

# Fighting flares in gulf as Iraq hits oil centers after U.N. chief leaves

MANAMA, Bahrain (AP) — Iraq unleashed its fighter-bombers against Iranian oil centers and a ship in the Persian Gulf on Wednesday, saying Tehran has spurned "all peace efforts" in the 7-year-old gulf war.

The air raids signaled a new flare-up in the so-called "tanker war" after a six-day lull in the waterway that coincided with a peace mission by U.N. Secretary-General Javier Perez de Cuellar.

Shipping officials feared Iraq might stage retaliatory attacks on neutral shipping in the southern reaches of the gulf.

"The U.N. secretary-general's mission has been portrayed as a last-ditch peace effort, so it might be hell from now on," said one shipping executive, who spoke on condition of anonymity.

However, a flotilla of U.S. warships escorting the Gas Prince, a Kuwaiti tanker flying the American flag, was reported to be nearing Kuwait's Al-Ahmedi oil terminal after an inci-

dent-free 550-mile voyage up the gulf.

Tehran's Islamic Republic News Agency, monitored in Nicosia, Cyprus, quoted a War Information Headquarters spokesman as saying Iraq will "strongly respond" to Iraq's "mischievous acts."

Iran and Iraq had observed an unofficial truce while Perez de Cuellar visited Tehran and Baghdad in an attempt to get both sides to comply with the Security Council's July 20 cease-fire resolution.

The U.N. chief left Baghdad for New York Tuesday with no clear sign that he had persuaded Iraq to observe a cease-fire. Iraq had said it would if Iran did but charged Tehran was "playing for time" until the U.N. General Assembly opens its general debate Sept. 21.

The Iraqis believe the Iraqis will seek to secure support for major changes in the Security

Council resolution to name Baghdad the aggressor.

IRNA reported that President Ali Khamenei will go to New York to address the General Assembly, but it did not elaborate. It said the decision had been approved by Ayatollah Ruhollah Khomeini, Iran's revolutionary patriarch.

Iraq's official news agency, monitored in Nicosia, quoted a military spokesman as saying Wednesday's air strikes were "carried out in implementation of Iraq's right of self-defense following the Iranian regime's insistence in rejecting the U.N. Security Council Resolution 598 and all peace efforts."

The Baghdad communique said Iraqi jets hit Iran's Kharg Island oil terminal in the northern gulf, the Karang and Baghi-Malek oil fields in southwestern Khuzestan province and a "large naval target" off Iran's coast. That usually means a tanker

carrying Iranian oil, but in the past has sometimes turned out to be tugboats or other small vessels.

The communique claimed there were "devastating hits" on Kharg and said the oil fields were set afire.

IRNA reported that Iraqi warplanes bombed industrial sites in Khuzistan, inflicting some damage to non-military sites.

Marine salvage officers in the gulf, whose tugboats are spread throughout the waterway, said they had not picked up any distress calls to confirm a ship had been hit.

But they said their tugboat captains reported seeing several waves of Iraqi warplanes bomb Kharg. Iran and Iraq also appeared headed for a fresh round of the so-called "war of the cities" as Baghdad charged that Iranian artillery shelled the southern port city of Basra for the fifth straight day.

## PUBLIC NOTICE

BRIEF EXPLANATORY STATEMENTS OF PROPOSED

### CONSTITUTIONAL AMENDMENTS

SPECIAL ELECTION  
NOVEMBER 3, 1987

#### PROPOSITION NO. 1 ON THE BALLOT

House Joint Resolution 104 proposes a constitutional amendment to allow the legislature to provide a guarantee for the Texas grain warehouse self-insurance fund. The guarantee of the fund may not exceed \$5 million, and when the fund reaches \$5 million, the guarantee will cease. The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to provide for the surety of a grain warehouse fund to be established by the grain industry for the protection of farmers and depositors of grain in public warehouse facilities."

#### PROPOSITION NO. 2 ON THE BALLOT

House Joint Resolution 60 proposes a constitutional amendment to permit rural fire prevention districts in counties with populations over 400,000 to levy a tax at a rate not to exceed six cents (\$.06) per \$100 property valuation for the district, if the voters of the district approve the tax.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to raise the maximum property tax rate that may be adopted by certain rural fire prevention districts, but only if approved by the districts' residents."

