebraska for one man's delay should not be implied or assumed by this court. This court has repeat-

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