

State

Fish bill has upstream battle in Texas Senate

United Press International
AUSTIN — The House passed and sent to the Senate Thursday a bill banning commercial fishing of redfish and speckled trout, but one of the sponsors said he was unsure of the legislation's fate.

Minutes after the House gave tentative approval to the bill Wednesday, the Senate Natural Resources Committee voted 6-5 to table an identical bill.

The only way for the House version — sponsored by Reps. Stan Schleuter, D-Salado, and Hugo Berlanga, D-Corpus Christi — to get consideration in the Senate is for Lt. Gov. Bill Hobby to refer the bill to another committee other than Natural Resources.

Neither Hobby nor Sen. O. H. Harris, R-Dallas, indicated what might happen to the House bill.

Schleuter said he had not talked to Hobby about pushing the bill through in the Senate.

"I haven't talked to him. I'll just leave it up to him," Schleuter said shortly before the House finally passed the bill on a voice vote.

Harris said that parliamentarily the bill is not quite dead.

"But philosophically it is dead in that committee. If the House bill goes to the same committee when it comes over, we're in trouble," Harris said.

Although the bill was controversial and hundreds of commercial fishermen and sport fishermen attended several hearings in both legislative cham-

bers, Schleuter and Berlanga had little problem pushing the bill through the House.

The sponsors were able to turn back an attempt by Rep. Paul Elizondo, D-San Antonio, to compromise the legislation by setting seasons in which commercial fishing of redfish and speckled trout would be allowed.

Sport fishing of the two species would still be allowed under the proposal, but the Texas Parks and Wildlife Department would be authorized to set seasons for sport fishing if the number of redfish and speckled trout continue to decline.

The House also tentatively approved a bill modifying the shock probation statutes. The bill by Rep. Bennie Bock, D-New Braunfels, would extend from 120 days to 180 days the maximum time a person could serve in prison before being released on shock probation.

Only first time offenders would be eligible for shock probation and public officials would not be included in the statute. The modification was proposed because former State District Judge Garth Jones of Houston, who was convicted of accepting a bribe, was allowed shock probation by a judge who had originally sentenced him.

Under the new proposal, only the judge doing the sentencing could grant a first offender shock probation.

Habitual offender law attacked

United Press International
AUSTIN — A lawyer asked a House committee to change the habitual offender law so that petty thieves do not receive harsher sentences than murderers, rapists and armed robbers.

Houston attorney Scott Atlas, whose client was sentenced to life imprisonment for thefts totalling \$230, said, "Something is remiss when someone who has committed only minor offenses, where no one is hurt and no one is threatened, receives a harsher sentence than someone who has

committed two rapes or two murders or two armed robberies."

Atlas defended William James Rummel, who received an automatic life sentence in San Antonio on his third felony conviction.

Atlas said the first conviction was for forging a \$29 check, the second was for buying four tires with someone else's credit card and the third was for accepting a \$120 check for repairing an air conditioner that he failed to repair.

"It seems to me there's a

tremendous difference between somebody who committed an armed robbery and somebody like my client who forged a \$29 check," Atlas said.

He said the district attorney decided to proceed with the habitual offender charge because Rummel refused to plea bargain until the day of the trial, when he saw that his lawyer had brought no witnesses to the trial.

Atlas, who was appointed for Rummel's appeal, finally freed his client on the issue of ineffective counsel. He said Rummel is

now employed in the Midwest repairing air conditioners.

Atlas supported a bill by Rep. Joe L. Hernandez, D-San Antonio, that would remove the automatic life sentence and substitute instead a system of increasing minimum sentences for previous convictions.

Every previous third degree felony would add two years to the minimum sentence, every second degree felony would add five years and every first degree felony would add ten years.

The bill was referred to a subcommittee.

Senate doesn't want drinking bill change

United Press International
AUSTIN — The Senate Thursday refused for the third time to accept a House amendment to a bill raising the minimum legal drinking age in Texas to 19.

The House and Senate appointed members of a third conference committee to come up with a new version of the bill.

The House amendment, opposed by retail dealers, would require anyone selling alcoholic beverages to check the drivers license or other identification of the buyer.

"Apparently some members could not support that amendment," Sarpalius said as he asked for appointment of a new conference committee. "They feel like it's probably too strict. It's obvious the House wants stricter enforcement."

"I personally support the amendment but I don't think we have the votes on the floor."

