

Texas farmers join fight to change basic rules of personal injury trials

AUSTIN (AP) — Texas farmers joined the bitter fight Thursday over efforts to change the basic rules for trials of personal injury lawsuits.

Some were for and some against. "Farming is far more risky than most people think," Agriculture Commissioner Jim Hightower told the Senate Economic Development Committee.

"Agricultural machines now cause more than half of all machinery-related deaths. . . Farmers and farmworkers alike suffer more than their share of pesticide poisonings."

Hightower said passage of the package of tort reform measures be-

fore the committee would make it "impossible for an injured farmer to prove which wrongdoer caused what percentage of the damages."

Earlier, Bernie Glasson, speaking for the Texas Farm Bureau, spoke in support of tort reform.

"The size of recoveries in pesticide cases and the amount a farmer must pay for his own health care have hurt many farmers," Glasson said.

Opponents of tort reform appeared for the first time Thursday.

Joan Claybrook, president of Public Citizen, a consumer-oriented group, said, "There are not too

many lawsuits because of the civil justice system. Lawsuits result from the injury of the public in the workplace."

Sen. O.H. "Ike" Harris, committee chairman, promised that opponents would be given another chance to testify on Monday.

The six legislative proposals on tort reform before the committee would put a cap on non-economic and punitive awards by juries, limit attorney fees in damage suits and make numerous other changes in the present civil justice system.

Chairman

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nent University Fund capital be diverted to current expenditures," Hay said.

"I had opposed that last summer when it was proposed," Hay said.

Hay said that by coincidence he testified before the House Committee on Higher Education the day of Clements' speech and repeated his opposition to tapping the university fund.

"I did respond to questions by saying that any effort to defer the funds of the Permanent University Fund would be a tragic betrayal of our

trust to higher education," he said.

Hay said Clements told him "that increases in public funding are not the pattern of the day, and that belt tightening was in order. And I said that had already happened, that higher education had been cut by 17 percent in recent legislative sessions and that in this session it was extremely important to the momentum of higher education in the state that these cuts be restored."

Hay said Clements ended the conversation by saying "in fairness to me, he wanted to tell me directly that he intended to do everything in his

powers to see to it that I was not elected as chairman of the board of regents."

Clements said he would instruct his new nominees to the UT board, replacements for the three he appointed six years ago, to vote for someone other than Hay for chairman.

Six of the UT board members, including Hay, were appointed by former Gov. Mark White.

Clements, through his press secretary Reggie Bashur, confirmed only that he had talked to Hay and they talked about higher education.

Truancy

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group — and the new kids will join because they are lonely."

Burk said he doesn't think peer pressure is the root of the problem, except in the chronic cases.

"I think it's a very individual thing," he says. "Except sometimes I have seen boys who will be pressured into going hunting for a couple days with their friends without telling parents, but this is usually a one-time thing."

If peer pressure and parents aren't the problem, Powell says the problem comes from within the child himself.

Ellis says that HB 72, the state's education reform package, has made a lot of kids shape up, but admits it could also be adding to truancy since its strict stipulations are putting more pressure on children to succeed.

Ellis says some children try to conform to the schools' new rules and regulations and requirements for achievement and success in the classroom and they just can't do it.

Since some kids are not successful at school they see it as hassle, Burk says, and this has to do with the student's self-image.

"It's the same as with drug abuse or teen-age pregnancy," he says. "If a student does not see himself as successful in a particular place, he will look for another place where he can be successful."

"That's just human nature. They try and avoid the pain of coming to school where they are not successful."

Many kids don't give themselves permission to succeed in school or anywhere else in life, Powell says. This is especially prevalent in children who drop out of school right before graduation.

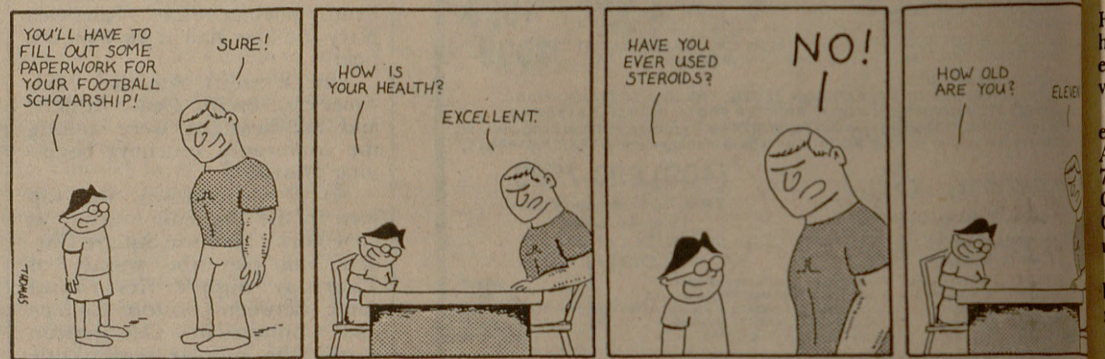
Warped

by Scott McC



Waldo

by Kevin Thom



Aid

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House but faces a less-certain future in the Senate.

The Democrats' move was seen as primarily an effort to focus attention on the administration's inability to account for tens of millions of dollars in previous aid money, an issue already raised by last week's Tower commission report on the Iran-Contra affair as well as by congressional investigators.

In his certification to Congress, Reagan said that "continued intransigence by Nicaragua has prevented progress."

"U.S. support for regional negotiations has . . . continued throughout the period," the president said, but "there is no reasonable prospect at this time that the government of Nicaragua will engage in a serious dialogue with

representatives of all elements of the Nicaraguan democratic opposition, accompanied by a ceasefire and an effective end to the existing constraints on political freedoms."

In court, meanwhile, Meese's Justice Department filed a motion to dismiss North's lawsuit on narrow procedural grounds, refusing to join Walsh in asserting that the independent counsel statute is constitutional.

At the White House, Reagan told a group of newspaper executives, as he had told the nation Wednesday night, "We don't hide from our mistakes. We learn from them and then we go on and do things better than we did before."

But now, he said, it was time to turn to other matters, such as seeking an arms-control

agreement with the Soviet Union.

Investigations of the sale of arms to Iran and possible diversion of profits to the Contras must continue, he said, but "as far as I'm concerned, the American people sent me here to do a job and there are just two left to get it done."

Also on Thursday, the *Wall Street Journal* reported that Walsh is pursuing evidence indicating that senior Iranian officials agreed to pay inflated prices for U.S.-made weapons in return for substantial kickbacks. The newspaper quoted unnamed law enforcement officials as saying Walsh has obtained information suggesting that, in the stages of the arms deals, Iranian intermediaries were to kick back money to senior Iranian officials.

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