

Local

COUNCIL MEETING

The Hastings City Council Monday will begin taking action to move forward with the construction of a new water park this spring.

They will consider two items important to getting the Aquacourt on its way.

One item up for discussion is a supplemental agreement with Larkin Aquatics of Kansas City, the firm which has done the work to this point on the water park.

Once the contract is approved, the second phase of the project — design development — can move forward.

Also, there is a resolution confirming the election results on the sales tax issue approved to fund the water park. The resolution is a step necessary to secure the bonds for the project.

In other business, the council will conduct a public hearing on and consider adopting the 2003 Hastings Utilities budget.

The meeting is at 7 p.m. at the City Building, 220 N. Hastings Avenue.

DRUG, FORGERY

A 22-year-old Hastings man was sentenced to 540 days in jail for forgery and possession of methamphetamine.

Adams County District Judge Terri Harder sentenced Mark D. Lansford of 739 N. Lincoln Ave. Apt. B to 320 days in jail and ordered him to pay a \$516 in restitution for second-degree forgery.

Harder also sentenced Lansford to 220 days in jail for possession of meth.

Lansford pleaded guilty Sept. 9 to forging documents on March 21 and to possession of meth Jan. 21. He was sentenced October 15.

Second-degree forgery is a Class 3 felony punishable by up to 20 years in prison and a \$25,000 fine.

Possession of meth is a Class 4 felony punishable by up to five years in jail and a \$10,000 fine.

DECEMBER DAYS

The Tenth Annual December Days Arts and Crafts Show is 9 a.m. to 4 p.m. Dec. 7 at the City Auditorium in Hastings.

The event will feature 50 booths with many handcrafted items to choose from.

The event is sponsored by Hastings Parks and Recreation. Adams County Senior Services is sponsoring a concession stand and admission is free.

Death-penalty law expected to be challenged

KEVIN O'HANLON
The Associated Press

LINCOLN — Most observers expect Nebraska's new sentencing law for death-penalty cases to be the subject of legal challenges, adding to the many attacks on capital punishment already snaking through the courts.

"As long as you have people under sentence of death, you are going to have appeals," said Assistant Attorney General J. Kirk Brown, who handles death-penalty cases for Nebraska.

"You'll have appeals until they aren't sentenced to death anymore — or they're executed," he said.

On Friday, lawmakers gave final approval and Gov. Mike Johanns signed into law a measure meant to strengthen

Nebraska's death-penalty sentencing law.

Because it was written to be retroactive — meaning it will apply to cases already pending — most legal experts expect it to be challenged in court.

Meanwhile, several significant appeals are pending that could shake other parts of Nebraska's death-penalty statutes.

A panel of 13 judges from the 8th U.S. Circuit Court of Appeals heard arguments in September in a case involving longtime Nebraska death-row inmate Carey Dean Moore.

Moore was sentenced to death for the 1979 murders of Omaha cab drivers Reuel Van Ness Jr. and Maynard Helegland during two robberies.

He is challenging Nebraska's

definition of "exceptional depravity," which is among the aggravating circumstances that must be present to warrant a death sentence.

Aggravating circumstances include factors such as whether a murder was especially heinous, cruel or depraved or whether it was committed for monetary gain.

The 13-judge panel is reviewing a January decision by a three-judge 8th Circuit panel that overturned Moore's sentence. That panel said Nebraska's definition of exceptional depravity was unconstitutionally vague—even though U.S. District Judge Richard Kopf of Lincoln and the Nebraska Supreme Court have ruled otherwise.

Nebraska's high court said that

Moore's crimes were exceptionally depraved because he carefully planned the murders. He confessed to having practiced calling cabs to see how long they took to come and told officers that he chose older victims because they would be easier to kill.

Lincoln Sen. Chris Beutler failed in attempts during the special session to amend the definition of exceptional depravity in Nebraska law.

In addition to Moore, three other inmates on Nebraska's death row — Charles Jess Palmer, Raymond Mata Jr. and Michael Ryan — were sentenced under the exceptional depravity test.

The Moore case took a new twist in June when the U.S. Supreme Court ruled in a case

(Ring v. Arizona), saying the Constitution guarantees a trial by a jury, and that right extends to weighing whether a killing merits a death sentence or life in prison.

In other words, the court said that juries, not judges, must decide if aggravating circumstances exist to merit the death penalty.

In Nebraska, judges have made that determination since the Legislature decided in the 1970s that there was the potential of bias by juries.

It was the Ring decision that prompted Johanns to call the Legislature into the special session.

The new sentencing law will have juries determine if aggravating factors are present.



BRENT McCOWN / Tribune

Tribune circulation employees Marcea Paymal (left) and Christine Clark pose with a Goodfellows toy box after setting it up for donations at Kmart Friday afternoon.

Let the giving begin

Hastings Tribune
The Goodfellows campaign is beginning again for the holiday season. Friday, Tribune employees delivered drop boxes to area businesses for collecting toys and donations for the campaign.

Last year, the Tribune collected a total of \$15,052.52 for the campaign. Goodfellows served 247 families last year.

Goodfellows accepts donations of new toys, food, money, or volunteer hours.

Every toy and penny given goes directly to families in need during the holiday season. As Christmas nears, Goodfellows volunteers will deliver boxes with toys and the makings of a holiday dinner.

