



# The Times

Twin Falls, Idaho/93rd year, No. 58

Friday, February 27, 1998

50 cents

## GOOD MORNING

### WEATHER

Today: Mostly sunny. West wind 5-15 mph. Highs near 40. Lows 15 to 20.  
Page A2

### MAGIC VALLEY

**Rink race:** Two developers might be in a winner-take-all race to build a Twin Falls ice rink. Page B1

**Developing issue:** Growth on the outskirts of Jerome has county officials worried. Page B1

### SPORTS



**Spots sought:** Six Class A-4, District 4 boys' basketball teams fought for seeding Thursday for next week's state tournament. Page D1

**Main man:** Minico's Jesse Peralez is a team leader for the Spartan wrestlers. Page D1

### WEEKEND

**Stars of St. Petersburg:** Dancers of the acclaimed Marininsky Ballet come to Blaine County for a series of performances and workshops. Page C1

### OPINION

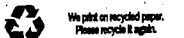
**Pioneers:** Today's editorial salutes the legacy of two people who helped shape Twin Falls. Page A6

### TV WEEKLY

**Hitchhiker:** Actor Jack Lemmon takes "The Long Way Home" in a new CBS movie airing Sunday. Plus additional movie listings.

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## CAMERAS ARE ROLLING



Film crews, shooting scenes for 'Breakfast of Champions,' slow traffic along the Perrine Bridge at the north edge of Twin Falls Thursday. Technicians, directors and actors riding in a van mounted on a trailer sport the day filming on nearby Golf Course Road for a scene that might last two minutes on film.

## LONG DAY = 2 MINUTES

### Editing crews may reduce a day's worth of movie film into a scene appearing only briefly on screen

By Kristan Kennedy  
Times-News writer

**TWIN FALLS** — The scene Thursday along Golf Course Road can be condensed into two minutes of film. Unless it ends up on the editing room floor.

Crews for the movie "Breakfast of Champions" — including 50 people, several trucks and cars, some odd looking trailers, an array of technical equipment, including cameras which stay perfectly still — went to work for eight hours Thursday to create two minutes of film. In the scene, Kilgore Trout, played by Albert Finney, drives along a road driving a white Corvair van. He picks up a hitch-

### 'Breakfast' set to go - C1

hiker named Andy. The two drive away. It's tedious work filming movies, and more such work is on tap in the coming days as location shoots continue. That's what it takes to make movies, Producer David Willis said of Thursday's shoot. But all scenes are different. Thursday's work was a technical shoot. These scenes are sometimes the most difficult to pull off — even if they don't involve dialogue. They are even more difficult to pull off outdoors. A trailer, carrying a camera, followed

the van Finney was driving. On the screen, it will appear he is driving down the road. Shots were filmed from different angles, in different light — the goal being one flawless snippet on film. Another goal is to get it during the few weeks crews plan to shoot "Breakfast of Champions" in Twin Falls. Bringing Finney back to Idaho to pick up Andy in his white Corvair could cut into the movie's \$9 million budget. In the movie business, that's bad business. Times-News correspondent Kristan Kennedy can be reached in Hailey at 788-5457.

## U.S. budget woes may crimp waste pact

By N.S. Nokkontved  
Times-News writer

**TWIN FALLS** — A tight federal budget might put the squeeze on Idaho nuclear waste cleanup. The federal government might not have enough money to meet environmental agreements and regulations at the Idaho National Engineering and Environmental Laboratory, and might be unable to meet the terms of Gov. Phil Batt's nuclear waste agreement in 2000 and beyond. Officials have identified a gap between the budget for INEEL and what is needed to comply with agreements and regulations.

"We have to find ways to close these gaps," INEEL spokesman Brad Bigger said Thursday. The proposed budget request for 1999 "doesn't cover all the needs we see in the year 2000," he said. The possibility that the terms of Batt's 1995 agreement might not be met has raised concerns with Batt and the Idaho congressional delegation. Batt and the delegation met with Energy Secretary Federico Pena earlier this week and told him that the depart-



ment would have to fund the governor's agreement. They would not allow the Energy Department to escape its obligations by saying it didn't have enough money, said Kathleen Trever, head of the state's INEEL Oversight Program. Batt and the delegation were firm that the department would have cleanup agreements or a ban on waste shipments to Idaho.

