

# Cottonwood State's high court kills petition to put Foothills project to vote

By Howard Fischer  
The Arizona Daily Star

PHOENIX — A referendum seeking to block an 800-acre development in the Catalina Foothills was halted by the Arizona Supreme Court yesterday.

The order, which overturns a lower court ruling, blocks Pima County Elections Director Larry Bahill from placing the measure on the Nov. 2 ballot.

During the hourlong hearing, the justices questioned the legal sufficiency of the referendum petitions, which were signed by more than 20,000 people. The justices said they were concerned that the petitions did not have enough information to explain to signers what they were endorsing, and added that the ballot statement also lacks clarity.

The petition drive followed a 3-2 vote in

July by the Board of Supervisors to adopt the plan offered by Cottonwood Properties Inc. for land it hopes to buy southeast of North Campbell Avenue and Skyline Drive. The supervisors also agreed to rezone 291 acres as part of the plan for the development, which is to be called The Hills.

Opponents were angered that the proposed 27-hole golf course had been intended to use city drinking water. Even though George Mehl, Cottonwood president, later decided to water the course with sewage effluent, referendum circulators said they still were not satisfied that the plan for housing, offices, businesses and two resort hotels was in the best interests of the area.

Within the 30 days required by law, the Foothills Area Coalition of Tucson circulated petitions to overturn the board's vote.

It was the wording of the petitions that concerned the high court.

Louis Barassi, attorney for the coalition, acknowledged that the Arizona Constitution requires the exact wording of the law to be repealed to be on referendum petitions. He argued, however, that there was no formal ordinance drafted that could be used.

Justice Stanley Feldman disagreed. He said there was no reason that the nine-line motion by Supervisor E.S. "Bud" Walker approving the development could not have been on the petition, along with the 11 amendments to the area plan and the rezoning subsequently approved.

Barassi argued that the motion referred to other documents and would not have made the question any clearer. Feldman

disagreed, saying: "Even though they may refer to other things, the people would know what they are putting on the ballot."

Feldman also noted that the question that was to appear on the ballot also did not contain the sentences voted on by the supervisors. In fact, he continued, the ballot wording was different from what was on the original petitions.

Deputy Pima County Attorney Harold Higgins explained that the petition wording really did not present the question in any form that could be put before the voters. Instead, it was reworded by the county.

"We just decided to do it ourselves," Higgins said.

Feldman countered, "What should go on the ballot ought to be (what was) on the petition." He said this type of change should

not be framed by "someone in the county bureaucracy."

The court did not state in yesterday's ruling exactly what must be made a part of referendum petitions and resulting ballot questions, promising a fuller ruling "in due course."

Chief Justice William A. Holohan asked attorney Michael Botwin, who represented Cottonwood, what he believes would have been a legally sufficient petition.

Botwin responded by holding up the inch-thick notebook of the area plan, maps and transcript of the supervisors' vote. At the very least, he said, circulators should have included a map of the community plan and rezoning, the 19 conditions imposed by the supervisors and other supporting documents.

## Viet kids, U.S. dads reuniting

By Steve Lohr  
© 1982 The New York Times

BANGKOK, Thailand — Eleven children of mixed Vietnamese and American parentage arrived here yesterday on their way to the United States, including one who is en route to Willcox, Ariz.

The children, aged 7 to 15, are headed for reunion with fathers they have not seen in years. It is the largest group of so-called Amerasian children to leave since the end of the Vietnam War in 1975.

U.S. officials and representatives of humanitarian organizations here are cautiously hopeful this group is evidence that, after years of pressure, the Vietnamese government will allow more American-Vietnamese children to immigrate to the United States.

Indeed, Vietnamese officials in Ho Chi Minh City, formerly Saigon, made a surprise announcement yesterday that 26 more Amerasians, with proper documentation, were scheduled to be sent out next Thursday, followed by another sizable group promised Nov. 15.

The documentation for the other  
See 26 AMERASIANS, Page 5A



Gary Tanous, right, escorts his daughter, Jean Marie, to plane in Ho Chi Minh City

## 1 Marine is killed, 3 are injured by cluster bomb at Beirut airport

By Matt Yancey  
The Associated Press

WASHINGTON — An explosion at Beirut International Airport killed an American Marine and injured three others yesterday, one day after President Reagan sent the U.S. troops back into the war-torn city.

