

# State and Local

## Regents approve contracts for engineering building, terminal

By Ashley A. Bailey  
Staff Writer

The Texas A&M Board of Regents on Sunday awarded an \$11.3 million contract for the construction of a new petroleum engineering building.

The base bid of \$10.8 million by Spaw-Glass Builders Inc. of Houston is \$2.2 million more than the \$8.6 million anticipated base building cost but was awarded because of the increased cost of steel and concrete. The Board also agreed to include a \$522,000 alternative in the contract to complete the tenth floor with the rest of the building. The regents had originally intended to wait until a later date to complete the floor.

A groundbreaking ceremony for

the ten-story building took place early Monday morning. The 113,700-square-foot building, named after former Board member Joe C. Richardson of Amarillo, is one of the largest engineering facilities on any campus in the nation, the Board said.

The building will include a 140-foot well shaft in the building's core that can be used for research in such areas as friction loss of drilling fluid and fluid pressure measurement.

Completion is expected in early 1990. The building will house classrooms, laboratories and offices for the petroleum engineering department and some parts of the chemical engineering department.

On Monday, the Board approved a \$4.5 million contract for a new ter-

minial at Easterwood Airport, which is to be named after Board member William A. McKenzie of Dallas.

The contract, awarded to Emerson Construction Company Inc. of Temple, includes the construction of a two-tier passenger terminal, a parking lot servicing approximately 200 automobiles and a tool booth at the entrance of the lot.

Continental Express, American Eagle and Atlantic Southeast Airlines are the three feeder lines that currently serve Easterwood, providing links to Dallas-Fort Worth and Houston.

Only two of the carriers currently use planes that have a passenger capacity of over 20, but the Board hopes that the new terminal and the

recent extension of the airport's main runway to 7,000 feet will attract larger aircraft and more air travel at Easterwood.

The Emerson bid is \$132,858 below the \$4.6 million estimated cost of the project.

In other action, the Board awarded contracts to Williams Industries Contractors of Houston for the \$1,680,900 renovation of the biological sciences building and to Daybreak Construction Inc. of Belton for the \$734,000 construction of a veterinary medicine research surgery facility.

The Board also voted to name the medical building after the Vice Chairman of the Board, Joe H. Reynolds of Houston.

## Companies battle over trademark

DALLAS (AP) — A modern incarnation of "rubber ducky" has surfaced in a Dallas courtroom as two companies battle for rights to market their condoms under that name.

Steve Finley, president and founder of Rubber Ducky Inc. of suburban Irving, said Tuesday that his company was cheated when a Marshfield, Mass., company got trademark rights to the "Rubber Ducky" name last month.

Saying he came up with the idea first, he filed a complaint Monday in federal court in his bid to win exclusive rights to the name formerly associated with bathtub toys and public television's "Sesame Street."

Finley's company uses the name to promote condoms, T-shirts and other items. He said he came up with the idea last July and began a national campaign on Texas beaches during spring break.

But Dianne Giles said she and her sister came up with the Rubber Ducky idea in 1986 and began selling condoms with that name in March 1987. Her company obtained a U.S. trademark registration April 19.

"We had the idea first, we got the trademark rights first and we feel like we've really been violated here," Giles told the *Dallas Morning News*.

Finley's duck is a worldly, cartoonish character, while Giles said hers is more subdued and inspired in part by feminist feelings that traditionally packaged condoms are "too macho."

"I found the name 'Rubber Ducky' not to be offensive. Some people even think of 'Sesame Street,'" said Giles, a real estate agent.

Neither company will say how many condoms it has sold, but Finley said his company marketed between 15,000 and 18,000 condoms on Texas beaches over spring break.

## Newspaper, university clash over reporter's alleged bias

AMARILLO (AP) — A smoldering dispute between West Texas State University and the *Amarillo Globe-News* flared with the claim that a *Globe-News* reporter covering the university aided an underground newspaper critical of the school's administration.

This week, an advisory board challenged the *Globe-News*' advertising policy after an advertisement was rejected that pertained to the reporter's involvement with the underground newspaper.

