

WEATHER SUMMARY

The Forecast For 7 a.m. EST. Rain Snow Showers Flurries



National Weather Service NOAA, U.S. Dept. of Commerce

Rain and showers are forecast through Thursday for most of the West, according to the National Weather Service.

Warm, windy, possibly wet nights due

Warmer nights, gusty winds and a chance of rain are sure signs that spring is just around the corner.

Midland statistics

Table with columns for Forecast, National Weather Service Readings, Local Temperatures, and Northwest Temperatures.

The weather elsewhere

Table listing weather conditions for various cities including Albany, Albuquerque, Anchorage, etc.

Texas temperatures

Table showing high, low, and precipitation for various Texas cities like Abilene, Amarillo, Austin, etc.

Texas area forecasts

West Texas: Partly cloudy through Thursday. Mildly scattered showers and thunderstorms...

Border states forecasts

New Mexico: Cloudy with scattered showers spreading across the state through Thursday.

Oklahoma: Partly cloudy through mostly cloudy through Thursday.

Freak tornado injures about 25 persons

LOS ANGELES (AP) — A terrified hospital patient "screamed and screamed" as a freak tornado smashed windows and tore down walls when it cut a three-mile path of destruction through Los Angeles.

"It went black and everything went flying through the air outside — huge pieces of wood," said Patricia Goodman, 52, bedridden at Orthopaedic Hospital after hip surgery.

More than 100 buildings were damaged Tuesday and 25 people suffered minor injuries as a rare California twister careened through the southern downtown area.

"There's a boat in the backyard and we don't know where it came from. I'll take an earthquake any day," said Johnny Bradford, who was visiting his mother just a few blocks from the University of Southern California when the twister hit at 8 a.m.

The howling winds also propelled towering surf into the already storm-battered coast, further damaging piers at Santa Monica and Seal Beach and crashing through the windows of a popular Malibu restaurant and slightly injuring one customer late Tuesday, authorities said.

Forty miles away in Pasadena, another twister lifted a car carrying one motorist at least 15 feet in the air, eyewitnesses said, while the National Weather Service said a third tornado may have touched down in Santa Ana.

"It's unbelievable," said Gerald Baker, a resident of the tornado-ravaged section of Los Angeles. "You know we worry about earthquakes, but never this."

The Los Angeles twister caused at least \$2.5 million in damage as it struck the huge Convention Center roof and Orthopaedic Hospital.

"It looks like a war zone," Police Chief Daryl Gates said.

Although tornadoes occur every year in Southern California, National Weather Service specialist Dieter Crowley said they are "very rare. Everything has to be just in the right sequence."

No one was killed by the twister itself, but Los Angeles reserve police officer Stuart Tiara, 26, was killed and

two others were injured when a helicopter apparently hit a power line and crashed while taking off from an emergency tornado command post Tuesday evening.

More than 200 officers spent the night patrolling a 250-block area that was closed to all but residents and businessmen, and police Officer Sergio Diaz said the department planned to send in officers on horseback this morning.

Meanwhile, about 60 to 70 people, including one woman nine months pregnant and another who is epileptic, bunked down in an evacuation center at the girl's gym in Manual Arts High School after eating fried chicken from a fast food restaurant, said Red Cross spokesman Joe Coria.

The search for victims continued today.

"There are people living out there in homes without power and utilities, and we'd like to get them in here," said Chris Coe, another Red Cross spokesman at the disaster center.

"We've got some people who are pretty shaken up," Coria said. "We've had volunteers talking to them and keeping their children active."

"Our house is just torn down," Kenneth Kirkland, who also lives near USC, said at the disaster center. "We don't have a place to stay."

"The sky suddenly turned black," said Barbara Lee, who also lives near USC. "It was like night. There was debris, roofing and trash in the sky swirling around and around. I grabbed hold of the wrought iron fence and felt the thing passing by... A large dumpster went bounding down the street and a large beam from next door landed on my car."

Mrs. Goodman, 52, bedridden at Orthopaedic Hospital after hip surgery, said she was chatting calmly with her daughter by telephone when the tornado-force winds battered the building.

"I just closed my eyes and screamed and screamed and by the time I opened them the whole room was plaster dust, and there was a ceiling tile on the pillow next to my head. I was terrified it would start again."

Decontrol 'nothing to fear,' local professor says

Tracts which Energas has with its suppliers will provide 10 to 11 years of present-level gas service, said Pioneer spokeswoman Judith Kerr on Tuesday.

But these supplies could be threatened, she said, by a provision in Reagan's new decontrol bill that would encourage pipelines to renegotiate — at higher rates — several "old gas" contracts and other gas supplies.

"This is where we might have a concern," Ms. Kerr said, noting that her employer would have little official comment about the bill until it reaches their office in an accurate, final form.

Being an intrastate (Texas only) gas company, Pioneer's Energas subsidiary answers to Texas cities for determination of rates, and secondly, to the Texas Railroad Commission.

The Commission has the authority to oversee gas utility services and rates — under the Cox Act of 1920, its supplements, and the Public Utility Regulatory Act (PURA) of 1975.

Transmission, distribution and sale of gas by intrastate companies is regulated.

When a town or city and a gas company don't agree on a rate, the Commission is the appeals body — customers affected by a rate change take part in public hearings along with the service company itself.

"Energas Company is an intrastate distribution company," Ms. Kerr said. "We principally buy from producers and transmission companies within the state of Texas, and our gas charges in Texas are a third to one-half lower than other utilities. We try to buy gas



Peering from his bedroom window at the storm damage in the central Los Angeles area is Juan Sanchez.

Destruction spawned by rare weather conditions

By ROBERT LOCKE AP Science Writer

LOS ANGELES — Tornadoes that struck Pasadena and ripped apart a three-mile stretch of downtown Los Angeles grew from a rare collision of storm fronts as they plowed into the coast.

"Here we have two fronts clashing and you're getting this instant mixing of two different air masses and that makes the air very unstable," said National Weather Service specialist Dieter Crowley. "It's very rare. Everything has to be just in the right sequence" for the damaging twisters to form in California.

However, chief Los Angeles forecaster Don Lust said today: "They do occur every year in Southern California."

"There was one reported in the suburban areas this past Nov. 9 at Malibu, Van Nuys, Santa Ana and the east end of Long Beach," said specialist Betty Reo.

The tornado-making process is much different here than in the Midwest, where hundreds of the funnel clouds are reported each year.

On Midwestern plains, tornadoes form in the violent squall lines of thick, dark storm clouds. Pockets of warm, moist air, heated by the sunbaked earth, rise rapidly into the atmosphere. This leaves a void that draws in more warm air, which also rises as still more

rushes in.

These turbulent convection currents produce thunderstorms and, if the updrafts begin to rotate, provide the raw material of tornadoes.

