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Comment from the Editor

By Jeannine Fearing

During the past week we have received three "Letters to the Editor" which we are unable to publish.

Please, if you want your opinion, gripe or complaint printed, you must include your name and address with the letter. You should also sign the letter (not print or type your name).

To "A Garwood Area Rice Farmer", your letter concerned a current topic of controversy and would have been published if you had signed your name and listed your address. The same goes for the "Concerned Parent".

Another letter was called in from out of town to an Eagle Lake resident. Even though I know the gentleman who received the call and went through writing it all down, I do not know the person who placed the call. He left Eagle Lake before I got here. Even if I did know him, a letter received over the phone leaves a wide avenue of complaint open to the person calling and all *The Headlight* has to defend itself is what was typed... no "hard copy" from the person placing the letter.

This newspaper, like any other, has a policy concerning these letters. We do not always publish it, but due to the number of rejections we received over the last week, it is printed at the bottom of this page. If you are considering sending us a letter, please follow the policy. This will help insure the sharing of your thoughts with our readers.

Richards signs new budget, complains it's 'bureaucratic mumbo jumbo'

Two signs of the times at the Texas Legislature recently:

•Gov. Ann Richards signed the new $59 billion budget, complaining there was no way to figure out the "complicated mass of bureaucratic mumbo jumbo."

•Speaker Gib Lewis created a 19-member select committee to study the way the House operates.

Lewis' critics say the speaker is feeling pressure to return to the House rules used before he and his successor, Billy Clayton, changed them.

Lewis installed state Rep. Ron Wilson as chairman of the committee. Wilson, D-Houston, a powerful voice in the House Black Caucus, is also chairman of the Liquor Regulation Committee.

Critics point out that Lewis stacked the deck by leaving off the House members such as Al Price of Beaumont; Dan Kubiak of Rockdale; Paul Moreno of El Paso; and Billy Clemons of Pollok, all of whom have introduced reform bills.

In the matter of the budget, Richards urged that future budgets be written so that citizens of Texas other than CPAs with code-breaking skills could read them.

In today's Texas government, an official's ability to hide tax money, or to find where it's hidden, is an asset. Especially if one can go back and use it for one's purposes.

Camouflaged Money

Much like parents who know if their teenagers believe the money's not there, they won't ask for it, some high Texas officials camouflage revenues from interest groups and lawmakers below the leadership level.

State Capitol Highlights

By Lyndell Williams
Texas Press Association

The practice is so well established that whenever new money is "discovered," there's always speculation as to whether it was "hidden".

Examples which occurred last week involved the treasurer, comptroller, the Senate and the state wildlife agency.

After Comptroller John Sharp, a Democrat, said no money was available for state workers' pay raises, Treasurer Kay Bailey Hutchison, a Republican who had projected all along a surplus of about $750 million, said the state had a cash balance of $1.005 billion.

Much of the $750 million already had been appropriated by lawmakers for the next two years.

Hutchison said an upturn in certain segments of Texas' economy resulted in the additional surplus, which Sharp said is enough to fund most of the pay raise authorized by the Legislature. Now the average state worker will get an extra $36 per month.

21% Spending Hike

But at the Capitol, where lawmakers who hiked spending 21 percent with new taxes have been blaming it on new prisons and school finance, the new budget shows increased spending of $39 million (31 percent) for their State Capitol operations.

The House budget was cut slightly, but the Senate's jumped $8.4 million, or 22%.

After Senate Secretary Betty King explained that $2.5 million was for two new units in the Legislative Budget Board, a surprised LBB head Jim Oliver told a reporter he knew nothing about that particular funding.

And the Legislature is using for its own purposes the money paid by sportsmen dedicated for fish and wildlife conservation, said Alan Allen, director of the Sportsmen Conservationists of Texas.

Allen said $1.5 million from state fees for licenses and stamps were quietly diverted by state lawmakers, thus jeopardizing $15 million in federal matching funds.

Hutchison Urges Action

As the voters have decreed, the clique of inside money managers at the Capitol is predominantly Democrats. However, voters also put one fly in their ointment: Treasurer Hutchison, a Republican.

Hutchison keeps the books that Richards used to keep, and she has not only been urging the GOP line of restraint on spending and taxes, she's been pointing out ways to save.

