

Legislative session comes to successful, productive close, Nelson says

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The Legislature also voted 44-2 to give its final approval to LB1104, a bill that will decrease the state sales tax by 0.5 percent.

Nelson signed both bills into law following the close of Tuesday's session. Before the Legislature even moved to the tax cut bills, however, it spent more than three hours debating how to deal with an amendment to LB1175, a state-aid-for-schools bill.

Omaha Sen. Ernie Chambers proposed extending this year's session to make time to remove an amendment added to the bill in select file Friday.

Nelson had said Monday that he was opposed to the amendment even though the main parts of the bill are considered necessary to clean up some

Legislature

provisions related to schools. Nelson said the amendment would not pressure schools to become more efficient because it would give them a "blank check."

The Legislature voted 25-0 last Friday to adopt an amendment proposed by Sen. Bob Wickersham of Harrison that would change the method of determining how much state aid schools receive for special education and other programs.

Critics pointed out that the amendment would obligate the Legislature to fund up to \$70 million of school spending in the first year of the bill. Wickersham said that figure is a

projection subject to changes in spending needs and fluctuations in property tax evaluations.

He said the amendment would change language in a bill passed last year (LB806) which stated the Legislature intends to provide schools with enough aid so that they do not have to increase tax levies beyond the limits set by the state.

Wickersham said the state is responsible for making sure schools have the resources to function after imposing limits on their spending.

Sen. Ardryce Bohlke of Hastings, chairwoman of the Education Committee, said the spending formula would be needed in the new school year to avoid confusion and chaos among administrators.

But Omaha Sen. Kermit Brashear said the amendment might be unconstitutional because it dictates the action of the Legislature year after year.

Sen. Pam Brown of Omaha said

"The Legislature gets high marks when it comes to tax cutting. But their marks aren't as high on the spending side."

GOV. BEN NELSON

the amendment had not been fully considered by the Legislature before its adoption and that there is already ample state aid to schools facing budget crunches.

Lincoln Sen. Don Wesely also said he opposed the amendment because it would give business leaders who have accused the Legislature of overspending one more issue to exploit in pushing a constitutional amendment to limit state spending.

Chambers' motion to extend the session fell 23 votes short of the

required 40. Despite the objections from Nelson and others, the Legislature passed the bill 34-8.

Also on the final day of the session:

■ Senators passed LB309 by a vote of 47-2. The bill will place tougher penalties on drivers with repeat DWI offenses.

■ LB1266 was approved 40-2. The bill will make it illegal to execute a mentally retarded person who is convicted of murder.

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Indiana firm wants out of napalm deal

WASHINGTON (AP) - The Navy says it remains committed to destroying or recycling 3.3 million gallons of napalm, although a company that agreed to do the job pulled out of its contract as the first shipment traveled by rail across the country Tuesday.

The Pentagon seemed taken aback by the last-minute cancellation of the deal as two 6,000-gallon drums of the Vietnam-era jellied gasoline rode a railcar from California toward its Indiana destination, crossing New Mexico on Tuesday.

"Good question," Defense Department spokesman Ken Bacon told reporters when asked what the military would do now that its napalm destruction plans are stalled.

Hoping to ease any public safety concerns, Bacon said there is no danger in shipping the product, which had been stored for two dozen years at a facility north of San Diego, because it is more stable and less volatile than gasoline.

"It's not explosive. It's very safe to transport," Bacon said.

Navy officials said they would likely seek another method of destroying the napalm or find another company to do the original job that was subcontracted out by a larger firm.

"We're committed to this project because it is a safe and responsible project," said Navy Lt. Cmdr. Jon Smith. "We are examining all of our options."

The military hasn't yet decided what to do about the current shipment, Smith said.

The one-railcar load on a train of 60 to 80 cars will cross into Texas, Oklahoma, Kansas and Missouri before arriving in Illinois this weekend, the company said. From there, a smaller railroad was to transport the shipment from Illinois to Indiana.

Pollution Control Industries in East Chicago, Ind., had agreed in a \$24 million contract to turn the 3.3 million gallons of napalm from the Fallbrook

Naval Weapons Facility north of San Diego into fuel for cement kilns over two years.

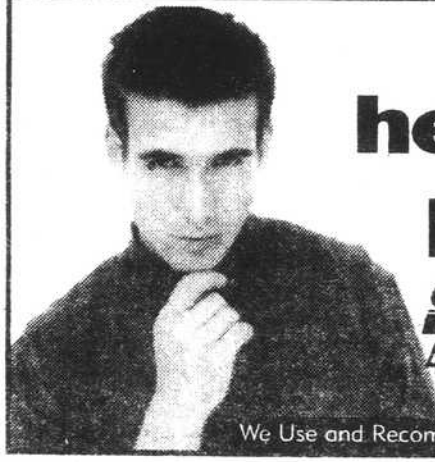
But Monday, the company said it wanted out of the deal because some members of Congress outside of California complained about the project.

In a letter to the Navy and Battelle Memorial Institute, the project's primary contractor, PCI attorney Steven Jay Katz said: "PCI hereby advises Battelle to cease making any further shipments and to recall all shipments already made."

Battelle was sticking with the project, according to the Navy.

Rep. Ron Packard, R-Calif., wanted the napalm removed because state officials said it was leaking from aluminum canisters stored in an open field and contaminating soil in Fallbrook, an avocado- and citrus-farming community.

Indiana and Illinois lawmakers opposed accepting the waste for recycling.



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