But the twister Tuesday in Los Angeles grew from "an entire air mass that's unstable," Crowley said.

He said a mass of warm moist air moved in off the Pacific with a mass of cold air right on its heels and "when they slammed into the coast, the warm air slowed down and the cold air caught up with it. Then you had this forced mixing."

The entire system became "terribly unstable" with a lot of updrafts and downdrafts," he said. The mixing produced all kinds of random circulation

patterns with air rushing in and out, up and down.

Within that churning mass, the opportunity exists for the whirling funnel of a tornado and at least one dropped out of the black clouds to leave a trail of debris in Los Angeles. Another was reported in Pasadena, and the Weather Service was investigating a possible third tornado in Santa Ana.

"Usually," Crowley said, "you don't have a warm front followed by a cold front and if you do, there's usually enough time for one to pass before the other comes in."

A typical tornado has swirling winds of up to 300 mph. It might be 100 yards across and move on the ground at 10 to 25 mph.

Loeffler favors gas deregulation bill

who understand the natural gas pricing issue have generally reacted favorably to Reagan's proposal. "There are others who have had the same knee-jerk reaction we've seen for the last 15 years."

Texas had 229,941 oil and gas wells producing gas and gas distillate in November 1982, the latest month for which data is available. The state has about two billion cubic feet of deliverability out of 6 billion cubic feet nationwide, Wallace said.

Many Texas gas wells have been shut in, or their production curtailed, as producers attempt to wait out the "gas bubble" or oversupply. The national recession, particularly among heavy industrial users, has weakened demand

for gas at a time when gas reserves have increased.

Loeffler said Tuesday the Reagan bill is "a vehicle for decontrol which eliminates 23 categories of gas we have had to go through. The regulatory lunacy we have experienced for 29 years is in the process of being dismantled."

He said he has heard no mention of anyone adding an excise tax, or a "windfall" tax on profits, for natural gas, to the proposal. The possibility of such a tax inspired fear in the oil and gas industry.

In spite of his general optimism about Reagan's plan, Loeffler said he has three major concerns which he hopes will be addressed in coming weeks.

Two killed in laundry room explosion

GREENVILLE, N.C. (AP) — An explosion in a laundry room flattened part of an apartment complex early today, killing two people, injuring 11 and trapping several in debris, authorities said.

The explosion occurred at the Village Green Apartments shortly before 6 a.m.

Capt. John Briley of the Greenville

Police Department confirmed there were two fatalities. He said rescuers were still searching through rubble at 8 a.m.

"There's several injured, but to the extent and number, I don't know," he said.

A section of the complex was flattened. Pitt Memorial Hospital said 11 people were brought in for treatment.

Correction

In Tuesday's edition of The Midland Reporter-Telegram, a headline mistakenly stated that 89-year-old Carrie Eaton, killed in a traffic accident in Odessa Monday afternoon, was a resident of Odessa. She had resided in Comanche. The car's driver, 67-year-old Grace Lacy Dudley, also of Comanche, and two other passengers were slightly injured in the three-vehicle mishap.

The Reporter-Telegram regrets the error.

Weather again interrupts British queen's schedule

SANTA BARBARA, Calif. (AP) — Queen Elizabeth II, who braved the worst weather Southern California had to offer to visit President Reagan's ranch, once again has had her sailing plans foiled by the severe storm.

The queen initially was set to cruise today from Long Beach, Calif., to San Francisco aboard her elegant royal yacht, the HMS Britannia, but the White House announced late Tuesday that the royal party would fly instead.

Eric Rosenberger, the spokesman, said the queen, who was on her yacht, had no public schedule today but was planning to take off from the Long Beach airport in late afternoon. It was the second time this week that

the fierce Pacific storm, which caused a tornado in Los Angeles, forced the Britannia to stay put. Instead of sailing to Santa Barbara near the Reagans' ranch, the queen flew.

Keeping a stiff upper lip, the queen sloshed through pouring rain — abandoning her limousine for a Navy bus at one point — and rode a four-wheel drive vehicle up to the president's mountaintop retreat for a luncheon rendezvous Tuesday.

"She's a real trouper and a good sport," presidential adviser Michael Deaver said after the queen and Prince Philip arrived at the end of a treacherously foggy road that leads to Reagan's Rancho del Cielo.

Their journey up the mountain over, the Reagans and the royal couple posed for pictures in the downpour, their clothes dripping.

The queen, dressed in a raincoat and rubber boots and a blue felt hat, smiled grimly. The prince bantered with members of the royal staff, pointed to a small signpost fastened to the Reagan's house that read, "The Reagans, 1600 Pennsylvania Avenue."

He admired a statue of a stableboy dressed in red silk holding a lantern and the black horse weather vane on the tiled roof.

"You have seen this weather before," Reagan said to the small group of reporters and photographers, remind-

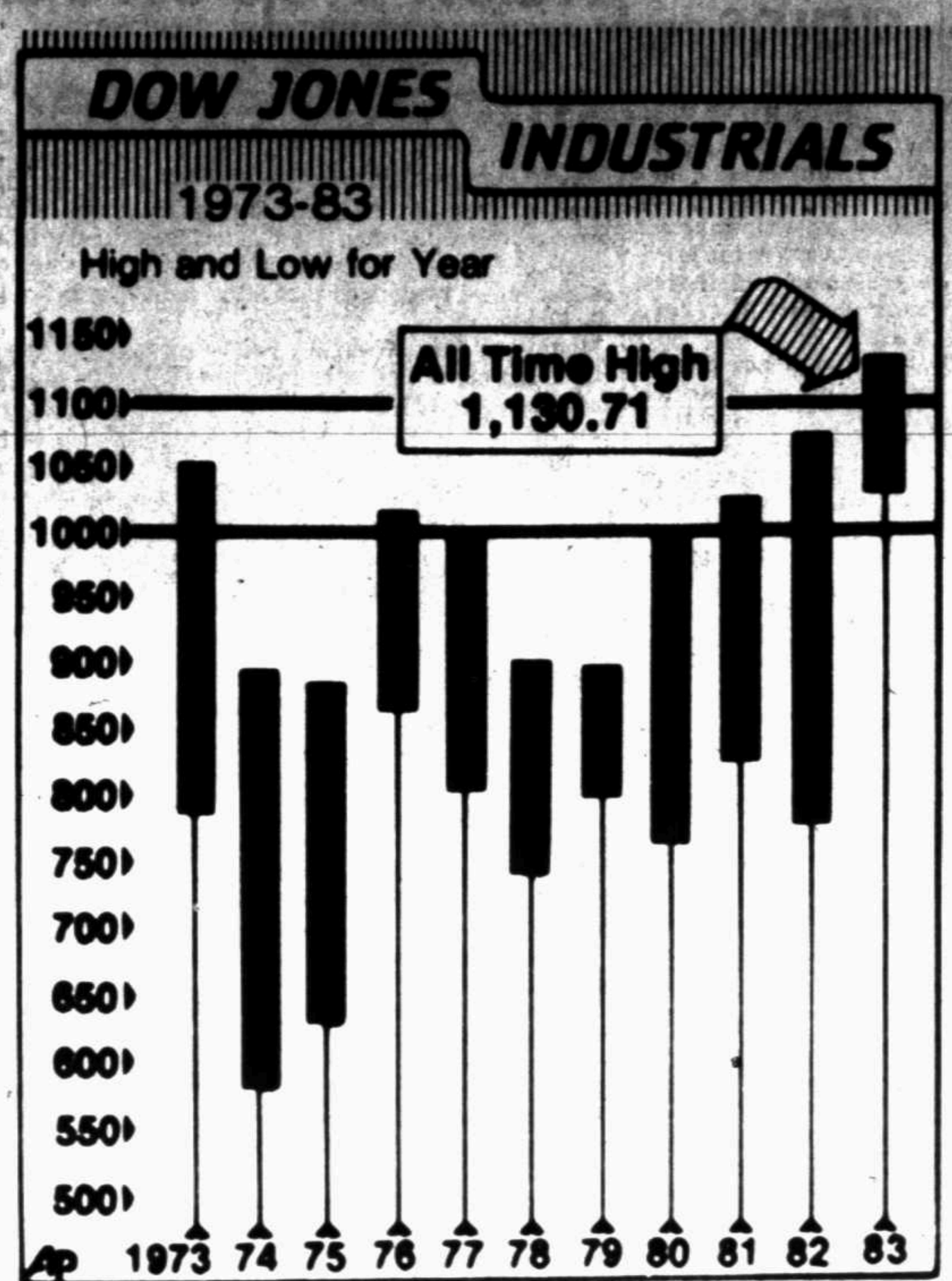
ing them that the only other time press had been permitted to see the ranch the weather was also foggy.