Last week, she urged voters to approve bond money for new prisons, and criticized Democrats for not playing harder to remove a court-ordered 95 percent prison occupancy cap.

She said Attorney General Dan Morales should be ready to appeal to the U.S. Circuit Court of Appeals if the judge refuses relief.

Other Highlights

•Richards' line-item vetoed more than $800,000 from the Public Utility Commission budget, perhaps the only state agency still dominated by Republicans. "Either it's a partisan political hit by the governor, or we have had a determination that they do not want utilities regulated," said PUC Commissioner Marta Greytok.

•The governor also signed into law a bill creating a state fund to sell workers' compensation insurance to firms that can't find coverage in the private sector.

•University of Texas chancellor Hans Mark, a former NASA deputy director, said the U.S. could land men on Mars by 2003 if we pushed for it.

From Washington and Austin...

LEGISLATIVE REPORTS

U.S. Senator Phil Gramm...

Celebration of 'Citizenship Day'

The Commission on the Bicentennial of the Constitution is urging organizations nationwide to join in the national commemoration of The Bill of Rights on Sept. 17.

"1991 concludes the 15-year-long American Bicentennial which started in 1976 with the 200th anniversary of the Declaration of Independence and concludes with the commemoration of The Bill of Rights which was ratified in 1791," said U.S. Senator Phil Gramm.

"The Bill of Rights codified for the nation the basic freedoms that the first American citizens fought and died for in the Revolutionary War," he said.

"Those fundamental rights — including the right to freedom of religion, speech and press, to keep and bear arms and seven others — defined America as a unique nation in which the interests of the individual were paramount," Gramm said.

The Bicentennial Commission is urging Americans to mark the day, the first day of Constitution Week, and to celebrate America's rights and freedoms.

"Constitution Week will succeed only if 'We the People' get involved," the commission notes. "Commemorative events may vary from place to place, but if Constitution Week is to be celebrated annually in schools, churches and workplaces, active participation is needed from individuals, groups and communities."

Texas Land Commissioner Garry Mauro...

Dares artists to stress marine debris problems, solutions

Land Commissioner Garry Mauro is again challenging Texas artists to help publicize efforts to rid Gulf Coast beaches of marine debris by using trash washed up on the beaches to fashion imaginative sculptures.

"I challenge Texas artists to join us at the Texas Coastal Cleanup in Galveston and make a statement about the marine debris problem," Mauro said. "Texans can help publicize the efforts to eliminate marine debris and beach litter and promote recycling as a solution to the solid waste problem."

The "Trash for Art's Sake" sculpture contest will be held in conjunction with the Texas Coastal Cleanup on Saturday, Sept. 21, all along the Texas coast.

Mauro said this is the third year the Texas Arts Council and Business Volunteers for the Arts/Houston has joined the Texas Adopt-A-Beach Program to help with the campaign to preserve the health and beauty of Texas beaches. Sculptures entered must be composed of refuse collected from Texas beaches.

The sixth annual Texas Coastal Cleanup is sponsored by Texas Adopt-A-Beach and the Center for Marine Conservation (CMC). In conjunction with the cleanup, CMC is sponsoring a photo contest and children's poster contest. The first place winner for "The Gulf of Mexico: A Special Place" photo contest will receive two free round trip tickets to any Southwest Airlines destination.

CMC Gulf States Regional Director Linda Maraniss said that since the first cleanup in 1986, volunteers have been collecting information on data cards about the kinds and amounts of trash found. Last September more than 71% of the debris was plastic.

"Volunteers recorded finding everything from buckets to refrigerators," Maraniss said. "The information collected this month will help to show who is still dumping trash in the Gulf."

"The Texas Adopt-A-Beach Program has seen great improvements on our beaches in its first five years," Mauro said. "The benefits of the MARPOL Annex V treaty that bans ships from dumping plastics in the oceans are now visible in many ways." Public awareness from the cleanups and efforts by Mauro led to approval of that International Maritime Organization treaty.

"This is good news for all Texans, especially the thousands of dedicated volunteers who clean our beaches three times a year," he said. "But there's still much to be done."