By N.S. Nokkontved  
Times-News writer

Please see CRIMP, Page A2

## Oprah preserves her right to keep talking

The Washington Post

**AMARILLO, Tex.** — After nearly six weeks, more than two dozen witnesses, untold legal fees and long arguments about agricultural economics and freedom of speech, the case of the Texas cattlemen against Oprah Winfrey was resolved Thursday. Oprah won. The jury of eight women and four men decided that Winfrey, her Harpo Productions Inc. and Howard Lyman, a guest on her show, did not hurt four Amarillo ranching families and their cattle companies with an April 16, 1996, show on mad cow disease. The plaintiffs claimed that comments made during the program, including Winfrey's disgusted vow that she would never eat another hamburger, caused cattle prices to plummet, costing them about \$11 million. "My reaction is that free



A jury ruled in favor of Oprah Winfrey in the alleged defamation suit brought by Texas cattlemen on behalf of the beef industry.

speech not only lives, it rocks!" Winfrey said, pumping her fist in the air as she emerged from the federal courthouse here, surrounded by lawyers and bodyguards. Lead plaintiff Paul Engler, wearing a white cowboy hat, vowed to appeal the verdict. "From the word anything, there was never getting frivolous about this suit," he said, and, putting the best face on the loss, he insisted some good came from the trial. "We believe we made one point, very strongly and very emphatically to everyone — that U.S. beef is safe," he said, referring to testimony that there has not been a documented case of mad cow disease in the United States. The "Oprah Winfrey Show" episode in question, a segment on "Dangerous Foods," was aired after news outlets reported that at least 10 people in Britain died of the brain-wasting ailment, which they contracted from eating beef contaminated when cattle were fed protein supplements produced from the wastes of slaughtered cattle. Lyman, a former Montana rancher and now an official with the Humane Society of the United States, compared the mysterious disease and its long incubation period to AIDS and speculated that it already is rampant among American cattle. The show never touched specifically on Texas cattle or named the plaintiffs, but they argued that Winfrey's influence was so great that they suffered devastating financial losses simply as a result of the program's airing.

## Daytime curfew to remain

### Twin Falls County officials will wait for action by cities

By N.S. Nokkontved  
Times-News writer

**TWIN FALLS** — A controversial daytime curfew will remain in place in Twin Falls County, as county commissioners aren't ready to rescind the ordinance.

The curfew was an attempt to deal with truant children who claim falsely to be home schooled. The Twin Falls County Sheriff's Office had complained to county commissioners that when officers stopped truant children they would claim to be home schooled, county Commissioner Carla Reed said. And when officers went to the parents, they would say the same thing even when they had no intention of home schooling their children.

As a result, county commissioners included a daytime curfew when they approved other revisions to the county's status offense ordinance. The curfew has received intense criticism — especially from parents who do home school their children.

The commissioners have no plans to rescind any part of the county ordinance, and are going to wait and see what the cities do about the daytime curfew. The cities within the county also must approve the ordinance. The city of Twin Falls earlier this week rejected the daytime curfew, but adopted the rest of the amendments to the ordinance.

The idea for the curfew grew out of concerns over rising daytime burglaries, related to some children who claimed to be home schooled, Sheriff Wayne Toulsey said. "Not every home schooled kid is a problem," he said.

But the curfew is a way to make parents responsible. If children are home schooled the parents must tell the school district. The curfew would allow officers to pick up truant children who claim to be home schooled but aren't, Toulsey said.

"We're not out to make the kids criminals," he said. The county's status offense ordinance was enacted in 1994; the revisions, including the daytime curfew, were enacted earlier this year.

The old ordinance had no provisions for holding truant children accountable, deputy prosecutor Julie Sturgill said. Under that ordinance see CURFEW, Page A2

## Senate leaders will decide fate of abortion bills

The Associated Press

**BOISE** — Senate Republicans agreed on Thursday to have the chamber's leadership committee hear the two House-passed abortion bills and decide whether the full Senate should vote on them.

On emerging from the more than 90-minute closed door session, President Pro Tem Jerry Twigg of Blackfoot said the State Affairs Committee will determine the fate of the two bills on March 11.

Twigg, who has consistently objected to considering the measures that he does not believe are necessary and possibly unconstitutional, said there was no commitment on whether either bill would be forwarded for a floor vote. He also indicated that amendments or other proposals could be considered as well.

"They recognized that this issue is here and it is so complicated that to sit in caucus and debate its merits made no sense," Twigg said. "We will handle this as we have other bills." The development came as a third controversial and potentially costly bill requiring minors to get parental consent before having an abortion was essentially killed in the House.

