

# STATE & LOCAL

Thursday, September 17, 1992

The Battalion

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## Two Texas projects cut by Senate

THE ASSOCIATED PRESS

WASHINGTON (AP) — A Senate subcommittee took aim at two Texas projects Wednesday, eliminating all money for the controversial V-22 tilt-rotor and providing \$20 million less than the House did for a semiconductor consortium based in Austin.

The cuts came as the appropriations defense subcommittee approved \$250 billion in overall Pentagon spending for the year that begins Oct. 1. The package is down from \$270 billion this year and from Bush's \$261 billion request for next year.

The House has approved a \$251 billion defense package that includes \$755 million next year for the experimental V-22 and \$100

### Semiconductor to receive \$20 million less, V-22 tilt-rotor loses all funding

million for Sematech, the Austin-based consortium.

The \$80 million approved by the Senate panel for Sematech matches what President Bush requested, but is \$20 million short of both what the House and the Senate Armed Services Committee have approved.

The subcommittee's move to slash V-22 funding caught the Texas congressional delegation off guard.

Though disappointed, the lawmakers said they remained hopeful funding would be restored.

"Texas took a double hit," said Sen. Lloyd Bentsen, D-Texas. "But

we've still got a good chance to put things right and I'll be making an all-out effort."

Bentsen and fellow Texas Sen. Phil Gramm planned to work to get the full Senate Appropriations Committee, of which Gramm is a member, to restore the funds.

"Short of that, we'll come back for another bite of the apple later, certainly in the conference with a House committee which is strongly committed to a robust V-22 program," Bentsen said.

Rep. Pete Geren, D-Fort Worth, said there had been no hints that the subcommittee was planning to pare the V-22 money.

The embattled aircraft for years had been attacked by the Pentagon as too costly, but until Wednesday had never suffered a funding cut in Congress.

"I was real surprised and disappointed," said Rep. Pete Geren, D-Texas, whose Fort Worth district is home to one of the developers, Bell Helicopter Textron. The aircraft takes off like a helicopter but flies like a plane.

Geren speculated that the Senate subcommittee may have eliminated funding as leverage to use in negotiations later with the House.

"I'm hopeful it's just an effort to take a hostage for the conference, but it was a very disturbing development and one we sure didn't expect," he said.

## Appeals court reverses death sentences

THE ASSOCIATED PRESS

AUSTIN — The Texas Court of Criminal Appeals reversed two death sentences Wednesday but upheld four other capital murder cases, including that of a man convicted of killing a Dallas police officer in 1988.

In one reversal, Michael Wayne Richard will get a new trial because the court said the jury was not given a chance to consider the defendant's background of child abuse when determining his culpability.

Richard was convicted in the Aug. 18, 1986 fatal shooting in Houston of Marguerite Lucille Dixon during the course of a burglary of her home.

In the other reversal, the case of Michael Steven Jones was sent back to the trial court because the Criminal Appeals Court said prosecutors misled one of the jurors on the definition of intentional murder.

Jones was convicted in Jefferson County of the Oct. 9, 1987 fatal stabbing of Faye Larry during a burglary. In the police officer's murder, the court rejected the appeal of Vincent Edward Cooks who was convicted in the fatal shooting of Gary McCarthy. McCarthy was working off-duty when he was gunned down Feb. 26, 1988 during a robbery attempt of a west Dallas grocery store owner. His killing was the third of a Dallas police officer during a six-week period. Cooks alleged the evidence was insufficient to support his conviction, that

the trial judge allowed numerous errors in the jury selection process, and improperly allowed him to be shackled during the trial.

The Criminal Appeals Court rejected all his appeals.

Other cases affirmed by the court were:

- Emanuel Kemp Jr., who was convicted in Tarrant County for the murder of Johnnie Gray on May 28, 1987.
- Sammie Felder Jr. was convicted of capital murder for the stabbing death of James Hanks, a paraplegic, during a robbery on March 14, 1975.
- Thomas Joe Miller-El, for the Nov. 16, 1985 fatal shooting of Douglas Walker during a robbery of the Dallas-Fort Worth South Holiday Inn in Irving.

## Mexican national faces execution, hopes for stay

THE ASSOCIATED PRESS

HUNTSVILLE — A 25-year-old Mexican national was scheduled to die early Thursday for the 1985 slaying of a motorist who had given the condemned man a ride near Brownsville.

Attorneys for Irineo Tristan Montoya had asked a state judge in Brownsville to grant a stay, but no ruling had been issued as of early Wednesday afternoon.

Montoya was scheduled to die shortly after midnight, but the Texas Attorney General's office said he probably would receive a stay because his case has not yet been through the full appeals process.

In addition to the request for a stay, the head of Mexico's National Human Rights Commission has asked Texas Gov. Ann Richards to commute Montoya's death sentence on humanitarian grounds.