Mauro said the next step is implementation of "special area" designation under the IMO treaty of the Wider Caribbean Region including the Gulf of Mexico which goes into effect July 1992. Last November, a resolution was approved by a key IMO committee to prohibit any dumping except finely ground food scraps.

Almost 65,000 volunteers have picked up 1,608 tons of garbage since the first Adopt-A-Beach in April 1987. "Texas beaches are too important to the state's economy to let them to be the garbage dump of the world's shipping industry," Mauro said.

"Cleaning our beaches protects our coastal tourism industry which produces $6 billion a year for Texas," Mauro said. "It also helps protect marine wildlife from entanglement or ingestion of plastics and protects our coastal sports and fishery industries."

Artists who want to join the beach trash sculpture contest or those who want to volunteer for the Texas Coastal cleanup can call Texas Adopt-A-Beach at 1-800-85-BEACH for information. For information on the photo or poster contests, call CMC at 512-479-0206.

Texas Attorney General Dan Morales...

Prosecution in milk bid-rigging nets funds for county schools

Attorney General Dan Morales announced this week that three school districts in Colorado County will be receiving a total of approximately $14,900 from a recent lawsuit settlement with seven dairy companies charged by Morales with illegally driving up the cost of school milk through bid-rigging and price-fixing conspiracies.

Morales' year-long investigation resulted in a $14.9 million settlement in a Tyler federal court on July 18. Morales represented 1,026 Texas school districts including the three in Colorado County.

The estimated restitution amounts are: Rice CISD, $7,700; Columbus ISD, $5,800, and Weimar ISD, $1,400.

Austin County schools will receive an estimated $13,200: Bellville ISD, $4,700; Sealy ISD, $5,800, and Wallis-Orchard, $2,700.

The figures for restitution of damages are estimates. Exact awards to school districts will be announced at a later date by the Texas Education Agency which will also administer the distribution of payments.

(See Legislative Reports, Page 13)

COLORADO COUNTY FAIR
U.S. Highway 90-West
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SEPTEMBER 12-13-14-15 1991
LARRY BOONE
SATURDAY NIGHT - SEPT. 14
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DANNY WADDELL
"WILD MAN"
EXHIBITS
CARNIVAL
Rainbow Petting Zoo
Children's Races
GREASED PIG RACES
Pee Wee Showmanship
OPENING CEREMONIES
Thurs., Sept. 12 - 6:00 P.M.
PARADE
Saturday, Sept. 14 - 11 A.M.
Jr. Livestock Sale
Thursday, Sept. 12
QUEEN'S CONTEST
Sat., Sept. 14
Lady 4-H & Miss Jr. 4-H & Miss Phenom, Sept. 13
GO TEXAN ACTIVITIES
Sunday, Sept. 15
Queen Contest - Pie Baking
BBQ Cook-off - Horseshoe - Washers
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THURSDAY, SEPT. 12
Admission Thursday Night at the Fair is included in your season pass or you may pay $4 for the evening. Children under 12 are free.
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FRIDAY, SEPT. 13
TEXAS DANCEHALL BAND
THURS., SAT., SUN. - SEPT. 12, 14, 15
KEN WHITENER
Hypnosis - Fri. & Sat.

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Letters to Editor Policy

The *Eagle Lake Headlight* will accept reasonable length letters for publication in the Letters to the Editor column under the following guidelines:

1. Letters should not be more than 1,500 characters. Longer letters become subject to editing for length, if deemed necessary by the publisher.

2. All letters must include the writer's name printed as well as the writer's signature, and the writer's address and home and work telephone numbers. *The Headlight* must be able to reach the writer in person before the letter can be published.

3. The writer may request their name be withheld from publication, but the informating mentioned in Nos. 2 above must be included for our files.

4. Letters about political activity will be published but those which mention candidates will be considered advertising and charged at the regular advertising rate.

5. Letters from political candidates exposing a political view, will be considered for publication but the writer's name will not be printed unless the writer pays the retail advertising rate.

6. The newspaper reserves the right to apply fairness standards in withholding any letter from publication, and to edit letters for libel protection.

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COLORADO COUNTY COURTHOUSE REPORT

DEEDS

Deed: Emil Magjarevich, Estate and Wanda Magjarevich and Christopher Emery Thomsen to Muriel E. and Doris L. Heslop, 7 acres, S.M. Williams Survey; filed 8-27-91.

