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Arrested contest operators appear before grand jury

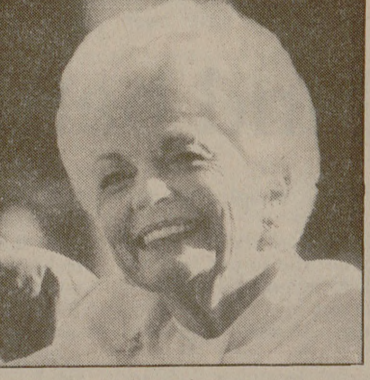
HOUSTON (AP) — The operators of a sweepstakes that offered to put an American aboard the Soviet space station were ordered Thursday to appear before a grand jury following their arrest for alleged violations of Texas gambling laws.
 David Mayer, president of Space Travel Services Inc., and James Davidson, the firm's senior vice president, made a brief appearance at a probable cause hearing before State District Judge Michael McSpadden the day after they were arrested and their offices searched by investigators from the Harris County district attorney's office.
 "We intend to run a sweepstakes that is legal, just like McDonald's does or Publisher's Clearinghouse does and keep law enforcement happy," said Arch McColl, a Space Travel Services attorney.

McColl said a 900 telephone number, which charged callers \$2.99 to enter the contest, had been suspended temporarily. The fee is at the heart of the dispute with the district attorney's office.
 "You can enter the Publisher's sweepstakes and you don't have to buy books. You just mail it back in," said Russel Turbeville, chief of the district attorney's consumer fraud division. "It's that \$2.99 entry fee. Our position is that if anybody can pay a fee, it's a lottery."
 The contest rules provide for entries also to be mailed in at no charge, which McColl contends makes the contest legal in Texas.
 "You can run a sweepstakes 'No purchase necessary,'" McColl said. "We have an alternative form. He (Turbeville) is viewing it in a different light, and I think we're going to be able to persuade him that we're going to be in compliance with the law."
 "We think the loophole is specious," Turbeville said. "A lottery like this couldn't be set up in Las Vegas."
 The promotion, unveiled in December and billed as "The Ultimate Adventure," has been under investigation since then by the district attorney's office. Mayer and Davidson were ordered to appear before a county grand jury Dec. 19; but subpoenas were dismissed after they agreed to cooperate with authorities, and they never faced jurors' questions.
 McSpadden ordered the pair to return to a grand jury within the next two weeks. A Feb. 21 arraignment date was set if the jury returns an indictment. Mayer and Davidson remain free on \$2,000 bond each.

State commission stalls waste permit approvals

AUSTIN (AP) — Twenty-three permit applications for hazardous waste disposal facilities are stalled at the Texas Water Commission, after Gov. Ann Richards said she's tired of them being "rammed through."
 A chemical industry group said Thursday it would seek a meeting with Richards. It blasted the Water Commission for suspending permit activity in an emergency meeting Wednesday, just hours after Richards called for the moratorium in her State of the State address.
 "Action was taken without a clear presentation of the facts... This makes no environmental sense," said Monte Janssen, a vice president for the Texas Chemical Council, which includes about 90 chemical manufacturers.
 But environmental groups support a moratorium.
 Brigid Shea, state program director of Clean Water Action, said she was "ecstatic" at the developments.
 "This is sending shock waves throughout the environmental community because it's so sweeping and it happened so quickly," Shea said.
 Janssen said his group is not attacking Richards. But he said members are dismayed at the emergency rule to suspend processing of permit applications for the treatment, storage, or disposal of hazardous and non-hazardous industrial waste by a commercial facility.

like this because she's new on the job. But for the water commissioners to follow her action ... is unbelievable."



Richards

The permit applications immediately affected are for facilities in Houston, Anahuac, Port Arthur, Waller, Deer Park, Devers, Midlothian, Dayton, near Balmorea, Mentone, Texas City, Athens, Corpus Christi, Sweetwater, New Braunfels, La Porte, Robstown and Guy.
 There is more than one application from some areas.
 Harry Whitworth, Chemical Council president, said in a statement, "It's easier to understand the governor making a bad decision

Water Commission spokesman Bill Colbert said, "We felt like it was in the state's best interest to respond to her (Richards) feelings on this particular matter."
 The commission's suspension is effective until Sept. 1, to give the Legislature time to act on a two-year moratorium proposed by Richards.
 The governor's press secretary, Bill Cryer, said Richards is not tied to the two-year time period but wants some "breathing space" so new permit rules can be instituted.
 The governor wants to ban the placement of hazardous waste dumps near schools, residential areas and drinking water supplies, and she wants to ensure residents of a proposed disposal site get a hearing, Cryer said.
 Janssen said the Chemical Council wants to present its side to Richards.
 He said a moratorium would increase the amount of waste that must be stored by companies and prevent the building of new facilities that will have more up-to-date waste disposal technology.

Richards urges cleaner Texas, wins praise

AUSTIN (AP) — A cleaner Texas starts in the office, Gov. Ann Richards told lawmakers in her State of the State address.
 "If you are using Styrofoam cups in your office, it's time that you stop," Richards said Wednesday in advocating recycling and stronger environmental protection.
 House Speaker Gib Lewis, for one, took her advice to heart: "I'm going to stop using Styrofoam cups. You never know. Little things like that have an impact."
 Richards also won praise from the Lone Star Chapter of the Sierra Club for recommending:
 • A two-year moratorium at the Texas Water Commission on permits for new commercial hazardous waste incinerators, cement kilns and injection wells involving salt domes.
 The commission met the same day in emergency session to suspend action on permit applications, an action that was criticized by the Texas Chemical Council as counterproductive to economic opportunity.
 • Passage of effective oil spill legislation.
 • Banning hazardous waste facilities near schools, residential areas or water supplies.
 "Governor Richards made it clear in her speech that she not only feels that addressing environmental issues is the right thing to do but that it is critical to the future of the state," said Ken Kramer, Sierra Club state director.
 In addition, Richards promised that appointees to environmental boards and commissions would be sensitive to the environment.
 Richards got some criticism after appointing Beaumont lawyer Walter Umphrey to the Texas Parks and Wildlife Commission.

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