Reagan was dressed in a blue jean jacket and Western string tie. Mrs. Reagan wore a red raincoat and black cowboy boots.

"If the queen was disappointed that the long-planned horseback ride with Reagan had been cancelled by the storm, she didn't say so publicly.

There, they shared a Mexican lunch of tacos and refried beans. The only other guests were Reagan's chief of staff and his wife, James and Susan Baker, and British Foreign Minister Francis Pym and his wife.

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This chart shows the highs and lows for the year for the Dow Jones average of 30 industrials during the period from 1973 to the present. The stock market passed another milestone Tuesday as the Dow Jones average climbed to a record in a broad advance, closing at 1,130.71.

Oil price drop could hit state hard

HOUSTON (AP) — A steep drop in world oil prices may be good news for consumers, but bad news for companies and banks heavily involved in oil production.

Lower oil prices may mean lower fuel costs for motorists and, eventually, lower prices for products made from petrochemicals.

But for the Texas oil industry, a drop in world oil prices may bring on hard times.

OPEC oil ministers are to meet in Europe this month to set new, and probably lower, oil prices. The postings are expected to dip below the current \$30 a barrel. Most predict the price could drop to \$27 or lower.

Most Texas bankers and oilmen believe the state's industry could easily adjust to a price of \$26 to \$27, but a drop to \$25 would cause a serious belt-tightening, financial experts say.

"All bankers I've talked to agree that \$25 is a break point," said Tony A. Martin, chairman of the First City National Bank in Midland, Texas. "Below that

and even some of the better oil credits will have to have extended payments of existing loans."

Banks and oil companies consider proven oil reserves to be assets that can be used for loan collateral. If, for instance, a company has a million-barrel reserve and oil is priced at \$30 a barrel, then the company has at least \$30 million to use for a collateral.

But the collateral's value would drop if the oil price drops, and the oil company's line of credit would be reduced.

Oil company executives said a drop in the value of company assets would cause a cutback in the riskiest of the oil exploration activities. Wildcat wells would be less likely to be drilled.

Texas companies that deal in oil well services — drilling, equipment manufacturing, rig operators — would have less work. Workers would be laid off and rigs put into mothballs.

In extreme cases, banks could end up holding worthless loans and find themselves in trouble.

Martin and others say that even a

drop to prices of \$25 a barrel will not seriously disrupt the state's oil business because most companies and banks have already made an adjustment. The industry enjoyed boom times in 1980 and 1981, but then rode a "bust" starting a year ago.

"Some drop in price has already been anticipated by the larger companies," said James Dyer, chief economist of Texas Commerce Bank of Houston.

George Mitchell, president and founder of Mitchell Energy Co., said the industry has already gone through a shakedown that forced 80 percent of the inefficient companies out of the business.

"We'll lose the other 20 percent at below \$27 (a barrel for oil)," said Mitchell. "You'll shake out a lot of groups who shouldn't have been in it (oil) to begin with."

Mitchell said the costs of drilling has dropped by 25 percent in recent months and good operators can still do well.

The drop in oil prices will cost the state budget about \$40 million for every dollar decline in the price for a barrel of oil.

John Moore of the division of tax information of the State Comptroller's Office said that projected oil tax revenues for Texas were based on \$29.60 oil. Revenue estimates, he said, have now been revised downward by a billion dollars for the current two-year budget period.

"We were expecting \$5.1 billion in new (increased) money," said Moore. "We cut that estimate to \$4.1 billion."

Moore said the state will still enjoy a surplus, however, for the two-year budget period ending Aug. 31, but he noted that revised projections are expected next week.

For the consumer, a drop in the oil prices could be reflected directly at the gasoline pump. Experts estimate that gasoline prices could decline by 2.3 cents per gallon for every \$1 reduction in the per barrel price of oil.

Braniff officials await court's decision

NEW ORLEANS (AP) — Officials of Braniff International and Pacific Southwest Airlines waited today for three federal appeals judges to decide on the fate of a proposed operating agreement between the two carriers.

We are obviously disappointed that there has not yet been a decision," said PSA spokesman Bill Hastings. "But we will wait Wednesday for the decision."

A Tuesday deadline had been set by PSA officials, who said that they would abandon their plans for a division based at Dallas-Fort Worth Regional Airport if the agreement still awaited approval by the three-judge panel of the 5th U.S. Circuit Court of Appeals.

The panel on Monday ruled that U.S. District Judge Eldon Mahon of Fort Worth was within his jurisdiction in approving the package deal by which PSA would operate some of Braniff's planes and hire former employees of

the grounded airline in a new Texas division.

Mort Rible, PSA general counsel, said Tuesday that the company would continue to wait until the ruling. PSA has said its deal with Braniff was off unless it could be closed in time for the new Texas division to be flying by June 15.

"We have already committed \$15 million in costs to this venture," Rible said. "We spend that even if the deal falls through. So obviously we will have to continue to wait."