Deed: Frances B. Ginder to Lower Colorado River Authority, 23.898 acres, J. Hadden League.

Deed: Geraldine B. Griesenbeck to Lower Colorado River Authority, 23.898 acres, J. Hadden League; 8-28-91.

Deed: Authur Cotter Stinger, et al to Lower Colorado River Authority, 23.898 acres, J. Hadden League; 8-28-91.

Deed: W.B. Harris and Ann Harris to W.B. Harris 1991 Trust for the City of Houston, 91 acres, Erasmus Jones 1/3 League; 8-28-91.

Deed: W.B. Harris and Ann Harris to W.B. Harris 1991 Trust for the City of Houston, lot #4, blk. #9, The Falls Subs.; 8-28-91.

Deed: Nancy Catherine Peterson, et al to Mavis P. Alexander and Norma P. Walker, und. int. in various properties and Sheridan Gas Unit, B.S.F. Railway Co. Survey 797, et al; 8-28-91.

Deed: Kenneth R. Elliott and Fay Beth Elliott to Glen G. Vogelsang, 4.558 acres, N. Whiting and Wm. Osborne Surveys; 8-28-91.

Gift Deed: Robert and Hope Moreida to Mateo and Efigenia Navarro, tract in blk. #55, G.W. White Survey, Eagle Lake; 8-29-91.

Deed: Henry J. & Thelma Hajovsky to Joel and Josephine Medina, lot #3, Hajovsky Subd., W.B. Dewees League; 8-29-91.

Deed: Weimar Lodge No. 423 A.F. & A.M. to Alice M. Austin and Paul C. Wallis, lot #460, Masonic Cemetery, Weimar; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Wm. L. Aldridge Sr. and Susan Aldridge, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Loretta M. Betts, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Eugene C. and Pauline F. Brooks, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Tom and Joyce M. Gallier, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Willie A. and Doris T. Gobert and Cheryl L. Gobert, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Thomas L. and Brenda K. Hall, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Ray and Fran Hernandez, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Clean Living, Ltd., und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Margarito and Susan A. Martinez, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Michael A. & Jesusa M. McDonald, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Vernon H. and Shirley P. Simpson and Michael Carl Simpson, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Resort Recreational Properties, Inc. to Gregory A. Wiley, und. int. in The Falls Resort and Club; 8-29-91.

Deed: Ronald Neuendorff to Michael J. and Lorna F. Huebel, 0.223 acre, part of range #10, Smith & Jones Addition, Columbus; 8-29-91.

Deed: Vincent J. & Bernice E. Krupka to Frank P. and Lana L. Hadlock, 44.899 acres, Martin Lacy One-third League; 8-29-91.

Deed: Federal Deposit Insurance Corp., to Arthur G. & Cynthia A. Nelson and Alvin J. & Beth A. Wick, lots #1-6, 9 & 10, blk. #16, Weimar; 8-29-91.

Deed: Thomas J. and Lorine Holub to Alice Schimcek Berger et al, int. in 50.42 acres, Westley Hunt Survey et al; 8-29-91.

Deed: George H. and Natalie and Edwin W. and Willie Mae Holub to Alice Schimcek Berger, et al; 8-29-91.

Deed: Alice Schimcek et al to Thomas J. and Lorine Holub, int. in 50.42 acres, Westley Hunt Survey, et al; 8-29-91.

Deed: Alice Schimcek et al to James L. Holub, int. in 50.42 acres, Westley Hunt Survey; 8-29-91.

Deed: Alice Schimcek Berger, et al to Edwin W. & Willie Mae Holub and George H. & Natalie Holub, int. in 101.9 acres, Joseph Tinkler Survey et al; 8-29-91.

Deed: Jeweline Fling to Lorie Janelle and Johnny P. Rivera, lots #13 through 19, blk. #8, Garwood; 8-30-91.

Deed: Katherine Elizabeth Dudley and Lucinda Dudley McLaren to Amil E. and Jean L. Spence, 16.346 acres, Howard McElroy League Survey, et al; 8-30-91.

Deed: Bayard Turner Gross Dudley et al to Amil E. and Jean L. Spence, 16.346 acres, Howard McElroy League Survey, et al; 8-30-91.