And one of the two pending in the Senate got a boost from the attorney general's office, which issued an advisory that said it believed most of the potential legal problems with it had been resolved in the rerafted version that passed the House.

That advisory, however, questioned one provision, saying it may not pass court scrutiny. And Deputy Attorney General William von Tugen emphasized that despite past court rulings in other states indicating that the rest of the bill is legally acceptable, there have been no Idaho cases on abortion adjudicated.

THE REGION

MAGIC VALLEY FIVE-DAY FORECAST

YESTERDAY'S WEATHER

Camas Prairie

High: 34 Low: 10
Partly cloudy after morning fog clears. Cold at night. Increasing high clouds Saturday after morning valley fog clears.

Treasure Valley

High: 40 Low: 21
Mostly sunny after morning fog clears. Light north-westerly wind. Mostly clear tonight. Increasing high clouds Saturday.

Sawtooth Mountains/Wood River Valley

High: 30 Low: 5
Partly cloudy after morning valley fog clears. Cold at night. Increasing high clouds Saturday after morning valley fog clears.

Eastern Idaho

High: 31 Low: 12
Mostly sunny with light, variable winds. Mostly clear tonight and Saturday. Mostly sunny and warmer Saturday.

Northern Idaho

High: 43 Low: 27
Partly sunny with light south wind after localized morning fog clears. Mostly clear tonight and Saturday. Chance of rain or snow.

Northern Utah

High: 36 Low: 17
Chance of snow showers and mostly cloudy. Partly cloudy tonight and Saturday. Slightly warmer Saturday.

Northern Nevada

High: 32 Low: 15
Partly cloudy through the night. Increasing clouds on Saturday. Continued cold.

Utah resort town has new snow for Clintons' visit; president will read

PARK CITY, Utah (AP) — Too many presidents in Clinton doesn't plan to hit the slopes. Nearly 4 feet of fresh powder has fallen this week in this mountain resort town where the president and Hillary will be celebrating her 18th birthday today. The president, who tore ligaments in his only skiing accident 14 years ago, says he'll be inside with a book at the private lodge where the Clintons will stay. Air Force One will arrive at Salt Lake City International Airport at 6:16 p.m. MST Thursday. A short time later, Clinton emerged wearing a wide-brimmed hat and leather jacket and was greeted by Democratic Salt Lake City Mayor Deedee Corradini before heading for Park City in the president's armored Suburban. Just outside the airport, though, Clinton ordered a halt and tramped through the deep snow to shake hands with a crowd of 60-70 people and members of the life and drum corps playing music. "I'm thinking to have him here," Corradini said Thursday. "This is good for us and it will give the president a chance to see what we have in Salt Lake."

The first lady and Chelsea arrived earlier this week, but skiers at Deer Valley Resort, where the snow continued to fall Thursday, said they'd seen no Clinton. Donna Struve said she was skiing powder through the trees at Deer Valley, where the slopes are dotted with log cabin castles and condos. "It's awesome. It's about the best skiing we've had in two years," said Struve, who has a home at the resort, 25 miles east of Salt Lake City in the Wasatch Mountains. "They (the Clintons) picked the right place."

The White House said the Clintons would stay at the home of Hollywood executive Jeffrey Katzenberg, who has several independent ski runs just off his back yard. Katzenberg's home is in The Bald Eagle Club, where properties sell for \$4 million to \$10 million, said Bud Matheson, the manager of the club who was manning the entrance gate on Thursday. Charlie Gibson, the Good Morning America host, also has a home in the subdivision. Katzenberg, co-partner with Steven Spielberg and David Geffen in DreamWorks SKG, is a big donor to Clinton and other Democrats. The former Walt Disney Co. studio chief is a frequent guest at the White House and last November, the president stayed at his Malibu home during a fundraising swing through California. The 18-year-old resort caters to the wealthy, with valet parking at the main lodge and gourmet dining at restaurants scattered over the mountains. "It's beyond our plans," said Mrs. Greenberg, laughing. She and her husband saw no Clintons while skiing Thursday.

thing from bunny hills to expert runs — 68 in all. Deer Valley will be the site of slalom and freestyle competitions during the 2002 Winter Olympics hosted by Salt Lake City. Susan and Ron Greenberg of Sarsons, Fla., said their reservations for dinner Friday at Stein Erikson lodge were canceled because of the sudden scheduling of a private party — they presume the Clintons, for Chelsea's birthday dinner. "We're beyond our plans," said Mrs. Greenberg, laughing. She and her husband saw no Clintons while skiing Thursday.