Montoya was convicted by a jury in the Nov. 17, 1985 slaying death of John E. Kilheffer, who gave Montoya and a friend a ride. Montoya has claimed the other man — who was impris-

oned but not sentenced to death — did the stabbing.

According to court records, Montoya gave police a confession in which he admitted that he and another man robbed Kilheffer after Kilheffer had picked them up hitchhiking to Brownsville.

Montoya admitted holding the victim while the second man stabbed him, court records showed.

Meanwhile, a federal judge Tuesday granted a stay for David Martin Long, 39, who also was scheduled to die early Thursday for the 1986 hatchet slaying of a 64-year-old blind woman in Lancaster, a Dallas suburb.

Dalpa Lorene Jester and two other women, including a cousin, were hacked to death in their home Sept. 27, 1986.

Prosecutor claimed Long, who had lived at the house for about a week, killed the women because he was tired of hearing them argue.

During his trial, Long called the triple homicide a "satanic experience" and said he would kill again if not given the death penalty.

## Late cold front extends hope of cotton growers

THE ASSOCIATED PRESS

COLLEGE STATION — The cold front predicted to hit Texas will be delayed until next week, leaving a warm, dry forecast for cotton harvesting, the Texas Agricultural Extension Service reports.

The western trans-Pecos region should receive showers Wednesday, and two tropical waves should bring showery weather to the coastal region. The rest of the state will enjoy dry weather with highs in the 90s and lows in the upper 60s, said Dr. Mickey Flynn, meteorologist at the Southwest Agricultural Weather Service in College Station.

"The cool weather predicted for this week has been delayed, but it is coming," he said. "A big high-pressure system should push the cold front into Texas. It will be just north of the state on Saturday and should bring significantly cooler weather early next week."

Cotton producers in Southwest Texas, who have over 80 percent of their Upland cotton picked, are hoping the weather will hold off until all of it is harvested.

"Our main concern is the drying time," said Dr. Noble Kearney, Extension agronomist in Uvalde.

Kearney said Southwest Texas frequently experiences morning cloud cover that delays picking until one or two o'clock, when the cotton is sufficiently dry.

"It doesn't take much. One shower can put a stop to the day's picking," he said.

Kearney said an afternoon shower bringing as little as a quarter-inch of rain would delay

picking until the next day.

"If the weather holds off, we should be finished by Saturday," he said.

The front should affect most of the state, and temperatures could drop significantly, Flynn said.

"In Montana Saturday they are expecting lows to be 16 degrees below normal and highs to be 28 below normal," he said.

Texas may also see some rain next week associated with the front, Flynn said.

Producers in northeastern Mason County are busy repairing water gaps and damage from two cloudbursts that startled residents on Sept. 1 and Sept. 10.

"The Sept. 1 cloudburst brought six to seven inches of rain," said Arlan Gentry, Extension agricultural agent in Mason. "Some areas had a lot of rain and some didn't get too much. One place had a lot of damage, possibly from a whirlwind or a tornado."

Gentry said trees were uprooted, tin roofs were blown off old barns and property-separating fences across creeks were easily washed away.

"When the creeks rise, they will flow pretty fast and the debris will knock the fences out. This'll happen if you have a hard rain. It may only be an inch or so, but it doesn't take much to knock them out," he said.

Despite the cloudburst, Gentry said, rain has been spotty, and producers haven't received a general rain since spring.

"We're split between ranchers and farmers," he said. "The ranchers could use rain all year long."

## Voting plan to bring better representation

THE ASSOCIATED PRESS

DALLAS — After three years of legal battles, elections and appeals to the U.S. Justice Department and Supreme Court, Dallas had a new voting district plan that provided better minority representation.

The plan was first put into use last November when a 15-member city council was elected under the new boundaries.

So city officials were a little shocked this week when a confidential memo from City Attorney Sam Lindsey said that another election was needed to approve the plan, known as 14-1, to satisfy state law.

"I was stunned when I saw the memo," said Mayor Steve Bartlett. "It was a cold sponge in the face."

Now, city officials are trying to come to grips with the possibility that the plan could be rejected by voters.

If voters don't approve 14-1, it would not mean a return to the old 8-3 system, where eight council members were elected from a district and three, including the mayor, were elected at large.

However, City Councilman Glenn Box, who opposed 14-1 when he sat on the old 8-3 system, said that if voters don't approve 14-1 this time, the matter could return to U.S. District Judge Jerry Buchmeyer.

Under 14-1, all 14 members of the council are elected from districts and the mayor is elected at large.

Voters rejected the 14-1 system by less than 400 votes in December 1990. That vote came after Buchmeyer had ruled the 8-3 system was unconstitutional.

Bartlett predicts a special election would cost taxpayers about \$400,000.

"At best, it was a huge miscommunication that is very costly and very unfair to the taxpayers," Bartlett said.

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