Deed: Harry Brisco to Isam Brisco Jr., und. int. in 38.84 acres, T. McKean Survey; 8-30-91.

OIL AND GAS LEASES

John F. Cranz and Lynn Foster Cranz, Trust to J. L. Schneider & Co., 205.36 acres, T. & N.O.R.R. Survey, Section 9, et al; filed 8-27-91.

Gus E. Cranz III to J. L. Schneider & Co., 205.36 acres, T. & N.O.R.R. Survey, Section 9 et al; 8-27-91.

John F. Cranz and The Lynn Foster Cranz Trust to J. L. Schneider & Co., 209.79 acres, J. M. Thomas Survey et al; 8-27-91.

Gus E. Cranz III to J. L. Schneider & Co., 209.79 acres, J. M. Thomas Survey et al; 8-27-91.

Mildred Hanly and Mary Lou & Melville L. LeCompte to J. L. Schneider & Co., 141 acres, George Singleton Survey et al; 8-27-91.

Carey Hanly to J. L. Schneider & Co., 141 acres, George Singleton Survey et al; 8-27-91.

Mary Kathryn Harris to J. L. Schneider & Co., 141 acres, George Singleton Survey et al; 8-27-91.

Georgia Hanly to J. L. Schneider & Co., 141 acres, George Singleton Survey et al; 8-27-91.

Edward W. Hanly III and Ursula Hanly to J. L. Schneider & Co., 141 acres, J. M. Thomas Survey et al; 8-27-91.

First National Bank of Eagle Lake to J. L. Schneider & Co., 173.8 acres, George Singleton Survey et al; 8-27-91.

Lena Strickland Broyles to J. L. Schneider & Co., 173.8 acres, J. M. Thomas Survey et al; 8-27-91.

Mary Annell Guyon to J. L. Schneider & Co., 173.8 acres, J. M. Thomas Survey et al; 8-27-91.

Walter S. Broyles to J. L. Schneider & Co., 173.8 acres, J. M. Thomas Survey et al; 8-27-91.

Terah Lynn Broyles to J. L. Schneider & Co., 173.8 acres, J. M. Thomas Survey et al; 8-27-91.

Mamie Sadler Johnston to Famcor Oil, Inc., 78.95 acres, Wm. B. Dewees Survey; 8-30-91.

Ruth Johnston Groty to Famcor Oil, Inc., und. int. in 78.95 acres, Wm. B. Dewees Survey; 8-30-91.

Ruby James Oakes to Famcor Oil, Inc., 78.95 acres, Wm. B. Dewees Survey; 8-30-91.

Elizabeth Shatto and John H. Massey to Famcor Oil, Inc., 175.05 acres, W.B. Dewees Survey; 8-30-91.

Kathleen Potter et al to Famcor Oil, Inc., 174.89 acres, J. Tumlinson Survey; 8-30-91.

MARRIAGE LICENSE APPLICATIONS

Billy Clyde Pullen, 31, and Twanna Rene Purvis, 30, both of Altair.

DIVORCES GRANTED

Elizabeth C. Anderson and Charles Robert Anderson; granted 8-28-91.

Gail Parks and Russell Parks; 8-28-91.

Linda Joyce Dancy and Sam Dancy III; 8-28-91.

Barbara Jean Cunningham and Osborn Ray Cunningham; 8-28-91.

Gretchen Karol Rogers and Roy Wylie Rogers; 8-28-91.

Irene Mary Lou Chandanais and Wm. Raymond Chandanais; 8-28-91.

COUNTY COURT CASES FILED

Stacy Roberts, theft by check; filed 8-29-91.

Robert Hugh Stephenson, driving while license suspended; 8-29-91.

Charles Bradley Tierce, driving while license suspended; 8-29-91.

Arturo Gonzales, driving while intoxicated; 8-29-91.

Randy Gerald Hamilton, driving while license suspended; 8-29-91.

Gilbert Ruiz, assault; 8-29-91.

Jerry Lee Hashaw, assault; 8-29-91.

Jerry Lee Hashaw, resisting arrest; 8-29-91.

Johnny Lee Vega Jr., driving while intoxicated; 8-29-91.

Kenneth Leroy Johnson, driving while intoxicated; 8-29-91.