The vote to send the bill to a new conference committee was 28-1. Sen. Ed Howard, D-Texas, voted no.

Sen. W. E. Snelson, D-Midland, suggested that constitu-

tents are blaming the Senate for failure to pass the bill.

"People say the Senate won't agree, yet only the House has had an opportunity to vote," he said.

"The amendments that are coming out of the conference committees are all House amendments," replied Sen. Bob Glasgow, D-Stephenville. "So it's the House of Representatives that's holding up this bill."

"What is the difficulty in writing 19 in places in the law where 18 is now written?" asked Sen. Walter Mengden, R-Houston.

"All I can tell you is there comes a time in the legislative process when logic and reason don't always prevail," said Sen. Bill Meier, D-Eules.

Girl abducts children but later surrenders to police

United Press International
PLEASANTON — Atascosa County sheriff deputies Thursday seized a 17-year-old girl who held at gunpoint two children she had abducted while babysitting them, freeing the San Antonio children unharmed.

A sheriff's spokesman said the girl was in custody and the children had been safely returned to the parents, the Oscar Gonzalez's in San Antonio.

Steve Gonzalez, son of Rep. Henry B. Gonzalez, D-Texas, but unrelated to the kidnap family, reportedly chased the teen-age girl and helped negotiate the deal that

led to their release, a deputy said.

Gonzalez was able to get the teenager, who stood on top of her wrecked vehicle with a gun pointed on the children, to agree to trade Xaviar Gonzalez, 3, and Crystal Gonzalez, 1, for a car. As the trade was being made, officers seized the girl, officials said.

The negotiations took place on U.S. Highway 281, three miles south of Pleasanton and 30 miles south of San Antonio. Police took the teenager to the hospital and she was later transferred to Bexar County officials in San Antonio.

The teenager was recently

hired as a live-in maid in the Gonzalez home and apparently had kept the gun without anybody's knowledge, officers said. They said she also took \$200 from the home.

While the parents attended the NBA playoff game between San Antonio and Houston Wednesday night, the girl reportedly loaded the children in the family's station wagon.

Sheriff's officers said they had not determined a motive in the abduction or where the three spent the night. Apparently the vehicle overturned on the highway Thursday around noon and when authorities arrived, the girl was standing atop the car and threatened to shoot the children.

Sheriff's deputies from Bexar County and law enforcement officials from nearby towns converged at the scene and were able to talk the teen-ager into making the deal that led to her capture.

The girl was believed to have escaped from a youth center in Austin, authorities said.

Farmers lobby wants foreign buying halt

United Press International
AUSTIN — Texas Farmers Union President Mike Moeller Thursday called on the Legislature to pass bills prohibiting foreigners from buying Texas agricultural land and exempting gasohol from the state motor fuel tax.

In a news conference on the Capitol's south steps, Moeller said the Texas Farmers Union will lobby the Legislature to pass the two most important bills for farmers and ranchers this session.

Moeller said the bill by Rep. L.P. Patterson, D-Brookston, would prohibit foreign investors from further investing in Texas farm and ranch land.

"The higher land values which are being driven up by foreign purchases in Texas are making it more difficult for young farmers to go into business," Moeller said.

He said a gasohol bill sponsored by Rep. Dan Kubiak, D-Rockdale, is "essential" for the state. He said the state will not produce the fuel unless it is exempted from the state motor fuel tax.

Senate passes bill on melting wait

United Press International
AUSTIN — The Senate passed and sent to the House today a bill to protect silver and jewels that are stolen from being melted down before they can be identified as stolen.

The bill, by Sen. John Leedom, R-Dallas, would require dealers to wait a week before melting down precious metals. Dealers who do not have permanent locations would have to be registered 30 days before buying precious metals or precious or semiprecious stones.

Man accused of hit man hire dies

United Press International
NEWTON — A man accused of trying to hire someone to kill an East Texas judge fatally shot himself in the heart Wednesday, Newton County officials said.

Hoyt Rector, 58, a liquor store owner from the Newton-Jasper area, shot himself on the patio of his mobile home with a 9mm pistol. Rector's sister said she witnessed the incident.

Newton County Sheriff Robert Woods said the shooting was ruled a suicide.

Rector was arrested Monday and charged with soliciting the murder of Newton County Judge Roy Fillyaw. Investigators said an undercover man posing as a contract killer foiled the plot.

Fillyaw said he had no idea why Rector would want him killed. He said he had denied Rector a beer license for his liquor store.



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