One report from Beirut said part or parts of a cluster bomb exploded. The United States has supplied those weapons to Israel.

Defense Department officials in Beirut said the four Marines, all enlisted men, were patrolling the airport when their jeep struck what the Pentagon called "unexploded ordnance" in an area already swept for land mines.

All four Marines were quickly flown by helicopter to the USS Guam, anchored in the Mediterranean within sight of Beirut.

One died on the operating table, defense officials said.

The Pentagon identified the dead Marine as Cpl. David L. Reagan, 21, of Chesapeake, Va., no known relation to President Reagan. Two of the wounded were identified as Cpl. Anthony D. Moran, 21, of Macon, Ga., wounded in the left arm; and Lance Cpl. George Washington, 19, of Elgin, Ill., wounded in the back. Both were reported in good condition aboard the Guam. Pfc. Leslie R. Morris, 19, of Pasadena, Calif., also was wounded and reported in serious condition.

In Beirut, Marine Lt. Gregory van Houten said the four men tripped the cluster bomb.

Israel's use of cluster bombs and artillery shells against Beirut triggered an uproar in the United States on the ground that their deadline was indiscriminate and was killing civilians. That reaction in turn brought an order from President Reagan on July 19 stopping such shipments.

Cluster bombs and shells carry many small bombs — really grenades — inside a larger outer casing. In use, the outer casing breaks apart, spewing the smaller bombs over a wide area. The explosion of the smaller bombs sprays the area with shrapnel.

Each small bomb, van Houten noted, is "pressure-sensitive. If you jar it, or hit it, or in any way disturb it, it will explode."

Deputy White House press secretary Larry Speakes described Reagan's reaction as "shock and sorrow."

But Speakes said the administration knew before ordering 1,200 Marines back to Beirut that the mission "was not without risk." And he said the death and injuries would have no effect on the U.S. commitment to Lebanon.

The Marines began occupying guard positions at the Beirut airport yesterday, though officials stressed that Lebanese forces were still responsible for security there.

## House OKs cost sharing to finish CAP

By Anne Q. Hoy  
States News Service

WASHINGTON — The House approved a bill yesterday that would permit increased funding for the Central Arizona Project to cover the rising costs of the project's farm-water delivery systems.

The bill, the Colorado River Basin Project Act, was originally authored by Sen. Dennis DeConcini, D-Ariz. It passed the House on a voice vote after a cost-sharing provision was added to the measure by U.S. Rep. Bruce Vento, D-Minn.

U.S. Rep. Morris K. Udall, D-Ariz., did not object to the change, which requires local non-Indian water users to pay at least 20 percent of the estimated \$374 million cost of the massive water project's delivery systems.

"The cost-sharing amendment  
See COST-SHARING, Page 5A

## Tylenol laced with cyanide kills at least 4

By Brenda C. Coleman  
The Associated Press

ARLINGTON HEIGHTS, Ill. — Five people in suburban Chicago died after swallowing capsules of Extra-Strength Tylenol, and at least four of them were poisoned by cyanide that had been put into the medicine, authorities said yesterday.

A sixth person was near death, and two others were hospitalized with possible cyanide-poisoning symptoms.

The manufacturer recalled nearly 4.7 million of the capsules with the lot number MC2880, and a medical examiner said the case is being investigated as "possible homicide."

Authorities said the cyanide — one of the deadliest poisons, capable of killing in minutes — was probably introduced sometime after the capsules left the plant in Fort Washington, Pa., where they are manufactured by McNeil Consumer Products Co. The poison is not used in production of the medicine.

Sgt. Michael R. Ossler of the police department in Arlington Heights, where two of the victims lived, said police and sheriff's deputies were searching all available records for clues to a likely suspect "such as someone who had poisoned

### State didn't get tainted capsules

No bottles bearing the same lot number as the tainted capsules were distributed in Arizona, said John Street of the state Board of Pharmacy in Phoenix, but bottles printed with the lot number MC2880 have been ordered off pharmacists' shelves in the state nonetheless.

Street said health officials are concerned that winter visitors arriving in Arizona from the East, where the contaminated drug was distributed, might bring capsules with them.