Still undecided by the federal panel is whether the package approved by Mahon would include "time slots" for landings and takeoffs once held by Braniff.

The Federal Aviation Administration argued that it alone has jurisdiction over the issuance of the slots and a federal judge cannot treat them as property to be conveyed by contract.

Judge Thomas Gibbs Gee of Austin said the panel would rule promptly on the issue of landing and takeoff slots.

PSA proposes to lease 30 of Braniff's 62 idle jets and hire about 2,000 people — most of them former Braniff employees — in extending its service to 16 other cities, including such major routes as Washington, Newark, Chicago and Miami.

Braniff collapsed under the weight of its \$1 billion debt last spring and filed for protection from its creditors in federal bankruptcy court in Fort Worth.

A Fort Worth federal bankruptcy judge said that with the Pacific Southwest takeover, Braniff would be able to pay 12 cents on the dollar when liquidated — instead of the 9 cents that could be paid without additional revenue.

"It will take 90 days after the deal is closed to get into operation," Hastings

said earlier.

If the time slots are not made part of the packet, the deal is off, Hastings said.

And, if 5th Circuit rulings are appealed to the high court and the justices stop the transaction pending a final decision, that would also scotch the deal.

"If there is a stay, the deal is dead," Hastings said.

American Airlines opposed the takeover, arguing that the U.S. District Court erred in getting into the case because only a federal bankruptcy court has jurisdiction in bankruptcy cases.

Department of Justice lawyer Eloise Davies said the government agreed that neither the law nor Supreme Court rulings ever intended to invalidate the primary jurisdiction given to federal district courts.

BBB's Betterbook to be delivered to homes soon

The Better Book, a publication that features listings of Midland businesses that belong to the Better Business Bureau here, will appear on your door step sometime after March 12.

The yellow pages-style book contains business listings — both by alphabet and by category of merchant. The listings are free to BBB Permian Basin members, who also bought advertising to help pay for printing and disseminating the Better Book.

Mayor G. Thane Akins will participate in the new book's arrival by declaring March 13-19 "Better Business Bureau Week."

The Better Book actually has several different parts, says the BBB. It begins with a section that explains the Better Business Bureau's functions and operations. The fact that BBB can help with certain "marketplace difficulties" is covered.

The second portion of the book will deal with marketplace savvy, a needed attribute with so much marketing and advertising bombarding consumers every day.

"Some of the areas covered are how

to shop effectively, laws concerning consumers, and door to door salesmen, charitable solicitations, and warranties on consumer goods," said BBB chief Linda Truitt on Tuesday.

A lot of people make a contract for an item — like a car — and then they think "I can break it if I want, they have to take it back. A person cannot just break a sales or service contract because they want to," Truitt said, commenting that this is a frequent problem people come to the BBB to solve.

The third part of the Better Book according to the BBB, will be the alphabetical and classified like listings of the member businesses in Midland and Odessa.

"At last count, there were about 1400 member businesses in this area. They are all listed in the new Better Book," she said.

The free copy delivered to Midland households will be dropped off by a Midland or Odessa high school band student, who will be paid for each book delivered. The bands will use the income to pay for trips to out-of-town contests and events.

Fewer 7-Elevens heldup

DALLAS (AP) — Crediting the help of a former armed robber, the Southland Corp. has announced a sharp decrease in the number of holdups at its 7-Eleven convenience stores since a new robbery prevention program was instituted in 1976.

The number of robberies at 7-Eleven stores decreased 25 percent last year and more than 55 percent since 1976, the Southland Corp. announced Tuesday.

Ray Johnson, a convicted felon, now uses his expertise for crime prevention within the convenience grocery chain. Johnson suggested physical store changes such as increased lighting, removing signs from windows and obstructing escape paths.

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City OKs \$5.5 million in buildings for February

Between Feb. 14 and Feb. 25, the city of Midland issued 92 building permits for new construction and alterations valued at \$3.5 million. This brings the total for February to \$5.5 million, and the year-to-date figure to \$19.2 million.

Tabor Construction was granted a permit for construction of a restaurant in Agora III shopping center at the corner of Garfield and Loop 250, Building C, \$150,000. Other new commercial permits went to Crane Construction, 1306 S. Midland Drive, for a warehouse valued at \$20,000; Jerry Henley, one story office building at 2526 S. Midkiff, \$44,000; Robert Graham Construction, 808 S. camp, warehouse, \$40,000; and

Freddie Haltom, meeting room and restroom at Hogan Park, \$20,000.

Commercial alteration permits included four for Area Builders to finish interior office space in Dinero Plaza, 1004 N. Big Spring, for Dinero Oil Company, Centurion Oil, Elms Paris accountants, and Citigroup. Estimated total value was \$146,000. Other alteration permits were issued to James Swearingen, remodel church roof at 200 N. Tyler, \$6,000; The Energy Savings Store, restroom at Hogan Park, \$25,000.

The city granted 34 permits for new residential construction for homes ranging in price from \$30,780 to \$300,000. Thirty-four permits for residential alterations were issued.

Joseph G. Rhode, M.D., F.A.A.F.P. and Carolyn C. Rhode, M.D., F.A.A.F.P.

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7:30-BAR-B-QUE

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\$48.00 \$24.00 \$4.00
\$38.00 \$19.50 \$3.25
\$31.20 \$15.00 \$2.00

2-Yr. 6-Mon. 1-Mo.
\$72.00 \$36.00 \$6.00
\$54.00 \$27.00 \$4.50
\$45.50 \$22.75 \$3.25

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Money-making market report

New York Exchange

NYSE (AP) — All am. national prices for New York Stock Exchange

FE Sales Last Chg.

Table with columns for stock symbols (e.g., ACFT, AMF, ANCO) and their respective prices and percentage changes.

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MUTUAL FUNDS

INVESTING COMPANIES

Table listing various investing companies and their performance metrics.

MUTUAL FUNDS

Federated Funds

Table listing various federated funds and their performance metrics.

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Develop

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Bankruptcy hasn't spoiled singer Fender

Freddie Fender's seaside mansion is for sale, his diamond rings are gone and he owes more money than most entertainers make in a lifetime.

Bathed in four spotlights, Fender raised his hands and acknowledged the cheers at a recent concert at the San Antonio Livestock Exposition.

The Dow Jones average of 30 industrials, which slipped 8.32 points Monday, climbed 11.90 points to 1,124.52 after two hours of trading today.

Three stocks rose for each one falling today on the New York Stock Exchange, whose composite index was up 0.88 at 86.34.

Big Board volume totaled 42.49 million shares at noon EST, against 38.06 million at that hour Monday.

Nonferrous metal

NEW YORK (AP) — Spot nonferrous metal prices Tuesday...

Table listing nonferrous metal prices for various metals like Aluminum, Copper, Zinc, etc.

Ups & Downs

NEW YORK (AP) — The following shows the American Stock Exchange stocks and warrants that rose or fell today...