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U.S. seeks protection for salmon

SEATTLE (AP) — In potentially the most far-reaching application of the Endangered Species Act, the federal government Thursday proposed protecting dwindling West Coast salmon stocks from the Canadian border to central California. Thirteen salmon and steelhead populations in Washington, Oregon and California were proposed for listing under the act, covering hundreds of thousands of square miles and river drainages. Included were Washington's densely populated Puget Sound region and California's Central Valley. There has been no listing under the federal Endangered Species Act that encompasses the scope of these proposals, especially the one for Puget Sound chinook — were expected. Environmental groups and fish-

ing organizations, complaining the government was dragging its feet, sued NMFS last fall to force it to protect coastal chinook under the act. What is far less clear is what will be done to restore the fish and the effect that will have on the millions of people who live in the region. The chinook populations of Puget Sound are proposed for a "threatened" designation under the act, while Central Valley, Calif.'s spring chinook run is proposed for an "endangered" listing. NMFS spokesman Brian Gorman said that in practical terms, the protections needed for either designation would be much the same. The chinook populations proposed for listing are: Upper Columbia River, Wash., spring chinook, proposed endangered; Central Valley, Calif., fall-fall chinook, proposed threatened; Southern Oregon and California coastal chinook, proposed threatened; Lower Columbia River chin-

ook, proposed threatened. Upper Willamette River, Ore., chinook, proposed threatened. Snake River fall-run chinook, listed as threatened in 1992, proposed for expansion to cover new populations. Lake Ouzette, Wash., sockeye, proposed threatened. Hood Canal, Wash., summer-run chinook, proposed threatened. Columbia River chum, proposed threatened. Middle Columbia River steelhead, proposed threatened. Upper Willamette River steelhead, proposed threatened. The winter chinook run on California's Sacramento River was listed as endangered in 1989, and the spring-summer chinook run on the Snake River was listed as threatened in 1992. Stelle and others warned the impacts may be huge. State, local and tribal governments must cooperate on wide-ranging decisions about land and water use, such as how hydropower is generated, the location of new housing developments and requirements for sewage disposal.

More claims filed over fatal Boise police shooting

BOISE (AP) — Two more claims for more than \$500,000 in damages in the death of James "Justin" Atkinson have been filed against Boise Police. Atkinson was fatally shot Aug. 31 by officer Christopher Rogers while Atkinson was fleeing in his car after a downtown traffic stop. Atkinson's father, James "Randy" Atkinson, alleges in his tort claim that Rogers used excessive force. He seeks at least \$500,000 in damages or the full amount of the city's insurance coverage for wrongful conduct. The other claim was filed by Rodney Benson Page, the passenger in Atkinson's car. He said police were negligent and is seeking unspecified damages for suffering and grief. Both claims were filed Wednesday.

Finers bear surcharge SALT LAKE CITY (AP) — A \$10 surcharge would be tacked on to a traffic citation in Salt Lake County under a bill that narrowly passed the House. House Bill 447 would raise some \$2.4 million to help cities manage traffic safety hazards. The bill would be tacked on to a one-acre disposal pit that is part of an 88-acre disposal site where plutonium-contaminated waste was buried in the 1950s and '60s. The troubled cleanup project was to show more about the waste and help with decisions on how best to clean up the rest of the buried waste. If the contractor, Lockheed Martin Advanced Environmental Systems, fails to complete the project, INEEL would find some other way to get the waste cleaned up. "One way or another, we're going to be in the pit by September," Bigger said. Times-News staff writer N.S. Nohkrem can be reached at 733-0931, Ext. 237.

Curfew Continued from A1 nance, only parents could be held responsible for truant children, and there was little the courts could do about a child who refused to go to school. Sturgill helped rewrite the ordinance to give it more teeth. But her revisions did not include the controversial daytime curfew. Sturgill added a definition for truancy as a status offense for juveniles that would hold children and parents responsible. Under state law truancy is a status offense, but the state law does not define truancy — that is up to the counties, Sturgill said. She also changed the nighttime curfew, making the time the same for all children, but with specific exceptions for legitimate activities. She also included an exception for what parents consider a legitimate activity. That curfew is from 11 p.m. to 5 a.m. every day for all children under 18. She also added specifics for the former minor violations of the ordinance. Times-News staff writer N.S. Nohkrem can be reached at 733-0931, Ext. 237.