Where to give

Drop boxes can be found at the following places in Hastings:

- ◆ Hastings Tribune, 908 W. Second St.
- ◆ Big Kmart: 3001 W. 12th St.
- ◆ Wal-Mart: 3000 Osborne Drive East
- ◆ Gordmans: 930 S. Burlington Ave.
- ◆ Dollar General: 705 W. Second St., 3001 W. 12th St.
- ◆ Lincoln Federal Bank: 631 W. Second St.
- ◆ Ben Franklin: 742 W. Second St.
- ◆ Watson Elementary: 1720 Crane Ave.
- ◆ Morton Elementary: 731 N. Baltimore Ave.
- ◆ Longfellow Elementary: 828 N. Hastings Ave.
- ◆ Hawthorne Elementary: 2200 W. Ninth St.

HRC: Regional Center could come up in general session

Continued from page A1

The state's budget shortfall is projected to be \$673 million, which means cutting the state's budget is a likely priority during the general session starting in January.

Sen. Carroll Burling of Kenesaw said the budget shortfall is bad enough that everything is on the table as a potential cut.

"As far as what's going on here in the Legislature regarding cuts that will be coming up next session, there's not any one thing that's singled out at this time," he said.

Senators have been discussing the budget shortfall in hallways and offices during the special session on the death penalty, Burling said.

"It's on our minds; everything is on the table, and we're really frustrated because we know a lot of people are going to get hurt," he said.

Hastings Mayor Rick Sheehy already is taking steps

to try to keep Hastings residents from being hurt.

He said he was surprised to hear that anyone had mentioned closing HRC as a potential cut so far ahead of the general session.

He's started talks with Dee Haussler, Hastings Economic Development Corp. executive director, to try to coordinate a response should closing HRC come up.

"We're going to try and get our facts together," he said. "We want to know about the benefit that the Hastings Regional Center not only provides to the community but also to mental health-care providers in the state of Nebraska."

The regional center provides meals to the Hastings Correctional Center and may be connected to the correctional center in other ways, like heating, Sheehy said.

"We may have been given early notice," he said. "We will start our lobbying early."

Cuts: Ag programs could take more hits

Continued from page A5

In previous remarks, university officials have said the drawing-in is necessary so IANR can maintain the "critical mass" it needs to offer quality programs.

The trend is troubling to others, however. They point to UNL's status as a land-grant institution, long endowed by the federal government for the "leading object" of educating the industrial classes in agriculture and the mechanic arts.

"When our university is still the 'land grant college' in this state, agriculture should have been held in higher regard for program and faculty cuts by the administration of the university," said Bob Anderson, president of the 750-member Nebraska Agri-Business Association, in a news release.

He said the university must continue to recognize one of its

core missions as "providing applied research for our agricultural producers, delivered through the only avenue available, that being the Cooperative Extension Service."

Keith Olsen, president of the Nebraska Farm Bureau Federation, expressed similar sentiments in a statement Wednesday.

"We know that more budget cuts may be in store for the university when the Legislature prepares to deal with the budget situation next year," Olsen said. "We hope leaders of the agriculture community, the university and the Board of Regents can work together to find ways to deal with possible future cuts without sacrificing the core land grant mission of the University of Nebraska."

Perlman said Wednesday that while the university's land-grant status was "vitaly impor-

tant," he saw no particular need to review its overall mission in this time of shrinking budgets and clashing priorities.

"In terms of the overall mission, there's not much dispute about what it is," he said.

He also said that in the face of possible future cuts, he would continue to favor eliminating entire units and programs over watering down the university across the board.

"I'm still committed to vertical reductions rather than dropping the quality of every unit," he said.

Future budget reductions, if necessary, would lead to cuts in units across the state, and also likely would hit undergraduates in ways they did not this fall, he said.

"It is unlikely I would be able to protect the undergraduate program in (another) round," he said.

Thanksgiving Advertising Deadlines

RETAIL AND CLASSIFIED DISPLAY ADVERTISING

<u>Publication Day</u>	<u>Deadline</u>
Wednesday, Nov. 27	Monday, Nov. 25 at Noon
Friday, Nov. 29	Tuesday, Nov. 26 at Noon
Saturday, Nov. 30	Tuesday, Nov. 26 at 5 p.m.
Farmers Market - Week of Nov. 25	Wednesday, Nov. 20 at 3 p.m.
Monday, Dec. 2	Wednesday, Nov. 27 at 5 p.m.

Color ads for full page or larger ads, please add 24 hours to the above deadlines.

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<u>Publication Day</u>	<u>Deadline</u>
Tuesday, Nov. 26	Monday, Nov. 25 at 10 a.m.
Wednesday, Nov. 27	Tuesday, Nov. 26 at 10 a.m.
Friday, Nov. 29	Wednesday, Nov. 27 at 10 a.m.
Saturday, Nov. 30	Friday, Nov. 29 at 9 a.m.
Farmers Market - Week of Nov. 25	Friday, Nov. 22 at 11 a.m.
Monday, Dec. 2	Friday, Nov. 29 at Noon

The Hastings Tribune will be closed on Thanksgiving Day so our employees may enjoy the holiday with their families. We would like to wish all of you a Happy Thanksgiving!

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