Ann Pavlicek, theft by check; 8-29-91.

Thella Black, theft by check; 8-30-91.

Saul Lopez Perez, driving while intoxicated; 8-30-91.

DISTRICT COURT CASES FILED

Tammy Austin vs. Joel Antonio Garza, personal injuries; filed 8-30-91.

Production Drilling Corp. vs. CPX Petroleum, Inc., et al, contract; 9-3-91.

Owl Petroleum Co. vs. Louis A. Newitt and Louscivco, Inc., contract; 9-3-91.

CORRECTION: COUNTY COURT DISPOSITIONS

Rodney E. Wise, driving while intoxicated. Continued to 9-25-91. (Original copy stated "Larry" Witte.)

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PUBLIC NOTICE

BRIEF EXPLANATORY STATEMENTS OF PROPOSED

CONSTITUTIONAL AMENDMENTS

SPECIAL ELECTION
NOVEMBER 5, 1991

PROPOSITION NO. 1 ON THE BALLOT

House Joint Resolution 114 proposes a constitutional amendment that would authorize home rule cities having a population of 5,000 or fewer inhabitants to amend their city charters by a majority vote of a city's qualified voters at an election held for that purpose. The amendment makes clear that home rule cities that have declined in population below the population required to initially adopt a charter may nevertheless continue to amend their charters.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment allowing home-rule cities with a population of 5,000 or less to amend their charters by popular vote."

PROPOSITION NO. 2 ON THE BALLOT

House Joint Resolution 10 proposes a constitutional amendment that would allow the legislature to authorize the Texas Department of Transportation to expend money, from any source available, for the costs of the turnpikes, toll roads, or toll bridges of the Texas Turnpike Authority, provided that any money expended from the state highway fund shall be repaid to the fund from tolls or other turnpike revenue.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment mandating the repayment to the Department of Transportation of monies expended to assist the Texas Turnpike Authority in the construction, maintenance, and operation of turnpikes, toll roads and toll bridges."

PROPOSITION NO. 3 ON THE BALLOT

Senate Joint Resolution 26 proposes a constitutional amendment that would authorize the Veterans' Land Board to invest, as authorized by law, moneys of the Veterans' Land Fund which are not immediately committed to the payment of principal and interest on bonds issued by the Veterans' Land Board, the purchase of lands, or the payment of expenses. Investment of such moneys would no longer be restricted to investments in bonds or obligations of the United States. The proposed amendment would also authorize the Veterans' Land Board to invest, as authorized by law, moneys of the Veterans' Housing Assistance Fund which are not immediately committed to the payment of principal and interest on general obligation bonds issued by the Veterans' Land Board for the benefit of the Veterans' Housing Assistance Fund, the making of home mortgage loans, or the payment of expenses. Investment of such moneys would no longer be restricted to investments in bonds or obligations of the United States. The proposed amendment gives the legislature power to implement the amendment and to delegate such duties and authority to the Veterans' Land Board as it deems necessary.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment to authorize the legislature to further implement and enhance the administration of the veterans' housing assistance and land programs and to expand the investment authority of the Veterans' Land Board."

PROPOSITION NO. 4 ON THE BALLOT

Senate Joint Resolution 4 proposes a constitutional amendment that would allow the legislature to authorize the issuance of a maximum of $1.1 billion in general obligation bonds. The proceeds of the bonds are to be used to acquire, construct, or equip new prisons and substance abuse felony punishment facilities, mental health and mental retardation institutions, and youth corrections institutions, to repair and renovate existing facilities of those institutions and to acquire, repair, or renovate other facilities for use as state prisons or substance abuse felony punishment facilities. The $1.1 billion is in addition to the $900 million currently authorized by the constitution to be expended on bond issues for facilities of correctional and mental health and mental retardation institutions. The bonds would constitute a general obligation of the state. The bonds and interest on the bonds would be paid from the first money coming into the state treasury that is not otherwise appropriated by the constitution, less any amount in a sinking fund at the end of the preceding fiscal year that is pledged to payment of the bonds or interest.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment authorizing the issuance of up to $1.1 billion in general obligation bonds for acquiring, constructing, or equipping new prisons or other punishment facilities to confine criminals, mental health and mental retardation institutions, and youth corrections institutions, for major repair or renovation of existing facilities of those institutions, and for the acquisition of, major repair to, or renovation of other facilities for use as state prisons or other punishment facilities."