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Slide blocks Utah highway SALT LAKE CITY (AP) — Two people sustained minor injuries when a Thursday afternoon snowslide partially buried their cars and forced closure of Little Cottonwood Canyon. Salt Lake County Sheriff's Sgt. Jim Potter said crews closed the canyon shortly after the 2:40 p.m. slide. The drivers of the cars were treated at the scene and released, authorities said. Crews were working late Thursday to reopen the canyon. The drivers of an unspecified number of skiers to leave the resort.

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# White House aide testifies about private investigators

WASHINGTON (AP) — Tracking negative information about their office, Independent Counsel Kenneth Starr's prosecutors asked a White House aide Thursday what he knew about private investigators working for President Clinton's private lawyers.

While the attorney for Sidney Blumenthal testified before a federal grand jury, Starr made a rare appearance at the courthouse and went to the chambers

of Chief U.S. District Judge Norma Holloway Johnson. Starr's office has been negotiating with the White House to avoid a court fight over executive privilege, and Johnson would make the initial rulings on any effort to avoid answering ques-



For updates on this topic... Visit The Times-News Online at <http://www.magicvalley.com> and click on The Wire.

tions on such grounds. Several news organizations filed suit on Thursday asking her to make public the transcripts of secret proceedings concerning executive privilege.

The grand jury also heard from Nancy Harnreich, manager of Clinton's Oval Office operations and the presidential assistant who normally would know who gets in to see Clinton. Previous witnesses have said they were asked about contacts between Clinton and Ms. Lewinsky, the former intern who told a friend she had an affair with the president. Clinton has denied that allegation as well as an accusation that he asked her to lie about it.

Starr, defending the diversion from the Lewinsky accusations, told reporters Thursday, "I would reiterate, our office was being subjected to remarkable forms of... false information."

One private investigator involved in the case is Terry Lenzer, who has been working for the president's private lawyers. David Kendall and Robert Bennett. Both the lawyers denied they are investigating the personal lives of prosecutors.

Jo Marsh, one of Blumenthal's lawyers, said, "He was asked if he knew anything about any private investigators that had been hired. He answered: 'Absolutely not.'" Blumenthal, speaking to many reporters with whom he has regular contact, said, "Ken Starr's prosecutors demanded to

know what I had told reporters and what reporters had told me about Ken Starr's prosecutors. If they think they have intimidated me, they have failed. And if any journalist here, or elsewhere, wants to talk to me, I'll be glad to talk to you."

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# Campaign reform appears dead this year

WASHINGTON (AP) — Legislation to overhaul campaign finance rules fell to a Republican filibuster in the Senate on Thursday, leaving the issue doomed for the foreseeable future despite the abuses uncovered since the 1996 election.

A final effort to punch through GOP delaying tactics failed, 51-48, nine votes shy of the 60 need-

ed. Moments later Senate Majority Leader Trent Lott ushered the measure off the floor.

Even as he did so, supporters of the bill said time — and the scent of scandal — were on their side. "There will be more indictments, and there will be people going to jail. And there is probably some scandal going on now as we speak, because the system has

become so badly corrupted," said Sen. John McCain, R-Ariz.

President Clinton said, "Just as the need for change has not gone away, campaign finance reform will not go away."

Opponents, who contend the legislation would violate the free speech guarantee of the Constitution, said they'd be

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NATION

NATION IN BRIEF

Soldier's defense pitches possible alibi

FORT BELVOIR, Va. — Lawyers for the Army's former top enlisted man presented evidence Thursday indicating he was changing his alibi about the time prosecutors say he forced himself on a pregnant subordinate.

But prosecutors say Sgt. Maj. George McKinney doctored the records of the do-it-yourself auto repair shop once he found out he was being investigated for sexual misconduct.

The only reason McKinney was not charged with obstruction of justice for trying to fabricate an alibi is because the evidence surfaced only recently, according to an Army lawyer.

McKinney, who held the appointed post of sergeant major of the Army until last fall, is accused of sexual assault and harassment by six female soldiers.

Utah unveils 2002 Games license plate

SALT LAKE CITY — Lawmakers and Olympics officials have unveiled a new Utah license plate intended to raise money to help ensure children are involved in the 2002 Winter Games.

The official 2002 Games plate, featuring the Salt Lake Games multi-colored snowflake logo, will sell for \$22. Of that, \$15 will go into a fund to buy Olympic event tickets for disadvantaged youth and to pay for other unspecified children's programs.

