

# The Battalion

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Wednesday — Partly cloudy.  
High 87, low 53.

Thursday — Partly cloudy.  
High of 85.

845-2226

## Hill Blasts Nixon Moves

Texas Attorney General John L. Hill said here Tuesday the President, "by imposing his own policy preferences over those of Congress, has failed in his duty to faithfully execute the law, and has far surpassed his predecessors' assertions of power."

Hill discussed "Presidential Impoundment of Funds" and the possible impact of the President's actions on Congressional powers and domestic programs at a noon Political Forum presentation.

The attorney general called Presidential impoundment "a matter of great significance and importance to all people of the United States."

Hill's office has challenged Nixon's impoundment of funds for pollution control in the State of Texas vs. Ruckelshaus, which is now pending in federal courts in Austin. The state is suing to collect \$164.6 million in anti-pollution funds allocated to Texas but impounded by Nixon as part of his cutback in national

spending.

"Nixon has forced domestic programs to bear the heaviest burden," Hill pointed out. The rural environmental assistance program, rural electrification administration, housing production and mortgage credit and community development programs have all been cut by Nixon.

The President also impounded \$2.5 billion for federal-aid highway programs, but the 8th U. S. Circuit Court of Appeals has since ruled that this impoundment was illegal.

Nixon has cited Article II, Section 3 of the Constitution, which gives the President the duty to "faithfully execute" the laws as his authority for the action. He also claims that the statutory debt limit, the limitations of existing tax laws, and his responsibility to maintain a stable economy mandate that he impound funds, according to Hill.

Hill said Nixon relies on a theory of inherent executive pow-

er to impound funds.

"It seems to me this goes beyond the Constitutional limits," he questioned. "Even though the debt limit provides that obligations shall not exceed \$465 billion, the mandatory language is not an implicit grant of unfettered executive discretion to cut where the President chooses."

Congress at one time considered granting the President total discretion, in debt limits, but rejected this proposal, Hill recalled.

Many of Nixon's budget cuts are explained away by citing the debt limit statute, Hill said, and "some are curtailed or terminated without any explanation. These actions, based on such flimsy authority, must be brought under Congressional control, for the sake of the American people affected."

"The question is," according to Hill, "whether or not the President of the United States can simply say 'that program is out.'"

Nixon also has justified his actions through his power to control inflation under the Economic Stabilization Act, Hill contended. "However, this act cannot be used as a license to take the budget in any direction you want

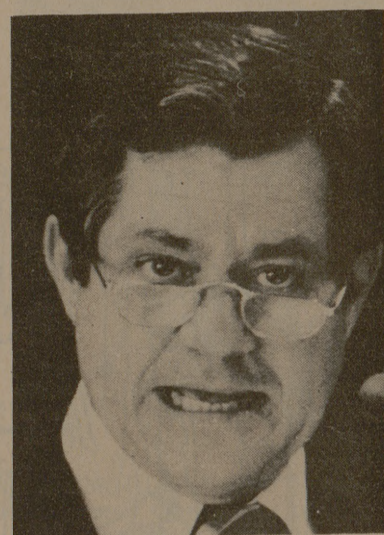
in the name of the country's economy," the attorney general stated.

Hill quoted David B. Frohnmayer of the University of Oregon Law School, who said, "Congressional power, like chastity, is rarely taken by force, seldom lost, and almost always given away."

The attorney general said the courts alone could not solve this problem simply by declaring Nixon's actions unconstitutional, and that "Congress must act to reassert its constitutional prerogative in budgetary matters."

By his doctrine of inherent executive power, Hill said the President has turned statutory "shalls" into discretionary "mayas," thereby ignoring the will of Congress.

"Ours is a Constitutional system of government, and any inconveniences created by that fact must not be resolved by extralegal actions taken for the sake of expediency," Hill challenged. "The dimensions of executive power have reached crisis proportions. We must bring it back into our Constitutional system, or see that system seriously impaired."



John L. Hill

## Regents Boost Services Fee At UT-Austin

AUSTIN (AP) — University of Texas regents approved a mandatory student services fee Tuesday for UT-Austin that would raise most student's fees from \$23.75 per semester to \$28. The "sliding scale," which will go into effect next fall, will vary according to the number of hours a student takes. Students will be charged \$3.50 per semester credit hour up to eight hours.

Students registered for more than eight hours will pay \$30, the maximum fee.

The fee is used to support student services that include the UT Health Center, shuttle bus operations, student government activities and publication of the student newspaper, the Daily Texan.