#### PROPOSITION NO. 3 ON THE BALLOT

House Joint Resolution 48 proposes a constitutional amendment to extend the school ad valorem tax exemption for elderly persons to the surviving spouse of a person receiving the exemption. If a surviving spouse is at least 55 years old at the time of death of the person receiving the exemption, ad valorem public school taxes could not be increased as long as the homestead remained the residence homestead of the surviving spouse.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to limit school tax increases on the residence homestead of the surviving spouse of an elderly person if the surviving spouse is at least 55 years of age."

#### PROPOSITION NO. 4 ON THE BALLOT

House Joint Resolution 5 proposes a constitutional amendment to allow the legislature to create programs and make loans and grants of money for development and diversification of the economy, elimination of unemployment and underemployment, stimulation of agricultural innovation, promotion of agricultural enterprises, and development of transportation and commerce. Bonds or other obligations payable from ad valorem taxes must be approved by the voters in the political subdivision seeking such funding sources.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment authorizing the legislature to provide assistance to encourage economic development in the state."

#### PROPOSITION NO. 5 ON THE BALLOT

House Joint Resolution 65 proposes a constitutional amendment to permit the State Department of Highways and Public Transportation to contract with the Texas Turnpike Authority and to contribute money to the costs of turnpikes, toll roads and toll bridges of the Authority. The amendment would authorize the governing body of a county with a population over 400,000, a county adjoining such county, and any city or district located in or partially in such county to make agreements with the Texas Turnpike Authority and levy ad valorem taxes to pay part or all of the principal and interest on Turnpike Authority bonds and to pay maintenance and operating expenses of the Turnpike Authority, if the voters approve the tax.

The proposed amendment will appear on the ballot as follows:

and mental health and mental retardation facilities."

#### PROPOSITION NO. 9 ON THE BALLOT

Senate Joint Resolution 9 proposes a constitutional amendment to provide that a state legislator is eligible to serve in another state office even if the compensation of the office was increased during his legislative term or even if the appointment is made in whole or in part (including Senate confirmation) by the legislature. The legislator could not, however, receive the increased compensation approved during his legislative term.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to provide that a member of the legislature is eligible to be elected or appointed and to serve in a different state office but may not receive an increase in compensation granted to that office during the legislative term to which he was elected."

#### PROPOSITION NO. 10 ON THE BALLOT

Subsections (d) and (e) of Section 1 of Senate Joint Resolution 12 propose a constitutional amendment to allow the legislature to exempt from ad valorem taxation all tangible personal property except structures which are used as residential dwellings and property held or used for the production of income. This exemption would be in addition to the personal property homestead exemption already established by the constitution. If the legislature authorizes the exemption of additional personal property from taxation, under this amendment, local political subdivisions may pass resolutions providing for taxation of such property unless the property is exempt from ad valorem taxation under another law.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to allow the legislature to exempt from ad valorem taxation certain personal property not held or used for the production of income."

#### PROPOSITION NO. 11 ON THE BALLOT

Section 1, Subsections (f) and (g) of Senate Joint Resolution 12 propose a constitutional amendment to exempt from ad valorem taxation goods, wares, merchandise, and ores other than oil, gas and petroleum products. These items would be exempt from taxation only if they originated outside the state and were located in the state for a period of 175 days or less for purposes of assembly, storage, manufacture, processing, or fabrication. Such property could be taxed by a county, school district, or municipality if the governing body of the political subdivision took official action to provide for the taxation of the items while they were located in the political subdivision. If the governing body of a political subdivision took official action to tax the items before January 1, 1988, the tax would be effective for the 1988 tax year. If the action were taken after January 1, 1988, and before April 1, 1988, the tax would become effective January 1, 1989.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment providing for the exemption from ad valorem taxation of certain property that is located in the state for only a temporary period of time."

#### PROPOSITION NO. 12 ON THE BALLOT

Senate Joint Resolution 35 proposes a constitutional amendment to allow a married couple to agree in writing that all or part of their community property will become the property of the surviving spouse if one spouse dies.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment permitting spouses to hold community property with right of survivorship."