The ad, which WTSU's Ex-Students Association offered to several Panhandle-area newspapers, included a story and editorial from the school's student newspaper, *The Prairie*, linking *Globe-News* reporter Jason Akst with the underground newspaper, *The Rest of the Prairie*.

The story, published May 4, said that Akst approached a local resident for the use of her post-office box and that Akst accepted mail addressed to the newspaper.

An accompanying editorial

charged the *Globe-News* with biased coverage of WTSU, which is embroiled in a power struggle between President Ed Roach and the faculty.

Akst, a recent WTSU graduate who had begun covering the Canyon university two weeks before, said his involvement with the underground newspaper amounted to temporarily holding a post-office box key used by the publication for a friend who had moved out of town.

Nevertheless, the *Globe-News* ran a story recently saying Akst would no longer be given any assignments connected with WTSU.

Barbara Sherrod, the *Prairie*'s editor for the fall semester, said the paper stands by its story.

Sherrod said Akst's involvement with the underground newspaper was just one example of the paper's biased coverage of WTSU.

Meanwhile, the paper's advisory board wrote a letter in Sunday's *Globe-News* that said the decision not to run the ad was inconsistent

with earlier publication of controversial advertising.

The advisory board was created to help defuse a campaign mounted against the newspaper by Panhandle Citizens for a Better Amarillo Newspaper. With the support of oilman T. Boone Pickens Jr., PCBAN had called for subscription and advertising cancellations.

On Sunday, the group cited the decision to run a strongly worded ad bought by a group called SAFE — Students, Alumni and Faculty for Education at West Texas State University.

That ad harshly criticized Roach's administration, and SAFE, along with the anonymous publishers of the underground newspaper, was later named in a libel lawsuit filed, and later dropped, by Roach.

"In studying the facts involved in both cases, the forum perceives that there is not only inconsistency involved in these instances, but there is also bias by the newspaper," the letter said.

## Reporter, photographer detained after taking pictures of courtroom

HOUSTON (AP) — A photographer and reporter with the *Houston Chronicle* must show why they should not be held in contempt of court for shooting a picture through a glass courtroom door, a judge has ordered.

Photographer Richard Carson and reporter Pete Slover were detained Monday on contempt-of-court charges after Carson took pictures of a witness testifying in Harris County Probate Court Judge Pat Gregory's courtroom. The camera's flash unit was not used.

The two were released on their own recognizance a few hours after being detained and were told to appear at a hearing Friday.

Gregory said taking photographs through his courtroom door "is an offense to this court" and that a ban on such photographs "has always been my rule." The judge also said Carson's actions could have distracted jurors.

Use of cameras generally is not allowed inside courtrooms, but television and newspaper photographers regularly have taken photographs through courtroom windows in state and county courts here.

On occasion, judges have covered windows to thwart the practice, but window shades on the doors to Gregory's court were not closed Monday.

*Chronicle* attorney William W.

Ogden said Carson was following what he thought was accepted practice at the courthouse and that no court order had been violated since none existed.

Without a prior order, restraint of the photographer would be a violation of First Amendment guarantees, Ogden said.

Upon releasing the journalists, Gregory told them, "If the film is published in the newspaper, it will be in further contempt of this court, and I'll deal with that more severely."

"We strongly object to Judge Gregory's attempt to interfere with the *Chronicle*'s efforts to cover the news," said Jack Loftis, the *Chronicle*'s vice president and editor.

## State Briefs

### Customs Service plane crashes in lake

SAN ANGELO (AP) — A U.S. Customs Service plane that apparently lost power crashed into a West Texas lake Tuesday afternoon, and boaters pulled two men aboard to safety, officials said.

Both men were being treated Tuesday afternoon at Angelo Community Hospital, but their injuries were not considered to be life-threatening, nursing supervisor Mike Wood said.

The names of the two men on board the plane were not immediately released.

The twin-engine Cessna crashed around 2 p.m. into Lake Nasworthy, on San Angelo's southwest side, Chief Lake Ranger Tom Steckbeck said.

He said the two men — a pilot and the student pilot — were practicing takeoffs and landings from Mathis Field in San Angelo, where the plane is based.

