

Bullock issues report on Constitution finance

Associated Press

AUSTIN, Tex. — Comptroller Bob Bullock issued a new financial size-up of the proposed new Texas Constitution Tuesday, saying its costs would depend entirely on future decisions of legislators and local governments.

While the 1876 Constitution was written deliberately to hamstring government, the new one "would give elected governing bodies all the free rein the voters and the taxpayers will let them have," Bullock said.

He said there also are mandatory

provisions in the document on which voters will decide Nov. 4, that "would have substantial, long range cost implications."

But he omitted references to the Texas Water Plan and the Trinity River Canal that appeared in his original analysis of the constitution in May.

Minimal-cost items directly cited by Bullock in his new report add up to \$82 million a year—mostly through a provision that would guarantee each Texan "equal educational opportunity."

"Even without the constitutional mandate, the 64th legislature set in motion a \$100 million spending program for equalization aid for a two-year period. That should be considered only a minimal example," Bullock said.

Restructuring of the court system, absorbing more judges within the state-financed part of it, would add \$3.6 million a year, he estimated.

Adding "instructional materials" besides textbooks to items for which the Available School Fund causing further demands on general revenue fund money," the report said.

Sales-tax revenue would decline because of a proposed constitutional exemption for food, Bullock said. He said some food items such as soft drinks, diluted juices and candy are now taxed, "but the language of the proposed constitution could prohibit this."

The comptroller, while not specifically mentioning any project such as the water plan, said the proposed constitution mandates environmental protection and water storage.

"The language of the proposed constitution is clearly mandatory enough to lead to increased state expenditures — whether direct costs, state bond issues or revenue bonds — of significant, long range proportions," Bullock said.

Fire ants spread as poison barriers drop

A Texas A&M University entomologist said the last barrier to fire ants may have disappeared in Texas.

Dr. Brad Vinson who has been involved in fire ant research said it is too late to eradicate fire ants, but they could still be controlled.

The Environmental Protection Agency (EPA) this week stopped the production of a poison deadly to the ant. However, MIREX, the only control chemical now allowed in Texas by the EPA for use on fire ants, is a similar compound. In a check with the MIREX manufacturer in Baltimore, spokesman John Magliocco of Allied Chemical Company said the production and supply of MIREX wouldn't be affected by the EPA ruling.

Fire ants have taken over because the eradication program was put off too long Vinson said. "Also the trouble with the eradication is that it gets rid of all the other ants as well, so when the fire ant returns, it has no competition and spreads even faster."

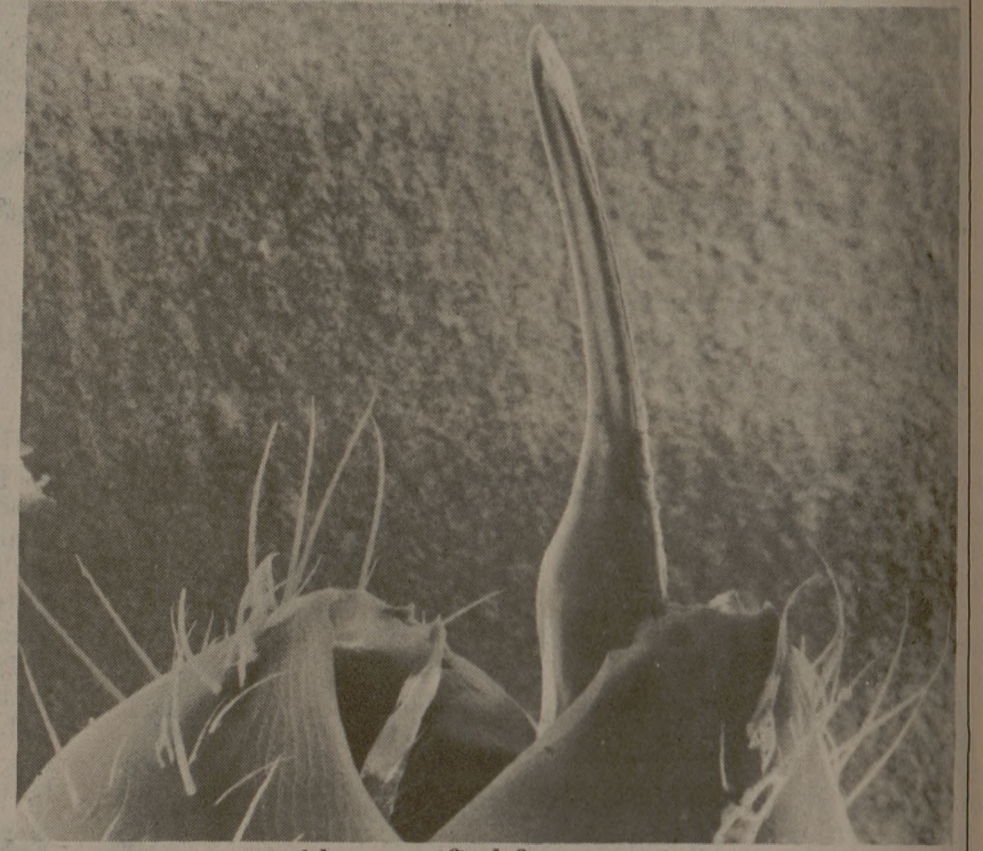
Jack Bowmer, agronomist with the Texas Department of Agriculture, said that 75 counties and over 40 million acres of Texas are infested with fire ants. The area is roughly bounded by Hondo, Corpus Christi, and Texarkana plus the Dallas area.