#### PROPOSITION NO. 13 ON THE BALLOT

Senate Joint Resolution 27 proposes a constitutional amendment to authorize the creation of special districts to provide emergency services. The commissioners court in a county participating in a district could, upon approval of the voters, levy an ad

valorem tax of up to ten cents (\$.10) per \$100 valuation of the property located in the district.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to allow for the creation and establishment, by law, of special districts to provide emergency services."

#### PROPOSITION NO. 14 ON THE BALLOT

Senate Joint Resolution 34 proposes a constitutional amendment to allow the state a limited right to appeal criminal cases. Under current law, only criminal defendants are allowed to appeal. This proposed amendment would allow the legislature to pass laws granting state prosecutors the right to appeal in limited circumstances.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment giving the state a limited right to appeal in criminal cases."

#### PROPOSITION NO. 15 ON THE BALLOT

House Joint Resolution 35 proposes a constitutional amendment to abolish the office of county treasurer in Gregg County and transfer the duties of that office to the county auditor or an elected official designated by the commissioners court. The amendment would also abolish the office of county treasurer in Fayette and Nueces counties if a majority of the voters in those counties vote in favor of the amendment. In Fayette County, the functions of the treasurer would be transferred to the county auditor or the officer succeeding to the auditor's functions. In Nueces County, the powers, duties, and functions of the treasurer would be transferred to the county clerk.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to provide for the abolition of the office of county treasurer in Gregg, Fayette, and Nueces counties."

#### PROPOSITION NO. 16 ON THE BALLOT

Senate Joint Resolution 6 proposes a constitutional amendment to allow the commissioners court in a county with a population of more than 150,000 to establish more than one Justice of the Peace court in each Justice of the Peace precinct, i.e., to provide for the election of more than one Justice of the Peace in each Justice of the Peace precinct.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment providing that certain justice precincts may contain more than one justice of the peace court."

#### PROPOSITION NO. 17 ON THE BALLOT

Senate Joint Resolution 26 proposes a constitutional amendment to allow the legislature to define by law those municipal functions that are governmental and those that are proprietary. This authorization would apply to laws passed by the 70th Legislature, 1987, and by future legislatures in regular or special session. A municipality is liable for damages arising out of acts committed under its proprietary functions, but not its governmental functions. Definition of such functions by the legislature would clarify the liability of a municipality in civil lawsuits filed against it.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment authorizing the legislature to define for all purposes the governmental and proprietary functions of a municipality."

#### PROPOSITION NO. 18 ON THE BALLOT

House Joint Resolution 18 proposes a constitutional amendment to authorize the legislature to provide for the creation, operation, and financing of jail districts. Financing of a jail district could be accomplished through the issuance of bonds and other obligations, or by levy of an ad valorem tax on property located in the district if the qualified electors of a district approve an ad valorem tax or bonds secured by a property tax.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment relating to the creation, operation, and financing of jail districts."

#### PROPOSITION NO. 19 ON THE BALLOT

House Joint Resolution 88 proposes a constitutional amendment to authorize the issuance of \$500 million in general obligation bonds, the proceeds of which will be used to establish a superconducting super collider fund. The fund would be used to provide economic incentives for the superconducting super collider research facility, and the agency administering the fund would be authorized to grant land or property to the United States government for undertakings related to the facility.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment authorizing the issuance of general obligation bonds to fund undertakings related to a superconducting super collider research facility sponsored or authorized by the United States government, and to make appropriate grants for such undertakings."

#### PROPOSITION NO. 20 ON THE BALLOT

House Joint Resolution 96 proposes a constitutional amendment to allow the legislature to provide ad valorem tax relief for mobile offshore oil and gas well drilling equipment. The tax relief would be limited to equipment that is being stored while not in use in a county that is adjacent to the Gulf of Mexico or on a body of water that is adjacent to the Gulf of Mexico.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to authorize the legislature to provide ad valorem tax relief for certain offshore drilling equipment that is not in use."

