

SECTION
B

CITY & STATE

Thursday, December 12, 1991 Austin American-Statesman

INSIDE

Deaths, B7
TV Listings, B10
Comics, B11

Ethics task force considered closed meeting

By Layton Coplin

American-Statesman Capitol Staff

The state's task force on ethics, charged with shining a spotlight on special interests' grip on Texas government, fired with the idea of shutting out the public at one of its own meetings Wednesday morning.

"We wanted the (members) to be able to sit down with the staff and be able to ask whatever questions they may want to ask with whatever candor they wanted to

have," said Carl Richie, a deputy chief of staff for the governor's office. He also serves as liaison between the governor's office and the newly created ethics commission.

Patricia Hayes, chairwoman of the ethics task force, said, "It was my idea and the staff's. It wasn't a good idea I think we'll just junk it."

Pam Friedrich, ethics adviser to the comptroller's office, said the closed-door proposal sent the wrong message.

"One of the most important

precedents that the commission could set in the beginning is the openness and availability of information to the public," she said.

The issue became moot when the meeting was canceled because many members of the task force could not fly to Austin because of foggy weather. The meeting has been rescheduled for next Wednesday.

Richie acknowledged that the ethics commission staff may have erred when it suggested a closed-door meeting to brief the 13-member task force, which includes the eight members of the ethics commission, on the new ethics law.

The law takes effect Jan. 1. The ethics commission does not officially exist until then, but Gov. Ann Richards created the task force to help the commission begin

write the rules interpreting the law.

"It is so obvious the people (on the commission) don't know the law," the source said. "The lobby has been making personal visits to members, and the staff just wanted the chance to explain why certain lobbyists wanted certain rules."

Hayes, president of St. Edwards University, said she considered a closed-door briefing so the right commission members and the staff could have a free discussion of the issues.

"I expected the commissioners to be dedicated to training in ethics law and not have an audience of commentators," she said, gesturing toward a hearing room full of lobbyists.

State law requires open meetings for agencies, including the ethics commission, except when the boards are discussing personnel, real estate transactions or lawsuits.

A task force, however, is exempt from the open meetings law, Richie said.

No-show in court costs man \$2 million

By Bruce Hight

American-Statesman Capitol Staff

A Colorado businessman knows the cost of failing to show up for a trial in state district court in Austin: \$2 million.

Outraged? Not at all, the 3rd Court of Appeals ruled Wednesday. The court said Frank Kennedy, owner of Litterino, Inc., owner of "zombie" bars, got what he deserved by ignoring a law.

Damages denied suit against man suing over loss of him.

Judge Jeanne Meener last year slammed the company with a \$1,021,683.97 judgment after Kennedy failed to send lawyers or show up in court himself for a trial on a claim by an injured worker, Malcolm Ginn.

Kennedy apparently will pay less than the full amount. While lawyers involved in the case refused to discuss it, there were indications that a settlement had been reached before the appeals court ruled.

"It's not at liberty to talk about that," said Larry Dowling, when asked whether there was a settlement. Dowling is Ginn's attorney. Ginn, a truck driver for 16 years and an employee of Pacific Motor Trucking Co., seriously injured his leg when he slipped from the back of a truck in March 1989. He sued the company, accusing it of failing to inspect and maintain the ladder, as well as not warning him about its dangerous condition.

Brown Express denied the allegations. But the firm's attorneys at the Austin firm of Robinson Falk & Masbourn withdrew from the case on March 23, 1990, saying they had not been paid.

The company failed to hire new



No cavities

This life-size tyrannosaurus gets a dental check up by Michael Ciolek before the project Dinosaurs Alive opens at the Austin Nature Center Saturday. The dinosaurs are made of foam cushion which is

molded into shape and covered with latex. Ciolek is art director of the project which is sponsored by the Austin Natural Science Association and will run through March 29.

Opposition arises to CableVision's dropping TBN

By Stuart Ekanen

American-Statesman Staff

Austin evangelical Christians have organized to try to resurrect a trusted friend.

But all the fire and brimstone they can muster may not save the Trinity Broadcasting Network, which Austin CableVision plans to

drop early next year.

"It has functioned well for six years, and we see no reason for it to be dropped," said Vic Scholter, pastor of the Church of Glad Tidings in North Austin. CableVision is dropping TBN Feb. 2 in favor of the Vision Interfaith Satellite Network, a service with ecumenical programming re-

flecting 28 denominations and faiths, including Catholic, Protestant and Jewish.