PROPOSITION NO. 5 ON THE BALLOT

Senate Joint Resolution 39 proposes a constitutional amendment that would allow a county, junior college district, or municipality to exempt tangible personal property from ad valorem taxation if: (1) the property is acquired or brought into the state in an enterprise zone to be forwarded outside the state, (2) the property is assembled, stored, repaired, maintained, manufactured, processed, or fabricated in the enterprise zone, (3) the property is transported outside the state not later than 175 days after being acquired or brought into an enterprise zone, and (4) the person who acquired or brought the property into an enterprise zone is a qualified business. A county, junior college district, or municipality may exempt such property by entering into a written agreement with a qualified business that states the duration of the exemption and the terms on which the exemption is granted. Any action to exempt property must be taken before April 1 of the first year in which the property would otherwise be taxed. The term "enterprise zone" means an area that (1) has been designated as such by a state agency responsible for economic development, and (2) has pervasive poverty, unemployment, and economic distress. The term "qualified business" means a business that meets the qualification established by general law, and requires that the qualified business is actively engaged in a new business in the enterprise zone or is expanding a business that is already active in the enterprise zone. An enterprise zone is created to foster economic development in an area of pervasive poverty and unemployment.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment authorizing the exemption for ad valorem taxes of certain property in an enterprise zone."

PROPOSITION NO. 6 ON THE BALLOT

Senate Joint Resolution 8 proposes a constitutional amendment that would establish a Texas Ethics Commission with the powers and duties provided by law. The commission would consist of eight appointed members selected as follows: two members of different political parties appointed by the governor from a list of at least ten names submitted by the members of the house of representatives from each major political party; two members of different political parties appointed by the governor from a list of at least ten names submitted by the members of the senate from each major political party; two members of different political parties appointed by the speaker of the house of representatives from a list of at least ten names submitted by the members of the house from each major political party; and two members of different political parties appointed by the lieutenant governor from a list of at least ten names submitted by the members of the senate from each major political party. A major political party is a political party required by law to hold a primary. With the exception of the initial appointees, commission members would serve for four-year terms. A member who has served for one term and any part of a second term would not be eligible for reappointment. The commission would be authorized to recommend the salary of the members of the legislature and may recommend that the salary of the speaker of the house of representatives and the lieutenant governor be set at an amount higher than that of other members. If the commission recommends a change in salary, the voters would be authorized to accept or reject the salary change at the next general election for state and county officers. If the voters approve the recommended salary, that salary would take effect January 1 of the next odd-numbered year; if the voters reject the recommended salary, no change in salary would occur. The commission would set the per diem of the members of the legislature and of the lieutenant governor. The per diem could be raised or lowered biennially as necessary to pay members' costs, but could not exceed the amount allowed as of January 1 that year as a federal income tax deduction for living expenses incurred in a legislative day in connection with a member's business as a legislator, disregarding any federal income tax exception for legislators residing near the Capitol. The commission would have other powers and duties provided by the commission's enabling act (Senate Bill 1, 72nd Legislature, Regular Session). The amendment would also provide that an increase in the emoluments of the office of Lieutenant Governor would not make a legislator ineligible to serve in the office of Lieutenant Governor.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment creating the Texas Ethics Commission and authorizing the commission to recommend the salary for members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit."

PROPOSITION NO. 7 ON THE BALLOT

Senate Joint Resolution 6 proposes a constitutional amendment that would allow the board of trustees of each statewide public retirement system to invest the funds of the system in such manner as the board considers prudent. The board would no longer be limited to investing the funds of the system in securities.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment to allow the board of trustees of a statewide public retirement system to invest the funds of the system in a manner that the board considers prudent."