Table listing stock price movements categorized as 'Ups' and 'Downs'.

Additional listings

The following lists of New York and American stock exchange listings are not reported in The Reporter Telegram's regular daily postings for the exchanges.

Table listing additional stock listings from various exchanges.

Commodities

CHICAGO (AP) — Futures trading on the Chicago Mercantile Exchange...

Table listing commodity prices for various goods like wheat, corn, etc.

Over the counter

Quotations from the NASD are representative interdealer prices as of approximately 11 a.m.

Table listing over-the-counter stock prices.

Market index

NEW YORK (AP) — New York Stock Exchange Index...

Table listing market index data for various indices.

Winnings won't a rollover IRA make

By BILL DOYLE

Q. I'm 61 and retired. My wife and I live on a \$120,000-a-year pension. I have just won more than \$150,000. Can I put my winnings in a rollover individual retirement account?

Winnings won't a rollover IRA make

By BILL DOYLE

A. Nope. The only money that can go into a rollover IRA is money that comes as a lump sum distribution from a tax-qualified retirement plan.

Winnings won't a rollover IRA make

By BILL DOYLE

The object of putting money into a rollover IRA is to shelter it from federal income tax. No income tax has to be paid on that money or the money it earns, in interest or dividends, until it is withdrawn.

Winnings won't a rollover IRA make

By BILL DOYLE

You have to face the fact that your winnings are subject to income tax. You had your good news about winning and this bad news about taxes. So here's some good news about easing the tax bite.

Winnings won't a rollover IRA make

By BILL DOYLE

Like almost anyone else who has a large increase in taxable income, you can use the "five-year averaging" method to reduce your income tax bill.

Winnings won't a rollover IRA make

By BILL DOYLE

My advice is to have a good accountant work this out for you. We can dream of the day when the Internal Revenue Code will be simplified.

Stage West

The Movie of a \$7.5 million era, cultural court wave-trans video service

Stage West "The Movie of a \$7.5 million era, cultural court wave-trans video service" is a new production...

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The Movie of a \$7.5 million era, cultural court wave-trans video service

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Stage West "The Movie of a \$7.5 million era, cultural court wave-trans video service" is a new production...



Busy winter bees

It's still winter, but Tuesday afternoon's high temperature of 79 degrees fooled even these bees spotted gathering pollen from some pre-spring blossoms.

Medicare's 'new era' confusing

By GAIL BURKE
Staff Writer

Speculations about a tax and budget package that will reduce Medicare reimbursement dollars left local physicians scratching their heads in bewilderment Tuesday night.

During the two-hour presentation at Midland Memorial Hospital, Randy Kurtz, a representative of the Dallas-based Arthur Andersen & Co. accounting firm, outlined the challenges and strategies of the "new era for Medicare" brought on by the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982.

Before this law, the government Medicare program based reimbursement to hospitals on cost. Physicians recovered Medicare dollars based on charges of medical services. The Medicare program pays for medical services to 26 million aged and 3 million disabled persons in the U.S.

"Uncle Sam has a problem — he says health care costs are too high," said Kurtz, whose firm audits MMH.

IN OCTOBER 1982 the federal government enacted TEFRA, which mandates a \$12.5 billion cut in Medicare reimbursement during the next three years.

While TEFRA has "monumental implications to the hospitals," it also will affect physicians who provide services to hospitalized patients.

But, according to Kurtz, the Health Care Finance Administration (HCFA) — developer of the new reimbursement system — has revised some of its provisions. Kurtz said the revisions were to be ready today. He did not know exactly what would be changed, but speculated some TEFRA restrictions on reimbursements to doc-

tors would be modified.

Kurtz said HCFA has devised a system that groups diseases, determining a flat rate for each group that Medicare will reimburse to hospitals. This is expected to begin in the fall.

Although physicians expressed concern with the overall impact of TEFRA, they zeroed in on the disease-related groups (DRGs).

"WILL DRGs DO away with utilization review?" Dr. Dorothy Wyvell asked, referring to a type of checks and balances committee.

"No," said Kurtz. "Utilization is important because the government is worried that hospitals will discharge and re-admit five days later," he said, explaining that HCFA has proposed that reimbursement be paid on a prospective basis, depending on the patient's diagnosis.

Although a patient who complains of a stomach ache may be admitted to the hospital with diagnosis of an ulcer, the doctor may find the patient has cancer, Kurtz said.

Responding to a question about a patient with four or five DRGs, Kurtz told Dr. William McGavran III that "this is one of the major criticisms" of the system.

Dr. James Humphreys questioned whether Kurtz saw a problem with physicians administering less patient care to cut costs.

"You could speculate," Kurtz said. "Yes, you'd like to give optimum care, but maybe you should give adequate care (to get the patient discharged from the hospital sooner). Yes, this is a possibility."

(See NEW MEDICARE, Page 2C)

Residents to have chance to become poll's 'public'

By VINCE GIORGI
Staff Writer

Midland and Odessa residents will get their chance next week to become the mysterious and seemingly invisible "they" so often quoted in public opinion surveys.

Beginning Tuesday and continuing through March 13, area adults will contribute their "two cents" to the Merit Report, a bi-weekly survey which since 1981 has solicited more than 150,000 opinions in 85 U.S. cities.

A Merit Report spokeswoman said that while the two-part survey helps build "name awareness" for its sponsor, Merit Cigarettes, it also allows people the opportunity to participate in an opinion poll instead of merely hearing the results.

Lisa Thompson said results of the Midland-Odessa survey — along with the findings of a nationwide telephone poll of 1,200 people — will be released to local news media within a week after the poll.

Ms. Thompson said the survey format allows residents of a specific locale to weigh their responses against the nation's sentiment reflected in the telephone poll.

Since its inauguration in Septem-

ber 1981, the Merit Report has quizzed Americans on topics ranging from the economy to sports and from nuclear war to the battle of the sexes.

In New York and Los Angeles, Miami and Milwaukee, respondents pondered questions as varied as "How do you compare the nuclear weapons strength of the U.S. to that of Russia?" and "How do you feel about the mini-skirt coming back in style?"

Ms. Thompson said area participants will face questions drawn from two broad topics: morality and weight control. She said the morality questions will include whether the respondents cheat on their income tax returns and how seriously they view violating the 55 mph speed limit, engaging in extramarital affairs and cheating on business expense accounts.

The local "pulse" will be measured using the Merit Opinion Center, a 30-foot motor coach equipped with three computer terminals.

Participants will punch the appropriate button on a keyboard in response to a series of 13 questions which appear on a video display screen.

Ms. Thompson said that as they

leave the Opinion Center, participants will receive printed sheets offering a comparison between their responses and those of others who respond to the area poll.

The Opinion Center computer stores the answers and relays them to a central computer in New York City, where the results of both surveys are compiled.