"But to the best of our knowledge, none have been found in Arizona," he said.

medicine before."

The series of fatalities began with the deaths Wednesday of two brothers in Arlington Heights and a 12-year-old girl in the neighboring community of Elk Grove Village.

The wife of one of the brothers was hospitalized in extremely critical condition after taking a capsule

See SHELVES, Page 2A

## 88-CRIME tip leads to arrest of reputed Calif. drug kingpin

By John S. Long  
The Arizona Daily Star

A tip to the 88-CRIME hot line led to a four-month investigation by Arizona and California law-enforcement officials that ended Wednesday night with the arrest of two men and confiscation of a large quantity of cocaine and methamphetamine.

Tucson police and agents from the Department of Public Safety joined with officers from the Los Angeles, Garden City and Anaheim police departments in the bust.

It netted 4 pounds of cocaine, 1 pound of methamphetamine and the arrest of a man officers called one of Southern California's drug kingpins.

Police arrested Howard Coones,

27, at his home in Laguna Beach and charged him with a variety of crimes involving drug possession and intent to sell drugs.

Coones, a member of the Hessians motorcycle gang, is being held in the Anaheim jail in lieu of \$1 million bond.

Police also arrested Jackson J. Monroe, 27, at an Anaheim hotel and charged him with possession of a dangerous drug. He is being held in the same jail in lieu of \$15,000 bond.

Police said the street value of the confiscated drugs is more than \$700,000 and their wholesale value is about \$300,000.

Tucson Police Lt. Danny Newman, a narcotics officer, said yesterday.

See 88-CRIME, Page 5A

## Weather

**Breezes ease.** It will be cool again today, with mostly sunny skies and light breezes. A high near 83 and a low near 58 are expected. Yesterday's high and low were 88 and 65.

Cloudy skies and rain spread across the southern Rockies and the central Plains yesterday. Heavy showers moved through El Paso. The Northeast and the upper Great Lakes had unseasonably warm weather.

Yesterday's national temperature extremes were 26 at Livingston and West Yellowstone, Mont., and 96 at Alice and Brownsville, Texas. Details on Page 4A.

**Killer hurricane.** Hurricane Paul leaves 24 dead in the Mexican state of Sinaloa; as many as 100,000 are reported homeless by the Hermosillo newspaper El Imparcial. Page 4A.

## News

**FBI case collapses.** A federal judge suppresses any evidence obtained through an FBI wiretap on two Tucson truck-salvaging operations in 1980. Page 1B.

**Health plan takes effect.** Officials at Kino Community Hospital fear a registration muddle as the state's new indigent health-care plan starts today. Page 1B.

**"Unaffordable" split.** A Cochise County official says his calculations show that splitting the county would result in budgets neither new county could afford. Page 1E.

**Keeping feds going.** Congress is expected to give speedy approval today to a compromise spending measure to keep the government going in the new fiscal year that began at midnight. Page 6A.

