



Staff photos by Greg Gammon

Wipeout!

Tom Phillips takes a fall during the third annual Little Aggie Land bicycle race held Saturday on the streets around the main drill field. Phillips, a sophomore engineering

major, got back up and helped his teammates temporarily regain second place in a field of 10, three-man teams. After taking a second spill on the last lap of the race, Phillips was

taken to the A.P. Beutel Health Center, where he was treated for cuts and bruises and held for observation. For race results, see the story in today's sports section.

THE BATTALION

Serving the Texas A&M University community

Vol. 74 No. 108
12 Pages

Monday, March 2, 1981
College Station, Texas

USPS 045 360
Phone 845-2611

The Weather

Today	Tomorrow
High 67	High 68
Low 52	Low 54
Chance of rain . . 20%	Chance of rain . . 80%

A&M, Eagle await A.G. list decision

By BERNIE FETTE
Battalion Staff

The Texas Attorney General's Opinion Committee has just begun work on deciding whether or not the Texas A&M University System's Board of Regents will be required to provide a list of candidates for president of Texas A&M University to the Eagle.

"Work has just started on that opinion," Susan Garrison, chairman of the attorney general's opinion committee said. "It may be some time before a decision is reached."

The Bryan newspaper has thus far been denied access to the list of twenty persons being considered as successors to former Texas A&M President Dr. Jarvis Miller.

The Board of Regents, through the University's legal personnel, has refused to give up the list.

The question involved is whether or not the list is protected by the Texas Open Records Act. Information covered by the act is considered to be public information and can therefore be published.

The Board of Regents has requested an opinion from Texas

Attorney General Mark White on whether or not the names must be released.

James Bond, System vice chancellor for legal affairs, said the list in this case is covered by an exception to the act and is therefore not protected.

"The former opinions of the attorney general being relied upon to support the Eagle's position did not address exceptions which apply to our fact situation," Bond said.

Bond said Section 11 of the act excludes inter-departmental and intra-departmental memoranda which concern advice and recommendations and that the list in question clearly comes under this exception. The candidate list is a recommendation from the search committee to the regents.

Bond equated the closed records to executive sessions closed under the Texas Open Meetings Law.

"The legislature intended for these two acts (open records and open meetings) to be used in harmony," Bond said. "Subjects that are proper for deliberation in executive session should have written material protected that bears on the subject of their deliberation."

The Eagle, however, maintains previous attorney general decisions support its position.

The position taken by the Eagle was explained in an editorial opinion published recently:

"The regents said that many of those 20 may not have known they were being considered and to reveal their names would have been embarrassing It certainly cannot be an embarrassment to anyone to be considered for this highly important position. If it is, that person should have asked to have his or her name withdrawn."

The Eagle said it does not want to conduct lengthy interviews or discussions but only to publish the names and basic information about those persons being considered, such as ages and current positions.