Five Texas cities, Austin, Dallas, El Paso, Fort Worth, Houston and San Antonio, have already been polled for previous Merit Reports.

Surveys in Midland and Odessa will be conducted at the following locations and times:

— Tuesday and Wednesday, March 8-9, from 11:30 a.m. to 7:30 p.m., at Permian Mall, 4101 E. 42nd Street, Odessa.

— Thursday, March 10, from 10 a.m. to 6 p.m., on Colorado Street near Wall Avenue in Midland.

— Friday, March 11, from 10 a.m. to 6 p.m., at Gibson Discount Center, 2419 W. County Road, Odessa.

— Saturday, March 12, from 11 a.m. to 7 p.m., at Midland Park Mall, 4511 Midkiff Road N., Midland.

— Sunday, March 13, from 10 a.m. to 4 p.m., at Gibson Discount Center, 3111 Cuthbert Ave., Midland.

Man charged with murdering woman found dead Monday

Midlander in jail under \$25,000 bond

By RICHARD ORR
Staff Writer

A young Midland man remains jailed after being charged with murder in the bludgeoning death of a San Angelo woman whose nude body was found along the south shoulder of the old Bankhead Highway near Midland Regional Airport early Monday afternoon.

In the county jail today under \$25,000 bond set Tuesday by Justice of the Peace Robert Pine was 18-year-old Dennis Goff of 2501 Harvard Ave.

He is charged with killing 31-year-old Mickey Berry, who originally was from San Angelo. She had been in Midland about a month, according to sheriff's department investigators, and had gone to work as a sales clerk for The Shoe Tree in Oak Ridge Square last week.

She listed her address on her employment application as 4318 Cedar Springs Drive, according to store manager Lonetta Courtney. She worked Thursday through Saturday and was to have reported for work again at noon Monday.

Instead, Ms. Berry's nude and battered body was discovered by a passing motorist shortly after noon Monday. She was found sprawled face up near the equipment yard of Stewart & Stevenson Services Inc. on West Highway 80.

The old Bankhead Highway is a dirt road to the north of the company, which faces U.S. 80 about one-and-a-half miles west of the airport.

Preliminary autopsy results indicate she died of massive brain damage and apparently was killed at the scene sometime early Monday morning. The murder weapon — some type of blunt instrument — has not been recovered, according to Sheriff Dallas Smith.

Goff was picked up late Monday night at the airport, where he reportedly was to have boarded a flight for El Paso to take an Army physical sometime this week.

Smith said Goff was brought to the courthouse for questioning and later charged with Ms. Berry's death. He declined to say if Goff gave investigators a confession or if a motive has been established in the case.

Her car was found parked at Bojangles Lounge at 3709 W. Wall Ave., according to Smith, and witnesses told



Staff Photo by Paul Gilbert

Eighteen-year-old Dennis Goff, left, of 2501 Harvard Ave., has been charged with murder in the beating death of 31-year-old Mickey Berry, a former San Angelo woman who went to work for a Midland shoe store last week. Goff is shown here being led back to the county jail following his arraignment before Justice of the Peace Robert Pine Tuesday afternoon.

investigators they had seen Goff and Ms. Berry leave the club together about midnight Sunday.

Smith said a laundry mark on a blouse found in a pile of clothing near the corpse led to initial identification of the body. Fingerprints later confirmed the identification.

In addition to investigators from the sheriff's department and District Attorney Vern Martin's office, Texas Rangers, the Department of Public Safety and the Midland Police Department worked on the case.

Services for Ms. Berry are pending at Newt W. Ellis Funeral Home.

Stage West TV files suit

Company alleges fraud by signal supplier

By ED TODD
Staff Writer

Stage West TV, which bills itself as "The Movie Channel" (TMC), has lodged a \$7.5 million lawsuit in Midland federal court against the New York microwave-transmission suppliers of the video service.

Stage West TV, which offers its video programming to hotels, motels, apartments and other residences in the Midland, Odessa and Wichita Falls areas, is alleging that Microband Corp. of America and Microtex Communications committed fraud by misrepresenting the scope and quality of their services.

In turn, Microband and Microtex have filed a \$120,578.39 counterclaim suit in seeking to collect back payments for services supplied to Stage West TV. The defendants deny the fraud allegations posed by Stage West.

While the suit was pending, Stage West TV secured a court injunction which stopped Microband and Micro-

tex from severing their transmission to Stage West TV. Microband and Microtex had notified Stage West TV that they would discontinue their service to the movie outlet in early February unless Stage West TV paid its bills.

Stage West TV is operated by HRS Enterprises Inc. and MDS TV Inc., according to the suit's petition, which initially was filed in 70th State District Court in Odessa but which was transferred to federal court in Midland upon motion of defendants Microband and Microtex.

Stage West TV is alleging that Microband and Microtex misrepresented their services on the start-up date of transmission, on maintenance and repair of microwave equipment, on supplying 24-hour maintenance service, on the quality of the microwave signal, on location of the antenna, on the breadth and scope of a clear signal and on the number of potential customers in the Midland-Odessa-Wichita Falls area.

The microwave transmission service offered by Microband and Microtex is

known as Multipoint Distribution Service (MDS).

In the petition, Stage West TV noted it has been withholding payments to Microband and Microtex and has "expended thousands of dollars" on equipment, personnel and advertising.

Stage West TV paid a \$20,000 security deposit to Microband, which supplies the signal to Midland-Odessa, and a \$10,000 deposit to Microtex, which supplies the service to Wichita Falls, in contract for the microwave movie service in 1981 and 1982.

Stage West TV owes Microband \$85,222.28, and Microtex \$35,356.11, the defendants contend.

Microband and Microtex provide movie services to 35 markets in the U.S., according to Stage West TV's petition.

In its petition, Stage West TV notes that "for a programmer's business to be viable, it is essential that the defendants provide a transmission system which delivers an acceptable signal to a large number of potential subscribers in the market area."

Some see proposal as pro-drug

AUSTIN (AP) — Rep. Bill Blanton says his bill is merely an effort to keep the police on the street, but Texas War on Drugs members say it's a "strong do-drugs message to our youth."

At the request of Dallas officials, Blanton, R-Farmers Branch, filed a bill to allow police to give some misdemeanor offenders a traffic-like ticket instead of taking them to jail. Although the suspects would not be jailed, they would be subject to the current penalties for the offenses, including possession of two ounces or less of marijuana.

Instead of being jailed, they would have to promise to appear in court at a later date.

Dallas County Commissioner Jim Tyson told the House Criminal Jurisprudence Committee on Tuesday that 7,500 hours of police time — now spent booking misdemeanor suspects — could be saved through Blanton's bill.

The suspects involved "just don't pose a threat to the public safety," said Tyson.