Summer school students will have to pay a minimum of \$10.50.

In other action, the regents approved a \$1 increase in ticket prices for home football games from \$6 to \$7. Prices for the traditional UT-Oklahoma game in Dallas will go from \$7 to \$8. —Approved a bachelor's degree program in criminal justice for UT-El Paso.

—Approved final plans for the new University of Texas Medical School at Houston at an estimated cost of \$27,847,000.

—Awarded contract for construction of a Child Health Center at the UT Medical Branch in Galveston, \$8,299,500 offered by Southwestern Construction Co. of Houston.

—Cut the size of a building addition at the UT Cancer Center in Houston in half because of the shortage of federal funds. The project will include the addition of sixth and seventh floors to the existing M.D. Anderson Hospital and Tumor Institute.

"On the side of Texas A&M." University National Bank Adv.

## Petition Signatures Obtained; More Issues On Board Agenda

By VICKIE ASHWILL

A plan proposed to the TAMU System Board of Directors is asking for a \$19 Student Services fee, but a petition asking for a referendum on the topic and suggesting a \$15 fee has circulated among students, and apparently gotten enough signatures.

Student Government President Randy Ross received a copy with more than the required 2,837 student signatures today and has started procedures to have a student body vote.

Ross said he would give the petition to the Judicial Committee in order to get a certification that the signatures are valid and from there would begin to organize an election.

"A referendum is considered an election as defined in the constitution," continued Ross, "which requires the Election Board to publicize the election at least 10 class days prior to the election. This would put us in the middle of finals."

An election requires the special ruling of the Judicial Committee to hold it earlier, said Ross.

## Environment Forum Slated For Thursday

Texas State Representative Lane Denton (Waco) and President Cher White of the Environmental Action for Texas will speak as part of Environmental Forum Thursday at 8 p.m. in the Architecture Auditorium.

"Better Laws for a Better Environment" will be the topic of the two speakers presented by the Environmental Action Council of Brazos County. The forum is for the purpose of introducing to the public environmental legislation now up for action in the Texas Legislature.

Issues now under discussion in the Texas House are the Texas Environmental Quality Act (HB 646), Texas Land Resources Act (HB 1431), Texas Environmental Agency Act (HB 1556), Texas Counties Environmental Protection Act (HB 5220), Environmental Protection Act of 1973 (HB 205), Texas Surface Mining Reclamation Act (HB 614) and Hike and Bike Trails Act (HB 1195).

Denton has been a member of the House since 1971 and is presently in the Education, Human Resources and Elections Committees.

White, on the other hand, is from Austin and has been active in commercial and educational television and has worked in Washington, D.C., as an analyst of government relations and ecological issues. She was the former president of the Texas Environmental Coalition.

"I'm playing a fair game and the students involved understand that," said Ross. "I just have to go by the procedures."

Ross also commented on the \$19 Student Services fee to go before the Board of Directors May 1.

"The A&M Student Government (SG) is one of the few university student governments that has the right to recommend how the Student Services fees are spent," Ross began. "Several

OKd 12-5

## Drug Bill Moves To House Floor

AUSTIN (AP) — The House Criminal Jurisprudence Committee voted 12-5 Tuesday night for a bill that would make first offense marijuana possession a misdemeanor punishable with a jail term up to six months and a fine up to \$1,000.

The bill now goes to the House floor for debate.

A Senate Jurisprudence subcommittee voted 4-0 for a bill that would make possession of up to four ounces of marijuana, first offense, punishable by a jail term up to seven days and a fine up to \$200. That bill now goes to the full committee for debate.

The House committee voted 10-8 for an amendment by Rep. Ron Waters, D-Houston, that would allow persons previously convicted on marijuana charges to be resentenced.

This would affect more than 800 prisoners at the state penitentiary at Huntsville and 20,000 persons on probation, according to Rep. Jim Mattox, D-Dallas, who will carry the bill on the House floor.

Mattox asked for an attorney general's opinion on Waters' amendment. He said it might infringe on the powers of the governor and the Board of Pardons and Paroles. The committee voted 14-3 to ask for the opinion.

The committee voted down, 12-5, an amendment by Rep. Bill Sullivan, D-Gainesville, that would break down marijuana possession into amounts: up to two ounces, up to 90 days and up to \$500; two ounces but less than six, up to six months and up to \$1,000; six ounces and over, two to 10 years.