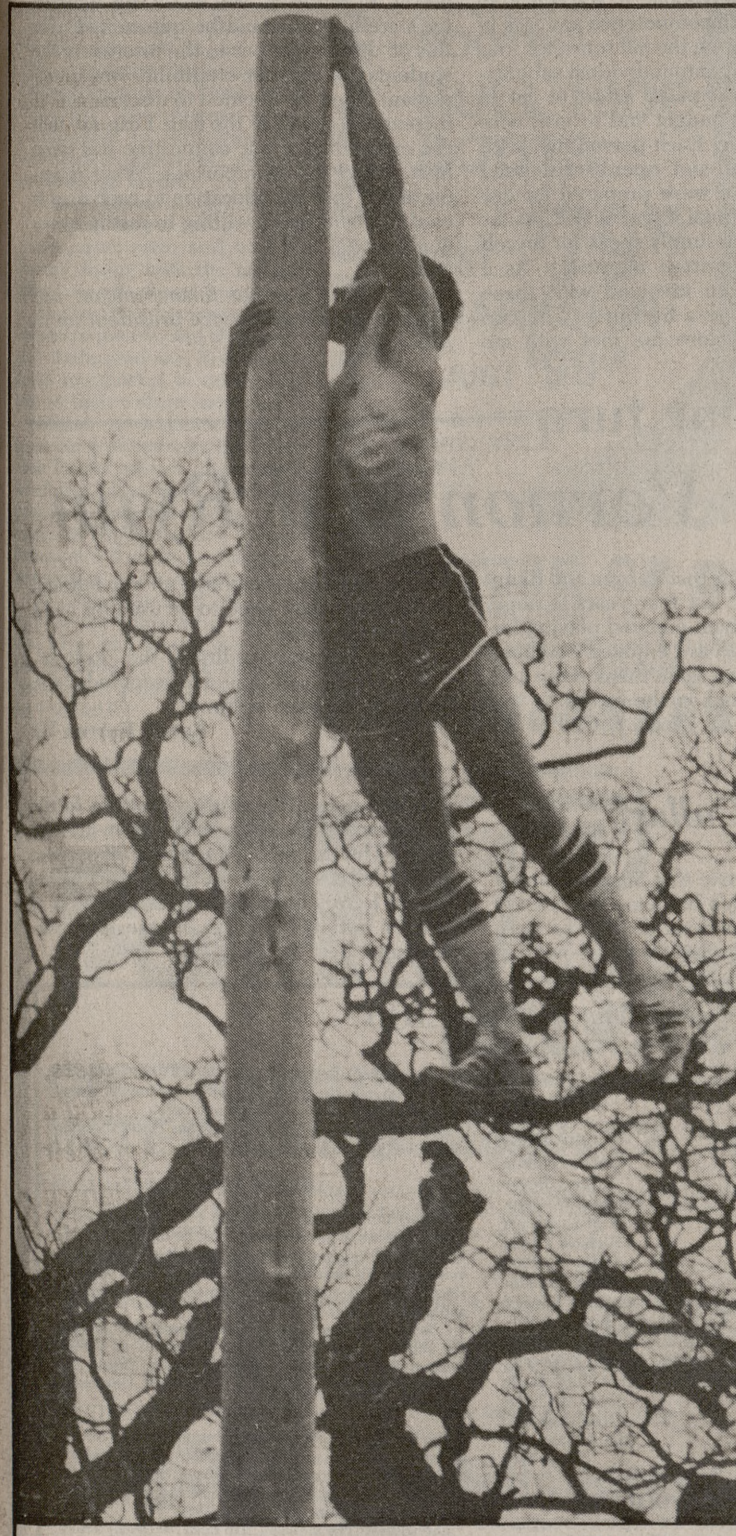
"Clearly, the people of this state, those thousands associated with the university and with other institutions of higher learning, and the citizens of the Brazos Valley will be affected by that person," the editorial said. "All of those and the former thousands of A&M former students have an unquenchable interest in knowing who those candidates are."

"There can be no harm in making the public aware of those who are being considered for this highly important post," it said. "There could, on the other hand, be considerable harm for the selection process to be held in total privacy."

One of the recent attorney general decisions The Eagle is relying upon is one handed down Oct. 29, which concerns whether or not the identity of persons who have applied for a position with a governmental agency constitutes public information.

The decision in part read: "A member of the public has a strong interest in being apprised of the names of persons being considered for important public positions, so that, prior to selection, he may attempt to influence the choice, and, after selection, he may evaluate the wisdom of the choice."

"We realize the importance of not deterring qualified persons from seeking public employment. Nonetheless, we believe the weight of authority requires us to find this information available to the public."



Staff photo by Brian Tate

Jim Frisch, president of the Forestry Club, reaches for the top of the 20-foot pole he climbed in 2.4 seconds at the Skidadoo competition.

Foresters display brains, brawn

By KAREN KALEY
Battalion Reporter

The damp weather didn't dampen the spirit of competition and togetherness at Texas A&M University's annual Skidadoo lumberjack competition of the Forestry Club on Saturday.

Skidadoo is a preliminary competition to the Associated Southern Forestry Club's Regional Conclave.

Beer, charred hotdogs and friends helped the foresters forget the weather as they displayed skills in both physical and technical events.

The physical events — archery, speed chop, men's and women's cross-cut, log rolling (land), log birling (water), knife throw, axe throw, pole climb, bow saw — require flexibility, mobility and calculation more than brawn.

Jim Frisch, forestry club president, at 5'11" and 155 pounds, is far from the brawny lumberjack in the Paul Bunyan folk tales.

Frisch will represent Texas A&M in six events at Conclave. "There's a lot of technique and brains involved," he said.

Though the foresters are competing to go to the regional Conclave in Tennessee this month, they also compete for something just as important — a pair of red suspenders.

The suspenders signify that a forester is a first-place winner and is on his way to Conclave in one of the physical or technical events.

Though the physical events are exciting, they are also dangerous. John Morrissey, a forest science major working on his master's, chopped his foot rather than the log practicing for the speed chop on February 22.

The foot is stitched up and Morrissey competed in some events Saturday; however, the speed chop was not one of them.

Morrissey has not lost his spirit for competition in that event.

"I was going to do it today, but I can't wear shoes yet," he said.

Since the accident, steel toe guards are used to protect the chopper's feet.

Although the competition is a main ingredient in Skidadoo, it's not all that the foresters were there for.