The offenses covered by the proposal include homosexual conduct, disorderly conduct, prostitution, gambling and possession of two ounces or less of marijuana.

Sondra Buckner of Garland, a War on Drugs supporter, testified that young Texans would interpret the bill as condoning marijuana use.

"Let's not weaken our laws," she said, calling the bill a "strong do-drugs message to our youth."

Blanton does not want to reduce the penalty — up to two years in prison and a \$1,000 fine — for misdemeanor marijuana possession.



AP Laserphoto

A glazier makes corrections as he prepares to install one of the final panes of glass that will cover a downtown Chicago office building. The 36-story building will be covered with more than six acres of green-tinted glass, including a 365-foot curved wall.

Truck wheels crushed man, witnesses say

A Midland man killed in a truck-pedestrian accident Sunday jumped aboard the flatbed trailer of a moving 18-wheeler, slipped and was crushed under the rear wheels, according to a police report.

Officer David Shearod of the police department's traffic division said witnesses watched Sylvester Deary Stinnett leap atop the trailer as it traveled northbound in the 300 block of Lee Street late Sunday.

Shearod said witnesses saw Stinnett, 20, slip as the two-tone blue truck turned northeast on Front Street. Shearod reportedly clung to the trailer's side as it traveled about 130 feet, then slipped and was run over by the trailer's rear wheels.

Stinnett of 1709 N. Edwards St. died at about 3:20 a.m. in Midland Memorial Hospital during surgery for multiple injuries. He was admitted to MMH at 11:06 p.m. Sunday.

The unidentified truck driver drove away from the scene, apparently unaware of Stinnett's presence, according to Shearod. He said police are still searching for the driver, but do not intend to file any charges in connection with the incident.

Rumbaugh's release from hospital foreseen

AMARILLO (AP) — Condemned murderer Charles Rumbaugh, who used a makeshift knife fashioned from a jail window latch to attack a federal official, will probably be dismissed to the care of Potter County sheriff's deputies later this week, officials say.

The condition of Rumbaugh, 25, has continued to improve at Northwest Texas Hospital since Thursday, when a deputy U.S. marshal shot him in the chest after Rumbaugh charged at him with the knife during a competency hearing.

Rumbaugh was admitted to the hospital last week in critical condition. Following surgery for a gunshot wound in the chest, the Texas Death Row inmate has remained under 24-hour guard by off-duty sheriff's deputies.

The hearing, requested by his parents, was ordered by a federal judge who granted Rumbaugh a stay of execution to determine whether the prisoner has the mental competence to waive his appeal rights. He has said he wants to be executed.

Rumbaugh has been sentenced to die for killing a jeweler during a 1975 robbery in Amarillo.

During the hearing, after Rumbaugh finished his testimony, he stood in the witness box, announced he had chosen his "own way to die," and — yelling "Shoot me!" — lunged at the marshal with a crude knife that had been fashioned from a window latch.

According to Potter County Sheriff T.L. Baker, Rumbaugh said he tore the latch off a window ledge in the recreation area of the Amarillo jail shortly after speaking to an area class of high school students about the need to obey the law.

He took the latch to his jail cell, sharpened one end by grinding it into the floor, then used a rubber band to attach the weapon to his body inside his undershorts, Rumbaugh told officers.

Two days later, during his courtroom appearance, he transferred the weapon to an inside coat pocket, then made his charge, Baker said.

New Medicare regulations bewildering to some doctors

(Continued from Page 1C)

KURTZ EXPLAINED some of TEFRA's implications. Prior to the law, Medicare reimbursed the physician for 80 percent of the "reasonable charge" of a medical service and the patient paid the difference.

The reasonable charge, determined by Medicare, was based on charges of physicians working in various settings, such as an outpatient clinic or a private office. The payment included overhead, Kurtz said.

Hospitals were also allowed to recover overhead in the form of cost (actual hospital costs, not patient billing). But now, the government contends it has been paying twice for the same overhead.

"The government's presumption is that certain physicians are receiving excessive compensation," Kurtz said. "You've got to understand the government's mentality when it was forming this bill."

Under TEFRA, hospitals can continue to receive reimbursement for outpatient clinic overhead, but the reasonable charge of physicians treating patients in such clinics will be reduced to eliminate the overhead component.

KURTZ EXPLAINED the implications of this will result in substantial reduction in Medicare payments to physicians who treat patients in hospital clinics. It is estimated that 40 percent of a physician's fee relates to overhead and TEFRA may prompt physicians to see patients in their offices, rather than clinics, or to renegotiate contracts with hospitals.

Turning to specific regulations for hospital-based physicians, Kurtz said, "Then came the physicians working out of the hospital — radiologists, pathologists and anesthesiologists."

Kurtz said this is a very controversial area that deals with separate charge levels for services in a hospital versus a private office.

"For example, if the test, say a chest X-ray, could be performed in the office, the physician (radiologist) can only bill (Medicare) 40 percent (of the service)," Kurtz said.

Pathologists bill Medicare for clinical and anatomical services. Many clinical services, such as blood tests, can be done by non-physicians. But anatomical procedures, such as dissection, are performed by the pathologist. These physicians are upset about TEFRA's changes. Kurtz said because the government contends that most clinical services can be performed by non-physicians, reimbursements will be made on a cost rather than a charge basis.

"The College of American Pathology has a lawsuit prepared to challenge this new law," Kurtz said.

Overall, Kurtz said, there are no exact answers. "What should you do?" he asked. "(Hospital) administrators and doctors will have to sit down and see how it (the revised provision) will directly impact you."

DEATHS

Sylvester Stinnett

Sylvester Deary Stinnett, 20, of 1709 N. Edwards St. died Monday from injuries suffered in a car-pedestrian accident Sunday night.

Services were to be at 2 p.m. today at the Mount Rose Baptist Church with the Rev. Gerald Badger officiating. Burial was to follow in Fairview Cemetery.

Stinnett was born Oct. 15, 1962, in Lamesa. He had lived in Midland since 1976.

Survivors include his mother, Betty Deary of Midland; four brothers, Leslie C. Harlin of Lubbock and Alex Stinnett Jr., Curtis Ray Stinnett and Paul B. Stinnett, all of Midland; and three sisters, Doris Deary and Mary Alice Burnett, both of Houston, and Lana Louis of Midland.

H.W. Stoltenberg

Services for Harold W. Stoltenberg, 68, of Midland are pending under the direction of Newnie W. Ellis Funeral Home.

Stoltenberg died Tuesday in a Mid-

land hospital following a lengthy illness.

Survivors include his wife Elva of Midland; two daughters, Lynne Ray and Sue Anne Campbell, both of Midland; a sister, Gertrude Edwards of Dodge City, Kan.; and six grandchildren.

Mrs. Earl Stirman

Mrs. Earl (Mary) Stirman, 86, of 116 Perrie Lane, died Monday in a Midland hospital.