"They said they really wanted to cover another segment of the religious community," Scholter said. "We said, 'Fine, but why negate one to have another?' Why not have both?"

A committee formed six years

ago to bring TBN to Austin has now recommenced to try to save it.

The committee is asking members of evangelical congregations to write letters to CableVision expressing dismay over the decision. "I think possibly Austin CableVision will be surprised how major the concern is," said Scholter, who estimated there are 150 evan-

gelical congregations in the Austin area. "We were told if we can generate a significant number of subscribers who do not want TBN to be dropped, the decision would be rescinded."

Tom Rutledge, Austin CableVision president, said the company has received about 30 letters and

See Opposition, Back page

Warm weather keeps bats hovering around

By Scott W. Wright

American-Statesman Staff

How warm is it? Well, it is so warm that some bats that hang around here all winter are refusing to settle down for a long winter's nap. So warm that other bats that normally vacation in warmer climes this time of year are staying in home.

Austin residents who happen to be near the Congress Avenue bridge at dusk can still see swarming swarms of bats — about smaller swarms — as the flying critters take off to feed at night.

"Some bats remain every winter," said Pat Morton, the education director for Austin-based Bat Conservation International. "But whenever you have a large collection of any animals there are variations in behavior."

Morton said that because of the unusually warm weather, some of the more than 1 million Mexican free-tail bats that reside under the bridge may not have migrated to Mexico this winter, as most of the colony did.

In addition, a sub-species of bats that cohabitates with the world's largest urban bat colony remains in Austin year-round. Bat experts say they normally hibernate, effectively sleeping away the cold winter months.

But arctic blizzards have been slow to arrive this year. "The bats that stay do face some risks with the cold weather and not to much food," Morton said. "In a warm year like we're having, the bats may do just fine. Two years ago, there was an early cold spell and thousands died."

The National Weather Service says Austin weather probably will remain mild for the next several days, with temperatures in the 70s. Forecaster Al Reid said



Some of the more than 1 million bats that reside under the bridge may not have migrated to Mexico this winter. Bats may reach the 40-degree mark this weekend, but he doesn't anticipate below-freezing temperatures. "I don't see any cold fronts building in the next few days," he said. "But it doesn't take very long for those things to get their act together. There really isn't such a thing as normal weather for Texas. We are either warm or freezing."

Police silent after flood of calls about 4 slayings at yogurt shop

By Kerry Haglund

American-Statesman Staff

Austin police said hundreds of calls have flooded phone lines with information about the slayings of four teen-age girls last weekend.

But police would say little about the content of the calls.

Investigators say they have received some names of people they plan to talk to about the crime, but will say little more about the substance of the phone calls.

No prime suspects have developed, homicide Sgt. Jose Vasquez said.

Vasquez is one of four homicide investigators on the case. Several patrol officers as well as investigators from the department's Street Crimes Unit and the Rapid Offender Division are assisting homicide detectives.

Li Andrew Waters said officers are sifting through the phones in type and are scheduling interviews this week with friends of the victims.

"It will take some time to analyze what we're hearing and determine whether or not it's relevant to our investigation," he said. Jennifer Harrison, 17, her sis-

Telephone call-in

Incidents such as the quadruple murder in Austin last week tend to accentuate concerns about crime and personal security in the community. This question, and one to appear Friday, give readers a chance to respond to these issues by calling the American-Statesman's call-in poll. Responses will be published Sunday.

Q. Have you changed your habits or lifestyle out of concern about crime?

To participate, call 445-3850 Press 1 to respond "Yes" or Press 2 to respond "No."

Yes **No**

The line will be open until 6:30 p.m. today. Sorry, no comments can be taken, and only toll-free numbers can be used to register your response.

ter, Sarah Harrison, 15; Elias Thomas, 17; and Amy Ayers, 15, were found shot in the head and severely burned at the I Can't Believe It's Yogurt shop at 2905 W. Anderson Lane. The girls' bodies were discovered after a police officer noticed flames coming from the establishment Friday shortly before midnight and called firefighters.

The girls had been tied and shot in the back of the head. The shop was set afire with material from

within the yogurt shop. Police have said the back door of the store was open, and there was no sign of forced entry.

Police continued Wednesday to ask for the public's help. They said anyone with information should call the homicide unit at 480-5035 or Crime Stoppers at 472-TIPS.

The I Can't Believe It's Yogurt chain is offering a \$25,000 reward for information leading to the identification of those responsible for the slayings.