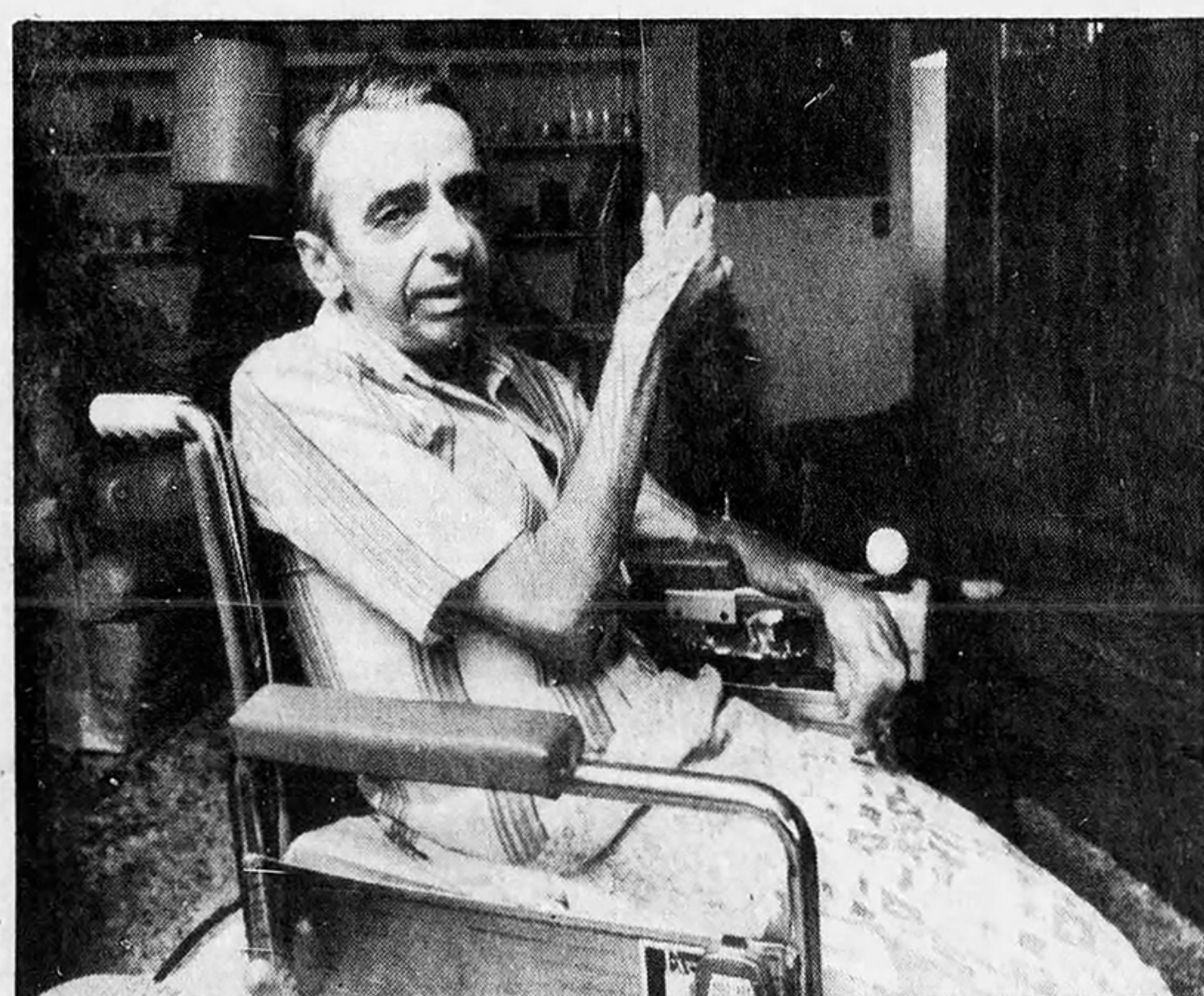
**A-bomb and soldiers.** The number of leukemia cases among soldiers who witnessed a Nevada atomic-bomb test was 2½ times higher than what normally would be expected, a researcher testifies. Page 9A.

**Testing loyalties.** Sen. Alan Cranston, D-Calif., will come to Arizona next week to see if Democrats here would support him for the presidency in 1984. Page 13A.

## Sports

**UA's Johnson hurt.** The Wildcats' leading rusher, sophomore tailback Vance Johnson, suffers a shoulder injury during practice. X-rays are scheduled today to determine its severity. Page 1G.

**NFL talks resume.** Negotiations to end the 10-day-old National Football League players strike last nine hours but accomplish little. Page 1G.



Cramped condition — Kenneth Maly is ready to build a home that will let him move around easily, but problems over a sewage plant in Corona de Tucson are delaying construction. Story, Page 1B.

## Money

**Index heads down.** The government's main economic forecasting gauge falls for the first time since March as a record number of the nation's jobless file for benefits. Page 1F.

## Entertainment

**Arizona Opera grows.** "The Ballad of Baby Doe," its first venture into American opera, helps the Arizona Opera Company expand its horizons. Page 1C.

## Index

Actualidades	13A	Lifestyle	1-4D
Bridge	11C	Money	1-4F
Classified	2-14E	Movies	3C
Comics	9C	Obituaries	2E
Comment	12-13A	Public records	2E
Dear Abby	2D	Solomon, M.D.	2D
Entertainment	1-11C	Sports	1-12G
Horoscope	2D	TV-radio	19C