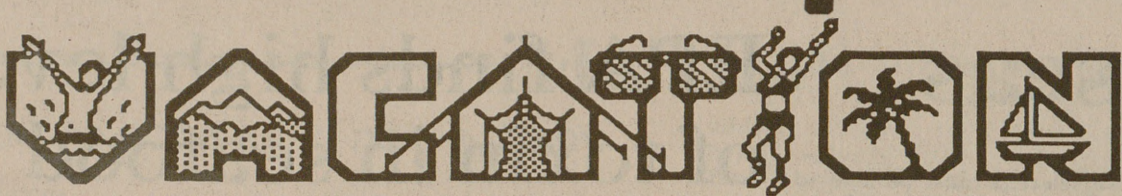


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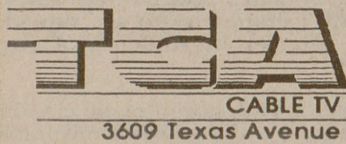
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## Senate revives finance bill

AUSTIN (AP) — The school finance reform bill killed by Gov. Bill Clements' tax veto last session was revived Thursday by a Senate committee that criticized and discarded the governor's no-new-taxes education plan.

The Senate Education Committee didn't vote on the bill backed by Clements. But senators were skeptical of how it would be funded and angry that it wasn't offered until after two months of unsuccessful special sessions.

Committee Chairman Carl Parker said he didn't plan for the panel to meet again this session.

"As far as I'm concerned, the work of the Education Committee is done," said Parker, D-Port Arthur. The bill sent to the full Senate is similar to the \$555 million one approved in the last 30-day special session, which ended Tuesday. That measure died when Clements vetoed a half-cent sales tax increase to fund it.

House Speaker Gib Lewis, D-Fort Worth, said he expects the Democrat-controlled Legislature to send the Republican governor a bill close to the one passed last session.

"I don't see any other avenue, except the one that we've already taken," Lewis said.

The Senate bill would require a separate measure to appropriate the \$555 million. It could be passed to the governor, but would not take effect unless the appropriations bill was passed, Parker said.

"This will let us go ahead and send a bill to the governor that has accountability, innovation ... while we still negotiate and work on an appropriations bill, and a bill to fund it," Parker said.

If lawmakers and Clements don't write a reform plan by June 1, a state judge plans to appoint a court master who will.

Clements' plan would cost \$250 million next school year. His chief of

staff, Mike Toomey, said the plan would meet the Texas Supreme Court's order to make the school finance system fairer to poor school districts.

But Sen. Carlos Truan, D-Corpus Christi, said Clements' plan doesn't go far enough to help poor schools.

"It would seem to me that we are not doing the job with this bill ... We're missing a golden opportunity," Truan told Toomey, who spoke to the Education Committee.

Senators questioned the validity of budget cuts Clements would use to

help pay for his plan, and the state fee for driving records as in disguise.

"The state is not a for-profit business. It's either a fee to reimburse costs, or it's a tax, and that's Parker said.

Sen. John Leedom, R-Brewster, sponsor of the governor's bill, said the difference is, "If you don't pay it (the service,) you don't pay it."

But Sen. Eddie Bernice Johnson, D-Dallas, said, "You can call it anything you want. If it costs more, the end result is the same."

## Aide: Taxes needed

AUSTIN (AP) — If Democratic lawmakers insist on enacting their plan for school finance reform, a state income tax is next, Gov. Bill Clements' top aide said Thursday.

Lt. Gov. Bill Hobby said an income tax is on its way, anyhow.

"An income tax is coming in the next few years regardless of the education bill," said Hobby, a Democrat who is retiring after nearly two decades in office.

Mike Toomey, chief of staff for the Republican governor, insisted that Clements' \$250 million school proposal — which would be funded by cuts in other state programs — is affordable and would meet the Texas Supreme Court requirements on equalizing school aid to poor schools.

But the Democrat-controlled Legislature's \$555 million plan — which needs a half-cent sales tax increase — eventually would be

so expensive as to require the state to levy an income tax, Toomey charged.

Texas is one of only a handful of states with neither a corporate nor personal income tax.

"Someone needs to address the fact that that bill would cause income tax in this state because you've got a \$6 billion shortfall funding" down the road, Toomey said of the plan approved in the last special legislative session and being proposed again.

Hobby, who has called for an income tax in the past, said Texans are going to face one sooner or later.

"I assume that will be coupled with a reduction in education property taxes, with a repeal of the corporate franchise tax. I think that's inevitable, and I think that will be a great day for this state," Hobby said.

## UT athletes hold rally to promote racial unity

AUSTIN (AP) — Nearly 100 University of Texas athletes held a march and rally that drew hundreds of supporters, calling for all students to unite against racism on campus and for the UT administration to lead the effort.

"Our society in Texas is becoming a multicultural one. For the university to become first-class it must represent that," swimmer Shaun Jordan told nearly 800 vocal supporters Wednesday on the West Mall of the campus.

"We're tired of just talk. We're demanding action," Jordan said.

The Student Athletes Coalition was formed after recent racial incidents on campus that led to a one-year suspension Tuesday of the Delta Tau Delta and Phi Gamma Delta fraternities.

During Round-Up, an annual festival for UT alumni in early April, some Phi Gamma Delta members handed out T-shirts that featured a "Sambo" caricature. Delta Tau Delta smashed a car painted with anti-black messages.

The anti-racism march, from outside Memorial Stadium to West Campus, was joined by James Vick, UT vice president for student affairs.

"I'm a faculty member and concerned about students and issues," Vick said. "I have sympathy with things that bother them."

Shola Lynch, a member of the women's track team, said, "We've awakened from our deep sleep to find we have a voice. We want to join with other groups to have the faculty and board of regents hear us."