The fire ant area borders on the edge of the lush, fertile, Lower Rio Grande Valley. The fire ants are working their way south and are somewhere in the 50 miles between Corpus Christi and the start of the lower valley growing area. They are moving south at a rate of about 15 miles per year.

"Sometimes they set for a couple of years and then the conditions get right and they really snowball," Bowmer said. "All it takes is one fertile queen and you've got a new mound."

"A sample of what is in store for the valley is occurring in the truck farming area south of San Antonio," Bowmer said. "There

the fields are infested and are causing a real problem where the crops have to be picked by hand. The fire ant will grab you with its mandibles and sting in a circle. A pustule forms and the tissue rots much like a spider bite.



Highly magnified fire ant stinger.

Carrillo prosecutor burdened

Associated Press

AUSTIN, Tex. — A Senate committee Tuesday voted to recommend that an unprecedented burden be placed on prosecutor Terry Doyle in the impeachment trial of District Judge O. P. Carrillo.

The administration committee also voted to recommend relaxing restrictions on extra strong lights that might be needed by television cameras to show the trial.

The committee agreed to remain silent on the question of whether attorneys in the trial might talk to reporters. It was decided, however, that none of the 31 senator-jurors "may discuss or comment on any matter relating to the merits of the proceedings before the court, except with other members of the court and the presiding officer."

Over Doyle's objections, the committee voted to recommend that the prosecution establish "beyond a reasonable doubt" that Carrillo has committed the acts for which he was impeached by the House Aug. 4-5.

One of Carrillo's attorneys, Arthur Mitchell of Austin, had asked the committee to recommend that language, and Sen. Oscar Mauzy, D-Dallas, proposed the change.

It still must be approved by the committee on Wednesday, after the trial begins, and also by the full Senate sitting as a jury.

Doyle, a former House member from Port Arthur, said an impeachment prosecutor has never faced such a burden before — either in Texas or any other state.

The standard of proof, he said, is have the impeachment charges been proven to the "satisfaction of the Senate." But Leon Jaworski, special counsel, said to assure that a federal court would uphold any impeachment conviction, "You should assume the greater burden."

Jaworski indicated that as the Watergate prosecutor facing "unprecedented" situations, "we played in on the safe side so we wouldn't be faced with a new rule to slap us in the face."

"I think you're making a serious mistake," said Doyle. "You're charting a new course in constitutional law."

An absolute prohibition against special lighting, presumably for TV, was eased at the request of Lt. Gov. Bill Hobby, who read a letter from Joel Smith of KPRC-TV in Houston, telling how difficult it would be to film the impeachment trial without such lighting.

"I'd hate to see it degenerate into, 'Will you hold that up please until I get the lights fixed,'" said Doyle.

Hobby is on leave of absence as an executive of the Houston Post that, with KPRC-TV, is owned by the Hobby family.

The committee also agreed to permit live broadcasting of the official proceedings.

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