"I'm out here for the spirit of competition and the beer drinking," Jimmy Crawford, a junior forest science major, said.

The competition is individual effort, excluding the team events — cross-cut sawing and log rolling.

But each contestant had a 50-member team cheering him on. "One thing good about Skidadoo is that you compete amongst friends," Murray said.

The forestry graduate students and faculty also join the fun of competing.

They are not eligible to go to Conclave but the competitive spirit is instilled in them as well. "We're one of the few departments where the grads and faculty really get involved," Price said.

The grads did win the five-person greased pole climb. They weren't given much competition.

The non-point events — tobacco spit, Jack and Jill cross-cut and the greased pole climb — added a bit of comic relief to an otherwise physically and mentally exhausting day of competition.

The foresters practice months in advance for this competition.

"You have to get out there and work your butt off," Murray said. "You have to build up to it."

Price said. "But, it's a lot of fun."

Texas A&M's Forestry Club will send 17 competitors to the Tennessee Conclave.

The winners of Saturday's events:

Stan Williams, dendrology (tree identification); Mike (Gus) Cunningham, pole felling; Dot Miller, wood technology (wood-block identification); Dave Dignum, archery; Barry Watkins, DBH estimation (judging the diameter of a tree); Jim Frisch, speed chop, knife throw, pole climb, bow saw and Jack and Jill cross-cut; Mike Boriack and Dan McKenney, log roll; Mike Boriack, chain throw; Jim Frisch and Gary Beacher, men's cross-cut; Nes Bilir and Glenda Erp, women's cross-cut; Nes Bilir, Jack and Jill cross-cut; Willy Sounenfeld, log birling; Bobby Click, photogrammetry (distinguishing features in infra-red aerial photographs); and Gary Beacher, tobacco spit.

Judge rules Texas can impose fruit ban

United Press International
Many Texas produce wholesalers say they have been unable so far to gauge the effects of a Dallas federal judge's quarantine on unfumigated California fruits and vegetables.

U.S. District Judge Patrick E. Higginbotham late Saturday ruled Texas could stop the unfumigated produce to protect its own crops. California growers have said the decision could cost them \$100 million.

Most suppliers said they expected to talk to their West Coast suppliers today to get a clearer picture on the local repercussions of the ban.

But Morris Rutchik, vice president of Standard Fruit and Vegetable in Dallas, believes the ban imposed Sunday to combat a fruit fly infestation, will wreak havoc on his supplies.

Rutchik, whose company is one of Dallas' largest produce distributors, has filed a motion supporting the California growers and packers fighting the quarantine. He said some of the fruits and vegetables under the ban are only available from California and the quarantine will make it impossible for his company to honor its commitments.

Meanwhile, a California farm leader called Sunday's quarantine "a political situation" and said he was not surprised a Texas judge approved of the ban on unfumigated West Coast produce.

"We feel we are the victims of a political situation in Texas," said Clark Biggs, of the 96,000-member California

Farm Bureau. "If they make their embargoes stick, it could have a domino effect in other states and other nations, like Japan."

"This is a decision you would expect from a judge in Texas. That's why states are supposed to sue states in the Supreme Court."

The nation's high court was asked to rule in the case but Friday declined to enter the dispute. Instead, it has asked for a U.S. Solicitor General's opinion on the dispute by March 4.

California argued against the ban, saying its fruit fly infestation was limited to two counties, Alameda and Santa Clara, and the Texas action would force all California fruit and vegetables to be fumigated.

Texas contended the fruit fly had been found in 12 California counties and that any untreated fruit shipped into the state could carry the fruit fly larvae. Texas officials worried about a threat to crops in the fertile Lower Rio Grand Valley.

Higginbotham's ruling allowed the Texas Department of Agriculture's quarantine order to go into effect Sunday.

California said if it was required to treat all the fruit it shipped from the state it would cost growers up to \$535 million a year, but Texas said that its quarantine would only affect the 2 percent of California's commercial fruit and vegetable output that is shipped to Texas.

Deadline for parent nominees today

Applications for nominating Aggie Parents of the Year must be turned in to the Student Government Office (216C MSC) by 5 p.m. today.

Winners will be chosen by the 18 student members of the Parents' Day Committee.

The parent(s) chosen will receive an \$80 portrait-etched and inscribed plaque on Parents' Day, April 26, said Mike Bonin, the Parents' Day Committee Chairman.

Although only 30 applications were

submitted last year, Bonin said there should be many more turned in this year due to increased student enthusiasm.

Other awards to be presented on Parents' Day will be the Thomas Cathrigh school excellence awards, given to the student with the highest grade point ratio in his classification in his college; and several Corps outfit and individual awards.

Activities include performances by various Corps units and a military review.