"The plates are a key element to our objective that those who stand to benefit most from the Olympics, namely our children, will do so," said Frank Joklik, president and chief executive officer of the Salt Lake Organizing Committee.

Administration says senators anti-gay

WASHINGTON — The Clinton administration is accusing a small group of Republican senators of discrimination for blocking the confirmation of a San Francisco philanthropist who would be the first openly gay U.S. ambassador.

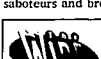
But conservative lawmakers who are preventing a Senate vote on James Hargett bid for the Luxembourg post contend it's his gay rights activism and not his sexual orientation they find disturbing.

Compiled from wire reports

Rumors of plots to topple Saddam make the rounds in nation's capital

WASHINGTON (AP) — The capital is abuzz with talk of plots to topple Saddam Hussein.

Ideas such as naval blockades, widened no-fly zones, paying saboteurs and broadcasting propaganda are bouncing between the White House, Capitol Hill and the CIA. Whatever else might be said about such proposed operations, it's getting a wuflly hard to call them covert.



For updates on this topic... Visit The Times-News Online at <http://www.magicvalley.com> and click on The Wire.

"Public disclosure of covert operations are, by definition, not helpful," one intelligence official said Thursday. The official, speaking only on condition of anonymity, said the CIA and other U.S. intelligence organizations are examining a range of possibilities against Iraq but said the impetus is coming from policy-makers and lawmakers, not the CIA.

Distrust of Saddam's willingness to allow full weapons inspections, a growing sentiment that the Iraqi president must go and a sense in Republican circles that President Clinton is vulnerable to being seen as soft on Iraq have created an atmosphere in which ideas usually kept private are being bandied about in news conferences.

"There's more than a consensus, there's virtual unanimity that Saddam Hussein has to be deposed," Sen. Arlen Specter, R-Pa., said Thursday.

Secretary of State Madeleine Albright told a Senate Appropriations subcommittee Thursday the administration will try to help opponents of Saddam.

"We look forward to working with a post-Saddam regime," Albright told lawmakers. "We

have worked with opposition groups in the past and we'll be working with them effectively in the future."

Paul Wolfowitz, dean of the Paul H. Nitze School of Advanced International Studies, proposed support for a provisional opposition government of Iraq.

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Hate booklet spurs arrests of students

MIAMI (AP) — In an extraordinary use of Florida's hate-crimes laws, nine high school students were jailed for publishing an underground booklet filled with racist and vulgar language and suggestions of violence against the black principal.

The arrests of the five boys and four girls — many of them honor students — outraged the ACLU and rekindled the debate about free speech in public schools. The students were suspended for 10 days and could be expelled.

The 26-page, mostly handwritten booklet distributed at suburban Kiltian High School contained one drawing depicting a rape, and another showing a bloody combination fork-and-spoon protruding from the forehead of a man with "an African discount."

The cover depicted principal Timothy Dawson skewered on a dart board. In a column titled "One student's complaint," the writer wondered: "What would happen if I shot Dawson in the head?"

The school system said that amounted to a death threat. "The arrests were made and we stand by that decision," said Henry Fraint, deputy superintendent for Miami-Dade County Public Schools. "They do not have the right to incite the feelings of outward racism."

Dawson ordered school police on Monday to arrest the students, ages 16 to 18. They were charged with two hate crimes: a misdemeanor that forbids the anonymous publication of hateful material, and an "enhancement" charge that can increase the penalty for a crime motivated by racism.

The charges carry a total of up to five years in prison. Howard Simon, executive director of the American Civil Liberties Union in Florida, said the misdemeanor hate-crime law, which was written in 1945, is so rarely invoked that its constitutionality has never been tested, and he could not immediately cite any other instance in which it was used.

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# Lawyer wary of probe in anthrax issue

LAS VEGAS (AP) — An attorney for one of two men involved in an anthrax scare says he hopes his client is not the target of a current grand jury investigation.

"I'm hoping they're just buttoning up any loose ends," attorney Kirby Wells said Thursday.

A grand jury began hearing testimony Wednesday in the case of Larry Wayne Harris of Lancaster, Ohio and William Leavitt Jr. of Logansdale, Nev. Harris, 46, and Leavitt, 47, were arrested Feb. 18 and charged with conspiracy and

possession of a biological agent for use as a weapon. Authorities said the pair possessed deadly military-grade anthrax. Subsequent tests showed the material was a harmless anthrax vaccine.