## Parent warns of dangers of 'happy hours'

AUSTIN (AP) — State alcohol officials were told Thursday that happy hours should be banned from off-duty hours, 2-for-1 discounts and you-can-drink deals to protect citizens and taverns.

Susan Cox, founder and executive director of For the Love of the State, told the Texas Alcoholic Beverage Commission that cheap drinks so-called happy hours are "business."

"They cause death, they cause injury and lost revenue to the state and they contribute to the high rate of bars and restaurants," she testified during a hearing on proposed rules that would ban happy hour promotions.

But officials of the bar, restaurant and hotel industries oppose the rules, saying they would unconstitutionally restrict free speech by regulating beverage advertising and pricing.

Austin attorney Thomas Rutledge said the measures — intended to prevent over-consumption of alcohol — would unfairly target happy hours as "an inherent evil or heinous activity."

Others said they believe the rules go too far in limiting legitimate business practices.

"It is our opinion that the proposed rules constitute an overreaching of authority and an overreaction to the perception held by some that all happy hour practices promote excessive consumption," Richie Jackson, executive vice president of the Texas Restaurant Association, said.

"In simple vernacular, we've been thrown out of the bath water," he told the commission.

Rutledge also said regular bars and mixed-drink establishments from advertising brand names and prices outside their buildings to keep important information from consumers.

Cox said she founded the commission group after her daughter, who was killed by a 20-year-old hit-and-run driver on Austin's Sixth Street in the city's nightclub district, in 1987. The driver had been "bar-hopping" buying inexpensive beer and shots at several clubs, she said.

The regulations would:

- End all happy hours by 11 p.m.
- Eliminate "nickel" beer and similar practices.
- Halt bar contests where prizes are offered as prizes, or where winners are determined by who drinks the most.

— Restrict the number of complimentary drinks served to 5 per person of an establishment's monthly and prohibit sale of drinks at a discount.

— Prevent unlicensed bars from using caterer's permits to get around licensing laws. A caterer's permit could be used by a bar only for 10 days, while its license application is pending.

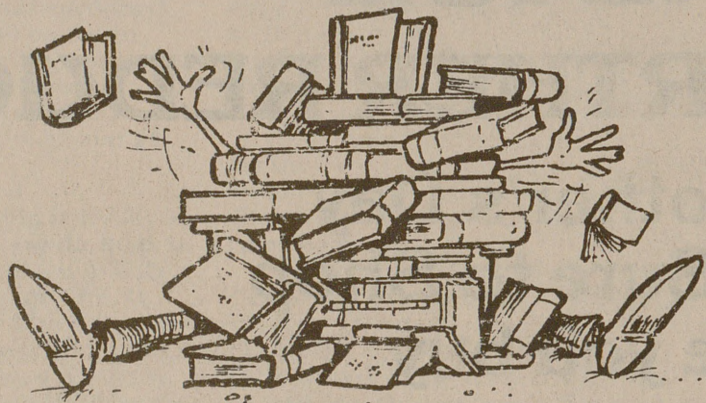
TABC general counsel Joe Tamm said the agency could use the recommendations as soon as May 21.

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## Lawmen found guilty of murder

TYLER (AP) — Three white former lawmen were found guilty Thursday of murder in the 1987 death of a African American jail inmate at the Sabine County Jail.

The all-white jury deliberated for about four hours Thursday, before finding former Hemphill Police Chief Thomas Ladner and former Sabine County sheriff's deputies Billy Ray Horton and James M. Hyden guilty in the death of Loyal Garner, Jr.

The men face possible sentences of up to 99 years in prison.

The 34-year-old truck driver from Florin, La., who had no criminal record, died two days after being arrested on Christmas Day, 1987, on drunken driving charges. He underwent surgery for head injuries, but never regained consciousness.

Garner's death sparked charges of racism against law enforcement officials in Hemphill, the Sabine County seat located near the Texas-Louisiana border. An estimated 200 people packed the courtroom for the verdict.

"I want no show of emotion, no outbursts, no crying, no nothing," State District Judge Joe Tunnell said before reading the jury's verdict shortly before 2 p.m.

Garner's widow, Corinne Garner, cried quietly as the verdict was announced.

His mother, Sarah Garner said, "I'm glad. I hope it's over."

Johnnie Maxie, one of the two brothers arrested with Garner, said he was surprised by the outcome. He said he had not expected the men to be convicted.

A Sabine County jury in July 1988 acquitted the three men of charges that they violated Garner's civil rights by beating him

and denying him medical attention.

The punishment phase of the trial was scheduled to begin Friday morning. The jurors, who have been sequestered during much of the trial, were initially expected to begin deliberating the sentences Thursday afternoon.

Defense attorneys on Wednesday made a surprising move by not asking that the jury be allowed to consider lesser charges such as involuntary manslaughter or negligent homicide.

A prosecutor told the jurors Wednesday that the officers "crossed over that line of law enforcement officers to common criminals," when they beat Garner.

Defense attorneys said the men struck Garner in self-defense.

During his closing arguments Wednesday, Smith County District Attorney Jack Skeen told the jury that the ex-lawmen displayed a total indifference to human life. He also said the badges they wore did not give them "a license to murder."

John Seale, Ladner's lawyer, called the prosecution's case weak because it was based on the dishonest testimony of "three jailbird witnesses."

In his rebuttal, Skeen said prosecutors relied on testimony from inmates because the prisoners were the only witnesses who didn't work for the county.

"Thomas Ladner and Bill Horton, surely in retrospect used bad judgement and slapped Loyal Garner upside the head," Horton's lawyer, Jeff Haas, said Wednesday. But he said there was no evidence proving that Horton struck him.