PROPOSITION NO. 8 ON THE BALLOT

Senate Joint Resolution 21 proposes a constitutional amendment that would permit the legislature to create debt by or on behalf of the state if the legislature submitted the debt question to the voters of the state in the form of a proposition and a majority of those voting approved the proposition. The legislature may call the election, by joint resolution approved by at least two-thirds of the members of each house, during any regular session or during any special session if the subject of the proposition is included in the Governor's proclamation for that special session. A proposition must clearly describe the amount and purpose for which debt is to be created and must describe the source of payment for the debt. The amount of debt stated in the proposition may not be exceeded and may not be renewed unless the right to exceed or renew is stated in the proposition. The legislature may enact laws necessary to implement the authority granted by a proposition. A law enacted in anticipation of the election on a proposition is valid if, by its terms, it is enacted subject to approval of the related proposition. State debt that is created following voter approval of a proposition and that is approved by the Attorney General is incontestable for any reason.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment authorizing the voters of this state to consider state debt questions in the form of ballot propositions that must clearly describe the amounts, purposes, and sources of payment of the debt only after approval of the propositions by a two-thirds vote of each house of the legislature."

PROPOSITION NO. 9 ON THE BALLOT

Senate Joint Resolution 11 proposes a constitutional amendment that would authorize the commissioner of the General Land Office to issue patents for certain public free school fund land held in good faith under color of title for at least 50 years.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment authorizing the commissioner of the General Land Office to issue patents for certain public free school fund land held in good faith under color of title for at least 50 years."

PROPOSITION NO. 10 ON THE BALLOT

Senate Joint Resolution 15 proposes a constitutional amendment that would allow the legislature to pass general laws to exempt property owned by a nonprofit corporation organized to supply water or provide wastewater service from ad valorem taxation. A nonprofit corporation would be eligible for the exemption if its bylaws provide that on dissolution, the assets remaining after the discharge of the corporation's indebtedness will be transferred to an entity providing water supply or wastewater service, or both, which is exempt from ad valorem taxation. The transferred assets must be property that is reasonably necessary for and used for water supply and wastewater services.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment authorizing the legislature to exempt from ad valorem taxes certain property of a nonprofit corporation that supplies water or provides wastewater service."

PROPOSITION NO. 11 ON THE BALLOT

House Joint Resolution 8 proposes a constitutional amendment that would allow the legislature to pass laws to authorize the State of Texas to operate lotteries and to enter into a contract with one or more legal entities that will operate lotteries on behalf of the State of Texas.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment authorizing a state lottery."

PROPOSITION NO. 12 ON THE BALLOT

Senate Joint Resolution 34 proposes a constitutional amendment that would increase the total amount of bonds that may be issued by the Texas Water Development Board to provide wholesale and retail water and wastewater facilities to economically distressed areas of the state. The proposed amendment increases the maximum principal amount of the bonds from 20 percent to 50 percent of the $500 million amount authorized by article III, section 49-d-7, of the Texas Constitution. The proposed amendment would increase the maximum aggregate dollar amount of bonds that the Texas Water Development Board could issue from $100 million to $250 million.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment to increase from 20 percent to 50 percent the percentage of Texas water development bonds previously authorized by Texas voters that may be issued for economically distressed areas."

PROPOSITION NO. 13 ON THE BALLOT

Senate Joint Resolution 2 proposes a constitutional amendment that would allow the legislature to pass general laws authorizing Texas Higher Education Coordinating Board or its successor to issue and sell up to $300 million of general obligation bonds to finance education loans to students. The maximum net effective interest rate to be borne by the bonds would be set by law. The amendment would also authorize the legislature to provide for the investment of bond proceeds and to establish an interest and sinking fund to pay the bonds and provide for the investment of such fund. Bonds authorized under this amendment would be paid from the first money coming into the treasury in each fiscal year that is not otherwise appropriated by the constitution, less any amount in an interest and sinking fund established at the end of the preceding year that is pledged to the payment of the bonds or interests.

The proposed amendment will be described on the ballot as follows:

"The constitutional amendment providing for the issuance of general obligation bonds not to exceed $300,000,000 to continue existing programs to provide educational loans to students, with repayments of student loans applied toward retirement of the bonds."

Estos son los informes explanatorios sobre las enmiendas propuestas a la constitución que aparecerán en la boleta el día 5 de noviembre de 1991. Si usted no ha recibido una copia de los informes en español, podrá obtener una gratis por llamar al 1/800/252/9600 o por escribir al Secretario de Estado, P.O. Box 12060, Austin, Texas 78711.

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