Leavitt was freed on Saturday after the test results were announced. The government dismissed the charges against the two men on Monday.

Harris remained in the Clark County Detention Center Thursday afternoon, waiting for federal marshals to return him to Columbus, Ohio, where he faces probation violation charges.

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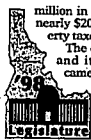
# Committee OKs Batt school aid

BOISE (AP) — Gov. Phil Batt's 5.2 percent increase in state aid to public schools sailed through the legislative budget committee on Thursday, carrying what some fear is sweeping new authority for the state schools superintendent to withhold cash.

Only five members of the Joint Finance Appropriations Committee — the three Democrats and moderate Republicans John Hansen of Idaho Falls and Hod Pomeroy of Boise — objected to the governor's \$741.7 million general tax allocation to the 112 school districts.

Although the largest increase in three years, the total was still \$5.6 million less than a coalition of education interests had sought.

The direct state support for the 1998-1999 school year is augmented by \$55 million in state-paid property taxes, more than \$50



million in special funds and nearly \$200 million in property taxes.

The only discussion — and it was limited — came on how the extra money should be spent. The committee generally followed the coalition's recommendations, although no new money was authorized for mentor teachers, classroom aides and innovative teacher grants.

Moreover, cash set aside for accommodating students with limited English skills and general discretionary spending by districts was curtailed to account for the governor's lower total.

The panel also turned back attempts to divert money from the fifth year of the school technology initiative to finance Batt's

plan to give all public libraries electronic access to thousands of publications, leaving that \$465,000 expenditure for the state library budget.

And with barely a note of concern, the 20-member committee acceded to Superintendent Anne Fox's request for "authority to establish criteria for school districts to receive their allocation of funds."

The three-line legislative directive, finally adopted without dissent, places no limitations on the type or quantity of standards Fox could impose.

The superintendent told lawmakers she needed the authority as a hammer on school districts to provide information required to respond to legislative performance audits on pupil transportation and use of the tobacco tax money for substance abuse programs.

## — LEGISLATIVE LOG —

The Associated Press

For Thursday, Feb. 26:

Signed by Governor

HB1484 (Revenue and Taxation) — Repeals income tax deductions for medical assistance and personal health care services accounts and weatherization and conservation expenses and the requirement that taxpayers designate their school district.

HB1490 (Revenue and Taxation) — Extends authority to create an auditorium district with power to impose a room tax to Canyon County.

Confirmed by Senate

Robert Hoff, Idaho Falls, to the Aerospace Advisory Board.

Patricia Woodall, Coeur d'Alene, to the Idaho Endowment Fund Investment Board.

Introduced in House

HB777 (Appropriations) — Appropriation of \$3 million to Department of Finance for fiscal 1999 operations.

Introduced in Senate

SB1107 (State Affairs) — Revises constitutional provisions on independent judges.

SB1135 (State Affairs) — Creates a special legislative committee to investigate ways of helping school districts finance buildings needs.

SB1200 (Finance) — Allocates \$27.5 million for 1999 operations of the state Tax Commission.

SB1251 (Finance) — Makes an emergency \$5.3 million appropriation for the Department of Correction.

SB1252 (Finance) — Makes an emergency \$20,000 appropriation to the Department of Law Enforcement.

SB1253 (Finance) — Allocates \$43.5 million for 1999 operations of the Department of Law Enforcement.

SB1254 (Finance) — Allocates \$36.5 million for 1999 operations of the Department of Juvenile Corrections.

SB1255 (Finance) — Allocates \$5 million for 1999 operations of the Public Employee Retirement System.

SB1256 (Finance) — Allocates \$23.9 million for 1999 operations of the Commerce Department.

SB1257 (Finance) — Allocates \$5.1 million for 1999 operations of the Insurance Department.

SB1258 (State Affairs) — Provides for maintaining precinct boundaries.

SB1259 (State Affairs) — Creates a school facilities support fund.

SB1260 (State Affairs) — Allows the park board to discount fees to maximize facility usage.

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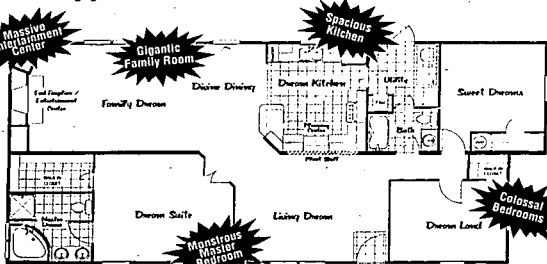
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IDAHO

# Plan to preserve Statehouse moves forward

BOISE (AP) — House Speaker Michael Simpson describes the Statehouse in Boise as "the most important building in the state" one that needs protection for its historic value.

