

State

Bush calls for tax cut after yeilding budget surplus

STIN (AP) — Gov. George W. Bush proposed a \$400 million sales tax cut Thursday on some items — including over-the-counter medications and diapers. The latest tax cut idea to be considered by Texas politicians this week is a projected \$3.7 billion state budget surplus.



BUSH

He also called for repealing the \$20 million sales tax on Internet access. And he suggested a two-week sales tax holiday on retail clothing and footwear, timed to coincide with back-to-school buying, a savings to consumers estimated at \$75 million. Mauro said in 1995, Bush proposed raising the state sales tax rate from 6 1/4 percent to 6 3/4 percent — about \$1.6 billion — as a way to fund part of a \$3 billion property tax cut plan. The Legislature eventually rejected Bush's plan but passed a \$1 billion property tax cut. "Once again, Governor Bush is talking out of both sides of his mouth," Mauro said. "Governor Bush proposed increasing the sales tax ... on over-the-counter medicines, diapers, clothing, footwear and health aids. This year, only two months before the election, Governor Bush has flip-flopped," the Democrat said. Mauro launched his campaign with a tax cut call. A key plank in Mauro's platform is repeal of the state's 6 1/4 percent sales tax on automobiles, pickup trucks and minivans. He estimates that would save Texans \$4 billion a year "on how they get to work." Bush rejected that idea, saying his sales tax cut would be spread

wider and help lower income people and the elderly. Mauro's motor vehicle tax cut idea, Bush said, "generally affects people one out of every seven years. I believe in affecting people's lives every year." Bush's proposal is the second this week on how to use some of the state's expected extra cash to cut taxes. On Wednesday, Comptroller John Sharp, the Democratic candidate for lieutenant governor, proposed a limited state sales tax moratorium. Sharp's plan calls for all clothing under \$50 and school supplies to be exempted from the state's 6.25 percent sales tax for two weeks beginning Aug. 15, 1999. Texans would save an estimated \$80.3 million as a result — more if Texas cities agree to waive their 2 percent sales tax for the same period, Sharp said. Agriculture Commissioner Rick Perry, Sharp's Republican opponent in November, endorsed the Bush sales tax cut plan, promising to work for its passage if elected to preside over the Texas Senate. Perry also has proposed a tax cut for start-up businesses and eliminating the franchise tax for about 176,000 small businesses with less than \$100,000 in annual earnings, Ray Sullivan, his spokesperson, said.

Environmental officials got 'illegal communications' on nuke dump

STIN (AP) — The state office is considering whether to issue a proposed nuclear waste dump in West Texas got illegal communications supporting the dump, the state's environmental agency said Thursday. The Texas Natural Resource Conservation Commission said it received e-mails from dump operators.

Like judges hearing a court case, TNRC's commissioners deciding a contested case cannot be contacted by one side unless all parties are aware of the communication, Connor said. At least one commissioner accidentally saw the e-mails, he said. All participants in the case were informed and given copies

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— Geoff Connor
TNRC's general counsel

am extremely concerned these circumstances and reach of proper procedure," Geoff Connor, TNRC's general counsel, said. Connor said the e-mail sent to him by Chairman Barry McBee and Commissioners John Baker and Ralph Marquez supported the dump, which would be near Sierra Blanca, about 90 miles from El Paso.

He proposed facility, which is owned by some West Texas residents and environmental groups, would hold radioactive waste generated by nuclear power plants, medical labs and universities.

Seventeen e-mails were traced to employees of Texas Utilities Electric Company, which supports the dump and is party to the case, Connor said. The other five were sent by two members of the Advocates for Responsible Disposal in Texas, a group that also supports the dump but is not a party to the case, he said. "It does not appear that any of the e-mails acted with malice," Connor said. However, a serious violation

of the e-mails, Connor said. He said each side has until Sept. 18 to file a legal response.

The 18 e-mails should have been sent to the TNRC's chief clerk, who would have made copies and sent them to all parties in the case, Connor said.

"It's unfortunate that some people don't know what the law is," said Lee Mathews, general counsel for the Texas Low-Level Radioactive Waste Disposal Authority, which is seeking the permit. Mathews said while the potentially illegal communications are

serious, no harm was done. "I don't think there are any basis for dismissal" of the case, he said.

The president of Advocates for Responsible Disposal, Eddie Selig, said the group did not intend to send the e-mails directly to commissioners. "It was a mistake and unintentional on our part," he said.

Selig said the group assumed sending e-mails would be similar to a letter-writing campaign, where communication is screened. "Sending an e-mail apparently is different because commissioners read the messages" directly, he said.

Eric Schmitt, spokesman for Texas Utilities Electric Company said the company did encourage employees to send letters of support of the site, but did not realize the potential ramifications. "It was an innocent mistake," he said.

Officials with the Sierra Blanca Legal Defense Fund, which opposes the site, were critical.

"I think the e-mails reflect the industry's belief that they have a cozy relationship with the TNRC," said David Frederick, a lawyer for the fund.

The commissioners must decide whether to accept or overturn a recommendation of two state hearings examiners who concluded in July that the TNRC should not license the dump.

The examiners said disposal officials failed to adequately study a geological fault beneath the proposed site and to adequately address the dump's potential negative socioeconomic impacts.

5 rounds up legal immigrants with DWI convictions

ELLAS (AP) — Hundreds of legal immigrants are being deported in detention centers across Texas as part of a federal initiative aimed at immigrants with three or more drunk driving convictions.

Harlingen, El Paso, San Antonio, Houston and districts of the Immigration and Naturalization Service have taken part in the secretive initiative dubbed Last Call. Officials scheduled news conferences for today to announce the arrests.

INS spokesman Lynn Ligon said about 150 immigrants are being detained here, and estimated that each of the other four Texas districts had arrested about the same number. Other 150 people are still being sought in the area.

Officials have made a concerted effort the past month to round up these folks up," Ligon said. Some of the detainees could be deported within a few days while others may remain here longer, Ligon said. A vast majority of immigrants targeted in the program are permanent, legal residents of the United States.

The arrests were made possible by 1996 immigration law and a ruling earlier this year by the federal Board of Immigration Appeals that anyone with three DWI con-

victions may be classified as an aggravated felon. Anyone classified as such may be deported.

"Our posture is, living in this country — if you're not a citizen — is a privilege," Ligon said. "It is not a right." Some of the immigrants now being detained will get hearings, but they have little chance of avoiding deportation now that they are classified as aggravated felons, Ligon said.

Word of the roundup sparked immediate outrage among immigrants and their advocates across the state. "This is tearing up families, tearing up communities, tearing up the lives of women and children, making them dependent on what's left of the welfare system," Rogelio Nunez, executive director of the immigration rights group Proyecto Libertad, told the (Harlingen) Valley Morning Star.

The advocates also questioned the civil rights implications of the initiative.

"First they went after illegal immigrants; now they're going after legal residents," Benigo Pena of the South Texas Immigration Council told the newspaper. "What is this — ethnic cleansing?"

Ligon said INS officials anticipated criticism from immigrant groups but are merely trying to uphold the nation's laws.

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