It voted 10-7 to table an amendment by Waters that would have made second offense marijuana possession a misdemeanor, punishable by up to one year and up to \$2,000. Second offense would be a felony, punishable by a 2-10 year prison term.

An amendment by Mattox that would allow judges to reduce felony drug convictions to misdemeanors punishable by up to one year in jail and up to \$2,000 failed on an 8-8 tie vote. Mattox

other schools don't have a say in the matter and don't know where the money goes."

He continued to say that the suggestions made by the SG are highly respected, but they are just suggestions and President Jack K. Williams and the Board do have the final say in the matter.

In closed sessions with Dr. Williams, Ross said it "was tough going for awhile to keep the athletic budget down to the

recommended \$170,000 by the Student Senate."

"We presented the views of the students and our concern with the Athletic Department and succeeded in keeping that allocation the same," Ross said. "The Athletic Department is going to have to tighten its belt next year like everyone else and hopefully have a good reason."

The extra money, Ross pointed out, will be put into a reserve and help take care of the Memorial Student Center facilities.

"Students are going to have to compromise with the administration," concluded Ross. "Overall, students are paying the amount the Student Senate endorsed."

In order to compensate for the proposed \$19 Student Services fees, a suggestion will go to the Board to allow Dr. Williams to levy a fee of \$14 per student per semester and \$7 per summer session for the hospital pending the adoption of current Senate Bill 188.

This bill, when finally passed, will authorize the Board to set a separate student hospital fee for payment by each student, not to exceed \$15 per semester and will go into effect Sept. 1, 1973.

According to the suggestion from Vice President of Business Affairs Tom Cherry and Dean of Students James P. Hannigan, "Students taking less than six semester credit hours during each semester of the regular session or less than three semester credit hours during each term of the

(See Petition, page 5)

## Begins Tonight

## Dracula's Terror Unleashed As Horror Story Unravels

By KENNETH STROEBEL Staff Writer

Dracula is coming. Mark S. Scott will unleash an armor-piercing stare on an unsuspecting audience when the Aggie Players present "Count Dracula" tonight, Thursday, Friday and Saturday nights at 8:00.

John Steele is director of the comic adaptation of Ted Tiller's three-act play.

Another junior education major, Nanette Zeig, is assistant director.

"Count Dracula" is the first full-length play Steele has directed. Last week he was chosen for an acting and singing role in the nationally recognized outdoor musical "Texas" to be performed in Palo Duro Canyon.

The story concerns the Count's quest for the heroine's blood in order to become a vampire, and the attempts made to stop him. Dr. Arthur Seward operates the English asylum in which the comedy unfolds in the 1930s setting.

Aileen Wenck plays Dr. Seward's sister Sybil, and captures the essence of her personality in the line, "My mind is absolutely vacant."

Dr. Seward, played by Lynn Lawhon, is the exasperated object of Hennessey's affections. She is another of the residence's personnel, played by Pat Lockstedt. They are assisted to a certain degree by Westley, played by Holly Faison.

"She's a real weasel," declares Hennessey of Renfield, another deserving resident. Played by Kay Slowey, Renfield enjoys eating flies, and predicts, "The master is coming to drink your blood."

The master, in the play and in his abilities, is Mark Scott. In addition to the characteristic slinking and dipping of Dracula, Scott shows other tricks, such as producing lighted cigarettes from thin air. In his role as Count Dracula, he lives in nearby Castle Carfax—alone.

The Count's eyes widen, blaz-

ing into space as he announces, "I have my own plans for the heroic Mr. Harker." David Hines plays the ill-fated Jonathan Harker, an occasional visitor of the asylum.

He is suitor to the heroine, Mima Murray, played by Cheri Linquist. Mima begins to behave strangely after walking with the Count in the rose garden.

And what mystery would be complete without a German scientist? In this case, it's Heinrich Van Heising, played by Jim Marks Dennis. Van Heising is a rare disease specialist called to study Mima's peculiar behavior.

Guion Hall was a fallout shelter converted to a theater. In 1965, it also became headquarters for aspiring student writers, actors and directors looking for an audience to try their talents on.

When the building was razed in 1970, the Aggie Players relocated the Fallout Theater program and its sign at an old army (See Dracula's, page 6)



LUST FOR BLOOD will be the topic of the three-act play by Ted Miller, "Count Dracula," as presented by the Aggie Players beginning tonight. Showtime is at 8:00 in Lecture Room 1 of the Zachry Engineering Center.