### Construction worker sues over jailing

DALLAS (AP) — A Waco construction worker has sued a suburban city because he was jailed for nearly a month after his headache powder was mistaken for cocaine.

Michael Holloway, 37, was arrested in April 1987 on intoxication charges while visiting his ex-wife, but was charged with drug possession after police said powder he carried had tested positive for cocaine, Holloway's suit claims.

The suit, filed Friday in state

district court, said Holloway spent 25 days in the Garland jail before authorities determined that the powder he carried had tested negative. Holloway said the powder was actually the BC headache remedy.

Garland Police Chief Jesse Youngblood said a police field test identified the powder as cocaine, and that Holloway was released only after a more sophisticated crime laboratory determined the material wasn't cocaine.

### Woman loses bid to regain beauty title

GALVESTON (AP) — A judge has ruled that a lawsuit filed by a former Miss Galveston-USA in a bid to regain her crown was groundless and intended to harass the local pageant and its director.

Karen Wilson, stripped of the 1988 Miss Galveston title because she had not graduated by June 1988, claimed in her suit she was not told contestants had to comply with the graduation requirement.

But State District Judge Ed Harris denied the high school ju-

nior's request for a temporary injunction seeking the return of her crown and the right to compete in the Miss Texas-USA pageant later this year.

Harris said the suit "is groundless and brought in bad faith and for harassment," and ordered Miss Wilson to return prizes that included a diamond necklace.

Harris' ruling means that 22-year-old Stacy Lindsey of Santa Fe, first runner-up in the September pageant, will compete in the Miss Texas-USA pageant in El Paso on Aug. 15.

### Regent draws fire for vote in firing

AUSTIN (AP) — The new regent who voted to fire Robert L. Hardesty as president of Southwest Texas State University will get close scrutiny when his appointment comes before the Senate Nominations Committee next year, committee Chairman Chet Edwards said Tuesday.

Hardesty, a friend of former Gov. Mark White, was fired Thursday on a 5-4 vote with all three appointees of Gov. Bill Clements voting to oust him.

One of the Clements appointees, George Worth of San Antonio, was appointed to the Texas State University System Board of Regents just two days before the vote to fire Hardesty.

Edwards said in a statement that "when a board member makes a decision as important as termination of a university president only 1½ hours after being sworn in, I have to wonder just how carefully the decision was made."

### Export growth to benefit North Texas

DALLAS (AP) — Export growth sparked by a falling dollar will benefit the North Texas economy more than other areas of the state, a Federal Reserve Bank of Dallas study shows.

The Dallas-Fort Worth area's manufacturing sector will benefit at a rate 12 percent higher than the national average, Harvey Rosenblum, senior vice president and director of research at the Federal Reserve Bank, said Monday.

Benefits of a lower dollar will

not be distributed evenly, Rosenblum said.

"Even within our own state, you can see noticeable differences between the metro areas," he said, noting the study indicated Texas as a whole will benefit slightly less than the national average.

The dollar has dropped 26 percent since early 1986, according to the Dallas Federal Bank's inflation-adjusted trade-weighted value of the dollar, based on currencies of 100 countries.

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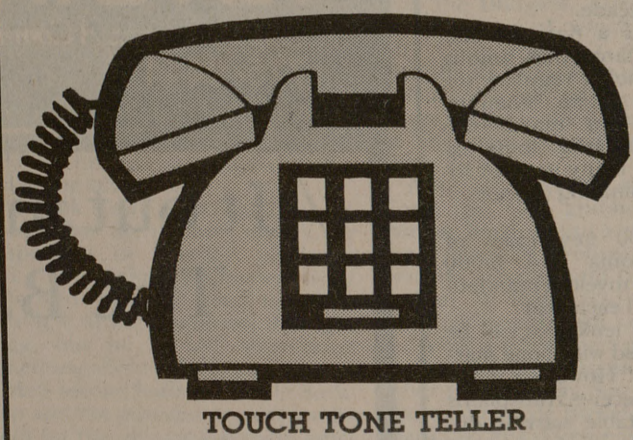
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