The Legislature moved a step closer to that Thursday. The House State Affairs Committee recommended passage of a bill creating a new Idaho Capitol Commission.

The nine-member panel will be charged with directing prepara-

tion of long-range plans for the Statehouse, deciding which repairs need attention first and setting up a system for private donations.

Fam Ahrens, director of the Department of Administration, said Gov. Phil Batt is behind the project.

"This is something that needs to be done; it will be done in a common sense manner," Ahrens said.

Statehood legislation set aside land to support the Statehouse. Ahrens said the endowment fund has about \$2.3 million.

The bill would set up a nine-member commission. It is patterned on a similar law in Colorado.

Sponsors drew some laughs from committee members when they read the 1905 law that led to completion of the core of the Capitol in 1912. The wings containing the House and Senate


were completed in 1920.

Boise attorney Roy Bjuren, who helped draw up the bill, said his research indicates that since the 1905 law was repealed, there has been almost nothing on the books for the Statehouse.

The old law called provided for the hiring of a night watchman for no more than \$60 a month. He was responsible for the building between 8 p.m. and 6 a.m. Besides checking doors, the night watchman had to stoke the furnace.

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# Farmhand advocates praise Batt

IDAHO FALLS (AP) — Local advocates for farmworkers are praising Gov. Phil Batt for pushing legislation that would keep injured farm workers from getting as little as \$11 a week in compensation.

"He's standing by his commitment. He's made a lot of commitments to agricultural workers, and I'm glad the Legislature is standing with it," said Lew Rodriguez, eastern Idaho coordinator for the Idaho Migrant Council.

The legislation, introduced last week, would set a minimum reimbursement of \$66.45 a week for an injured seasonal farm worker covered by workers' compensation insurance, regardless of how much the worker was making or how long the person had worked.

Workers' compensation insurance covers medical costs and lost wages for people injured on the job.

The new minimum would change how seasonal workers laboring at jobs like fruit picking or irrigation pipe moving are reimbursed for wages lost when they are hurt while working. Under current state law, seasonal workers are paid based on a formula using an average of their earnings of the last year.

An investigation by the Post Register newspaper in Idaho Falls found that as a result of language barriers, poor work documentation and unreported wages, some workers were qualifying for as little as \$11 for every week of work missed, even if their weekly wage was \$200.

Most other workers are reimbursed using a different formula based largely on their wage at the time of injury.

This legislation would help correct a problem faced by some of Idaho's farm workers, many of whom are Hispanic, said Antonio Salcido, chairman of the Idaho Commission on Hispanic Affairs. Commission representatives had spoken about the issue with Batt and several legislators who sit on the commission's board, he said.

"This bill, in my opinion, provides a little better balance in enabling someone to support their family," Salcido said.

# Judge dismisses ouster petition against clerk

GRANGEVILLE (AP) — A 2nd District judge has dismissed a petition seeking the ouster of Idaho County Clerk Rose Gehring for refusing to hold an election on the county's controversial floodplain ordinance.

Judge George Reinhardt took the action on Wednesday after a hearing on the petition, filed under an archaic territorial law, that accused Gehring of corruption, conspiracy and acting in bad faith.

"We are dealing with an archaic statute that unfairly forces county officials to be hauled in on relatively minor allegations," Reinhardt said.

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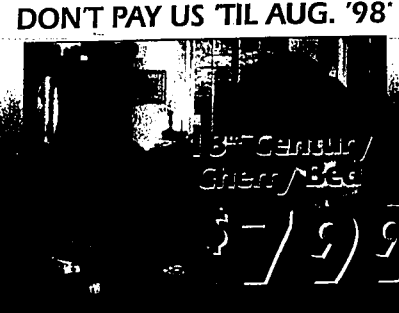
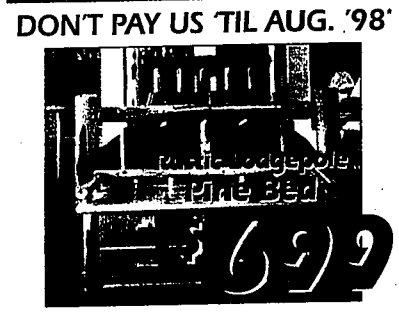
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