#### PROPOSITION NO. 21 ON THE BALLOT

Senate Joint Resolution 17 proposes a constitutional amendment to provide for legislative involvement in the executive branch of government by permitting the legislature to include the speaker of the house of representatives in the membership of an agency or committee that includes officers of the executive branch of government and performs executive functions. Under current law, the legislature is not allowed to exercise any powers in executive matters under Article II of the Texas Constitution, which provides for the "separation of powers" into three distinct departments.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment permitting the legislature to include the speaker of the house of representatives or the speaker's appointee in the membership of an executive agency or committee."

#### PROPOSITION NO. 22 ON THE BALLOT

Senate Joint Resolution 53 proposes a constitutional amendment to allow the legislature to limit the term of office of a gubernatorial appointee to a vacancy in a state or district office to a partial, temporary term if the appointment is made on or after November 1 of the last year of the governor's term and the governor is not reelected. Under this amendment, the legislature may provide that the tenure of such an appointee would end sooner than the term would normally expire.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to allow the legislature to limit the authority of a governor to fill vacancies in state and district offices during the end of the governor's term if the governor is not reelected."

#### PROPOSITION NO. 23 ON THE BALLOT

Senate Joint Resolution 54 proposes a constitutional amendment to authorize the Texas Water Development Board to issue an additional \$400 million in water development bonds. Of the \$400 million authorized, \$200 million would be designated for conservation and development of water resources, \$150 million would be designated for water quality enhancement, and \$50 million would be designated for flood control. The amendment also authorizes the legislature to provide for review and approval of the issuance of the bonds and the use of the bond proceeds.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to authorize the issuance of an additional \$400 million of Texas Water Development Bonds for water supply, water quality, and flood control purposes."

#### PROPOSITION NO. 24 ON THE BALLOT

House Joint Resolution 83 proposes a constitutional amendment to allow a county to use county equipment and personnel to perform work, without compensation, for another governmental entity if the commissioners court finds that the work will not interfere with the performance of county work and approves performance of the work. The governmental entity must be located wholly or partly in the county, and the governing body of the governmental entity must file a written work request with the commissioners court.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to permit a county to perform work, without compensation, for another governmental entity."

#### PROPOSITION NO. 25 ON THE BALLOT

Senate Joint Resolution 5 proposes a constitutional amendment to allow the Legislature to authorize Randall County to levy a tax for the benefit of the Amarillo Hospital District. Any such tax could be levied only on property located outside the City of Amarillo and outside the South Randall County Hospital District. The tax could not be more than 75¢ per \$100 property valuation and would be effective only upon approval by the voters in the area to be taxed. If the tax is authorized by the Legislature and approved by voters, the Amarillo Hospital District is to serve residents of part of Randall County. If a tax is levied under this provision, Randall County must repay the State for the cost of publication of this amendment.

The proposed amendment also permits the legislature to authorize a hospital district to change its boundaries or jurisdiction if the district was created or authorized by a constitutional provision that includes a description of the boundaries or jurisdiction of the district. Any change in the boundaries or jurisdiction of such a hospital district would become effective only upon approval of the voters in the district.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment authorizing the legislature to permit the Amarillo Hospital District to serve certain residents of Randall County, to authorize Randall County to provide financial assistance to the district, and to authorize certain hospital districts to change their boundaries or jurisdiction with voter approval."

### EXPLANATORY STATEMENT FOR STATEWIDE REFERENDUM NO. 1

Senate Bill 86 submits to the voters the question of whether the 15 members of the State Board of Education should be appointed instead of elected. If the proposition passes, the Governor will appoint a member of the board for each district, with the consent of the Senate. If the proposition fails, the members will be elected from these districts.

The referendum will appear on the ballot as follows:

"The State Board of Education shall be composed of members who are appointed from districts instead of elected, with equal representation throughout the State of Texas."

### EXPLANATORY STATEMENT FOR STATEWIDE REFERENDUM NO. 2

The Texas Racing Act submits to the voters the question of whether pari-mutuel wagering should be legal in Texas on a county-by-county local option basis. If pari-mutuel wagering is adopted by the voters statewide, a county must also pass a separate proposition on pari-mutuel wagering at an election held in the county before any such wagering may be conducted in that county.

The referendum will appear on the ballot as follows:

"The legalization of pari-mutuel wagering under the Texas Racing Act on a county-by-county local option basis."