Services are pending at Newnie W. Ellis Funeral Home.

Survivors include a son, Bill Stirman of Midland; a daughter, Earline Blair of Tucson, Ariz.; four grandchildren and 10 great-grandchildren.

Dortha Webb

Services for Dortha Webb, 74, of 1110 Austin were Tuesday in the Calvary Assembly of God Church with Gayle Reeves, pastor, officiating. Burial followed in Resthaven Memorial Park under the direction of Newnie W. Ellis Funeral Home.

Mrs. Webb died Saturday evening in a Midland hospital.

Pallbearers were to be Max Anderson, Troy Roberts, Lloyd Ledbetter, Jack Harvey, Ken Brigman and Luther Parsley.

S.R. Montgomery

Services for Sandra Rae Montgomery, 42, of Denver and formerly of Midland were to be at 11 a.m. today in Newnie W. Ellis Funeral Home chapel with the Rev. Roy Carley, assistant minister of the First Baptist Church, officiating. Burial was to be in Resthaven Memorial Park.

Ms. Montgomery died Sunday in Englewood, Colo.

She was born Aug. 3, 1940, in Dodge City, Kan. She came to Midland in 1950 and attended school here. She was vice president of Aaron Oil Co. in Denver for the past five years. She earned a bachelor's degree from Sam Houston State University. She was a member of the Baptist church.

Survivors include a son, Brent Tidwell of Odessa; her parents, Mr. and Mrs. Stuart Montgomery of Midland; and a sister, Mrs. Mike (Dana Ann) Spruiell of Tyler.

BIRTHS

MIDLAND MEMORIAL HOSPITAL

Feb. 25, 1983

Mr. and Mrs. Estanislado G. Natividad, 2718 Franklin Ave., a girl.
Mr. and Mrs. Pedro Aguilar Puente, 921 N. Fort Worth St., a girl.
Mr. and Mrs. Obed Galindo, 1005 N. Terrell St., a boy.
Mr. and Mrs. Mark Glen Armentrout, 4200 Russell Drive, a girl.
Mr. and Mrs. Nicky Fayne Napper, 1910 N. 14th, Lamesa, a girl.
Mr. and Mrs. Kenzel Ray May, Star Route A Box 117, Gardendale, a boy.

Feb. 26, 1983

Mr. and Mrs. Steven Keith Karl, 1509 W. Francis Ave., a boy.
Mr. and Mrs. Gaudencio M. Sanchez, 1721 S. Jefferson St., a boy.
Mr. and Mrs. Russell Lee Mathis, 1201 Delmar St., a girl.

Mr. and Mrs. William Lee Brunson, 3537 Hyde Park, a boy.
Mr. and Mrs. Mark David Smith, 3212 W. Wadley Ave. No. 149, a boy.
Mr. and Mrs. James Harold Retmeier, Route 6 Box 500 Lot 6, a boy.
Mr. and Mrs. Robert Douglas Turner, 4506 Mercedes, a girl.
Mr. and Mrs. Ubaldo Gonzales, 504 S. Fort Worth St., a boy.
Mr. and Mrs. Jerry Allen Aldridge, Route 2 Box 121 West, a boy.

Feb. 27, 1983

Mr. and Mrs. Hal Gerard McSpadden, 6205 Ojibwa, a girl.
Mr. and Mrs. Ronald Joseph Setter, Star Route A Box 39E15, a girl.
Mr. and Mrs. Robert Louis Doty, 1804 McDonald St., a boy.
Mr. and Mrs. Kenneth Merald Williams, 3000 W. Illinois Ave. Apt. 7, a girl.

Mr. and Mrs. Joe Doyle Inskip, 5009 Rio Grande, a boy.
Mr. and Mrs. William Ezell Modisett, 3504 Fairmont Drive, a boy.
Mr. and Mrs. Thomas M. Ford, 4314 Crenshaw Drive, a girl.
Mr. and Mrs. Mitchell Ray Ritter, 4409 Meadowlark Lane, a girl.

Feb. 28, 1983

Mr. and Mrs. Evan Diaz Bustaumante III, 2438 Whitmore Blvd. Apt. 3B, a boy.
Mr. and Mrs. Rosendo Zarate, Route 3 Box 668, a girl.
Mr. and Mrs. Richard Rodriguez Mendoza, 1309 S. Colorado St., a boy.
Mr. and Mrs. Bruce Lee Young, 2701 Wyndwood Drive, a boy.
Mr. and Mrs. Mohamed Azeze Jungli, 408 W. Nobles Ave., a boy.
March 1, 1983
Mr. and Mrs. Alfred Steven Law, Route 2 Box 181E, a boy.

Lawmakers hope to put limit on state's prison populations

AUSTIN (AP) — Two lawmakers want to limit the inmate population in Texas' prisons and set up halfway houses, but some legislators fear that would be too "soft on crime."

Reps. Ray Keller, R-Duncanville, and Jim Rudd, D-Brownfield, began a tough battle Tuesday to persuade their colleagues in the Texas House to take about \$200 million from the proposed prison budget and spend it on "restitution centers" and halfway houses.

The Keller-Rudd plan also would set a population limit for the Texas Department of Corrections, beginning in September when the inmate count is expected to be about 40,000. When the population approaches the cap, the governor could release inmates who are near their parole date.

No new prisons would be built under the plan. TDC officials have asked for a \$1.5 billion building program.

"We just don't want to build more

prisons," Rudd told the House Criminal Jurisprudence Committee. "I call them monuments to crime."

Keller said TDC's success in rehabilitating criminals has been "slim and none."

"We cannot continue to do what we're doing with the pitiful success rate we have there," said Keller, whose plan also calls for more probation officers and tighter supervision of probationers.

Rudd conceded that some Texans might view the program as "soft on crime."

Keller said, "If you think we're crazy, we'll go back and do something else."

Waldrop replied, "I think you're crazy."

But Rep. Dick Burnett, D-San Angelo, said judges might not like the plan because "if they don't sentence everybody (to prison) the people think they're weak on crime."

Lewis says focus in Austin changing

AUSTIN (AP) — Texas' leisurely legislative session is the result of a new fiscal awareness and is part of a nationwide trend, says House Speaker Gib Lewis.

Lewis said lawmakers have put off "pet projects" and filed much less legislation this session, allowing committees to spend more time on important measures.

The House has declined to suspend the 60-day rule, which prohibits the House from bringing to the floor major legislation other than that declared by the governor to be an emergency.

Lewis said that as of Monday, the 50th day of the Legislature's regular session, only 1,081 House bills had been filed, compared with 4,093 bills filed as of the 50th day of the 1981 session.

He said the National Conference of State Legislatures recently reported that state lawmakers nationwide have filed 10-30 percent fewer bills.

Texas senators have filed 622 bills, compared with 801 bills this time last session, Lewis said.

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